

2.52 KING COUNTY OFFICE OF PUBLIC COMPLAINTS/TAX ADVISOR - OMBUDS OFFICE

(Formerly KING COUNTY OFFICE OF CITIZEN COMPLAINTS/TAX ADVISOR)

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2.52.010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Abuse" means behavior that is deficient or improper compared with what a prudent person would consider reasonable and necessary given the circumstances and that is inconsistent with sound fiscal, business, or operational practices, which could result in improper payments or unnecessary financial loss.

B. "Administrative agency" means any department, office or other governmental unit, or any employee of King County acting or purporting to act by reason of a connection with the county, and the board of equalization/appeals; but "administrative agency" does not include:

1. Any court or judge or appurtenant judicial staff;
2. The members or staffs of the county council;
3. The executive or the executive's personal staff; or
4. The county prosecuting attorney or the prosecuting attorney's staff.

C. "Administrative act" includes every action, such as decisions, omissions, recommendations, practices, or procedures, of an administrative agency. For purposes of this chapter, action of a contractor, or grantee related to a contract or grant with the county shall be considered an administrative act.

D. "Contract" means a mutually binding legal relationship that obligates a person, including a firm, corporation, or partnership or other entity, to provide tangible personal property, services, professional, or technical services or public work to the county, and that obligates the county to pay for such. For the purposes of this chapter, "contract" also includes "grant," which means an agreement between the county and a grant recipient under which the county makes an award of county-administered moneys to a recipient to fund projects, services, or research that serve a public purpose and no repayment of the award is expected.

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E. "Fraud" means the wrongful or criminal deception or misrepresentation intended to result in financial or personal gain. "Fraud" includes false representation of material fact, making materially false statements, or by concealment of information.

F. "Waste" means the thoughtless or careless expenditure, mismanagement, or abuse of resources to the detriment, or potential detriment of the county. Examples of detriment to the county include significant unnecessary costs, inefficiencies, and ineffective practices, systems, or controls. (Ord. 20101 § 5, 2026: Ord. 18618 § 32, 2017: Ord. 11107 § 2, 1993: Ord. 5869 § 1, 1982: Ord. 473 § 1, 1970).

2.52.020 Establishment of office of public complaints - divisions.

A. In accordance with Section 260 of the King County Charter, the office of public complaints is established. The office shall consist of:

1. The ombuds division; and
2. The inspector general division.

B. The duties of the ombuds division shall include the following:

1. Inspection and investigation of alleged violations of the employee code of ethics under K.C.C. chapter 3.04;
2. Inspection and investigation of reports of improper governmental action and retaliation under K.C.C. chapter 3.42;
3. Inspection and investigation of possible violations of the lobbyist disclosure code under K.C.C. chapter 1.07; and
4. Serve as property tax advisor in accordance with RCW 84.48.140 and provide advice to any person liable for payment of property taxes in King County, including the process for appealing property tax assessments and other matters related to property taxes. The division shall routinely and at least annually publicize these services to the public.

C. The duties of the inspector general division shall include inspection and investigation of all suspected fraud, waste, and abuse of county-administered moneys. The inspector general division may receive assistance from the auditor with investigations of suspected fraud, waste, or abuse of county-administered moneys. In carrying out the duties of the inspector general division, its director should adhere to applicable professional standards and best practices, such as the Quality Standards for Investigations (2025) promulgated by the Council for Inspectors General on Integrity and Efficiency.

D. The division directors of the office of public complaints shall confer at the initial intake of a complaint to determine which division shall be responsible for the review and any follow up investigation of the complaint. If the directors are unable to determine which division should be responsible, the directors shall confer with the council chief of staff, who shall make the final decision of which division should be responsible for the complaint.

E. An administrative agency should notify the office of public complaints of all suspected fraud, waste, or abuse of county-administered moneys, including but not limited to complaints. Upon receipt of the notification and assignment of the matter to the inspector general division in accordance with this chapter, the inspector general division director shall determine whether the inspector general division will undertake an investigation or the administrative agency itself will investigate. If the inspector general division director determines the administrative agency will investigate, in any such investigation, the administrative agency should consult, coordinate, or collaborate with the inspector general division on the agency's investigation. (Ord. 20101 § 6, 2026: Ord. 19661 § 1, 2023: Ord. 11107 § 3, 1993: Ord. 5869 § 2, 1982: Ord. 473 § 2, 1970).

2.52.030 Division directors.

A.1. Both the ombuds division director and the inspector general division director of the office of public complaints shall be appointed by a majority of the members of the county council.

2. Each division director shall serve for a term of five years, unless removed by a vote of two-thirds of the members of the county council upon their determination that the director has become incapacitated or has been guilty of neglect of duty, misconduct, or political activity. The council may appoint an interim director pending the appointment of a new director whenever the term of the director has expired or the position otherwise becomes vacant.

B. Each division director shall hold a degree from an accredited college or its equivalent in service to government, shall have a working knowledge of legal and administrative procedures, and shall have either experience or knowledge, or both, in local government commensurate to the powers of the office. During the term of which the director is appointed, the director shall be ineligible to hold any other public office of employment. The director shall not be a candidate for any public office for a period of two years following the completion of the director's term as inspector general division director. The director shall not be included in the classified civil or career service of the county. (Ord. 20101 § 7, 2026: Ord. 19661 § 2, 2023: Ord. 11107 § 4, 1993: Ord. 5869 § 4, 1982).

2.52.080 Organization of divisions.

A. The ombuds and inspector general division directors may with concurrence of the council select, appoint and compensate, within the amount available or budgeted by appropriation, such assistants and employees as staff as they deem necessary to discharge the office's responsibilities under this chapter. The assistants and employees shall not be included in the classified civil or career service of the county.

B. The ombuds and inspector general division directors each may delegate to staff any of the director's authority or duties under this chapter except this power of delegation and the duty formally to make recommendations to administrative agencies or reports to either or both the executive and the council. (Ord. 20101 § 9, 2026: Ord. 18618 § 35, 2017: Ord. 15393 § 1, 2006: Ord. 11107 § 6, 1993: Ord. 5869 § 9, 1982: Ord. 473 § 8, 1970).

2.52.090 Powers of division directors. Within each division of the office of public complaints, the respective director shall have the power to investigate, on complaint or on the directors' own initiatives, any administrative act of any administrative agency, including:

A. To prescribe the methods by which complaints are made, received and acted upon; to determine the scope and manner of investigations to be made; and, subject to the requirements of this chapter, to determine the form, frequency and distribution of the director's conclusions and recommendations;

B. To request and be given by each administrative agency the assistance and information the director deems necessary for the discharge of the director's responsibilities; to examine the records and documents of all administrative agencies, including contract or grant records and related documents; and to enter and inspect premises within administrative agencies' control;

C. To administer oaths and hold hearings in connection with any matter under inquiry;

D. To issue a subpoena to compel any person to appear, give sworn testimony or produce documentary or other evidence reasonable in scope and generally relevant to a matter under inquiry; however, the subpoena power shall be limited to matters under written complaints by a member of the public; and

E. To undertake, participate in, or cooperate with general studies, inspections, investigations, or inquiries by others, including receiving assistance with investigations from the auditor, whether or not related to any particular administrative agency or any particular administrative act, if the director believes that the general studies, inspections, investigations, or enquiries might enhance knowledge about or lead to improvements in the functioning of administrative agencies. (Ord. 20101 § 10, 2026: Ord. 19661 § 4, 2023: Ord. 18618 § 36, 2017: Ord. 11107 § 7, 1993: Ord. 9704 § 11, 1990: Ord. 473 § 9, 1970).

2.52.100 Matters appropriate for investigation.

A. In selecting matters for a respective division director's attention, the director shall address an administrative act that might be:

1. Contrary to law, contract or grant requirement, or regulation;
2. Unreasonable, unfair, oppressive, or inconsistent with the general course of an administrative agency's functioning;
3. Arbitrary in ascertainment of facts;
4. Improper in motivation or based on irrelevant considerations;
5. Unclear or inadequately explained when reasons should have been revealed;
6. Inefficiently performed; or
7. Otherwise objectionable.

B. A division director also may recommend strengthening procedures and practices of administrative agencies. (Ord. 20101 § 11, 2026: Ord. 18618 § 37, 2017: Ord. 473 § 10, 1970).

2.52.110 Action on complaints.

A. The office of public complaints shall receive complaints from any source concerning any administrative act. The respective division director, upon assignment of a complaint to the division director's division in accordance with this chapter, shall conduct a suitable investigation into the subject matter of the complaint within a reasonable time, unless the director believes that:

1. The complainant has available another remedy or channel of complaint that the complainant could reasonably be expected to use;
2. The grievance pertains to a matter outside the power of the office of public complaints;
3. The complainant's interest is insufficiently related to the subject matter;
4. The complaint is trivial, frivolous, vexatious, or not made in good faith; or
5. The complaint has been too long delayed to justify present examination of its merit.

B. After completing the respective division director's consideration of a complaint, whether or not it has been investigated, the director shall suitably inform the complainant and the administrative agency or agencies involved. If a county contractor or grantee is involved, both the contractor or grantee and the administrative agency that manages the contract or grant shall be informed unless doing so may interfere with the inspection or investigation, in which case the contractor or grantee shall be notified as soon as is practicable.

C. A letter from a person in a place of detention or in a hospital or other institution under the control of an administrative agency addressed to the office of public complaints, or either of its divisions, shall be forwarded immediately, unopened, to the office of public complaints to then be distributed to the applicable division director.

D. A report of suspected fraud, waste, and abuse received through the King County central reporting system established under section 19 of this ordinance shall be investigated

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by the inspector general division in accordance with this chapter. (Ord. 20101 § 12, 2026: Ord. 19661 § 5, 2023: Ord. 18618 § 38, 2017: Ord. 11107 § 8, 1993: Ord. 473 § 11, 1970).

2.52.120 Right to present witnesses - consultation with agency.

A. Any individual who is the subject of a complaint shall have the right to present witnesses and other evidence on the individual's own behalf prior to disclosure of any conclusions or recommendations by the respective division director.

B. Before publishing a conclusion or recommendation that criticizes an administrative agency or any person, the respective division director shall consult with the agency or person and shall disclose fully the critical findings the division director intends to publish. If a contractor or grantee is involved, both the contractor or grantee and the administrative agency that manages the associated contract or grant shall be consulted by the respective division director, who shall disclose fully the critical findings the division director intends to publish unless doing so may interfere with the inspection or investigation, in which case the contractor or grantee shall be notified as soon as is practicable. (Ord. 20101 § 13, 2026: Ord. 18618 § 39, 2017: Ord. 473 § 12, 1970).

2.52.130 Recommendations.

A.1. Having considered a complaint and whatever material the respective office of public complaints division director deems pertinent, the respective division director shall make findings regarding the validity of the complaint and any recommended actions that an administrative agency or the executive should do, including:

- a. consider the matter further;
- b. modify or cancel an administrative act, including contract or grant suspension or debarment;
- c. alter a regulation or ruling;
- d. explain more fully the administrative act in question;
- e. seek recovery of county-administered moneys from a contractor or grantee due to fraud, waste or abuse arising from an administrative act; or
- f. take any other step,

2. The respective division director shall provide the director's written findings and recommendations to the administrative agency, the executive, or both. If a contractor or grantee is involved, both the contractor or grantee and the administrative agency that manages the contract or grant shall be provided with the division director's findings and recommendations.. If the division director requests, the administrative agency or the executive shall inform the division director, within the time the division director has specified, about the action taken on the division director's recommendations or the reasons for not complying with them.

B. If the division director believes that an administrative action has been dictated by laws the results of which are unfair or otherwise objectionable, the division director shall bring to the attention of the council the director's views concerning desirable legislative change. (Ord. 20101 § 14, 2026: Ord. 18618 § 40, 2017: Ord. 5869 § 10, 1982: Ord. 473 § 13, 1970).

2.52.140 Publication of recommendations. The division director may publish the director's conclusions, recommendations and suggestions by transmitting them to the county executive, the county council or any appropriate committee of the council, the press, and others who may be concerned. When publishing an opinion criticizing an administrative agency or person, the division director, unless excused in writing by the agency or individual affected, shall include such statement or document that may have been made available to

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the director by way of explaining past conduct or present rejection of the director's proposals. The division director shall not publish any interim or confidential reports. (Ord. 20101 § 15, 2026: Ord. 18618 § 41, 2017: Ord. 5869 § 11, 1982: Ord. 473 § 14, 1970).

2.52.150 Written reports.

A. In addition to whatever reports the office of public complaints may make from time to time, the ombuds division director shall report to the county council annually. The director shall electronically file the report by March 1 of each year with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff, and the executive. The director shall also transmit that portion of the report related to ethics complaints, as described in subsection A.2. of this section, annually by March 1 of each year, in the form of an electronic copy to the board of ethics administrator, who shall provide an electronic copy to all board members. The ombuds division annual report shall provide an overview of activities performed by the ombuds division during the prior calendar year, including, but not be limited to:

1. The status of the lobbyist disclosure program described in K.C.C. chapter 1.07 from the proceeding calendar year, including a summary of case outcomes of complaints alleging a violation of K.C.C. chapter 1.07 that are no longer eligible for appeal, resource issues, and any concerns and recommendations for program improvement raised by members of the public or county employees;

2. The status of the employee code of ethics program described in K.C.C. chapter 3.04 from the proceeding calendar year, including a summary of case outcomes of complaints alleging a violation of K.C.C. chapter 3.04 that are no longer eligible for appeal, resource issues, and any concerns and recommendations for program improvement raised by members of the public or county employees; and

3. The status of the whistleblower program described in K.C.C. chapter 3.42 from the preceding calendar year, including a summary of improper governmental action and retaliation claims processed during the reporting period, case outcomes of all claims investigated by the ombuds division, resource issues, any concerns raised by whistleblowers about the process, and any recommendations for program improvements. The ombuds division director is encouraged to seek feedback from participants in the whistleblower process when preparing the report.

B. In addition to reports from the office of public complaints, the inspector general division director of the office of public complaints shall report to the county council annually. The director shall electronically file the report by July 1 of each year with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff and the executive. The inspector general division annual report shall provide an overview of activities performed by the inspector general division during the prior calendar year, including, but not be limited to:

1. An overview of inspections and investigations of suspected fraud, waste, and abuse of county-administered moneys, including a summary of case outcomes; and

2. The status of the King County fraud, waste, and abuse central reporting system established under K.C.C. 2.52.180, including any recommendations for reporting system improvement provided by members of the public or county employees. (Ord. 20101 § 16, 2026: Ord. 19661 § 6, 2023: Ord. 18635 § 11, 2017: Ord. 18618 § 42, 2017: Ord. 5869 § 12, 1982: Ord. 473 § 15, 1970).

2.52.160 Disciplinary action against public personnel. If a division director of the office of public complaints has reason to believe that any public official, employee or other person has acted in a manner warranting criminal or disciplinary proceedings, the division

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director shall refer the matter to the appropriate authorities. (Ord. 20101 § 17, 2026: Ord. 18618 § 43, 2017: Ord. 473 § 16, 1970).

2.52.170 Rights and duties of witnesses - enforcement of subpoenas.

A. A person required by a division director of the office of public complaints to provide information shall be paid the same fees and allowances, in the same manner and under the same conditions, as are extended to witnesses whose attendance has been required in the courts of this state, excepting that city or county employees who are receiving compensation for the time that they are witnesses shall not be paid the set fees and allowances.

B. A person who, with or without service of compulsory process, provides oral or documentary information requested by a division director of the office of public complaints shall be accorded the same privileges and immunities as are extended to witnesses in the courts of this state.

C. Any witness in a proceeding before the office of public complaints shall have the right to be represented by counsel.

D. If a person fails to obey a subpoena, or obeys a subpoena but refuses to testify when requested concerning any matter under examination or investigation at the hearing, the applicable division director of the office of public complaints may petition the superior court of King County for enforcement of the subpoena. The petition shall be accompanied by a copy of the subpoena and proof of service, shall set forth in what specific manner the subpoena has not been complied with, and shall ask an order of the court to compel the witness to appear and testify before the office of public complaints. The court upon such petition shall enter an order directing the witness to appear before the court at a time and place to be fixed in such order and then and there to show cause why the witness has not responded to the subpoena or has refused to testify. A copy of the order shall be served upon the witness. If it appears to the court that the subpoena was properly issued and that the particular questions that the witness refuses to answer are reasonable and relevant, the court shall enter an order that the witness appear at the time and place fixed in the order and testify or produce the required papers and on failing to obey the order the witness shall be dealt with as for a contempt of court. (Ord. 20101 § 18, 2026: Ord. 19661 § 7, 2023: Ord. 18618 § 44, 2017: Ord. 11107 § 9, 1993: Ord. 473 § 18, 1970).

2.52.180 Fraud, waste, and abuse central reporting system - hotline - established - duties - investigation of complaints - rewards program.

A. The King County fraud, waste, and abuse central reporting system, referred to in this section as "the hotline," is hereby established. The purpose of the hotline is to create a mechanism for county employees and the public to report suspected fraud, waste, and abuse of county-administered moneys by the county and its officers, employees, contractors and grantees.

B.1. The hotline shall be operated by the inspector general division of the office of public complaints and allow reports by various methods, such as telephonically and electronically, to promote accessibility.

2. The inspector general division director of the office of public complaints shall establish hotline operational guidelines, policies, and procedures, such as hotline hours of operation, written procedures for logging reports received through the hotline and for converting a report from the hotline into a written complaint. A copy of these guidelines, policies, and procedures shall be made accessible to the public on the office's webpage.

3. The inspector general division director of the office of public complaints shall prepare and publish a notice on the office's webpage that prominently displays the contact information for the hotline and explains, at a minimum, the purpose of the hotline.

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C. In accordance with K.C.C. 2.52.100 and K.C.C. 2.52.110, the inspector general division director is empowered to investigate complaints of suspected waste, and abuse of county-administered moneys received through the hotline.

D. The inspector shall explore the creation of a reward program for hotline reporters if the information provided leads to a substantiated finding by the inspector general division of fraud, waste, or abuse of county-administered moneys. The rewards would be subject to available expenditure authority and the written guidelines, policies, and procedures established under subsection B.2. of this section. (Ord. 20101 § 19, 2026).

2.52.190 Confidentiality of complaints - generally - limitations. To the extent allowed by law, investigations by the inspector general division of the office of public complaints shall remain confidential unless either the complainant waives confidentiality in writing or until the inspector general division director makes a finding that fraud, waste, or abuse have occurred. If an investigation identifies an occurrence of fraud, waste, or abuse, any resulting determination and recommendations shall remain confidential until the investigation is complete and disclosure does not interfere with any other investigation. Additionally, if the complainant chooses to anonymously contact or otherwise report to the office of public complaints of suspected fraud, waste, or abuse of county-administered moneys, then to the fullest extent permitted by law, the office of public complaints will honor that choice. (Ord. 20101 § 20, 2026).