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KING COUNTY  
OFFICE OF CITIZEN COMPLAINTS

TRIANNUAL REPORT

September – December 2007

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Presented to the  
Metropolitan King County Council

January 16, 2008

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## INTRODUCTION

The Office of Citizen Complaints is required to report to the Metropolitan King County Council on the 15th of 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 September 1 through December 31, 2007.

During the report period, the Office of Citizen Complaints received 762 inquiries. The majority of contacts to the Office were handled through information and assistance. We initiated 24 complaint investigations, and completed 33 investigations.

## BACKGROUND

The Office of Citizen Complaints – Ombudsman investigates complaints about the administrative conduct of King County executive branch agencies. In addition, the Ombudsman investigates alleged violations of the King County Employee Code of Ethics as well as reports of improper governmental action and retaliation under the Whistleblower Protection Code.

The mission of the Office is to promote public confidence in King County government by responding to citizen complaints in an impartial, efficient and timely manner, and to contribute to the improved operation of County government by making recommendations based upon the results of complaint investigations.

## INQUIRY CLASSIFICATION

The Office of Citizen Complaints classifies citizen inquiries into three categories:

Information: Request for information or advice which may result in referral.

Assistance: Complaint resolved through staff-level inquiry and facilitation.

Investigation:<sup>1</sup> Complaint is not resolvable through assistance, or is potentially systemic. Following preliminary review, complaint is summarized and transmitted to department director for response.

Investigations involve independent factual research, including witness interviews, evidence collection and review, analysis of applicable laws, policies/procedures, standards, etc.

Investigations seek to determine if the complaint is supported or unsupported, and to resolve the problem. Investigations may result in recommendations to departments for improved practices or policy changes, or for legislative change. Investigations are closed with a finding of resolved, supported, unsupported, or discontinued.

Complainants, respondents, directors of administrative agencies, and other parties of record are provided with the results of our findings.

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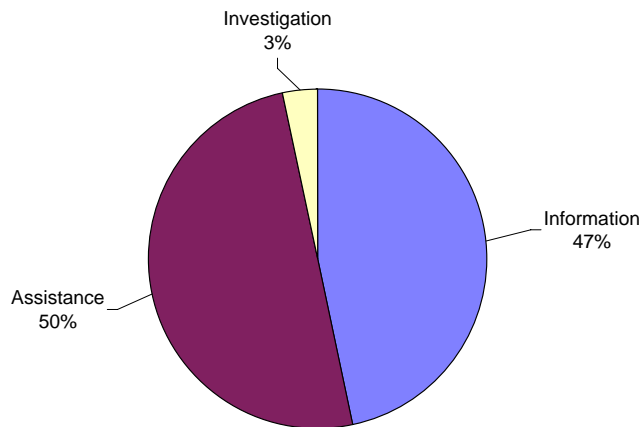
<sup>1</sup> Investigations include citizen complaints, alleged violations of the ethics code, reports of improper governmental action pursuant to the whistleblower protection code, whistleblower retaliation complaints, and ombudsman-initiated investigations.

OMBUDSMAN STATISTICS

**Table A**  
**Total Inquiries Received**  
**September – December 2007**

Department	Information	Assistance	Investigation	Total
Adult and Juvenile Detention	66	121	16	203
Assessor	4	5	0	9
Boards and Commissions	1	0	0	1
Community and Human Services	16	5	0	21
Development and Environmental Services	7	35	1	43
District Court	4	1	0	5
Executive	6	0	0	6
Executive Services	26	19	2	47
Judicial Administration	2	0	0	2
Metropolitan King County Council	19	14	0	33
Natural Resources and Parks	2	6	0	8
Prosecuting Attorney's Office	8	1	0	9
Public Health	17	131	3	151
Sheriff's Office	12	13	1	26
Superior Court	8	3	0	11
Transportation	15	11	1	29
Non-jurisdictional <sup>2</sup>	142	16	0	158
<b>Total</b>	<b>355</b>	<b>383</b>	<b>24</b>	<b>762</b>

**Chart A**  
**Disposition of Total Inquiries Received**  
**September – December 2007**



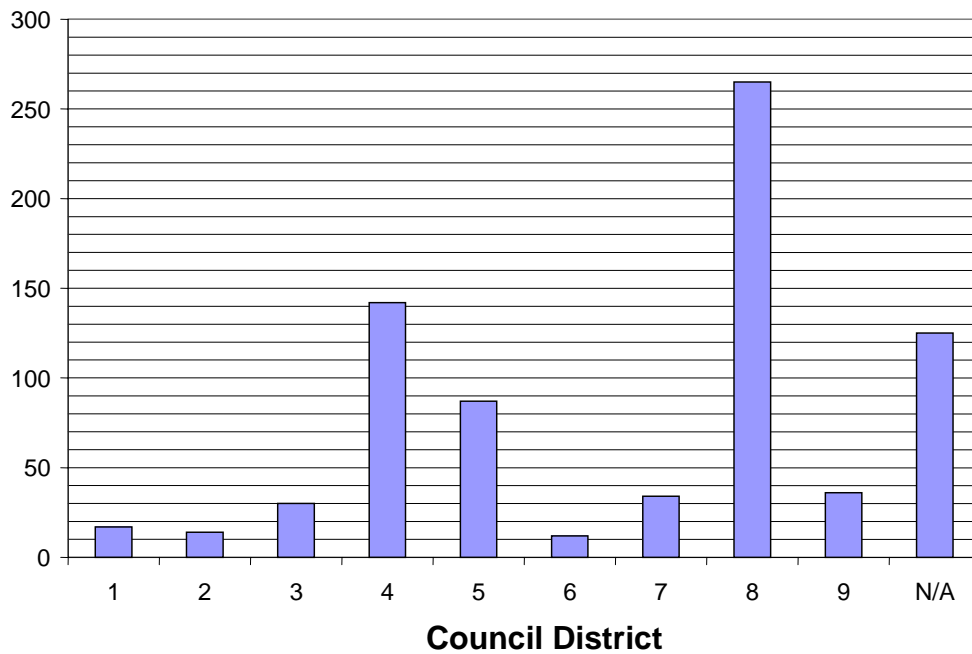
<sup>2</sup> The non-jurisdictional category represents inquiries about non-jurisdictional city, state, federal, non-profit, or other private entities.

OMBUDSMAN STATISTICS

**Table B**  
**Inquiries by Council District**  
**September – December 2007**

District	Councilmember	Inquiries
1	Bob Ferguson	17
2	Larry Gossett	14
3	Kathy Lambert	30
4	Larry Phillips	142
5 <sup>3</sup>	Julia Patterson	87
6	Jane Hague	12
7	Pete von Reichbauer	34
8 <sup>4</sup>	Dow Constantine	265
9	Reagan Dunn	36
N/A	Unavailable	125
<b>Total</b>		<b>762</b>

**Chart B**  
**Inquiries by Council District**  
**September – December 2007**



<sup>3</sup> Inquiries for this district may be higher due to the number of calls from the Kent Jail facility.

<sup>4</sup> Inquiries for this district may be higher due to the number of calls from the Seattle Jail facility.

## COMPLETED INVESTIGATIONS<sup>5</sup>

### DEPARTMENT OF ADULT AND JUVENILE DETENTION

Synopsis	Disposition
<p>Inmate reports that Corrections Officers are answering grievances about themselves and not by supervisors as stated in the Inmate Grievance Policy.</p>	<p>Discontinued. Reviewed the Inmate Grievance Policy, copies of the inmate grievance and appeal, and the response to the inmate grievance and appeal. Complaint was then referred to Commander of the DAJD Facility. A response from the Commander indicated that although belatedly, a supervisor did, in fact, review the grievances and appeal forms. No further action was necessary by this office.</p>
<p>Inmate being held by DAJD after municipal judge ordered release.</p>	<p>Unsupported. Contacted both the municipal court and the DAJD. While the inmate was held after the municipal judge signed the release order, the municipal court did not forward that court order in a timely manner to DAJD. DAJD did not receive the court order until the next day. Once notified, DAJD took steps to correct the inmate's custody status. This incident was outside of DAJD's control.</p>
<p>Complainant is claiming disparate treatment by Correctional Officers at the RJC.</p>	<p>Unsupported. Requested and reviewed pertinent documentation. Inmate made self-incriminating statements about the inmate's own behavior. Infractions were supported by the inmate's statements.</p>
<p>Inmate assault by correctional officers.</p>	<p>Unsupported. Transmitted to Facility Commander who had matter investigated. The Facility Commander's investigation found the allegation to be unfounded. This Office was unable to find any evidence to support the complaint. Unable to notify the complainant at this time.</p>
<p>Inmate denied access to legal workstation and materials</p>	<p>Unsupported. Interviewed complainant. Confirmed non-pro se status. Researched policies. Interviewed employees responsible for law library administration, discussed possible changes to inmate reference materials. Determined that appropriate procedures in place and administered fairly, wrote draft findings and conclusions, including recommendations for changes to handbook and kite process. Confirmed inmate's change to pro se status, requested further information from inmate to reexamine issue in light of changed status. Complainant did not respond to request.</p>

<sup>5</sup> Open, ongoing investigations are not subject to public disclosure, and are therefore not included in the investigation synopsis.

Synopsis	Disposition
Unprofessional and intimidating behavior of several correctional officers	Discontinued. After initial contact with office, complainant did not respond to request for additional information about allegations. Wrote and sent summary of allegations to department for their informational purposes, did not request response.
Unprofessional conduct.	Unsupported. Referred this matter over to DAJD IIU, who did an investigation. Once the investigation was complete, this Office reviewed the file and found that there is not enough evidence to support the complainant's allegations.
Inmate complaining of disparate treatment.	Unsupported. Referred this matter over to DAJD IIU, who did an investigation. Once the investigation was complete, this Office reviewed the file and found that there is not enough evidence to support the complainant's allegations.
Complainant alleges mistreatment by a Correctional Officer.	Unsupported. Reviewed all incident and witness reports. Telephonically interviewed relevant staff from DAJD. Found the evidence did not support the complainant's version of events.
African-American inmate alleges DAJD made a classification mistake that allowed the inmate to be assaulted by inmate with white supremacy tattoos all over body.	Unsupported. Reviewed the relevant documentation. Transmitted complaint over to DAJD. CIU completed an investigation. DAJD response relayed a finding that officers were acting within policy when housing inmates of different backgrounds together. Interviewed inmate witnesses. Interviewed relevant DAJD staff. DAJD's actions were proper.
Complainant alleges C/O told JHS staff not to provide methadone to inmate.	Supported. Supported as the evidence showed the Corrections Officer did deny the complainant medication as a disciplinary action. This matter was closed without any recommendations, as it appears to be an isolated incident where the Corrections Officer received a verbal correction to include clarification on DAJD's medication policies.
Third party complaint regarding treatment of inmate who was assaulted by officers.	Discontinued. The named complainant never contacted this office despite attempts to get the complainant to do so.
Inmate reports assault and unnecessary roughness by jail staff.	Discontinued. Received and reviewed relevant documentation including statements by the complainant. Due to the admissions by complainant this Office declined to investigate further.

<b>Synopsis</b>	<b>Disposition</b>
Inmate injured by mace sprayed in tank and denied medical attention	Discontinued. Complaint was brought to the attention of the Facility Commander who forwarded it to the Internal Investigations Unit. Complainant subsequently filed claim for damages. Pursuant to Risk Management Code (KCC 4.12.060(B) complaint file was closed.
Inmate was threatened by Corrections Officer in relation to requesting medical attention.	Discontinued. Complainant filed claim for damages. Investigation on complainant's individual situation was discontinued pursuant to Risk Management ordinance KCC 4.12.060(B)(1).

COMMUNITY AND HUMAN SERVICES

<b>Synopsis</b>	<b>Disposition</b>
Widow of soldier alleges discrimination by the King County Veteran's Administration by not receiving as much assistance as the complainant felt entitled to because the complainant is Korean American.	Unsupported. Transmitted the complaint to King County Veteran's Administration. Met with the Agency Director and reviewed the relevant documentation including the policies on financial assistance. According to the policies and procedures, the complainant may have received more assistance than to which complainant was entitled.

DEPARTMENT OF EXECUTIVE SERVICES

<b>Synopsis</b>	<b>Disposition</b>
Complainant alleges rude treatment by county employee.	Supported. Referred the complaint to the employee's supervisor who provided appropriate counseling to employee.

PUBLIC HEALTH

<b>Synopsis</b>	<b>Disposition</b>
Concerned that Family Nurse Practitioner rescinded recommendation for volunteer certification for long-term care ombudsman program based on false information about complainant's mental health.	Unsupported. Complainant signed release for information from health records. After this Office received and reviewed complainant's records, we found there was no information to support complaint.
Inmate feels being denied medical treatment.	Unsupported. Reviewed medical and infraction documentation. Interviewed relevant Jail Health Services staff. Concluded that proper procedures were followed.
Inmate alleges inadequate medical attention.	Inconclusive. Transmitted the complaint to DPH. Received and reviewed the medical records of the inmate, the deck log, and DPH's response. The records and statements of both the complainant and DPH are inconsistent; therefore, a conclusion was not possible.

Synopsis	Disposition
Inadequate jail medication administration system	Partially supported. Ombudsman identified trends in medication-related complaints from inmates and Jail Health Services staff, as well as Washington State Board of Pharmacy reports. Ombudsman reported trends to County Council and Executive by memorandum, and recommended action consistent with Pharmacy Board technical assistance reports. Council ordered performance audit of Jail Health Services medication administration system. Based on limited data, audit concluded inmates at no greater risk from medication errors than patients in other healthcare settings. However, audit identified systemic deficiencies relating to medication administration, nurse and pharmacy staffing, and quality improvement.
Inmate alleges inadequate medical treatment.	Unsupported. Referred matter to Manager of Jail Health Services. Requested and received complainant's medical file. Medical documentation did not support complainant's allegation.
Inmate alleges a Jail Health Services nurse threatened bodily harm as retaliation for complaining to Ombudsman about medical care.	Unsupported. Transmitted the complaint over to DPH. The investigation revealed inconsistent statements by both the complainant and the witness.
Inmate alleges inadequate medical treatment.	Discontinued. Transmitted the complaint over to Public Health. Received a response that reiterated complainant's medical history. Unable to clarify with complainant due to not having recent contact with complainant.
Inmate who was beaten by another inmate and suffered a broken eardrum was recommended by jail physician to be sent to Harborview, but had not been sent to Harborview yet.	Unsupported. Transmitted the complaint to Jail Health Services. The complainant's relevant medical records were requested and reviewed. The complainant had appointments with Harborview scheduled, but was not informed of the dates due to security precautions.
Inmate alleges inadequate medical treatment.	Unsupported. Referred matter to Manager of Jail Health Services. Requested and received complainant's medical file. Medical documentation did not support complainant's allegation.
Inmate suffered effects of pepper spray is still not getting medical attention.	Contacted Jail Health Services with complainant's medical concerns. Complainant subsequently filed claim for damages. Investigation was discontinued pursuant to Risk Management ordinance KCC 4.12.060(B)(1).
Complainant is concerned about emails being sent out by employee in Public Health that have political and racial influences included.	Supported. Transmitted the complaint over to the appropriate agency. The Agency implemented a committee to continue counseling with the employee sending out the emails.

SHERIFF'S OFFICE

Synopsis	Disposition
Citizens allege Sheriff's Deputies forced way into home without a warrant and without cause.	Unsupported, but with concerns and recommendations. Interviewed complainants and reviewed complete, unredacted IIU file. Conducted supplemental, independent factual and legal research and analysis. Found that deputies entered complainants' home lawfully because they possessed a valid electronic arrest warrant. Expressed concerns regarding portion of IIU investigation devoted to determining whether deputies needed complainants' consent to enter residence, credibility of one deputy regarding interactions with complainants, and deputy courtesy issue. Recommended interpersonal skills training for deputies and mediation for all parties. Transmitted draft findings to Sheriff and reviewed Sheriff's response. Initiated, hosted and facilitated meeting between Sheriff and complainants at Ombudsman's Office wherein all parties thoughtfully shared and listened to one another's viewpoints and obtained closure regarding the incident.
Unprofessional conduct by Sheriff's detective who intimidated crime victim and family during course of investigation.	Resolved. After IIU investigation, concerns were brought to attention of detective's supervisor and section commander. In addition, Sheriff will review office procedures to ensure that they are providing the best service and protection possible to victims of sexual assault while still considering the emotional impact on others affected by the case.

DEPARTMENT OF TRANSPORTATION

Synopsis	Disposition
Whistleblower complaint alleging violation of law and gross waste of public funds.	Discontinued pursuant to settlement agreement.
Objects to DOT determination that complainant solely responsible for removal of debris dumped along edge of a right-of-way. Complainant paid for clean up, but asserts that DOT is partially responsible because portion of debris was on County right-of-way.	Supported. Conducted site visit, interviewed witnesses, and analyzed photographic evidence. Determined agency incorrectly measured edge of right-of-way, erroneously forcing citizen to pay entire costs of disposal. Based on Ombudsman analysis, agency re-assessed situation and agreed. Citizen will seek reimbursement from Risk Management.
Ethics complaint – supervisors authorized use of county resources for employee fund-raising project.	Discontinued. Complaint transmitted to respondents. Complainant subsequently informed us that department had addressed concerns satisfactorily by accounting for how monies were raised. Complainant informed us that very little money had been actually raised and advised of desire not to pursue case further.

<b>Synopsis</b>	<b>Disposition</b>
Whistleblower complaint alleging department policy violations of phone usage, use of equipment for personal reasons, gambling and fund raising during work hours, and disclosure of confidential medical information.	Discontinued. Pursuant to settlement agreement, matter was resolved between the County and complainant.

## TAX ADVISOR STATISTICS

The Tax Advisor Office provides advice and assistance to any person responsible for the payment of property taxes in King County. Tax Advisor staff respond to citizen inquiries regarding the valuation of property, local and state appeal processes, and the property tax computation and collection process.

## CONTACT CLASSIFICATION

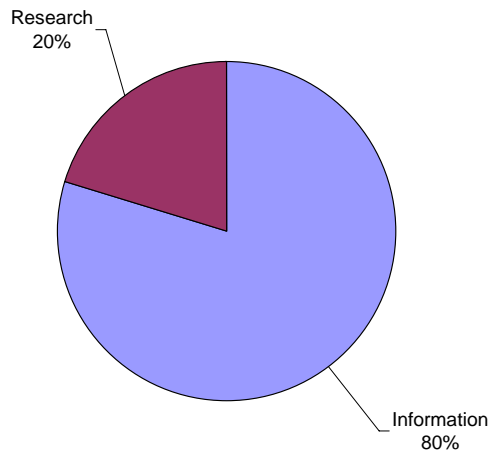
The Tax Advisor Office classifies taxpayer contacts into two categories:

- Information: Request for information, advice, or assistance which may result in database inquiry and/or referral.
- Research: Sales survey, and/or inquiry and attempted resolution of taxpayer concerns related to assessments, taxes (payments, billings, and levies), property records, exemptions, and applicable tax codes.

**Table C**  
**Total Tax Advisor Contacts**  
**September – December 2007**

	Information	Research	Total
September	121	114	235
October	613	133	746
November	331	51	382
December	212	28	240
<b>Total</b>	<b>1277</b>	<b>326</b>	<b>1603</b>

**Chart C**  
**Total Tax Advisor Contacts**  
**September – December 2007**



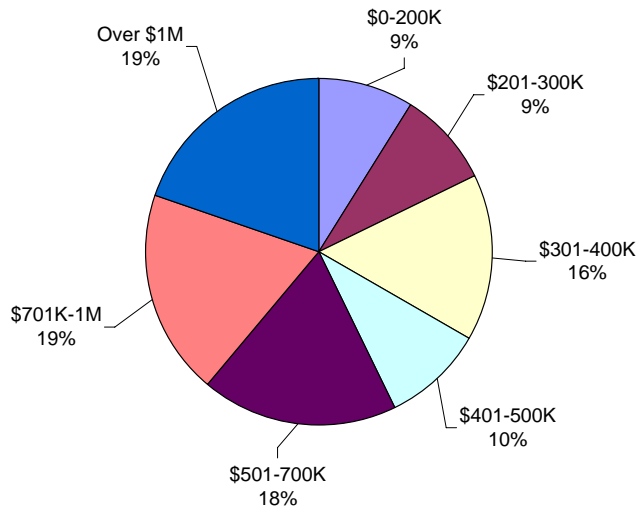
## SALES SURVEYS

Residential sales surveys are provided to taxpayers who may wish to appeal their assessed values to the local or state boards. The Office uses the Assessor's CompSales program and other resources to identify sales of similar properties that closed during the lien period in question. Search criteria can be refined and may include such characteristics as lot size, views, and waterfront for land values, and grade, condition and total living area for improvement values. A sales report can be generated which provides sales information for similar, comparable properties including each property's characteristics as measured by the Assessor at the time of sale. This information is useful in helping taxpayers determine whether to appeal the Assessor's valuation, and can also be used as evidence when presenting an appeal.

**Table D**  
**Sales Surveys – Assessed Property Value**  
**September – December 2007**

Assessed Property Value	Sales Surveys
\$0-200K	13
\$201-300K	13
\$301-400K	23
\$401-500K	14
\$501-700K	27
\$701K-1M	28
Over \$1M	29
<b>Total</b>	<b>147</b>

**Chart D**  
**Sales Surveys – Assessed Property Value**  
**September – December 2007**



TAX ADVISOR STATISTICS

**Table E**  
**Tax Advisor Inquiries by Council District**  
**September – December 2007**

District	Councilmember	Inquiries
1	Bob Ferguson	140
2	Larry Gossett	181
3	Kathy Lambert	98
4	Larry Phillips	139
5	Julia Patterson	99
6	Jane Hague	151
7	Pete von Reichbauer	106
8	Dow Constantine	244
9	Reagan Dunn	122
N/A	Unavailable	323
<b>Total</b>		<b>1603</b>

**Table E**  
**Inquiries by Council District**  
**September – December 2007**

