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KING COUNTY  
OFFICE OF CITIZEN COMPLAINTS

TRIANNUAL REPORT

January – April 2008

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Presented to the  
Metropolitan King County Council

May 15, 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 January 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, 2008.

During the report period, the Office of Citizen Complaints received 889 inquiries. The majority of contacts to the Office were handled through information and assistance. We initiated 27 complaint investigations, and completed 31 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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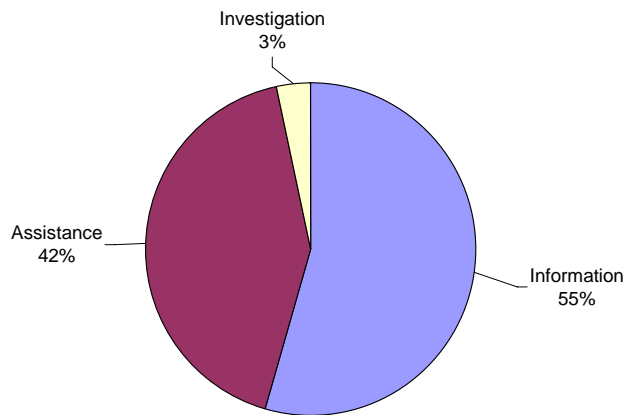
<sup>1</sup> Investigations include citizen complaints, alleged violations of the ethics code, reports of improper governmental action pursuant to the whistleblower protection code, whistleblower retaliation complaints, and ombudsman-initiated investigations.

OMBUDSMAN STATISTICS

**Table A**  
**Total Inquiries Received**  
**January – April 2008**

Department	Information	Assistance	Investigation	Total
Adult and Juvenile Detention	122	150	6	278
Assessor	5	5	0	10
Boards and Commissions	0	0	0	0
Community and Human Services	14	4	0	18
Development and Environmental Services	18	39	2	59
District Court	3	0	0	3
Executive	2	0	0	2
Executive Services	20	12	3	35
Judicial Administration	1	0	0	1
Metropolitan King County Council	18	21	1	40
Natural Resources and Parks	4	3	2	9
Prosecuting Attorney's Office	5	1	0	6
Public Health	41	101	8	150
Sheriff's Office	13	11	5	29
Superior Court	15	3	1	19
Transportation	12	11	1	24
Non-jurisdictional <sup>2</sup>	192	16	0	208
<b>Total</b>	<b>485</b>	<b>377</b>	<b>29</b>	<b>891</b>

**Chart A**  
**Disposition of Total Inquiries Received**  
**January – April 2008**



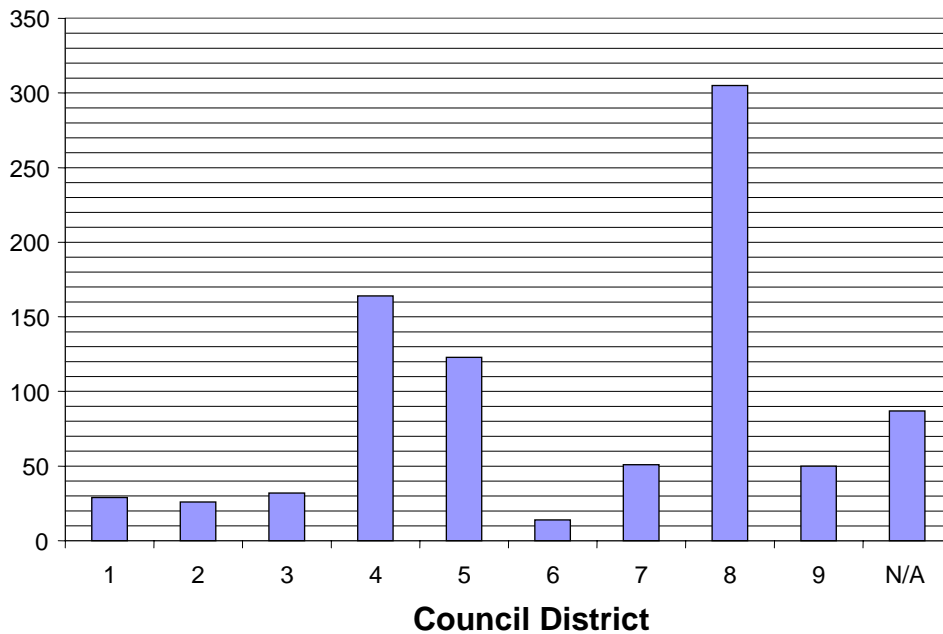
<sup>2</sup> The non-jurisdictional category represents inquiries about non-jurisdictional city, state, federal, non-profit, or other private entities.

OMBUDSMAN STATISTICS

**Table B**  
**Inquiries by Council District**  
**January – April 2008**

District	Councilmember	Inquiries
1	Bob Ferguson	29
2	Larry Gossett	26
3	Kathy Lambert	32
4 <sup>3</sup>	Larry Phillips	164
5 <sup>4</sup>	Julia Patterson	123
6	Jane Hague	14
7	Pete von Reichbauer	51
8 <sup>5</sup>	Dow Constantine	305
9	Reagan Dunn	50
N/A	Unavailable	97
<b>Total</b>		<b>891</b>

**Chart B**  
**Inquiries by Council District**  
**January – April 2008**



<sup>3</sup> Inquiries for this district are likely due to the number of calls from the Seattle Jail facility.

<sup>4</sup> Inquiries for this district are likely higher due to the number of calls from the Kent Jail facility.

<sup>5</sup> Inquiries for this district are likely due to the number of calls from the Seattle Jail facility.

COMPLETED INVESTIGATIONS<sup>6</sup>

DEPARTMENT OF ADULT AND JUVENILE DETENTION

Synopsis	Disposition
<p>1. Unprofessional conduct by corrections officer. 2. Officer did not respond to inmate's seizure.</p>	<p>Unsupported. 1. Preponderance of evidence does not support allegation of unprofessional conduct by corrections officer. 2. Preponderance of evidence does not support allegation that officer did not respond to the inmate's seizure. Officers' deck log entry stated that an inmate in complainant's tank indicated complainant was having a seizure, and that Jail Health Services responded within two minutes and referred complainant to the infirmary for further evaluation. Ombudsman concern that IIU file was not accurate and complete. Recommended that DAJD and IIU consider this case as opportunity for training.</p>
<p>Inquiry into conditions at juvenile detention facility.</p>	<p>Discontinued. Scoping regarding conditions of detention at juvenile facility. Contacted juvenile supervisors at public defender organizations, also obtained referrals to other individuals who have contact with youth in facility. Did not uncover case concerns regarding specific individuals, although did hear general concerns that youth not getting mental health services. Briefed and transferred case to staff who are working with the juvenile facility.</p>
<p>Inmate alleges mistreatment of property by correctional officer during random search.</p>	<p>Unsupported. This Office transmitted the complaint to DAJD IIU for investigation. This Office then reviewed the IIU findings, DAJD policies and procedures, and the Washington State Commission on Criminal Justice Training policies on cell searches. The DAJD officer who conducted cell search was acting within proper scope and authority of policies and procedures regarding cell searches.</p>
<p>Inmate alleges mistreatment of property by correctional officer during random search.</p>	<p>Unsupported. This Office transmitted the complaint to DAJD IIU for investigation. This Office then reviewed the IIU findings, DAJD policies and procedures, and the Washington State Commission on Criminal Justice Training policies on cell searches. The DAJD officer who conducted cell search was acting within proper scope and authority of policies and procedures regarding cell searches.</p>
<p>Complainant alleges being assaulted by correctional officers and personal property was intentionally destroyed by corrections officers.</p>	<p>Discontinued. This Office began an investigation, however, the complainant filed a claim for damages with Risk Management, so this case was closed pursuant to KCC 4.12.060(B).</p>

<sup>6</sup> Open, ongoing investigations are not subject to public disclosure, and are therefore not included in the investigation synopsis.

Synopsis	Disposition
<p>Inmate's mother alleges that son not properly treated for mental health condition, tied down for extended periods, not allowed to wash after pepper spray.</p>	<p>Discontinued. Interviewed complainant. Numerous contacts with jail health to confirm receipt of mental health reevaluation and treatment. Reviewed copies of officer incident reports, infraction reports, appeal hearings, classification record, deck log. Questioned jail property cashier and classification supervisor. Obtained jail health information about pepper spray incident. Researched applicable policies on various issues, inquiry of jail sergeant responsible for policies and procedures. Inmate filed claim for damages, case closed pursuant to KCC 4.12.</p>
<p>Female inmate alleges a corrections officer was found watching female inmates in Infirmary shower.</p>	<p>Supported. This Office transmitted the allegations to DAJD. DAJD determined that a trusty inmate, not a corrections officer, was found outside the female shower with a blanket over his head. DAJD removed the trusty inmate from inmate worker status for the rest of the inmate's booking. The trusty inmate was released the same day. DAJD did not enter permanent notes in the trusty inmate's file regarding this incident. This Office found that the actions of the trusty inmate constituted sexual misconduct and while DAJD did take remedial actions, more needed to be done.</p>
<p>Inmate alleges unnecessary and excessive force resulting in a broken jaw.</p>	<p>Inconclusive. This Office transmitted the allegations over to DAJD. DAJD IIU did an investigation but was unable to locate the complainant who was out of custody at that time. This Office reviewed the IIU file, the complainant's medical records, and Seattle Police Department Incident Reports. This Office also made attempts to contact the complainant for more information, but was unable to do so.</p>
<p>Complainant alleges assault by three correctional officers at KCCF for no reason.</p>	<p>Discontinued. This Office requested records regarding this incident. Contacted DAJD Records Manager, who relayed that there was not a single notation regarding anything out of the ordinary for this complainant. Due to the age of the matter and the likelihood there would be no independent recall from the officers, this case is to be closed.</p>
<p>Lack of follow-up to former corrections officer's concerns that were raised beginning in 1999 about long-term effects of exposure to gamma rays in the 1970's when uniformed staff were required to x-ray all inmates in the jail.</p>	<p>Resolved. Complainant's concerns were initially raised during former administration of DAJD and there was insufficient documentation to ably respond to the complaint. The current Deputy Director of DAJD acknowledged importance of issue. With assistance of Risk Management, DAJD hired outside expert who provided a comprehensive report. Report contained section that specifically applied to complainant's situation. If complainant has further questions, arrangements were made for complainant to meet with outside expert.</p>

Synopsis	Disposition
Inmate alleges excessive force and harassment by guards and non-response to grievances.	Relayed complaint to appropriate jail personnel and counseled complainant regarding options. Obtained and reviewed inmate's medical and jail records. Reviewed agency response to complaint. Complainant filed Claim for Damages against King County prior to Ombudsman issuing findings. Case closed pursuant to KCC 4.12 (risk management).

ASSESSOR'S OFFICE

Synopsis	Disposition
Whistleblower allegation that appraiser changed the assessed value on own personal business to eliminate personal tax liability.	Unsupported. Transmitted complaint to department, reviewed summary of departmental investigation and information from state auditor's office. Concluded that no evidence of improper governmental action.
Whistleblower allegation that appraiser changed the assessed value on own personal business to eliminate personal tax liability.	Unsupported. Transmitted complaint to department, reviewed summary of departmental investigation and information from state auditor's office. Concluded that no evidence of improper governmental action.

COMMUNITY AND HUMAN SERVICES

Synopsis	Disposition
Ethics violation - conflict of interest for spouses to be members of same county board.	Unsupported. Interviewed complainant, reviewed and analyzed the complaint and the response with its evidentiary attachments; conducted interviews with respondent, Veterans' Program manager, and ethics board executive director. Researched and considered applicable state and county laws and county Board of Ethics advisory opinions. Concluded that respondent's elected membership on the same county board as her spouse does not violate the ethics code.

DEVELOPMENT AND ENVIRONMENTAL SERVICES

Synopsis	Disposition
Alleges excessive permit charges and improper denial of fee waiver request.	Unsupported. Reviewed documents, interviewed complainant's engineer, and concluded that grounds for a fee waiver were not supported.

DEPARTMENT OF EXECUTIVE SERVICES

Synopsis	Disposition
Citizen alleges that Office of Risk Management's claim process is confusing and unfair.	Partially supported. Conducted intake with complainant, advised on focusing issues. Researched details of accident, including police response, county transit and risk management accident report protocols. Referred citizen for more information on Seattle police response. Reviewed department's response. Agency made several changes responsive to issues raised, provided adequate explanations for others.

NATURAL RESOURCES AND PARKS

Synopsis	Disposition
Employee disciplined excessively for vehicle accident.	Unsupported. Conducted intake with complainant, reviewed supporting documents. Researched issues including discipline procedure, whether properly trained for vehicle license class, whether level of discipline consistent with past. No improper agency action found.

PUBLIC HEALTH

Synopsis	Disposition
Alleges inadequate medical care for MRSA.	Discontinued. Medical records indicate twice-daily wound care was ordered by Harborview, but performed only one time per day at Jail. However, inmate was released from custody two days after return from Harborview. In addition, Ombudsman conveyed inmate's concerns regarding wound care to JHS manager.
Failure to fill prescription issued by HMC physician; and failure to deliver medication in a timely manner for treatment of critical eye condition.	Unsupported. DPH response and medical record indicate that inmate's prescriptions were filled in a timely manner following inmate's first visit to HMC. However, after a follow-up visit at HMC, there was confusion with regard to inmate's medications when provider wrote prescription for non-narcotic pain medication, but did not discontinue previously ordered narcotic pain medication, and inadvertently sent two prescriptions with conflicted with regard to frequency of dosage. JHS pharmacist contacted HMC provider and resolved discrepancies.
Inmate alleged that a nurse required the inmate to disclose private medical information in front of other inmates.	Unsupported. This Office transmitted the complaint to JHS. An investigation was done by a Nursing Supervisor who found insufficient evidence to support the complaint. However, the Nursing Supervisor did review medical privacy policies with applicable staff.
Inmate alleges inadequate medical care for seizures.	Unsupported. This Office requested and received a Release of Information from the complainant. This Office then contacted the JHS Nursing Supervisor and did a review of the medical records. There was no evidence to support complainant's allegation in the medical records.
Inmate alleges inadequate dental care.	Discontinued. Initially, this Office relayed the inmate's complaint to JHS. However, the complainant requested a Claim for Damages Form. This Office provided the complainant with form and closed this case pursuant to KCC 4.12.060(B).

Synopsis	Disposition
Inmate needs dosage increase in psychiatric medication.	Resolved. Ombudsman staff followed-up with call to Jail Health staff. Ombudsman staff reviewed inmate's medical records after inmate provided signed release of information. Inmate's medical records indicated appropriate follow-up by Jail Health regarding psychiatric prescriptions after inmate contacted Ombudsman Office.
Inadequate medical treatment.	Discontinued. Ombudsman staff contacted JHS on inmate's behalf. After complainant authorized release of information, medical records were reviewed. Complainant filed claim for damages. Pursuant to Risk Management Code (KCC 4.12.060(B)(1) Ombudsman case was closed.
Inadequate medical care and refusal to provide prescribed medications.	Discontinued. Relayed inmate's emergent health concerns to appropriate Jail Health Services personnel. With inmate's written consent, obtained and reviewed jail medical records. Inmate then filed Claim for Damages against King County. Case closed pursuant to KCC 4.12.060 (risk management).
Alleges purchase of office furniture wastes government funds.	Unsupported. Conducted intake with complainant. Researched proper procurement procedure, determined that purchases were properly made and that amount of purchase is discretionary. Met with department director to discuss and advise on effective responses, including consideration of possible negative perceptions within department and also outside. Did not hear back from anonymous complainant, who had agreed to recontact our Office for results.

SHERIFF'S OFFICE

Synopsis	Disposition
Citizen's alleges KCSO Deputies improperly entered the home and used excessive force in arresting a family member.	Unsupported. This Office reviewed the entire unredacted King County Sheriff's Office Internal Investigations Unit (IIU) file, conducted an interview with the complainant, and attended the criminal trial of the complainant's family member. Further, this Office researched and analyzed the King County Sheriff's Incident reports, relevant court documents, case law, applicable statutes and model policies.
Alleges violation of King County Ethics Code when manager retaliated against employees due to ethics board inquiry.	Unsupported. Researched county code. Reviewed complaint and evidence from respondent, complete internal investigation file including multiple witness interviews, other relevant documents. Conducted several interviews. Concluded no reasonable cause to find retaliation. Made informal recommendation of conflict resolution.

Synopsis	Disposition
<p>Citizen alleges Sheriff's officer was unprofessional, verbally abusive, and used excessive force at scene of incident.</p>	<p>Partially supported. Reviewed unredacted Internal Investigations file, interviewed all available parties, reviewed applicable law and KCSO policies. Issued three findings: IIU Properly Exonerated the Deputy on the Allegation of Excessive or Unnecessary Use of Force Against a Person, IIU Improperly Made a Non-sustained Finding on the Allegation that the Deputy Violated the Courtesy Policy, and IIU Should Have Attempted to Interview other viable witnesses.</p>

DEPARTMENT OF TRANSPORTATION

Synopsis	Disposition
<p>Employee alleged retaliation, hostile workplace environment, discrimination, illegal hiring practices, etc.</p>	<p>Unsupported. Interviewed complainant multiple times define/narrow issues. Reviewed documentary evidence from complainant, department HR and management. Presented broader allegations of discriminatory practices to county Office of Civil Rights, Diversity Services Manager, Civil Rights Commission Liaison to determine possible avenues for assistance. Explored problem-solving options with complainant. Reviewed outside consultant's investigative report. Determined no improper action.</p>
<p>Citizen alleges denial of hire based on improper considerations.</p>	<p>Unsupported. Conducted multiple interviews of complainant. Reviewed supporting documents. Researched county rules, policies, state law. Issues included consideration of veterans' preference, criminal history, driving record, employer references. Met with department HR and prosecutor for problem-solving. HR agreed to reconsider complainant in future application. Made informal recommendations to HR for changes in job description. Coached complainant on problem-solving options. Complainant agreed to change in approach and plans to reapply.</p>

## 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:

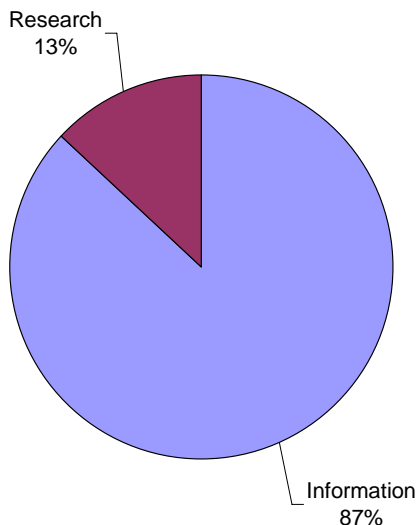
**Information:** Request for information, advice, or assistance which may result in database inquiry and/or referral.

**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**  
**January – April 2008**

	<b>Information</b>	<b>Research</b>	<b>Total</b>
January	278	33	311
February	581	82	663
March	469	70	539
April	634	107	741
<b>Total</b>	<b>1962</b>	<b>292</b>	<b>2254</b>

**Chart C**  
**Total Tax Advisor Contacts**  
**January – April 2008**



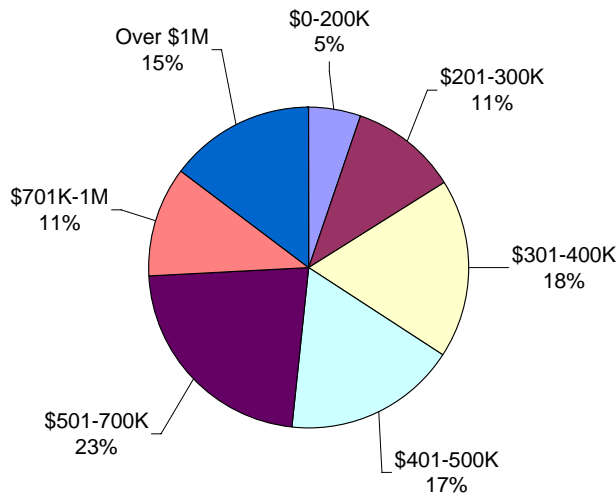
## SALES SURVEYS

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**  
**January – April 2008**

Assessed Property Value	Sales Surveys
\$0-200K	8
\$201-300K	17
\$301-400K	28
\$401-500K	27
\$501-700K	35
\$701K-1M	17
Over \$1M	23
<b>Total</b>	<b>155</b>

**Chart D**  
**Sales Surveys – Assessed Property Value**  
**January – April 2008**



TAX ADVISOR STATISTICS

**Table E**  
**Tax Advisor Inquiries by Council District**  
**January – April 2008**

District	Councilmember	Inquiries
1	Bob Ferguson	207
2	Larry Gossett	258
3	Kathy Lambert	219
4	Larry Phillips	181
5	Julia Patterson	183
6	Jane Hague	219
7	Pete von Reichbauer	193
8	Dow Constantine	265
9	Reagan Dunn	218
N/A	Unavailable	311
<b>Total</b>		<b>2254</b>

**Table E**  
**Inquiries by Council District**  
**January – April 2008**

