

Key Award Profile: Kim Hendrickson

Kim Hendrickson was hired to serve as an independent police examiner on Bainbridge Island. But she became concerned that the police commission didn't want her to look too closely – and eventually they fired her in a closed meeting. The result was an ethics violation ruling for the commission, legislation to close a loophole in the Open Public Meetings Act and ongoing efforts by Kim to promote accountability and transparency, especially in regard to law enforcement.

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By Vanessa Wong

Kim Hendrickson thought she was doing her job -- to provide transparency and promote an open environment at a local agency – so it was a surprise when her oversight cost her the job.

For two years, Kim was an independent police examiner for the Bainbridge Island Civil Service Commission. In 2011, Kim was told that two of the three commissioners had voted to eliminate her position and assign her duties to a city employee. Saving cost was mentioned as justification.

"That seemed a bit odd, since my compensation was around \$3,000 a year," Kim recalled.

She suspected the real reason had more to do with her examination of commission policy, including questioning the organization's transparency in regard to the police hiring process and other matters. What's more, the commissioners had apparently voted in a closed meeting to terminate her contract. Her subsequent investigation led to a finding of an ethics violation by the Civil Service Commission and inspired the Washington State Legislature to pass a bill clarifying the scope of the state Open Public Meetings Act. As a result, the Washington Coalition for Open Government honored Kim with a Key Award for her efforts promoting government access and as a whistleblower when the state's sunshine laws were violated.

It started when Kim raised concern about police department action in a manner that she thought was part of her oversight duties. In 2010, the police chief asked the commission to extend an officer's appointment, without acknowledging the officer's involvement in a shooting the year before. Kim pointed this out.

"Having an independent [civil service examiner] in place helps to ensure a fair hearing to employees who wish to challenge these sorts of decision," Kim said.

The following January, Kim questioned the police department's request that the commission not require routine physical and written tests for job applicants. She said she was also taken aback when a representative of the chief told her to put a particular applicant on an interview list because the person was "someone the Chief had encouraged to apply for the position."

“The point of this process, like the point of other aspects of civil service law, is to hire people on the basis of merit instead of personal connections and favoritism,” Kim said.

Later that year, Kim voiced concern about a policy that limited access to commission files. She thought it was unnecessary that she needed a department escort to access the files she was supposed to review. She was also told she was not to talk about the commission business to the public. Her objections were followed by the secret vote to fire her. She learned that commissioners had met without notice at least twice.

She went with the news of the secret meetings to Tim Ford, who was then the state assistant attorney general for open government.

“I felt betrayed and depressed and it would have stayed at that had I not found out,” Kim said.

Tim determined the commission meetings had violated the Open Public Meetings Act. The city’s ethics board agreed. But the response to that finding was not to embrace transparency – at least one city councilmember wanted to keep the ethics board’s finding quiet to avoid embarrassing the commission and the city. Eventually, all three police commissioners resigned.

Kim believes the rules are now taken more seriously, and that commissioners are more diligent about determining criteria that reflects local preferences about policing.

“Police officers are being hired now that have a community-service orientation. We have a civil service commission now that Bainbridge residents should be very proud of,” Kim added. “We’re in a situation now where police-related rules and transparency are taken very seriously.”

Other agencies are also affected by her experience; the state legislature in 2012 added a rule to the OPMA clarifying the need for notice of “special” meetings. Kim testified in favor of SB 5355.

“The Open Public Meetings Act was successfully changed to require additional notice to the public of special meetings by posting notice of the meeting on an agency’s website and at the meeting site,” Tim said.

Kim continues to advocate for government transparency. She strongly supports the role of an independent examiner.

“State law clearly provides that civil service commissions need a secretary/examiner who is chosen by them, supervised by them, and given civil service protections,” Kim said.

Kim went on to teach political science at Olympic College and runs a nonprofit called Islanders for Collaborative Policing. ICP was formed to build a bridge between Bainbridge Islanders and their police department by giving local residents opportunities to become involved in policing decisions and to mediate complaints between citizens and the police.

Earlier this year, she also helped put on a conference sponsored by the National Association for Civilian Oversight of Law Enforcement. The event, called “Moving Beyond Discipline: The Role of Civilians in Police Accountability,” took place at the Seattle University School of Law and drew participation by criminal justice scholars, law enforcement professionals, community members and oversight practitioners to discuss civilian oversight.

“I’d like to see a more serious commitment to whistleblower laws and whistleblower protections,” Kim said. The city had challenged her own status as a whistleblower because she was a contractor and not an employee. Today, as an interested citizen, she continues to push for a more open and transparent government that encourages public deliberation and welcomes feedback.