



King County

Office of Law Enforcement Oversight

September 16, 2020

TO: Erin Overbey, Legal Advisor, King County Sheriff's Office (KCSO)

FR: Adrienne Wat, Interim Director, Office of Law Enforcement Oversight (OLEO)

RE: Rules of Conduct, General Orders Manual 3.00.015(1)(g)
Bias Based Policing, General Orders Manual 3.00.030(1)

In response to Internal Investigation number IIU2020-276, OLEO has reviewed KCSO's General Orders Manual (GOM) 3.00.015(1)(g) on Discrimination, Harassment, Incivility, and Bigotry and GOM 3.00.030 on Bias Based Policing. Upon clarifying allegations to be investigated, OLEO and KCSO agreed that the current misconduct policies regarding discrimination do not thoroughly address the issues presented by the complaints. In proposing the revisions below, OLEO seeks to provide KCSO personnel with clear notice of acceptable conduct. More specifically, the revised policies would clarify that discriminatory statements or expressions made while on or off duty are prohibited. Such statements or expressions seriously undermine the integrity of the KCSO and call into question a deputy's ability to carry out their official duties in an impartial and lawful manner that serves all people equally.

In preparation for making recommendations for changes to the policy, OLEO reviewed discrimination policies in other jurisdictions and the International Association of Chiefs of Police (IACP) model policies.

Our recommendations are the following:

- Revise GOM 3.00.015(1)(g) to “Discrimination, Harassment, Incivility, and Bigotry: Members while on or off duty shall not at any time express—verbally, in writing, or by other gesture—any prejudice or derogatory comments concerning specific personal characteristics of another person. Such specific personal characteristics include, but are not limited to:
 - Race,
 - Color,
 - Age,
 - Sex,
 - Sexual orientation

- Religion,
 - National origin,
 - The presence of any sensory, mental or physical disability; or
 - Gender identity or expression.”
- Revise GOM 3.00.030(1) to “Bias based policing occurs when a member of the KCSO takes actions in the course of their duties that are influenced by bias, prejudice, or discriminatory intent. Law enforcement, police service, and investigative decisions shall not be motivated by any characteristic of protected classes under state, federal, and local laws as well as other specific personal characteristics of the individual(s).”