

KING COUNTY SHERIFF'S BLUE RIBBON PANEL

Progress Report to the King County Council

Monday, June 26, 2006

- **Introduction of Panel Members**
- **Opening Remarks** – Randy Revelle, Panel Chair
- **Organization and Process** – Randy Revelle
 - ✓ Roster of Panel Members
 - ✓ Panel Charge
 - ✓ Operating Guidelines
 - ✓ Panel Work Program
 - ✓ Public Hearings
- **Research and Information** – Faith Ireland, Panel Vice Chair
 - ✓ Review of resources
 - ✓ National experts
- **Preliminary Findings/Recommendations**
 - ✓ Influential Factors – Faith Ireland
 - ✓ Major areas of concern – Randy Revelle
- **Questions and Answers**

SHERIFF' BLUE RIBBON PANEL
Roster of Members

Randy Revelle (Panel Chair)
Senior Vice President
Washington State Hospital Association

Faith Ireland (Panel Vice Chair)
Justice (retired)
Washington State Supreme Court

Tony Anderson
Lieutenant, Port of Seattle Police
Councilmember, City of SeaTac

Jennifer Shaw
Legislative Director
American Civil Liberties Union-Washington

David Boerner
Professor, School of Law
Seattle University

Richard K. Smith
Lieutenant (retired)
Washington State Patrol

Michael O'Mahony
Assistant Chief (retired)
Seattle Police Department

Pat Stell
Secretary's Regional Representative (retired)
United States Department of Labor

Wilson Edward Reed, Ph.D.
Instructor, Mateo Ricci College
Seattle University

David Eugene Wilson
United States Magistrate Judge (retired)
Assistant United States Attorney (retired)

Staff to the Panel:

Marty Wine
Senior Associate
Berk & Associates

Morgan Shook
Associate
Berk & Associates

Virginia Kirk
Manager, Human Resources
King County Sheriff's Office

SHERIFF'S BLUE RIBBON PANEL
Panel Charge and Staff Support

Panel Charge

The King County Sheriff seeks the advice of an expert panel to research internal management systems, suggest well-functioning internal review processes, and identify and recommend areas of needed improvements. The panel's efforts complement other Sheriff's Office reforms. Specifically, the panel is charged with:

- Reviewing internal management systems for addressing employee misconduct and discipline;
- Gaining an understanding of leading management practices in other departments and their applicability to a department with characteristics like the Sheriff's Office;
- Making recommendations to the Sheriff for improvements to the accountability system for misconduct and discipline; and
- Delivering a final report and written recommendations to the Sheriff by no later than August 31, 2006.

The panel will establish a written work program and schedule of meetings to review the current system, develop consensus about potential changes to current practices, and present findings and recommendations. The panel is expected to meet every two or three weeks for five to six months.

Staff Support

The panel will be supported by a policy consulting firm, Berk & Associates, who will provide:

- Meeting facilitation, including the development of meeting agendas and summaries, research summaries, and materials for discussion;
- Assistance in decision making by identifying relevant questions, presenting research findings, and focusing the panel on findings and recommendations;
- Independent, neutral research and information, prepared for presentation to the panel;
- A concise and clear final report on behalf of the panel; and
- Facilitation and involvement of the public and media as appropriate.

Additional expertise and support will be provided by the Sheriff's Office, with Virginia Kirk, Human Resources Manager, as the day-to-day lead contact and coordinator of information and resources available from the office. Others within and outside the office may be consulted who have expertise in police operations and best practices in personnel systems.

March 3, 2006

SHERIFF'S BLUE RIBBON PANEL
Operating Guidelines

A. Responsibilities of Panel Chair

1. Chair all meetings of the panel
2. Work with Berk & Associates to facilitate consensus on panel issues
3. Act as spokesperson for the panel
4. Work with Berk & Associates to prepare meeting agendas and facilitate debate

B. Meetings and Attendance

1. Panel meetings will start and end on time.
2. Only appointed panel members will participate on the panel; no alternates allowed.
3. The time and place for panel meetings will be set by the chair in coordination with Berk & Associates, who will make public all panel meeting notices and agendas.
4. Meetings will be open to the public. The panel may choose when and how to receive public comment, structured presentations, and comments provided to Berk & Associates. Members of the public wishing to present materials to the panel should arrange to do so by contacting Berk & Associates.
5. If time permits, the Chair may allow public comment during panel meetings.
6. Berk & Associates will produce summary proceedings of meetings.
7. Panel members will communicate planned absences at least one day in advance of a meeting by notifying Berk & Associates via email.
8. Agendas will be distributed in advance to panel members and interested parties, with a goal to provide agendas and meeting materials to panel members at least 48 hours in advance of panel meetings.
9. Panel members may offer changes or additions to the agenda at the start of each meeting. If two panel members object to a change, a majority of the members present will decide whether to change the agenda.

C. Panel Discussions and Decisions

1. The panel will have candid, efficient, effective, and open discussions:
 - a. All panel members should attend and participate in meeting discussions.
 - b. Only one person should speak at a time.
 - c. Points should be made concisely and clearly.
 - d. All members' interests and positions will be respected and considered.
2. The chair and Berk & Associates will work toward panel consensus. Consensus is defined as a collective opinion reached by a group of people that resolves or advances issues at hand. Consensus is best met when the following conditions exist:
 - a. Each panel member feels s/he has had a fair chance to speak and be heard.
 - b. Sufficient time is given to thoroughly discuss the issue and for everyone to gain an understanding of the panel's decision.
 - c. Each member understands the decision or solution on the table.

- d. Substantial differences of opinion are represented in the final report to reflect the divergence of views, if any. Where panel members disagree, the majority will seek to assure that final recommendations will be constructed to achieve the broadest support by the panel.
3. Decisions should be made only when a quorum is present, defined as a majority of members.
4. The panel may opt to create subcommittees, and the chair may appoint subcommittee chairs and members for the study of specific issues.

D. Communications

1. Panel members should communicate questions, issues, and suggestions to Berk & Associates who will coordinate actions and responses among the panel chair, subcommittee chairs, and members.
2. Panel members will be copied on communications sent to Berk & Associates. Supplemental materials a member or third party may want to provide to other members should be coordinated through Berk & Associates.
3. Email communications to panel members by individual members will preferably be copied to Berk & Associates in order to coordinate information sharing and responses among members.
4. Berk & Associates will create an email address where comments and questions can be directed and relayed to the panel and will forward all comments and questions from all sources to the panel at each meeting.
5. Berk & Associates and panel members will forward all media inquiries directly to the chair for response.
6. To the extent practicable, one or two interim briefings with the King County Council will be scheduled to keep council members and the public informed about the work of the panel.

Adopted March 8, 2006

SHERIFF'S BLUE RIBBON PANEL
Revised Panel Work Program

Tentative Day/Date	Meeting/Agenda
Through March 8	• Appoint, announce, and convene the Sheriff's Blue Ribbon Panel. Develop a roster of contact information • Develop a draft work program, agenda, and operating guidelines (<i>Berk</i>) • Meet with the Sheriff's staff to plan and organize logistics (<i>Berk</i>) • Initial research into the current process and comparable agencies (<i>Berk/Sheriff's Office</i>)
Wednesday March 8	Panel Meeting 1 – Organization and Overview • <u>Part 1: Organizational Elements</u> ✓ Panel introductions ✓ Review the panel's charge (<i>Sheriff Rahr, King County Council members Phillips and Hague</i>) ✓ Review and approve the operating guidelines ✓ Review and approve the panel's preliminary work program ✓ Review the flow of information and meeting materials (binders and background information) • <u>Part 2: Disciplinary Process</u> ✓ Overview of Sheriff's Office services and work force ✓ Overview of current misconduct and disciplinary procedures
Wednesday March 22	Panel Meeting 2 – Problem Identification • Overview and discussion of current investigative procedures • Problem identification: brainstorm factors that influence the success or failure of the misconduct and discipline process • Begin identification of comparable agencies and best practices • Initial impressions and future directions for research
Wednesday April 12	Panel Meeting 3 – Development of Alternatives • Discussion and approval of major influential factors • Overview of King County Office of Citizen Complaints-Ombudsman • Overview of employment law and labor environment • Initial findings: model programs and best practices • Identification of comparable agencies for research
Wednesday April 26	Panel Meeting 4 – Development of Alternatives • Discussion and approval of <i>revised</i> work program • Presentation of Sheriff's 100-Day Plan (<i>Sheriff Rahr</i>) • Presentation of current training programs and hiring practices • Preliminary findings: model practices and programs research • Discussion of the preliminary identification of concerns

Tentative Day/Date	Meeting/Agenda
Wednesday <i>May 17</i>	Panel Meeting 5 – Findings/Recommendations • Presentation by police labor organizations • Additional findings: model programs and best practices
Wednesday <i>June 7</i>	Panel Meeting 6 – Findings/Recommendations • Presentation: Sheriff's Office management, supervision, and promotion practices • Discuss and revise preliminary findings/recommendations • Develop report structure and outline • Prepare for public hearings
Weeks of <i>June 12 and June 19</i>	Public Hearings • Renton • Kenmore • Issaquah
Monday <i>June 26</i>	Brief the King County Council
Wednesday <i>July 5</i>	Panel Meeting 7 – Findings/Recommendations • Consider and discuss comments from the public hearings and the King County Council briefing • Discussion of draft problem statement(s) • Discussion of findings/recommendations
Wednesday <i>July 12</i>	• Discussion of findings/recommendations • Substantive review of draft report
Wednesday <i>July 19</i>	Panel Meeting 8 – Panel Report • Adopt findings/recommendations • Review and discuss draft report
Week of <i>July 24</i>	Report Preparation • Distribute draft report to panel members for final review • Panel member edits and revisions by email
<i>Week of August 7</i>	Deliver the Final Panel Report to the King County Sheriff, the King County Executive, the King County Council, and the King County Prosecutor



Public Invited to Bring Ideas to Sheriff's Panel

The King County Sheriff's Blue Ribbon Panel is seeking public comment at three public hearings about potential reforms to the King County Sheriff's Office misconduct/discipline processes and management systems.

The ten-member citizen panel was convened in March 2006 by the King County Sheriff, Metropolitan King County Council, King County Executive, and King County Prosecutor. The Panel is charged with recommending reforms by August 2006.

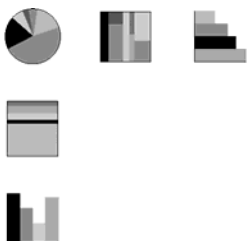
SOUTH	<i>Date:</i> <i>Time:</i> <i>Location:</i>	Monday, June 12, 2006 6:00 to 9:00 p.m. City of Renton Community Center 1715 Maple Valley Highway, Renton, WA
NORTH	<i>Date:</i> <i>Time:</i> <i>Location:</i>	Thursday, June 15, 2006 6:00 to 9:00 p.m. Northshore Utility District Lakeshore Room 6830 NE 185 th Street, Kenmore, WA
EAST	<i>Date:</i> <i>Time:</i> <i>Location:</i>	Thursday, June 22, 2006 6:00 to 9:00 p.m. King County Library System Administrative Service Center 960 Newport Way NW, Issaquah, WA

See reverse for directions to each meeting. Sign-in will begin at 5:30 p.m. Testimony will be time-limited depending on the number of people who want to address the panel.

The panel is asking for public comments to be focused on the following questions:

- (1) What problems related to misconduct/discipline and management systems do you believe the King County Sheriff's Office needs to address and solve?**
- (2) In the future, how should the Sheriff's Office be more accountable to the public when dealing with citizen inquiries and complaints against its employees?**
- (3) In the future, what kind of independent review of the misconduct / discipline processes should be put into place for the Sheriff's Office?**

Information: www.metrokc.gov/sheriff/sheriff/blueribbon/ or
Morgan Shook, Berk & Associates, phone (206) 324-8760 or
e-mail: sheriff@berkandassociates.com



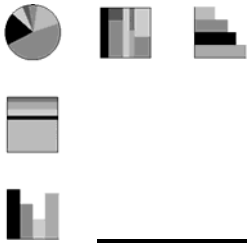
MEMORANDUM

DATE: June 7, 2006
TO: King County Sheriff's Blue Ribbon Panel Members
FROM: Marty Wine and Morgan Shook, Berk & Associates
RE: Review of Resources to the Panel

This memorandum documents the resources that have been or will be made available to the panel in its research into the misconduct/discipline and management systems of the King County Sheriff's Office:

- Panel presenters
 - o Sue Rahr, King County Sheriff
 - o Virginia Kirk, Manager, Human Resources, King County Sheriff's Office
 - o Cameron Webster, Captain, Internal Investigations Unit, King County Sheriff's Office
 - o Amy Calderwood, Director, King County Office of Citizen Complaints-Ombudsman
 - o Susie Slonecker, King County Prosecutor's Office
 - o Nancy Buonanno-Grennan, King County Office of Human Resources Management
 - o Rick Hayes, King County Office of Human Resources Management
 - o Dustin Frederick, Business Manager, SEIU, Public Safety Employees, Local 519
 - o Steve Eggert, President, King County Police Officers Guild
 - o Chris Vick, Attorney for the King County Police Officers Guild
- Consultation and research materials from individuals and organizations
 - o American Civil Liberties Union
 - o Human Rights Watch
 - o International Association of Chiefs of Police
 - o Japanese American Citizens League
 - o Police Assessment Resource Center
 - o Mexican American Legal Defense and Education Fund
 - o National Association for the Advancement of Colored People

- o National Association for Citizen Oversight of Law Enforcement
 - o National Center for State Courts
 - o National Coalition on Police Accountability
 - o National Council of La Raza
 - o National Sheriffs' Association
 - o Police Executive Research Forum
 - o Charles Z. Smith, Justice (retired), Washington State Supreme Court
 - o State Justice Institute
 - o U.S. Department of Justice
 - o VERA Institute of Justice
 - o Samuel Walker, *The New World of Police Accountability*
 - o Washington Association of Sheriffs and Police Chiefs
- Profiles of police and sheriff agencies
 - o City of Boise, ID
 - o City of Portland, OR
 - o City of San Jose, CA
 - o City of Seattle, WA
 - o City and County of Denver, CO
 - o Los Angeles County, CA
 - o Washington State Patrol
- Panel members' diverse professional/personal expertise and contacts
- Public testimony
 - o Three public hearings in Kenmore, Issaquah, and Renton in June, 2006
 - o Public comment provided at panel meetings since March, 2006
- News media, including the Seattle Post-Intelligencer's series, *Conduct Unbecoming*



MEMORANDUM

DATE: June 7, 2006

TO: King County Sheriff's Blue Ribbon Panel

FROM: Marty Wine and Morgan Shook, Berk & Associates

RE: National Experts on Police Accountability

This memorandum suggests a preliminary list of individuals that are generally recognized as experts on police accountability issues. The listing is intended to provide the panel with a sample of experts that potentially could be invited or made available to the panel as resources, or asked to review and critique the panel's draft report.

- *Barbara Attard*, Director, Independent Police Auditor, City of San Jose and President, National Association of Civilian Oversight of Law Enforcement
- *Merrick Bobb*, Director, Police Assessment Resource Center
- *Mike Gennaco*, Special Counsel, Office of Independent Review, Los Angeles County Sheriff's Office
- *Richard Rosenthal*, Director, Office of the Independent Monitor, City and County of Denver
- *Samuel Walker*, Professor of Criminal Justice, Omaha, Nebraska; author of 12 books on policing, criminal justice policy, and policing

MEMORANDUM

Date: April 26, 2006
From: Randy Revelle, Chair
To: Members, Sheriff's Blue Ribbon Panel
Re: **Influential Factors**

Based on our March 22, 2006 brainstorming session and our discussion on the April 12, 2006, the following are the major factors influencing the misconduct and discipline processes of the King County Sheriff's Office:

- **Department leadership and culture:** customs, values, informal standards of conduct, and professionalism expected and modeled by departmental leaders
- **Management and supervision:** prevention of misconduct, intervention when it occurs, and correction/discipline when needed
- **Human resource systems:** recruitment, hiring, training, promotions, and recognition
- **Labor environment:** collective bargaining agreements and relations with and influence of labor unions
- **Complaint process:** how it is structured and conducted, including intake, investigation, discipline, remedies, and appeals
- **Internal oversight:** tracking, monitoring, and reporting procedures and systems to provide feedback, evaluate individual performance, identify patterns of misconduct, and develop systemic improvements
- **External oversight:** governmental and citizen oversight of police misconduct and discipline processes
- **Transparency:** public access to relevant information and the public's perception of the openness of the investigation and discipline processes
- **External forces:** events or factors that prompt changes, such as politics, media coverage, and community reactions.