



**King County**

# Tri-Annual Report

## King County Ombudsman's Office

Ombudsman's Office Tri-Annual Report  
May 1 to August 31, 2013

October 14, 2013

### Background

The King County Ombudsman's Office was created by the voters of King County in the County Home Rule Charter of 1968, and operates as an independent office within the legislative branch of county government. The Ombudsman's Office resolves issues informally where possible, and investigates county agency conduct in response to complaints received from the public, county employees, or on its own initiative. This includes investigating alleged violations of the Employee Code of Ethics (KCC 3.04), Lobbyist Disclosure Code (KCC 1.07), and the Whistleblower Protection Code (KCC 3.42). In addition, the Tax Advisor section of the Ombudsman's Office provides property owners with information and assistance regarding all aspects of the property tax assessment process, and offers specific guidance for those who are considering an appeal of their valuation.

The Ombudsman's Office reports to the Metropolitan King County Council in January, May, and September of each year on the activities of the Office for the preceding four-month period, per KCC 2.52.150. This report summarizes Office activities for May 1 through August 31, 2013.

### Complaints Received

The Ombudsman's Office received 691 complaints and inquiries from residents and county employees between May 1 and August 31, 2013. Ombudsman cases are either classified as Investigations, Direct Assistance, or Information/Referral. A review of our recent case statistics revealed the following:

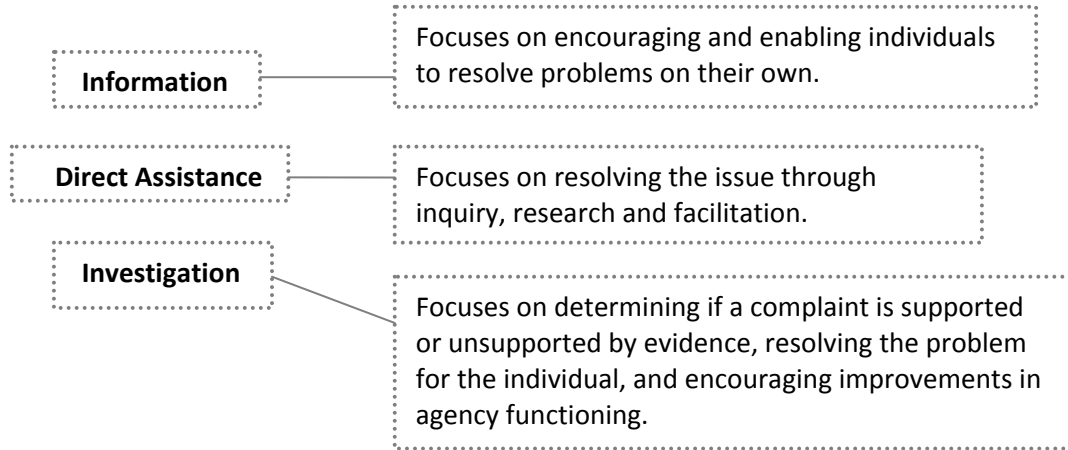
- The Ombudsman's Office closed 22 investigations, and opened 12 new investigations during this period. The allegations that initiated these investigations relate to potential Ethics, Whistleblower, Whistleblower Retaliation, and/or Administrative Conduct violations. Completing these investigations in a thorough and timely manner that strives to improve county operations and protect public trust in county government, makes these cases the most resource-intensive aspect of our Office's work.
- The Ombudsman's Office completed 723 cases during the May through August reporting period. The majority of those cases were resolved through information, referral, and direct assistance. The Ombudsman's Office is one of the few remaining countywide offices with staff who strive to answer every call during business hours. When residents reach our office, many have already contacted multiple county and other government offices and we make every effort possible to assist them with the resolution of their issues.

#### Contact the King County Ombudsman's Office:

516 Third Avenue, Room W-1039  
Phone: 206.477-1050  
Email: [ombudsman@kingcounty.gov](mailto:ombudsman@kingcounty.gov)  
Website: <http://www.kingcounty.gov/operations/Ombudsman.aspx>

## Response to Complaints

The Ombudsman's Office reviews each complaint individually, to determine the appropriate action(s) to be taken. In addition to addressing individual concerns, our office also focuses on complaint patterns which may indicate a systemic issue. Once we fully understand the complainant's issue, our office responds in one, several, or all of the following three ways:



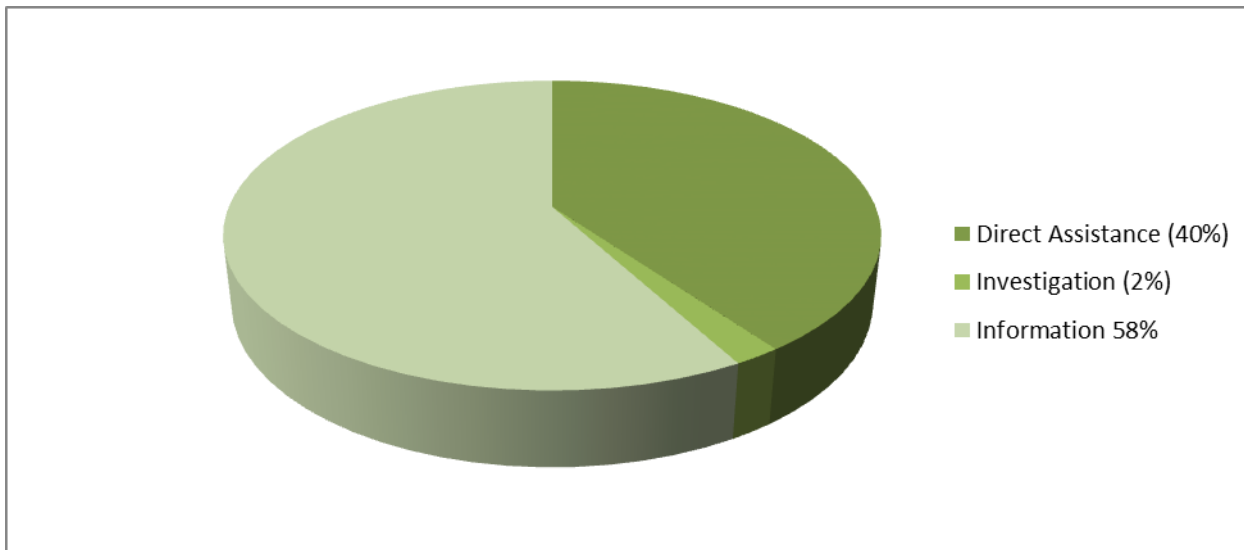
## Complaint Disposition

The table below shows the number of Ombudsman's Office cases associated with each county agency, and reveals how we responded to the 691 complaints and inquiries we opened during the triannual report period.

Department	Direct Assistance	Investigation	Information	Total
Adult and Juvenile Detention	108	1	163	272
Assessments	1	0	3	4
District Court	0	0	2	2
Elections	0	1	1	2
Executive Services	12	7	11	30
Community and Human Services	6	1	12	19
Judicial Administration	0	0	4	4
Legislative Branch Agencies	0	0	2	2
Natural Resources and Parks	7	1	8	16
Ombudsman's Office / Tax Advisor <sup>1</sup>	20	0	6	26
Permitting and Environmental Review	12	0	15	27
Prosecuting Attorney's Office	3	0	2	5
Public Health	69	1	13	83
Sheriff's Office	6	0	8	14
Superior Court	0	0	11	11
Transportation	9	0	9	18
Non-Jurisdictional	21	0	135	156
<b>Total</b>	<b>274</b>	<b>12</b>	<b>405</b>	<b>691</b>

<sup>1</sup> Cases coded to the Ombudsman's Office include inquiries about Ombudsman operations and processes, public records requests, PAO litigation holds and records requests, special projects, etc.

From May through August, as in previous periods, the majority of public contacts to our office required either direct assistance or information/referral. In addition to these cases, the Ombudsman’s Office also opened 12 investigations.



### Case Summaries

The nature and circumstances of the complaints we receive vary widely and our office has a broad array of tools to respond to the nuances of each case. The case summaries below describe how our office resolved several of the complaints we received during the second triannual reporting period of 2013:

Complaint	Resolution
Enforcement of illegal dumping laws against innocent property owners, not perpetrators.	We studied relevant laws, reviewed data, interviewed agency personnel, and produced detailed findings and recommendations. As a result, Public Health strengthened its third-party dumping enforcement protocols. We recommended further changes, and the department is working on additional improvements.
An inmate in the King County Correctional Facility (KCCF) alleges excessive force by corrections officer.	We transmitted complaint to DAJD Internal Investigations Unit. Upon completion of IIU’s investigation, we reviewed the complete unredacted file. The IIU file showed no evidence to support the allegations of excessive force. While it is clear from the reports that an incident occurred where officers used force, it was very clearly documented. From the documentation, the use of force not only appeared to be within DAJD policy guidelines, but also appropriate under the circumstances where the inmate refused to comply with orders after having just engaged in a fight with another inmate. This complaint was closed as unsupported.
Animal Services provided inaccurate information that resulted in family pet being adopted out.	The Ombudsman’s Office made inquiry of department and reviewed agency’s response. Determined that proper procedures had been followed, but also found that locating lost pets within the system can be difficult. Agency director took initiative for exploring development of a centralized lost pet information source in collaboration with other local government animal shelters.

Complaint	Resolution
Retaliation against employee for raising concerns about the efficacy of a County program.	Reviewed allegations and analyzed complainant's furnished evidence. Assessed complainant's aims and provided education and counseling about investigation and resolution options. With Ombudsman participation and assent, complainant and agency settled issues of concern in mediation.
County construction project blocked ditches resulting in runoff, which turned property into a wetland.	We met on-site with property owner and County Road Services staff. We reviewed photographs and other documents, including court records and engineering plans. We explored several avenues for solution, but none proved fruitful. In the end, we explained that if the property owner believes Road Services is responsible for damage to property, relief would likely need to come through the claims process.
Property owner questioned whether King County Department of Transportation had reconstructed driveway in the incorrect location. Another issues involved a well on the property.	We reviewed aerial photos and other documents and met with Road Services staff. It appeared that the County had not changed the access route as it enters and exits the neighbor's property. The well-radius issue may require further work. We put complainant in touch with correct Road Services staff who may be able to assist with this issue.
Inmate alleged the jail is failing to supply enough clean underwear in adequate numbers and sizes.	Ensuring adequate underwear had been a corrective action monitored by the DOJ. The Ombudsman's Office contacted DAJD's Maintenance Sergeant, who placed a large rush order from vendor for underwear.
Caller inquiring about confidentiality protection for victims of violence in real estate documents available online to the public.	Contacted staff from both the Assessor's office and the Recorder's officer to research the issue. While unable to completely protect the identity of the individual due to state law limitations, the employees of both agencies provided several alternatives so that they may be able to purchase property while still maintaining anonymity.
Inmate arrested at traffic stop on warrant for probation violation for which all court requirements had already been fulfilled.	We contacted the Jail's Commitment office and learned that inmate had been booked for "re-issued" warrant, which officer had never seen before. We called the PAO warrant section where staff recognized the procedural irregularities. PAO staff arranged for inmate to be seen by judge the following day, whereupon inmate was released from custody. PAO staff indicated that had we not brought this to their attention, inmate likely would not have gone before judge and been released until later in month.
County employee inquired whether Ethics Code allows employees to accept pizza meal from county contractor that wanted to show appreciation upon project completion.	Researched applicable county ethics code and Ethics Board advisory opinions, and consulted with Ethics Board personnel. Determined that employees should not accept a meal from a current county contractor when the contract remains in effect and the employees have operational or oversight authority over the contractor's work.
Employee concerned about potential retaliation for whistleblower report of stolen funds.	Employee feared retaliation for reporting improper governmental action. Department had concurrently dismissed the potential retaliator and so employee did not pursue formal complaint with our office. Educated employee about KCC 3.42 retaliation protections.

## Tax Advisor Statistics

The Tax Advisor Office, a section of the Ombudsman's Office, provides property owners with information and resources regarding all aspects of the property assessment and tax collection processes, and offers specific advice and assistance for those who are considering an appeal of their assessment.

The assistance we provide helps support fair and equitable taxation, especially in cases where the King County Assessor may not have known or considered significant new property information during the valuation process. To facilitate this process, we regularly provide:

- Comparable sales searches,
- Reviews of GIS and other mapping resources,
- Records and deed research,
- Information on property tax exemptions, including senior, disabled, home improvement, current use, and open space exemptions,
- Segregation or merger for multiple parcels, and

## Taxpayer Contacts

The Tax Advisor Office responded to 1,436 inquiries from May 1 to August 31, 2013. A signature function of our office is assisting citizens with their property tax appeals. During this report period, we provided market sales research to 241 (17%) of our contacts.

	Information	Research	Total
May	243	46	289
June	269	49	318
July	268	131	399
August	276	154	430
<b>Total</b>	<b>1,056</b>	<b>380</b>	<b>1,436</b>

As the table below indicates, the county residents who contact our office for assistance represent a wide range of property values and we provide them all with accurate information that will assist them in making decisions about whether or not to appeal the assessed value of their properties.

Assessed Property Value	Sales Surveys
\$0-200K	25
\$201-300K	25
\$301-400K	28
\$401-500K	31
\$501-700K	39
\$701K-1M	30
Over \$1M	63
<b>Total</b>	<b>241</b>