

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

**PRESENT:** Chair Leatta Dahlhoff and Councilmembers Peter Agabi and Angela Jefferson.

Staff: City Administrator Lisa Parks, City Attorney Karen Kirkpatrick, Finance Director Troy Niemeyer, Fire Chief Brian Hurley, Police Chief Jon Weiks, Assistant Fire Chief Shawn Crimmins, Communications Manager Ann Cook, and Police Administrative Supervisor Laura Wohl.

**CHANGES TO AGENDA:** There were no changes to the agenda.

**APPROVAL OF  
MINUTES: PUBLIC  
HEALTH & SAFETY  
COMMITTEE,  
SEPTEMBER 12,  
2023:**

**MOTION:** Councilmember Jefferson moved, seconded by Chair Dahlhoff, to approve the minutes of September 12, 2023 as presented. A voice vote approved the motion.

**INTERLOCAL  
AGREEMENT WITH  
PIERCE COLLEGE  
FOR PARAMEDIC  
TRAINING:**

Fire Chief Hurley briefed members on a proposed interlocal agreement with Pierce College to enable the Tumwater Fire Department to participate in the paramedic training program offered by Pierce College.

Through a contract with Thurston County Medic One, the fire department has 19 paramedic firefighters assigned to the Tumwater Fire Department supported by Thurston County Medic One. The fire department has two medic units with one located in the City and one unit as part of the Medic One system in the Rochester area. Both units are mobile emergency critical care units providing advanced life support care.

The certifying body for paramedic certification is the National Registry of Emergency Medical Technicians. Following receipt of the certification, individuals can apply to be certified in Washington through the Department of Health under the medical license of a physician medical program director. For Thurston County, the county medical program director oversees all medics and emergency medical technicians (EMTs). Training consists of 1,800 hours on various medical topics. The training format is a combination of lectures, skills labs, hand-on training, internships in hospitals, emergency rooms, and in operating rooms working with anesthesiologists, OB-GYN rotations, mental health, and other hospital service rotations. For field hands-on training, training is offered by the Tumwater Fire Department through the field internship training program for interns and students who work 24-hour shifts

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supervised by fire department paramedics to afford real hands-on skills and patient assessment opportunities to provide the environment for critical thinking and decision-making.

The Tumwater Fire Department currently has agreements with Tacoma Community College and Central Washington University. The Pierce College program is a new program and is similar to the agreement with Tacoma Community College. All agencies continue to struggle hiring paramedics. Support by the fire department is valuable to support the program.

Staff recommends the committee forward approval of the proposed interlocal agreement to the Council for consideration at its next meeting.

Chair Dahlhoff asked whether firefighters in the department have an option to participate in paramedic training. Fire Chief Hurley said the department currently has one firefighter enrolled in paramedic training as part of an education assignment in partnership with Medic One to assist in covering some of the backfill costs. Other firefighters have participated in the training as well. Other fire jurisdictions have also taken advantage of the program.

**MOTION:**

**Councilmember Jefferson moved, seconded by Chair Dahlhoff, to recommend the Council approve the Interlocal Agreement with Pierce College for Paramedic Training at its next meeting. A voice vote approved the motion.**

**PUBLIC DEFENSE  
UPDATE:**

Director Niemeyer introduced Patrick O'Connor, Director, Thurston County Public Defense, to provide the update.

Mr. O'Connor said Thurston County Public Defense provides indigent defense representation services for the City of Tumwater to individuals arrested and charged with a crime. If eligible for a public defender, individuals are assigned an attorney through the office. The office has assigned one full-time public defender and one full-time legal assistant to Tumwater cases based on the number of filings.

This year, when new laws become effective in August for the possession of controlled substances, the office anticipated those cases would be referred to Thurston County District Court. The City of Tumwater works with Thurston County courts to receive court services. All City of Tumwater defendants are eligible and are provided with the same opportunities as other Thurston County defendants accused of possession of a controlled substance.

Thurston County Public Defense also works with the Law Enforcement Assisted Diversion Program (LEAD) to identify individuals for referral to the LEAD team to engage with defendant to ascertain interest in

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participating in the program with the endorsement of the Thurston County Prosecuting Attorney's Office.

Year-to-date statistics reflect 188 Tumwater cases. Of those cases, 31 cases were misdemeanor offenses, 231 cases were gross misdemeanor offenses, and 85 cases were traffic offenses (DUI) representing 247 charges for individuals from Tumwater. Individuals can also be charged with more than one offense.

Mr. O'Connor shared that the City benefits from direct relationship of the office to the resource hub located on the Thurston County Courthouse campus. The resource hub is staffed with community providers available during the week to provide connections to behavioral health resources and other underlying issues associated with poverty many individuals are encountering. Thurston County Public Defense refers the highest number of clients to the resource hub, which benefits both the City and Thurston County by providing some stability to individuals involved in the justice system to prevent recidivism and future contacts with law enforcement.

The City also benefits from services provided by a social worker assigned to Thurston County Public Defense with all City clients eligible for referral to the social worker for connections for behavioral health issues.

*Councilmember Agabi joined the meeting at 8:15 a.m.*

Councilmember Jefferson commented that she often hears from various sources that legislators are not taking crime seriously because of the number of people arrested who often after a release commit other similar crimes. During the last meeting of the Thurston County Law and Justice Council, members discussed the cause of increase in crime. Thurston County judges are utilizing a new risk tool to inform bail decisions. She asked how the new tool will make a difference to Thurston County Public Defense and to the community in general.

Mr. O'Connor responded that the Thurston County Law and Justice partners applied for a grant from a national organization to examine pre-trial processes. That work had been completed for a number of years across the country. Thurston County was selected along with Pierce County to participate in the project. The project encompasses examining all practices in a pre-trial jurisdiction beginning with arrest, diversions, and bail practices. The mission and goals are to enhance public safety in the context of bail practices, enhance public safety, maximize release, and maximize court appearances. A component of the project is emphasis on data-driven and analytical processes to produce better information for the courts to determine risk-based decisions as opposed to charge-based decisions. Recently launched is a static risk tool designed specifically for Thurston County through the assistance of a group as part of the project sponsor known as the Research Triangle Group, a group of experts on data

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collection and analytics of bail data throughout the country. The group completed a case study in Thurston County by reviewing data of 10,000 cases to inform the risk tool developed specific to Thurston County. Prior to the county's investment in the project, the county lacked data and was unable to inform the community and stakeholders of the rates of releases, bail amounts, average number of court appearances missed by individuals, and the number of individuals committing new crimes. The county is moving forward with the analytical tool with all users becoming familiar with the new tool. He noted the difficulty of conveying information to the community on bail rules, laws, and actions required by judges when applying the laws. The tool represents best practices as reflected nationally.

The cash bail system in the state does not necessarily increase court appearances or deter individuals from committing new crimes. However, there are cases where the court must undertake a systematic legal analysis as all suspects are presumed to be innocent despite some very serious crimes. Cases do occur where cash bails are imposed. The goal is to ensure there are not two systems of justice for those with financial resources and for those without financial resources. The tool is designed to assist in making decisions about which individuals could be released until the case is adjudicated without the threat of the individual committing another crime.

Councilmember Agabi asked whether specific cases are selected to determine effectiveness of the tool or whether the examination is a general overview of the effectiveness. Mr. O'Connor said the project includes identification of both violent and non-violent offenses based on Washington law and input from stakeholders. Arrests typically fit into the two categories of either a violent offense or a non-violent offense. Assault and domestic violence arrests are considered a violent offense for the purpose of the project. The issue is further complicated because Washington State law dictates that anyone accused of a crime is presumed to be innocent and that the individual should be released without financial conditions unless the individual poses a likelihood of committing a violent offense, likely to not appear if released, or is likely to interfere with the administration of justice. The law also requires that any financial bail imposed by the court affords the ability for the individual to post the financial bail based on the financial information available to the court. Additionally, the issue is further complicated should the court deem that the individual poses a likelihood of committing a violent offense requiring the judge to impose a financial condition based on the legal requirement that the defendant can afford the bail.

Councilmember Agabi asked how repeat offenders are classified. Mr. O'Connor said if the individual has prior criminal convictions and arrested on a new charge, the court considers the criminal history. The risk tool factors prior criminal history and the type of crimes.

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Chair Dahlhoff cited a recent scenario of an individual released on bail on a charge of vandalism of a business in Tumwater and committing another similar offense after being released. She asked whether that information is factored within the risk tool. Mr. O'Connor responded that the tool is based on weights. If an individual is arrested on the initial allegation and re-arrested while the first case is pending, the individual will be weighted at a higher risk because of the pending case and new arrest of another crime. Additionally, the type of offense either violent or non-violent is also factored. If both cases are considered as non-violent property offenses, the violation of the release conditions will be higher because of the pending case.

Chair Dahlhoff asked how individuals qualify as indigent. Mr. O'Connor said a standard form issued by the court is filled out by all arrested individuals. The information completed is under the penalty of perjury. The court determines whether the individual is indigent based on the information and the standards used to determine whether an individual is indigent.

Chair Dahlhoff asked whether the office tracks the percentage of cases claiming indigent status. Mr. O'Connor confirmed it would be possible to obtain the information as the court tracks the number of criminal cases from Tumwater and Thurston County Public Defense, as well as the number of assignments. Approximately 80% of cases in Thurston County District Court qualify for public defense.

Chair Dahlhoff commented on the importance of services provided by Tumwater and access to those services. The information represents a good opportunity to review data to determine the extent of the City's services to the community. Mr. O'Connor agreed on the importance of continuing conversations on opportunities available to the community.

Chair Dahlhoff thanked Mr. O'Connor for providing the update.

**ADDITIONAL  
ITEMS:**

Chair Dahlhoff reviewed agenda topics for the November meeting and potential topics for the December meeting.

**ADJOURNMENT:**

**With there being no further business, Chair Dahlhoff adjourned the meeting at 8:44 a.m.**