



**King County**

# Tri-Annual Report

## King County Ombudsman's Office

Ombudsman's Office Tri-Annual Report  
January 1 to April 30, 2014

June 2, 2014

### 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 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 calendar period, per KCC 2.52.150. This report summarizes Office activities for January 1 through April 30, 2014.

### Complaints Received

The Ombudsman's Office received 875 complaints and inquiries from residents and county employees between January 1 and April 30, 2014. Ombudsman cases are either classified as Investigations, Direct Assistance, or Information/Referral. A review of our recent case statistics revealed the following:

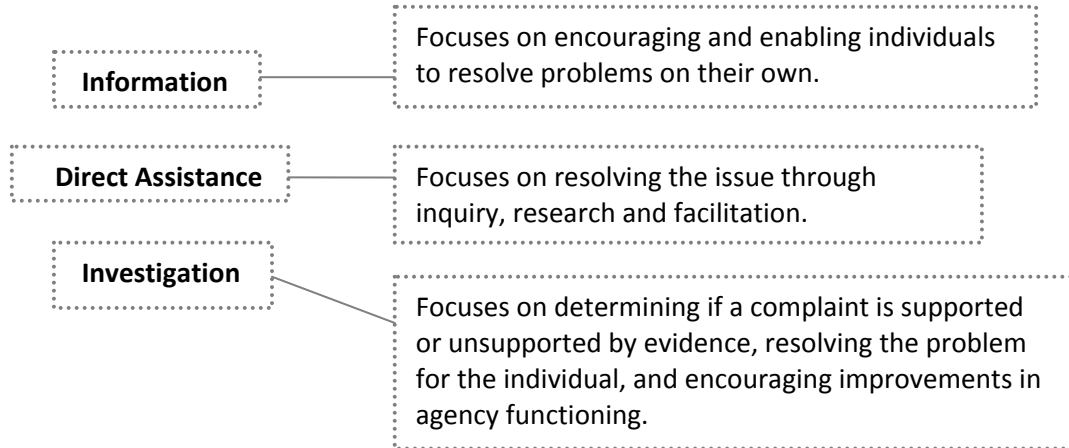
- The Ombudsman's Office opened 25 new investigations during this period. The allegations that initiated these investigations relate to potential Ethics, Whistleblower, Whistleblower Retaliation violations, and improper administrative conduct. We strive to complete these investigations in a thorough and timely manner to improve county operations and promote public trust in county government, and these cases are the most resource-intensive aspect of our Office's work.
- In the first four months of 2014, the Ombudsman's Office received 37% more cases than during the same period of 2013. While it is difficult to determine all the reasons for this increase, 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 attempted to reach multiple county offices and we make every effort possible to assist them in resolving their issue.

#### 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:



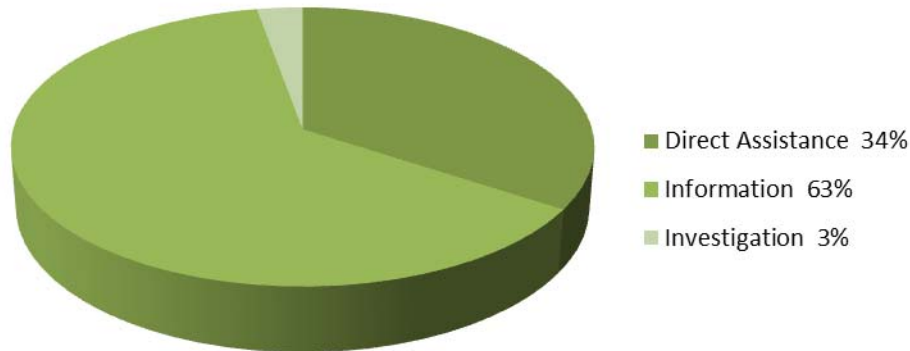
## Complaint Disposition

The graph below shows the number of cases associated with each county agency, and reveals how we responded to the 875 complaints and inquiries we received during the first four months of 2014:

Department	Direct Assistance	Investigation	Information	Total
Adult and Juvenile Detention	111	7	245	363
Assessments	0	1	1	2
District Court	1	0	6	7
Executive Services	17	2	9	28
Community and Human Services	1	1	8	10
Judicial Administration	1	0	4	5
Legislative Branch Agencies	0	0	1	1
Natural Resources and Parks	6	0	2	8
Ombudsman's Office / Tax Advisor <sup>1</sup>	25	0	10	35
Permitting and Environmental Review	16	7	5	28
Prosecuting Attorney's Office	1	0	7	8
Public Defense	3	0	10	13
Public Health	99	2	54	155
Sheriff's Office	6	1	6	13
Superior Court	0	0	12	12
Transportation	5	4	14	23
Non-Jurisdictional	7	0	157	164
<b>Total</b>	<b>299</b>	<b>25</b>	<b>551</b>	<b>875</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 January through April, 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 25 investigations.



### Case Summaries

The nature and circumstances of the issues we receive often 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 some of the complaints we received during the first four months of 2014:

Complaint	Resolution
Resident alleged that King County Metro Transit improperly advocated for the King County Transportation District’s ballot proposal to increase taxes through advertisements.	Our office analyzed the allegation under the King County Employee Code of Ethics. We found that Metro Transit displayed posters asking, “Will my bus be cut?” and directing readers to Metro’s website for additional information. The posters were informational, and were not a misuse of public funds and facilities for campaign purposes.
Rural resident reported that the Department of Transportation’s road sweeper left over six inches of sand on a rural road in east King County.	Ombudsman staff contacted DOT emergency services. The Department removed the sand immediately, which avoided the potential for accidents that the sand might have caused.
Employee alleged that annual aid provided by the King County Sheriff’s Office to Chelan County during Memorial Day weekend was provided as “Mutual Aid,” but Chelan County does not provide reciprocal aid to King County.	We sought a formal response from the Sheriff’s Office, and then conducted independent further research of applicable law. We found that Chelan County has provided aid to King County, and that the Sheriff’s Office correctly determined that King County’s aid was lawful and appropriate. Our findings were communicated to the complainant, who was understanding and thankful for our inquiry into the complaint.

Complaint	Resolution
<p>A low income rural County resident contacted our office and requested our assistance in obtaining permits for her home where she has lived for more than 15 years. She alleged that the overall permitting process was confusing, communication was poor from the Department of Public Health, and the Already Built Construction permit fees were too high as required by the Department of Permitting and Environmental Review. Further complicating the permit process was the fact that the resident was using an untreated surface water spring for drinking water supply and the property would not support a well.</p>	<p>The Ombudsman's Office researched alternative forms of water supply and worked with the resident and Public Health to obtain permits for a rain water catchment system. The resident then constructed the permitted system and the Ombudsman's office worked to facilitate communication between the resident and Public Health which resulted in an approved legal water system for the residence. The Ombudsman's office also helped the resident apply for and obtain partial reduction of the Already Built Construction fees with the Department of Permitting and Environmental Review. The resident now has a building permit for her home.</p>
<p>County resident believed that the Department of Permitting and Environmental Review (DPER) made an error in the calculation of the stormwater fees, which are based on a square footage calculation, associated with his building permit. The resident explained to our office that the resident and the resident's architect had carefully designed the structure to stay below the square footage that would trigger certain stormwater fees and therefore it was particularly upsetting that DPER had made the error. Further, the resident alleged that DPER would not consider the calculations that the resident's architect had developed for the square footage of the structure.</p>	<p>The Ombudsman's Office investigated the complaint by confirming the fee structure, checking the square footage calculations, and requesting that the DPER re-check the calculations. Through this process, DPER determined that an error had been made. The resident's fees were accordingly lowered and the resident expressed gratitude that the issue was quickly resolved.</p>
<p>Alleged recent employment separation from Department of Assessments was due to whistleblower retaliation.</p>	<p>We had two lengthy conversations with the former employee. We discussed the employee's work history, allegations, and overall situation at length, and then reviewed extensive documentation provided by the former employee. We determined that the allegations did not fit within county whistleblower retaliation protections but might raise anti-discrimination issues. We counseled the former employee about available remaining options, and, at the former employee's request, followed up with a detailed referral to the county Office of Civil Rights.</p>
<p>Anonymous complaint alleging ethics violation by a Public Health employee drinking alcohol at a bar during working hours.</p>	<p>We summarized and transmitted the complaint to Public Health and met with senior department managers. We reviewed the department's complete investigation and findings, and we conducted additional independent investigation. We determined that several issues of concerns had already been addressed and resolved and that there was no need for additional inquiry. The accused employee was in fact drinking but was off duty at the time and had been relieved of any continued responsibility for the day. The division changed its policy to ensure that similar situations do not happen again.</p>

Complaint	Resolution
<p>Alleged harassing and intimidating behavior by co-worker within the Department of Transportation.</p>	<p>An employee felt harassed and intimidated by a co-worker's interactions with him. The employee believed that nothing would change if he complained, because the co-worker and their supervisor were personal friends. We explained the employee's options for pursuing a formal complaint and helped him analyze the pros and cons of each one. We then counseled the employee about informal steps he could try in an effort to improve his workplace environment. The employee is a member of a union, and asked that we liaison with his union representative. We conferred discretely with the union representative, who acted as an informal dispute resolver within the workgroup. We assured the employee and union representative that we remain available for further assistance, if necessary.</p>
<p>Inmate returned to King County Jail from Western State Hospital reported three week delay in transferring money to his jail account. The inmate was unable to purchase writing supplies, reading material, and over-the-counter medication, from the jail commissary. .</p>	<p>We communicated the issue to the jail bookkeeper, who determined that Western State Hospital still listed the inmate as one of its detainees. Once alerted to the transfer to King County Jail, Western State transferred the funds back to the inmate's King County Jail account. .</p>
<p>Inmate alleged unnecessary force after cell extraction and violation of policy by not videotaping the cell extraction.</p>	<p>Complaint was unsupported. We transmitted the allegations to DAJD IIIU. IIU did an investigation and we reviewed the complete un-redacted file upon completion. The investigation showed that the inmate was exhibiting self-harm behavior including banging his head against walls and the door, then beginning to eat a plastic cup. The self-harm behavior, as well as the inmate's lack of following orders from the officers, resulted in an emergent response. According to DAJD policy, it is acceptable to forgo videotaping a cell extraction when the threat of harm outweighs the risk of waiting to film incident.</p>

## 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 tax assessment process, and offers specific guidance 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 for seniors and disabled persons,
- Home improvement, current use and open space exemptions,
- Segregation or merger for multiple parcels, and
- Assistance resolving complaints about other departments.

## Resident Contacts

The Tax Advisor Office responded to 2,064 residents from January 1 to April 30, 2014. A signature function of our office is assisting citizens with their property tax appeals. In the first four months of 2014, we provided sales research to 274 (14%) of our contacts.

	Information	Research	Total
January	145	62	207
February	598	70	668
March	488	78	566
April	604	111	715
<b>Total</b>	<b>1835</b>	<b>321</b>	<b>2156</b>

As the chart below indicates, the county residents who contact our office for assistance represent a variety of income levels and we strive to provide them all with accurate information that will assist them in making decisions about potential value appeals.

Assessed Property Value	Sales Surveys
\$0-200K	5
\$201-300K	8
\$301-400K	14
\$401-500K	4
\$501-700K	18
\$701K-1M	10
Over \$1M	13
<b>Total</b>	<b>72</b>