

**TUMWATER PUBLIC HEALTH AND SAFETY COMMITTEE
MINUTES OF VIRTUAL MEETING
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CONVENE: 8:00 a.m.

PRESENT: Chair Peter Agabi and Councilmembers Leatta Dahlhoff and Kelly Von Holtz.

Staff: City Administrator Lisa Parks, City Attorney Karen Kirkpatrick, Police Chief Jon Weiks, Fire Chief Brian Hurley, Police Commander Jay Mason, Assistant Fire Chief Shawn Crimmins, Police Lieutenant Jennifer Kolb, and Police Administrative Supervisor Laura Wohl.

**APPROVAL OF
MINUTES: May 14, 2024:**

MOTION: **Councilmember Dahlhoff moved, seconded by Councilmember Von Holtz, to approve the minutes of May 14, 2024 as published. A voice vote approved the motion unanimously.**

2023 POLICE DATA: Police Chief Weiks provided an annual review of activities of the Tumwater Police Department. The review covered the department's budget, personnel, staffing levels, administration, calls for service, self-initiated activity, arrests, incidents, investigations, SRO, evidence, K9, training, Code Enforcement, complaints, City incident-accident, internal investigations, weapon discharge, and 2024 legislation.

Allocated funds of the department's budget total 96% with 4% remaining for discretionary purposes. Of that 96%, 53% is allocated for salaries, 22% is for benefits, 19% is for the department's fleet, with jail costs representing 3%, and software of 2%. In 2023, the department's budget was \$9.4 million.

Based on the committee's request for more data, staff developed a chart of overtime for tracking and to identify trends. In 2023, annual leave increased substantially compared to 2019. In 2021, the department changed to a 24/7 supervision model. When a sergeant is unavailable, overtime is required to cover a shift. Training over the last several years increased substantially primarily because of unfunded mandates through police reforms. Tracking of overtime assists in identifying trends each year to assist the department in operating more efficiently.

Police Chief Weiks shared a copy of the department's organization chart reflecting 43 positions in the department of which 34 positions are commissioned personnel, two are limited commission (Service Transport Officer and Code Enforcement Officers), and seven are support staff. Because of personnel changes in 2023, the department hired five new employees with two employees leaving the department

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and one employee retiring. In 2023, the department facilitated 14 hiring processes.

In 2023, administration staff activities included forwarding 652 cases to the Thurston County Prosecutor's Office, processing 1,123 firearms transfers and concealed carry permits, and responding to 1,362 public disclosure requests. In 2023, the Washington State Patrol assumed by law, the processing of all gun transfer backgrounds, which will reduce the workload of administrative staff substantially. In 2022, the department processed 1,200 gun transfers.

The department's record management system includes a police to public/citizen website containing collision reports for access by insurance companies and subjects. Previously, the department was able to receive a report on the number of reports obtained online. However, that service is no longer available. At that time, the number of reports accessed online totaled 1,200 collision reports annually. The department receives approximately 2,500 public records requests annually. Time is the important factor when considering staff resourcing for fulfilling public records requests as some requests are often a simple process while others can require several weeks dependent on the size. In 2019, the department processed 938 public records requests requiring 473 hours to complete. In 2023, the department received 1,362 requests, which required 403 hours of processing time. The City obtained a public records software program to help facilitate the process.

Chair Agabi asked whether the department tracks the subject of the public records requests on an ongoing basis. Manager Wohl replied that most requests are for case reports and associated files. Since the advent of body-worn cameras in other police agencies, most requests submitted for a case report also include a request for in-car video files, which requires more time to process.

Police Chief Weiks reviewed court documents processed by the department of arrest warrants, civil service paperwork, and protection orders received from the courts for processing and maintenance. In 2023, the department processed 1,040 court documents. Comparatively, the numbers decreased during the pandemic but are beginning to increase each year.

Calls for service for the Patrol Division reflected 18,865 calls in 2023. Calls for service are considered requests by the community. In 2023, calls for service represented 117 different call types. The top five calls were suspicious activity (1,823), follow-ups contacts (1,345), traffic complaints (1,331), welfare checks or public service requests (1,049), and alarm (843). Self-initiated activities are activities conducted by officers that are not generated by a call from the community. The trend

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in self-initiated activities is decreasing because of police reform and resources. Because of recent police reform, calls often require response by more than one officer. As resources are over utilized, less time is available for officers to be proactive in the community.

Officers initiated 76 different types of activities in 2023. Officers conducted 1,604 traffic stops, completed 1,566 business checks, completed 1,513 area checks, responded to 1,039 follow-ups, and contacted 860 individuals involved in suspicious activity. Annual trends reflect patrol activity at a high of 35,000 incidents in 2019 reducing during the pandemic and police reform mostly because of the slowdown of jails and courts, with the numbers plateauing in 2021 through 2023 with approximately 30,800 incidents.

Trends in arrests reflect a reduction with 904 misdemeanor arrests and 184 felony arrests in 2023 because of the department's approach to incidents of driving while license suspended following changes in laws. During the pandemic with the reduction in courts and jail services, arrests decreased substantially. When the courts and jail reopened in 2022, arrests began to increase.

In 2023, 151 arrests were for arrest warrants, 82 arrests were for assault 4, 32 arrests were for violation of a protection order, 28 arrests were for trespassing, and 22 arrests were for DUI or physical control. Traffic stops decreased in 2023 because of the resources necessary to respond to calls for service limiting availability of resources for self-initiated activity (traffic stops).

Within the investigations division in 2023, the division administered 282 assigned cases of which 47 were investigation-assist by detectives, 61 were incident reports initiated by detective, and 172 were incident reports assigned to detectives. Additionally, the division is assigned other duties or additional assignments. The division conducted 38 background checks for return of firearms or ride-alongs with an officer, processed 50 public records requests, completed 150+ prosecuting attorney requests, conducted 15 employment background investigations, received and processed 119 adult protective services referral (50 investigated), received and processed 30 child protective services referrals (23 investigated), and participated in 5 community presentations and 20 community events.

Police Chief Weiks reviewed several 2023 investigative cases.

School Resource Officers handled 53 elementary school incidents, 57 middle school incidents, and 120 high school incidents. SROs are assigned to middle schools, high schools, and respond to incidents at elementary schools when needed. One incident involved a staff member.

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Police Chief Weiks shared a chart depicting the type of incidents SROs handle daily. A substantial number of responses are for student welfare, behavioral issues, mentoring students, attending assemblies and meetings, conducting drills and walk throughs (safety emphasis), and responding to criminal activity. Of all activities, SROs initiated 44 incidents within the schools. Approximately 43.6% of all incidents are managed and resolved by the schools. Approximately 29.7% are resolved through counseling. Other incidents account for 9.3%. Approximately, 9.1% are resolved with a police report. Approximately 7.8% are resolved with family support while only .5% results in an arrest.

In 2023, the department received 1,093 items classified as evidence with disposal of 883 items with 8,777 items remaining in evidence. Police Chief Weiks reviewed the process of evidence, which has remained consistent over the last four years. One of the benefits of COVID was the ability to dispose of evidence because of reduced court operations providing the department with the capacity to process disposals of 3,000 items in 2022.

Police Chief Weiks reviewed the department's K-9 program. K-9 Officer Russ Mize and K-9 James retired last week. K-9 James served nine years and Officer Mize served 23 years. For 2023, K-9 James completed six narcotic deployments and six detections. K-9 James deployed 13 times to track suspects with one contact, an armed assault suspect hiding along I-5 after being chased from a Tumwater High School football game. The suspect refused to surrender and K-9 James engaged with the suspect until officers could apprehend the suspect. K-9 Thor served his first full year in 2023 and completed 16 deployments with no contacts. The number of contacts by both K-9s was substantially below the national standard for K-9 contacts.

Police Chief Weiks reviewed the department's training program. Much of the training is mandated training. The department completed 1,775 hours of internal training with officers receiving 57 hours of firearms, defensive tactics, patrol tactics, and other training topics (legislative updates, prosecutor domestic violence updates, less lethal, CPR, bias-based policing, use of force). The department offered 1,569 hours of external training comprised of instructor development and recertifications, career development, succession planning, basic law enforcement academy, and training in high risk areas. In 2023, staff attended 40 different external courses. Four employees completed the Basic Law Enforcement Academy in 2023 representing 1,874 hours. Field Training of new officers also includes another officer. In 2023, 1,210 hours of new officer training was completed. Other training included SWAT training of 661 hours and K-9 training of 332 hours.

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Councilmember Dahlhoff asked whether the balance between training needs and job responsibilities has improved over time or continues to be an ongoing challenge. Police Chief Weiks responded that training is an ongoing challenge as reflected in the number of overtime hours. The department expends more in overtime to meet training obligations. Often, training drains capacity from the department resulting in overtime and stress. Training is an important component of the Strategic Growth Plan in terms of the staffing plan to meet training needs and requirements.

Police Chief Weiks shared information on the number of police instructors and the different training categories/specialists. Instructors offer training in patrol tactics, defensive tactics, emergency vehicle operations, driving, less lethal, firearms, and field training officers (FTO) (all supervisors are FTO certified). All certifications also require mandatory training as well.

In 2023, Code Enforcement lost an employee to medical resignation with the section operating with only a half-time employee all year. Code Enforcement opened 32 cases in 2023 and closed 28 cases leaving 16 pending cases. Code Enforcement celebrated its sixth year as part of the police department. Code Enforcement is a citizen-complaint driven process with officers often working in tandem with other City employees. Overall, Code Enforcement requires more conversation as there are several large cases the Council should consider in terms of a long-term approach to code enforcement. The department has been successful working with community members to resolve code enforcement; however, several large cases need to be reviewed by the Council.

In 2023, the department received three citizen complaints. The first complaint was of an officer failing to document by proper report writing and endangering the victim. The officer was exonerated because the officer's actions were lawful and justified. The second complaint involved conduct and use of force with an allegation of sexual misconduct, excessive use of force, and failure to provide medical care. The investigation determined that none of the allegations occurred. The last case was determined to be unfounded and pertained to failure to preserve evidence.

Historically, over the last five years, other than in 2019, the department has not received many citizen complaints, which is a testament to the professionalism of the men and women of the Tumwater Police Department.

Police Chief Weiks shared information on incidents or damage to both police and private property that have occurred as officers respond to incidents.

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Internal complaints are investigations conducted based on activities occurring within the department, such as possible policy violations. One incident was a use of force in conduct. The investigation issued a sustained finding as the investigation disclosed that there was sufficient evidence to establish an act did occur and constituted misconduct. In this case, it was an improper use of force and insubordination resulting in the employee's termination. Another incident involved an off-duty conduct reported through another police department. The complaint pertained to harassment. The Thurston County Sheriff's Department assisted the department with the investigation. The investigation resulted in an unfounded finding as the alleged acts did not occur or did not involve department employees. Over time, the department experiences one to three internal complaints a year.

Police Chief Weiks reviewed trends for firing of weapons. Approximately 98% of all weapon discharges involve deer gravely injured by cars.

During the 2024 legislative session, staff tracked 70 legislative bills with 14 bills passed by the Legislature. A majority of the bills were effective on June 6, 2024. Two of the larger bills included Initiative 2113 for vehicle pursuits. The legislation did not create much change for the department, as the department's policy was restrictive prior to the implementation of state laws for police pursuits. Under state law, the department can pursue for any law violation; however, the action speaks to the department's training and reasons for pursuing and assessing the danger to the community. The new law does provide the department with the ability to pursue suspects that should be pursued. The second bill, Senate Bill 6009, prohibits peace officers from hog-tying a person or assisting in putting a person into a hog-tie. Hog-tying was deemed use of excessive force. The department has not employed the practice for many years and instead employs a wrap system of a suspect in a seated position with hands and legs secured without medical jeopardy to the suspect.

Police Chief Weiks invited questions from the committee.

Chair Agabi asked whether the police department continues to use the wrap system. Police Chief Weiks explained that the department has utilized the wrap system for several years. When the system is deployed, the department considers it use of force and reviews the action in all incidents. Chair Agabi inquired about any incidents involving a suspect suffering cardiac arrest or another emergency medical condition because of the application of the wrap system. Police Chief Weiks responded that no such incidents have occurred.

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**INTERGOVERNMENTAL
EMS CONTRACT
FUNDING AMENDMENT
NO. 2 – SWAT MEDIC:**

Assistant Fire Chief Crimmins reported the proposed amendment is to the current Advanced Life Support (ALS) Contract with Thurston County Medic One originally executed in 2023 with an expiration of December 2025. The amendment pertains to SWAT Paramedics. SWAT Paramedics provide patient care and have the ability to provide ALS to SWAT team members during an SWAT incident, ALS to the suspect(s), and assisting in a support role during a SWAT incident dependent on the paramedic's training and level of support within the SWAT team.

The Tumwater Fire Department's role is to provide a paramedic when needed. Recently, a Tumwater paramedic was member of the SWAT Team for 12 years. The paramedic recently decided to withdraw from the team. Consequently, the Tumwater Fire Department does not provide any paramedics at this time.

The purpose of the amendment is to provide reimbursement to the City for service of a SWAT paramedic. Each agency can assign up to one SWAT paramedic. Participation by the City is not mandatory.

Staff recommends the committee place the Intergovernmental EMS Contract Funding Amendment No. 2 – SWAT Medic on the July 2, 2024 City Council consent calendar with a recommendation to approve the amendment.

MOTION:

Councilmember Dahlhoff moved, seconded by Councilmember Von Holtz, to place the Intergovernmental EMS Contract Funding Amendment No. 2 with Medic One on the July 2, 2024 City Council consent calendar with a recommendation to approve and authorize the Mayor to sign. A voice vote approved the motion unanimously.

ADDITIONAL ITEMS:

Chair Agabi referred to ongoing incidents by a driver of a white truck yelling racial slurs to a minority resident of the City. He learned about an altercation between the driver and a Tumwater business owner who is Black. Several meetings ago he asked the Police Chief about the department's action to resolve the incidents. At that time, the Chief indicated no awareness of the situation. He asked about the disposition of the incident or the identity of the driver.

Police Chief Weiks advised that the department has not been able to identify the driver. The information as stated was not entirely accurate because of many different characterizations of the incident. The department investigated the incident and determined no criminal acts occurred although the acts were despicable. At this point the department lacks information to investigate further. The department reached out to both the business owner and others involved. Some

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individuals engaged with the department and some chose not to engage.

Chair Agabi remarked that as a resident of Tumwater for 18 years, he and his wife experienced a person following them in 2009. He asked the department to consider establishing an active policing community program or committee to respond proactively to citizens who feel unsafe or experience threatening encounters. Police Chief Weiks replied that the issue is much more expansive than the police department. Community policing is not a program, it is a philosophy for engaging with the community, which is a core value of the Tumwater Police Department. The police department engages in community policing each day with each contact by an officer. Each engagement is an opportunity to build a relationship. The City's daytime community includes employees and shoppers to the City. In terms of those types of incidents, the police department is bound by state laws and the U.S. Constitution. While the acts are very deplorable and abhorrent they do not necessarily constitute a criminal act.

Councilmember Dahlhoff said she appreciates both views. She forwarded an email with multiple dates that she experienced interactions and engagement. She plans to address the issue during the Council's work session in terms of linking a police report to an overall culture and what the City will and will not tolerate as a community. She spoke to missing the City's community forums as a substantial amount of information was shared during the forums. The Council receives much feedback from the community and it is important for the City to be proactive through police engagement and by Councilmembers serving as ambassadors and conduits of information to help the police be successful and to help build respect and trust with community members. It is important for the Council to consider how it can help the police department be successful, engage, and build trust with the community. Law and behavior are separate but linked and there are some actions the Council could pursue through the police department's Strategic Growth Plan.

City Administrator Parks said she appreciates the conversation and supports Police Chief Weiks, the police department, and their efforts. The impression and information that has been shared with her about how the community feels about the police department was most on display during the February 12, 2024 meeting with over 120 residents from Tumwater attending who were not happy with the City but supportive of the police department. Based on community feedback, the police department is well respected and has a high level of trust. There is also recognition of limits as to what the police department can pursue. Behaviors or cultures go beyond the police department. The City continues to work on its diversity, equity, inclusion, and

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belonging (DEIB) strategy and initiatives each month, as well as focusing on internal processes and systems to make improvements. There are also other opportunities to be identified by the Council for moving forward with other DEIB activities to address community issues.

Councilmember Von Holtz expressed appreciation and her respect for the Tumwater Police Department. She agreed there are options for the Council to pursue, such as more community involvement. During a recent event, over 100 community members participated in a walk for a community member who experienced an incident involving racial slurs. Councilmembers Dahlhoff and Jefferson also participated in the walk but not necessarily as representatives of the City. She recommended sending representatives to all community events representing the City's presence to advocate the City's intolerance of negative behaviors occurring in the City.

City Administrator Parks supported the suggestion.

Chair Agabi thanked Police Chief Weiks for addressing his comments. Communication of information is a start and will be of an ongoing discussion to achieve a meaningful resolution.

ADJOURNMENT:

With there being no further business, Chair Agabi adjourned the meeting at 9:10 a.m.

Prepared by Valerie L. Gow, Recording Secretary/President
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