



**PUBLIC HEALTH & SAFETY COMMITTEE
MEETING AGENDA**

**Online via Zoom and In Person at
Tumwater City Hall, Council Conference
Room, 555 Israel Rd. SW, Tumwater, WA
98501**

**Tuesday, February 14, 2023
8:00 AM**

1. Call to Order
2. Roll Call
- [3.](#) Approval of Minutes: Public Health & Safety Committee, October 11, 2022, November 8, 2022 & January 10, 2023
- [4.](#) K9 Program Update (Jon Weiks)
- [5.](#) South Sound Behavioral Hospital (Jon Weiks)
6. Additional Items
7. Adjourn

Meeting Information

All committee members will be attending remotely. The public are welcome to attend in person, by telephone or online via Zoom.

Watch Online

<https://us02web.zoom.us/j/87013625865?pwd=TVFLWGITSDRJYIBHbU9GQU11TXM2Zz09>

Listen by Telephone

Call (253) 215-8782, listen for the prompts and enter the Webinar ID 870 1362 5865 and Passcode 429174.

Public Comment

The public may submit comments by sending an email to council@ci.tumwater.wa.us, no later than 5:00 p.m. the day before the meeting. Comments are submitted directly to the Committee members and will not be read individually into the record of the meeting.

Post Meeting

Audio of the meeting will be recorded and later available by request, please email CityClerk@ci.tumwater.wa.us

Accommodations

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contact the Washington State Relay Services at 7-1-1 or 1-(800)-833-6384. To contact the City's ADA Coordinator directly, call (360) 754-4128 or email ADACoordinator@ci.tumwater.wa.us.

TUMWATER PUBLIC HEALTH AND SAFETY COMMITTEE
MINUTES OF VIRTUAL MEETING
October 11, 2022 Page 1

CONVENE: 8:00 a.m.

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

Staff: City Administrator John Doan, City Attorney Karen Kirkpatrick, Fire Chief Brian Hurley, Parks and Recreation Director Chuck Denney, Water Resources and Sustainability Director Dan Smith, Finance Director Troy Niemeyer, Assistant Fire Chief Shawn Crimmins, Police Commander Jay Mason, Communications Manager Ann Cook, Recreation Manager Todd Anderson, Police Lieutenant Jennifer Kolb, Police Administrative Manager Laura Wohl, Police Lieutenant Carolos Quiles, and Legal Assistant Sharleen Johansen.

Others: Carole Meyer, Interim Superintendent, Tumwater School District; Shawn Batstone, Assistant Superintendent, Tumwater School District; and Casey Taylor, Tumwater School District Board Member.

**APPROVAL OF
MINUTES:
SEPTEMBER 13,
2022:**

MOTION: **Councilmember Jefferson moved, seconded by Chair Dahlhoff, to approve the September 13, 2022 minutes as published. A voice vote approved the motion.**

**SCHOOL
RESOURCE
OFFICER (SRO)
ROLES &
RESPONSIBILITIES:**

Police Commander Mason introduced the briefing on the School Resource Officer (SRO) program and the partnership between the Tumwater Police Department and the Tumwater School District. He introduced Police Lieutenant Kolb and Shawn Batstone, Assistant Superintendent, Tumwater School District.

Police Commander Mason provided historical information on the SRO program. The program, established 10 years ago in the Tumwater School District, focuses on building positive relationships with students and staff with the primary goal of supporting students to remain in school. SROs operate under the state's Revised Code of Washington (RCW) statute with a focus on prevention of students entering the criminal justice system when possible and not imposing criminal sanctions in matters more appropriately handled within the education system. SROs are not involved in school discipline issues.

Police Lieutenant Kolb reviewed the functional operations of the SRO program. Tumwater Detectives Tyler Boling and Ross Rollman are assigned as Tumwater SROs serving over 6,300 students and 850 staff members in the Tumwater School District, as well as parents and visiting

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students from other school districts.

The purpose of the program is to foster positive interactions with students, faculty, and parents and supporting a safe and healthy environment to help students achieve success and graduate. SROs utilize the National Association of School Resource Officers (NASRO) “Triad Model of SRO Responsibility” dividing SRO responsibilities into roles of an educator, informal counselor, and law enforcement officer.

Program goals are to ensure SROs are viewed as people rather than just officers in a uniform. SROs typically work in plainclothes and work in uniform occasionally to ensure student awareness of their presence on campus. SROs assist in de-escalating emotional and stressful incidents. SROs serve as point of contact for students and staff who may be victims in the juvenile justice system to help them navigate processes.

Police Lieutenant Kolb described many of the expectations of SROs to include collaboratively working with the school district, providing security at games and events, assisting staff in de-escalating situations, providing health and safety education at all levels, conducting criminal investigations, and working collaboratively with the community to solicit donations and rewards. SROs work closely with the Tumwater Parks and Recreation Department and attend Tumwater Youth Program (TYP) events.

During the 2021-2022 school year, the Legislature adopted new regulations to include a requirement for the school district and the police department to execute an agreement for SROs to provide security.

Shawn Batstone commented that throughout the course of his career, he has been involved with several SRO partnerships. The partnership with the Tumwater Police Department is one of the best partnerships he has experienced because of the collaborative relationship between the police department and the school district. All participants focus on a community-based model of policing fostering positive relationships.

Mr. Batstone shared examples of the activities involving SRO support. In June 2022, SROs provided support to 31 activities. In September 2022, 72 activities were reported involving SRO support. School district staff and SROs meet monthly to review data and identify any trends or patterns of activities and the location of those activities.

Chair Dahlhoff invited questions from the committee.

Councilmember Jefferson shared that she has met with parents who are experiencing trauma. The schools in Tumwater are experiencing a problem with harassment, assault, and bullying. She shared information

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from Tumwater residents and former Tumwater residents that could be contributing to the reason why the community of Tumwater has the highest level of youth suicide rates in Thurston County. Tumwater schools, administrators, principals, teachers, and educators have a role to play in helping to reduce student suicide rates.

Councilmember Jefferson shared several stories of students who have experienced incidents of name-calling, were verbally abused, were bullied, or were physically assaulted. Several of the parents withdrew their children from Tumwater schools because they feared for their child's life. She conveying support for the SRO program in schools for safety and violence prevention but questioned whether SROs are utilized for the right purpose and whether that support is adequate.

Councilmember Jefferson asked a series of questions with responses (italicized) by Mr. Batstone:

- Are our schools relying on SROs to enforce discipline and is there a clear defined policy when SROs should be called? *Policy 4311 is the most recent policy for the Tumwater School District on school safety and security services within the Community Relations Series of the district's policies. Part of the question pertains to the circumstances under which teachers and school administrators may ask for SROs to intervene because the primary purpose of the policy is to ensure SROs are resources for support when needed. Specific language enables teachers and staff to seek support from SROs to intervene with a student only when there are problems involving incidents of law enforcement, criminal activity, or other threats to safety and health. Principals have received some support in terms of identifying those types of situations because of the importance of adhering to the law preventing SROs from overseeing school discipline. For incidents involving harassment, intimidation, and bullying, the first layer is assisting principals in understanding the law surrounding harassment, intimidation, and bullying to enable them to respond appropriately to whatever incident is occurring in the schools. However, SROs would not intervene during that initial response unless there was an immediate threat to safety and health to the school, school system, or the district.*
- If a special needs child is in distress, are SROs contacted if the student is acting out? *The responsibility is by the school principal along with a case manager. For any student that might have an Individualized Education Program (IEP) where there would be some reason to respond to a behavioral incident, response would be between the case manager, the principal, and the special education team based on the level of the incident. However, it is not always possible to understand or assume when the level of*

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escalation could occur that might threaten health and safety. The first interaction is typically by the IEP team with the principal and case manager.

- Studies show marginalized students are suspended, arrested, and criminalized at disturbingly high rates. Based on the SRO data shared with the committee, are marginalized students suspended and arrested at higher rates, and is it possible to break down the data? *Yes, it is possible to identify data by demographic. Mr. Batstone offered to examine September data and identify gender, race, and ethnicity to ensure schools are not disproportionately intervening. He offered to provide the committee with a summary of gender, race, ethnicity, and the background of students involved in activities. He added that a disability status is considered as an underserved population as well.*
- Are teachers and school administrators trained on when to call the SRO? It is important everyone has clarity on the role of SROs. *Mr. Batstone agreed on the importance of clarity. He offered to check-in with school principals to confirm whether such protocol has been taught. At the beginning of each school year, staff members engage in positive intervention and support training. It is important to review all types of classroom response, response for office referral, and response for SRO assistance. He plans to follow-up on the explicit teaching component.*

Ms. Meyer added that the district has adopted a policy on the district's mental health and well-being of staff, as well as considering the social and emotional learning for all students. The district is also organizing new critical incident response guidelines and a team to address incidents surrounding suicide. She conveyed appreciation to Councilmember Jefferson for her participation in the district's equity group.

Councilmember Agabi asked whether notes entered by the district/school on a student's record prompt automatic notification to the parents. He cited an incident involving one of his children and discovering notes entered about his child on incidents of non-significance when he recently visited the school on another matter. Ms. Meyer advised that she would follow-up with the school to learn more about the issue. Parents should always be notified of any issue that results in a note in the school system.

Mr. Batstone added that the practice of positive behavior intervention support is to use a flowchart for discipline, which includes classroom-managed behaviors and office managed behaviors. For example, classrooms have a tiered approach to response. Teachers address the response within the classroom. A second incident might result in a different response by the teacher. When negative behavior occurs multiple times, the parent should be receiving some communication that there is a behavior that is being addressed in the classroom. However, the first

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incident corrected by the teacher within the classroom would not be reported. Parents can request notification of any type of response. Most classroom-managed behaviors are not reported as the teacher addresses those behaviors. Teachers are asked to track incident data within the classroom to distinguish between classroom and office behaviors. He would need to review the notation because it may only require a notation in data to track patterns in the classroom that could be corrected through professional training.

Councilmember Agabi requested information from the district concerning discipline notations and notification to parents of students attending Bush Middle School. Mr. Batstone affirmed he would follow-up with Councilmember Agabi.

Police Commander Mason reported he met with Councilmember Jefferson to discuss her concerns. He acknowledged the concerns and pain expressed by parents. The issues are complex, may involve schools, other people, and other factors outside the school. He indicated a desire to review a specific incident further as well as meeting with parents.

MOTION:

Councilmember Jefferson moved, seconded by Councilmember Agabi, not to forward the Interlocal Agreement between the City of Tumwater and the Tumwater School District for the School Resource Officer program (2023-2025) to the City Council pending further discussion and potential changes by the Public Health and Safety Committee. A voice vote approved the motion unanimously.

Councilmember Jefferson recommended the interlocal agreement should include information on when SROs are contacted. For example, SROs are not contacted for Level 1 disruptive student conduct as those incidents are handled by the school. However, Levels 2 and 3 involving criminal conduct should be included, as well as a requirement that staff and administrators should be trained to identify situations when an SRO should be contacted to intervene.

Lieutenant Kolb referred to the school district policy referenced in the interlocal agreement as the policy covers response by SROs. Councilmember Jefferson responded that the policies are too vague and her recommendation is to define policies clearly within the interlocal agreement.

Police Commander Mason advised that he would coordinate with Mr. Batstone to address the requests.

Following further clarification as to appropriate provisions to include within the interlocal agreement, Chair Dahlhoff recommended the school district policies should address training of school district staff and

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administers on the ability to identify situations requiring assistance by SROs. Councilmember Jefferson supported the suggestion.

Police Commander Mason added that the department's policy dictates that SROs do not participate in discipline. Additionally, SROs are prohibited from participating in school discipline based on state law as codified in RCW 28A.320.124 prohibiting SROs from becoming involved in formal school discipline situations that are the responsibility of the school administrators.

Councilmember Jefferson questioned whether school administrators and teachers are aware of state law because data reflects SROs are being contacted excessively.

Councilmember Agabi offered that Section VII within the former interlocal agreement was much more comprehensive than the new version concerning the process for filing complaints. Police Commander Mason explained that the section pertains to complaints against SROs. It is likely some language was excluded because of recent changes codified by the Legislature in 2021 overseeing SRO operations.

City Attorney Kirkpatrick acknowledged that some provisions for complaints and the complaint process were reconfigured within the agreement.

For ease of comparison between the old versus new agreement, Chair Dahlhoff recommended staff provide a redlined version to assist in deciphering new language or additions.

Councilmember Agabi said the interlocal agreement should include some language from the former agreement because the current draft does not identify how the SRO interacts with the schools/administrators.

Police Commander Mason affirmed a review by staff of the requests to draft some changes for further review.

City Administrator Doan commented on the challenges of interlocal agreements because agreements reference other documents, such as district policies, RCWs, and City policies. The downside of including references is the difficulty in keeping pace with changes in policies or RCWs.

Chair Dahlhoff offered several comments and questions surrounding the importance of ensuring the Council is better informed about the SRO program, responsibilities, and duties. She questioned the role of SRO/law enforcement intervention during an incident involving youth experiencing mental health issues because police officers have often shared the challenges with responding to incidents involving mental health within the

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community. She asked SRO skill sets to respond to mental health incidents when police officers on patrol experience challenges in responding to people experiencing mental health issues.

Police Lieutenant Kolb explained that SRO response to students experiencing a mental health crisis is only prompted when there is a threat or safety issue that requires an additional level of security. SROs do not respond to incidents involving students experiencing a mental health crisis. However, SROs have formed relationships with students and often follow-up with students who may have experienced a crisis.

Chair Dahlhoff inquired about the possibility of receiving quarterly updates on the tracking of data by the Tumwater School District. Police Commander Mason offered to follow-up with the school district for quarterly updates.

Police Lieutenant Kolb reported that she, School Resource Officers Rollman and Boling, and Mr. Batstone meeting monthly to review data.

Chair Dahlhoff commented on the importance of considering the experiences of parents and others and the process of reporting or not reporting. She suggested convening a conversation on the process for reporting to ensure members in the community feel safe to report information. The Council is receiving information from the community that has not been reported. It would be important to identify disconnects because people continue to have the experience of being disconnected. She suggested revising the interlocal government to ensure provisions are gender neutral.

Chair Dahlhoff added that the Olympia School District recently eliminated its SRO program. She asked whether staff from the Tumwater Police Department discussed with the Olympia Police Department any outcomes arising from the withdrawal of SROs in schools. Police Commander Mason advised that the SROs were removed at the request of the Olympia School District.

Chair Dahlhoff cited the number of recent school shootings across the county. She asked about the role of SROs in terms of completing security assessments of schools and whether security aspects should be highlighted more than other activities performed by SROs. Police Commander Mason replied that the issues are numerous and the discussions encompass many issues in terms of school security, number of SROs, and SRO duties. At the beginning of the school year, SROs participate in training with staff. The department's patrol division conducts training annually and reviews different scenarios regularly. School security is not the sole responsibility of SROs. The department collaborates with the school district to provide a safe environment for students and staff. The effort is multifaceted as the

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district is responsible for oversight of school security.

Chair Dahlhoff said she would submit a variety of comments and questions that might be applicable to changes to the interlocal agreement. She is also interested in the organizational chart of the Tumwater Police Department and the possibility of including a new branch of community outreach and community wellness and transferring the SRO program to the new branch rather than existing within the detective unit.

**ADDITIONAL
ITEMS:**

There were no additional items.

ADJOURNMENT:

With there being no further business, Chair Dahlhoff adjourned the meeting at 9:29 a.m.

Prepared by Valerie L. Gow, Recording Secretary/President
Puget Sound Meeting Services, psmsoly@earthlink.net

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CONVENE: 8:00 a.m.

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

Staff: City Administrator John Doan, City Attorney Karen Kirkpatrick, Police Commander Jay Mason, Police Lieutenant Jennifer Kolb, and Police Administrative Manager Laura Wohl.

Others: Frankie Peters, Administrator, Thurston County District Court; Carole Meyer, Interim Superintendent, Tumwater School District; Casey Taylor, President of the Tumwater School Board; Shawn Batstone, Assistant Superintendent, Tumwater School District; and Sarah Hock, Executive Director, Joint Animal Services.

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

INTERLOCAL AGREEMENT ESTABLISHING DISTRICT COURT FILING AND JURY TRIAL FEES FOR TUMWATER:

City Administrator Doan reported in 2013, the City discontinued providing municipal court services and contracted with Thurston County District Court to provide court services, case proceedings, and court operations. Separate contracts provide for prosecution and public defense services. The current contract is expiring and a new contract is proposed incorporating updated fees to reflect an updated County cost of services study. The proposed contract extends services to the end of 2026, which enables the City to provide sufficient notice should the City decide to terminate the partnership with the County and pursue another option. Staff believes the budget has the capacity to cover the increase in costs dependent upon the level of police and court activities. The two-year contract aligns the City with the judicial cycle.

Staff requests the committee recommend the City Council approve the contract.

Frankie Peters, Administrator, Thurston County District Court, reported Thurston County completed a rate study. The study is typically completed every six years; however, the county plans to complete the study every four years concurrent with judicial changes. With increased costs for services and inflation, it is important to ensure costs are in alignment. The proposal includes a 5% increase for inflation. He invited questions.

City Administrator Doan added that the City and the City of Lacey are the only jurisdictions contracting with Thurston County for court services. The only difference is that the City of Lacey does not contract for prosecution services.

Councilmember Agabi inquired as to how current inflation was factored in

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establishing the costs and the inflation factor that is used for years beyond 2023. Mr. Peters replied that the first contract year is based on the initial proposed costs with each year costs factored on a review of the Seattle Consumer Price Index (CPI) over the previous year. The proposed contract includes a provision that rate increases would not exceed 5% regardless of the rate of inflation.

City Administrator Doan identified the increases in specific services compared to the previous contract. The inflation rate would apply equally to all services; however, new contract rates are reflective of the service study.

Mr. Peters added the contract does not increase the fees to community members. The services provided by the court include opportunities to help community members comply while not imposing financial barriers. A recent pilot program initiated by the county addresses conditions of release financial barriers. For example, ankle monitoring devices or requirements for random urinalysis tests often create financial barriers. The county's pilot program pays for those services for those who do not have the ability to pay. The program has experienced success with the county experiencing an increase in compliance because the financial barrier has been lifted enabling individuals to concentrate on overcoming their obstacles while able to continue working and providing for their family.

MOTION:

Councilmember Jefferson moved, seconded by Councilmember Agabi, to recommend the City Council approve the Interlocal Agreement establishing District Court filing and jury trial fees for the City of Tumwater. A voice vote approved the motion.

**INTERAGENCY
REIMBURSEMENT
AGREEMENT
IAA23787 BETWEEN
WASHINGTON
STATE
ADMINISTRATIVE
OFFICE OF THE
COURT AND THE
CITY OF
TUMWATER:**

City Administrator Doan reported *State v. Blake* was a 2021 Washington State Supreme Court decision ruling the state's felony drug possession law as unconstitutional. Individuals convicted of simple possession of a controlled substance under RCW 69.50.4013 (and its predecessor statutes) could be eligible to have their conviction vacated and a refund of any legal financial obligations (LFOs) paid on those cases. The Legislature has provided limited reimbursement opportunities to cities both for the LFOs and for any extraordinary costs associated with identification and resentencing. The proposed agreement would provide for that reimbursement from the state. The agreement would provide up to \$28,795 in reimbursement for extraordinary judicial, prosecutorial, or defense related costs and up to \$24,868 for reimbursement of paid legal and financial obligations.

MOTION:

Councilmember Jefferson moved, seconded by Councilmember Agabi, to recommend the City Council approve the Interagency Reimbursement Agreement IAA23787 Between Washington State Administrative Office of the Courts and the City of Tumwater related

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**INTERLOCAL
AGREEMENT
BETWEEN THE
CITY OF
TUMWATER AND
THE TUMWATER
SCHOOL DISTRICT
FOR THE SCHOOL
RESOURCE
OFFICER
PROGRAM:**

to implementation of the State v. Blake decision at their next Council meeting. A voice vote approved the motion unanimously.

Police Commander Mason reported the committee deferred a recommendation on the proposed interlocal agreement with the Tumwater School District to consider additional changes to the agreement. Following meetings with staff from the Tumwater School District, additional language was included in the agreement. The request is to review the interlocal agreement for consideration of a recommendation of approval to the City Council.

Chair Dahlhoff reported that following the committee's last meeting, she received some questions and well as concerns about the committee's process for consideration of the interlocal agreement. She explained how Council committees serve as working committees to consider and discuss proposals to ensure any agreements or proposals are alignment with City policies. The committee's goal is to strengthen the trust between the City of Tumwater and the Tumwater School District and the School Board. The opportunity to engage in discussions is appreciated. She emphasized the committee's process of considering actions and moving forward.

Councilmember Agabi shared that he received several emails regarding the last meeting referring to adherence to the meeting agenda. His questions at the last meeting pertained to provisions within an interlocal agreement between two parties. He was able to review the proposed changes in a redlined document provided to members and has no issues.

Councilmember Jefferson explained that she voted against forwarding a recommendation for approving the interlocal agreement because of the current litigious society and a current court ruling allowing a former school resource officer to be sued for excessive force resulting in the officer's job loss. Her concerns surrounded questions on whether school staff and the SRO know when it is appropriate to contact the SRO when discipline is involved. She also reviewed the revised interlocal agreement and supports moving it forward to the City Council.

Carole Meyer, Interim Superintendent, Tumwater School District, acknowledged the attendance of Casey Taylor, President of the Tumwater School Board.

Mr. Taylor indicated that there was a severe lack of communication and no effort by the City Council to ask questions prior to the October meeting. The interlocal agreement was reviewed by legal counsel of both the City and the Tumwater School District. The community overwhelmingly supports the SRO program.

Shawn Batstone, Assistant Superintendent, Tumwater School District,

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expressed appreciation for the mutual work and collaboration to develop the agreement. The SRO program has a positive impact on the community. He appreciates the support and the clarity from the committee for understanding what the interlocal agreement entails because it is important to ensure schools are in a safe place within the district.

Councilmember Agabi commented that his concerns surrounded changes to a document without the benefit of comparison to the former agreement.

Chair Dahlhoff commented on the Council's committee processes and the normalcy of reviewing several versions of an interlocal agreement, seeking input, and asking questions prior to taking action. She appreciates the comments surrounding the concerns because many in the community are not aware of the work completed by Council committees.

MOTION:

Councilmember Jefferson moved, seconded by Councilmember Agabi, to forward the Interlocal Agreement between the City of Tumwater and the Tumwater School District for the School Resource Officer program (2023-2025) to the City Council for approval. A voice vote approved the motion unanimously.

Discussion ensued on a prior commitment by school representatives to share SRO data on disciplinary actions with the committee. Chair Dahlhoff noted the committee's focus is limited to the SRO program and engagement with youths as discipline issues are the responsibility of the school district. Mr. Batstone said he would meet with Police Commander Mason and Police Lieutenant Kolb to coordinate a presentation on September SRO program data at a future committee meeting.

**ORDINANCE NO.
O2022-024, TMC 6.04
DOGS, CATS AND
OTHER PETS:**

Police Commander Mason reported the City of Tumwater is party to an interlocal agreement with the cities of Lacey and Olympia, as well as Thurston County, for animal services operations. The entity providing the service, Joint Animal Services or JASCOM, is operated by a Board of Commissioners of elected officials from each entity. Councilmember Agabi serves as Tumwater's representative. The Joint Animal Services Director and JASCOM have recommended an update to definitions and language in TMC 6.04 to support a new, lifesaving cat program. The proposed ordinance reflects the requested changes.

Sarah Hock, Executive Director, Joint Animal Services, advised that it is likely the committee will receive more requests in the future as JASCOM reviews and proposes updates to municipal codes in all jurisdictions.

The proposal pertains to a new community cat program. Free-roaming stray feral and at-large cats live in and typically are cared for by the community. Two approaches for managing the population of community cats was a former catch and kill method relying on an ineffective and

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expensive model where animal control officers capture cats in response to nuisance complaints and attempt to place cats in homes (small number) and euthanize remaining cats at a local shelter. The catch and kill method is not effective in controlling cat population as cats reproduce faster than the ability to capture them. More municipalities across the country have adopted alternative options. The second approach is tracking, neutering, vaccinating, and returning cats to the same community, which has proven effective in managing community cat populations. It is a non-lethal and decentralized technique using community members to assist animal control officers manage cat populations. Cats are humanly captured, spayed or neutered, vaccinated, ear-tipped, and released back to the community. Another option is shelter, neuter/spay, vaccinate, and return. The difference in the program is that the cats are from the shelter and have been assessed and deemed not candidates for placement. Community cat programs result in the decrease of nuisance complaints and foster better relationships between local governments and residents. The model is based on community members collaborating with government agencies to achieve a shared goal.

The request is to add two definitions to Tumwater Municipal Code 06.04.030 defining a community cat, which is any free-roaming cat, cared for by one or more residents in the area known or unknown. Community cats with ears tipped were sterilized and vaccinated against rabies at least one time. Community cats are not considered pet animals. A community cat giver is a person who provides care to a community cat in the form of food, water, shelter, and veterinary care while not being considered the owner, custodian, harbinger, possessor, or keeper of a community cat. Another language change pertains to licensing and registration requirements changing the language from “dog” or “cat” to “pet animal.”

Councilmember Agabi reported on an email from a community member expressing concerns about the proposed program as an increase in the community cat population results in more birds killed by cats. Ms. Hock explained that the program does not reintroduce additional cats to any specific area. The cats are typical feral cats already existing in the community reproducing and creating a nuisance. The program places spayed and neutered cats in the same environment eliminating the possibility of the cats continuing to reproduce and increasing the cat population. Over time, the program has been scientifically proven to reduce the number of cats in a community. JASCOM recommends all pet cats be kept indoors, licensed, micro chipped, and vaccinated.

Councilmember Jefferson inquired about the process of capturing the cats. Ms. Hock explained that the program involves different methods of capture. JASCOM data from complaints in the field identify specific areas that are targeted first through community efforts and education about the program. In many instances, some neighborhoods have attempted to

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control the cat population and have run out of options. The program is a combined effort between citizens and JASCOM targeting specific cats dependent on the number of complaints in different areas.

Chair Dahlhoff encouraged Ms. Hock and JASCOM to connect with Whitney Bowerman with OLY CAMP KITTIES, a local non-profit organization transporting kittens to and from spay and neuter clinics and covering all costs. Ms. Hock conveyed support for a potential collaboration as JASCOM has new services planned for next year to include a full operational medical suite to perform spay/neuters, as well as working with other partner rescues in the area.

MOTION: Councilmember Agabi moved, seconded by Councilmember Jefferson, to forward Ordinance No. O2022-024 forward to the City Council for approval. A voice vote approved the motion unanimously.

ADJOURNMENT: With there being no further business, Chair Dahlhoff adjourned the meeting at 8:59 a.m.

Prepared by Valerie L. Gow, Recording Secretary/President
Puget Sound Meeting Services, psmsoly@earthlink.net

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January 10, 2023 Page 1**

CONVENE: 8:00 a.m.

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

Staff: City Administrator John Doan, City Attorney Karen Kirkpatrick, Police Chief Jon Weiks, Fire Chief Brian Hurley, Police Commander Jay Mason, Dr. Oliver Bowers, Police Management Analyst, Police Lieutenant Kenneth Driver, Legal Assistant Sharleen Johansen, and Police Administrative Manager Laura Wohl.

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

ORDINANCE NO. O2023-001, UPDATE TO TUMWATER MUNICIPAL CODE TITLE 9 CRIMINAL CODE: City Attorney Kirkpatrick reported the proposal represents an update to the City's criminal code to incorporate new statutes within the code and delete provisions that no longer are applicable or were moved to other state statutes. The committee was provided with a list of new statutes and a list of deleted statutes.

Councilmember Jefferson asked for information on several of the proposed major changes. City Attorney Kirkpatrick advised that the focus of the update involve changes adopted by Legislature overhauling police practices. Provisions applicable to restraining orders have been consolidated in the statutes. The update is a housekeeping action to ensure the City's codes are in alignment with state statutes. The City's code includes a catchall provision to account for changes in legislation to ensure that new statutes are applicable to the City.

Legal Assistant Johansen acknowledged a request to provide a hard copy of the proposed changes to Councilmembers Jefferson and Agabi.

MOTION: Councilmember Jefferson moved, seconded by Councilmember Agabi, to move Ordinance No. O2023-001 for placement on the January 17, 2023, City Council agenda with a recommendation to approve and authorize the Mayor to sign the ordinance. A voice vote approved the motion.

CODE ENFORCEMENT PROGRAM Police Chief Weiks reported the briefing is an annual review of the City's Code Enforcement Program.

UPDATE: Police Lieutenant Driver's presentation included a review of program goals, complaint process, statistics from 2022, and an update on several code enforcement cases.

Police Lieutenant Driver reported code enforcement complaints are received from the community, from other City departments, or code

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enforcement officers observing a violation. Most code enforcement violations are resolved through a courtesy letter. If the code violation is not addressed, an inspection of the property is conducted. If the situation is unchanged, the process moves to the notice of violation notification followed by another inspection.

In 2022, 54 violations were handled by the Police Department. The majority of the investigations were for overgrown vegetation, abandoned vehicles, and garbage. Most of the violations were resolved through voluntary correction agreements.

Several ongoing investigations include the brewery property and a property located off 54th Avenue. The brewery property continues to have overgrown vegetation, fencing removed, and incidents of graffiti. The Community Development Department is working on a correction agreement with the brewery property owner to resolve some of the complaints. The property off 54th Avenue includes numerous junk vehicles, RVs, trash, and multiple people living in travel trailers on the property.

Chair Dahlhoff inquired as to whether personality conflicts between neighbors are considered when complaints are received from the community. Police Lieutenant Driver explained that all complaints are verified by the code enforcement officer. Typically, incidents are resolved prior to sending a courtesy letter. The goal is making personal contact with the owner to resolve the issue.

Councilmember Jefferson asked about the process for removing abandoned vehicles. Police Lieutenant Driver advised that abandoned vehicles located on private property are the responsibility of the property owner to remove. If the vehicle is located on City right-of-way, the situation depends on a variety of factors. Abandoned vehicles are often towed. Owners of vehicles are contacted and receive information on the process for removal of the vehicle. A timeline is afforded for owners to remove the vehicles before the City pursues other measures, such as removal or levying fines.

TUMWATER
POLICE
DEPARTMENT
STRATEGIC
STAFFING PLAN
2023-2028:

Police Chief Weeks reported the Council established a priority for the Tumwater Police Department to develop a Police Master Plan, which coincided with the hiring of the Police Management Analyst in March 2022. Dr. Oliver Bowers is a published criminal justice researcher and is considered an expert in analysis of criminal justice practices. Dr. Bowers, as the department's Management Analyst, advises command staff on the unknowns in terms of police staffing. Dr. Bowers was encouraged and expected to challenge all practices. The development of any law enforcement master plan revolves around staffing. Staffing was already identified as a priority and because of the impacts of COVID, police

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reform legislation, City population and commercial growth, and the expected attrition of officers over the next five years, Dr. Bowers was tasked to develop a staffing model applicable to the Tumwater community, Because there is no recognized singular or standardized model. Dr. Bowers will review the evaluation process and development of the model, which resulted in the department's Strategic Staffing Plan 2023-2028. The plan was submitted as part of the 2023-2024 department budget in June 2022. The goal is initiating a discussion to ensure members understand varying factors involved in the staffing model and to seek clarification and obtain input and feedback. Next steps include a briefing on monetary costs and alternatives to maintain levels of services to the community.

Dr. Bowers shared that he has been an academic researcher for nearly a decade and earned a doctorate in Criminology and Criminal Justice. He has been published in both qualitative and quantitative research publications, peer review journals internationally, and specializes in advanced methodologies and the application of evidence-based practices. Tumwater's model is a fully evidence-based model.

The period of the model is 2001 through 2022 primarily to address some of the notable increases and changes the department has experienced over the last 20 years. The population in Tumwater increased from 12,000 people to 26,000 people representing a substantial increase. Calls for service increases are approximately 40% to 50%, which fluctuates because of COVID. The trend analysis for calls for services reflects a distinctive upwards trend. Staffing increased from 23 commissioned officers in 2001 to 33 commissioned officers in 2022; however, no increases have occurred in staffing since 2010 except when the City annexed properties in 2016 adding one School Resource Office via a contract with the Tumwater School District. Staffing of the department is significant as the department frequently operates below the authorized level of 33 positions primarily because of training, leave, light duty, and other factors. Although the authorized staffing level is 33 positions, the department continues to perform consistently below the level. Other complicating factors include future retirements, hiring complexities, and supervision considerations.

The Department of Justice recognizes four evidence-based approaches to staffing models:

- The per capita approach
- The minimum staffing approach
- The authorized level approach
- The workload approach

Historically, police staffing has been based on historical precedent and typically had no empirical basis. Only in the last several years of policing

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and research have evidence-based policies transitioned to police departments. There is also no national standard for police staffing other than national averages. The use of calls for service per capita, response time and other factors are heavily discouraged because they are not evidence-based, are unreliable, and are inappropriate, which is why issues arise as to why the department is not comparable to many other police departments or similarly sized departments. Similar sized cities have different staffing needs based on different population types, policing styles, and needs of the city. The key to the process is building a model specifically for the City of Tumwater.

The per capita model is used by departments across the country. The model is a simple method to determine staffing needs; however police leadership bodies, the Department of Justice, and others do not recommend using the model because the model lacks the ability to provide complex data analysis. The model essentially creates a number, which is an arbitrary comparison between cities and departments.

Police Chief Weiks said the per capita model is often utilized because it is easier for the community to understand. The Police Department has never employed a staffing model, which speaks to the need to create a staffing model to include within the master plan.

Dr. Bowers reported the minimum staffing model is one of the most commonly used approaches. The primary component is resource availability. The model essentially keeps a department at a minimum acceptable level with no objective components considered. It is often perceived as optimal staffing; however, it is not because it speaks to minimum staffing. The approach requires management to actively monitor and account for vacation, sick leave, light duty, and training to maintain the effectiveness of the department.

The authorized level approach is essentially an artificial benchmark created and constrained by budgetary restrictions. Tumwater Police Department has an authorized level of 33 officers but operates with 28 officers. Ideally, staffing should be above the authorized level to account for variables of leave, training, attrition etc. to ensure a sufficient number of officers are available to support the department and the City. The Department of Justice recommends increasing the level at a rate commensurate with relevant factors as part of a long-term strategic plan.

The workload approach is a comprehensive, empirically-driven model based on systematic analyses accounting for service-style and agency characteristics. It is based on a mixed methodological approach. The International Association of Chiefs and Police (ICAP) model was developed on a formula using national averages and arbitrary benchmark figures. The approach has been utilized across the country in nearly all

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states. Policing researchers and other overseeing bodies strongly advocate the approach because it relies on actual levels of demand and matches the demand with the supply of police resources within the specific context of the city. For Tumwater, the model was established based on the needs of the City and the Tumwater Police Department.

Dr. Bowers reported the Tumwater model was developed based on existing research using City data and information on service style, characteristics of the City and department, and trend data since 2013.

Councilmember Agabi asked whether the model compares the rate of increase in population with the rate of required additional policing resources. Dr. Bowers advised that type of comparison is not used because using the population to model staffing is inherently problematic and is why that approach in modeling is not used. The model does not compare Tumwater to any other jurisdictions, as each model must be specific to the city.

Police Commander Mason added that the model accounts for many factors unique to Tumwater. For example, the City of Tukwila has a population of approximately 22,000 people, which is similar to Tumwater; however, during the day because of the massive amount of retail and industrial uses, the police department is four times larger than the Tumwater Police Department for a similar-sized community in terms of population.

Dr. Bowers explained that the Tumwater model is based on calls for service, average time for officer involvement in call for services, multipliers and complicating factors – minimum thresholds used, proactive policing time buffer, and accounting of time-off (training, vacation, etc). The data is further broken down by the bare minimum type of call for one officer and the bare minimum type of call for multiple officers. A simple phone-call follow-up requires approximately 15 minutes. A simple shoplifting incident involving the arrest of a single suspect and the presence of two officers requires 5.5 hours of officer time. Dr. Bowers said the modeling included all the components and is based on the lowest end of the average call (70% of all calls). Assuming other calls required multiple officers, the model assumes the most minimal multiple officer call. Based on combining the data (single and multiple officer response) based on bare minimum, the average call duration was 18.4 minutes.

Following the result of the average call duration is the proactive time buffer. The goal of community policing is for officers to spend at least 66% of their time being proactive and not reactive. Community policing requires officers to engage actively with the community to solve problems preventing them from becoming larger problems. Data reveals Tumwater officers spend 45% to 50% proactively policing with a goal to achieve 60%. The proactive time buffer for strategic planning purposes is 66%.

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The next dataset is the number of hours necessary to staff a single officer position per year based on 10-hour shift times 365 days equaling 3,650 hours per year. The amount must be adjusted to account for department vacation, training, light duty, sick leave, etc. resulting in the total number of officers required to fill one patrol officer position. The result is 2.2 officers. Combining all datasets within the model, the result is 40.75 positions to staff the Tumwater Police Department appropriately based on all components of policing in the City as of today. Dr. Bowers stressed that the datasets within the model are based on minimums.

Chair Dahlhoff asked about the possibility of model forecasting a range from minimum to ideal. Dr. Bowers explained that forecasting ideal conditions can be problematic as it is based on future data. The model is based on datasets of current conditions and needs with an element of future growth factored to 2028. Increasing data ranges, increases the staffing level to 50 positions.

Police Chief Weiks noted that once the model is approved, it will be possible to apply the model moving forward. Forecasting five years in the future could result in substantial future cost, which is why the intent is to ensure the modeling is realistic and at a service level that is manageable with the final decision based on the level of service the police department can provide.

Police Chief Weiks added that when Mr. Bowers began working on the model, there were no expectations as to the appropriate staffing level for the department.

Dr. Bowers noted that the focus of the modeling exercise was to analyze and evaluate staffing needs of the department in today's environment.

Dr. Bowers reviewed other important components of the model. The first is supervision to ensure officers have the guidance to perform at the highest level. Staffing levels need to at a specific level to enable supervisors to supervise. Additionally, the foundation of the model is based on the concept of community policing. Community policing involves forming community partnerships and collaborative relationships between officers and the people they serve to develop solutions to problems to avoid chronic issues. When officers have sufficient time for community policing everyone benefits; however, it does require a level of organizational transformation by alignment of the management structure, personnel, and the systems.

Councilmember Agabi contended that in order to achieve an appropriate level of community policing, it would be important to have the ability to forecast the number of officers moving forward.

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Police Chief Weiks responded that the first step is achieving agreement on a staffing model to enable the department to forecast future needs.

Councilmember Jefferson cited the current staffing level and the model forecast requiring the addition of eight officers and asked whether the model reflects moving from a proactive to a reactive phase of policing. Police Chief Weiks responded in the affirmative noting that the major component has been police reform legislation. Three years ago, three officers at a scene would have generated questions from supervisors questioning the need for so many officers at one scene. Today, three officers are required on many scenes because of the complexities and requirements from police reform legislation. Those requirements increase the time on each call and diminishes the department's ability to proactively police in the community.

Councilmember Jefferson asked about the average daily rate of officers working during a 24-hour period. Dr. Bowers replied that the number of officers would average 28 to 29 officers.

Chair Dahlhoff asked about the next steps.

City Administrator Doan provided some background information on staffing levels at the police department over the last several years to include the addition of two administrative positions to support the department, the future of community safety response for those experiencing a mental health crisis, and the future of policing in the City based on the current legislative environment and limitations of police response. He noted that the relationship with the community is important. In terms of police funding measures, not many options are available to increase staffing without some additional funding resources. At this time, no independent funding authority is available for police. The 2023-2024 budget includes one additional police officer (sergeant) and two replacement officers specifically to address transition and hiring challenges (hiring, academy, field training). The budget includes funding for police master planning/engaging with the community. Essentially, the question is the level of service the City can afford in terms of the staffing level for police.

Chair Dahlhoff asked about the timing of the proposal in the realm of the Regional Fire Authority ballot measure in April and potential amendments to the budget if voters approve the proposal. City Administrator Doan said the next step depends on whether the ballot measure is approved because it will drive the future direction of the City. However, the RFA proposal is fundamentally about funding. It is important to have a conversation with the community about policing and presenting a strategy and associated costs. Community conversations are possible using existing

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tools, such as Tumwater University, a community summit, or a separate workshop/series of workshops on community safety with the business community and residents.

Councilmember Jefferson supported pursuing community meetings sooner rather than later.

Police Chief Weiks queried members on their respective comfort level with the proposed model and the approach as presented.

The committee conveyed support of the proposed model and methodology. Councilmember Agabi requested additional information on the number of officers required per capita as it drives some of the policing goals. He cited information shared during a recent Tumwater University session that spoke to an officer per capita equation.

Police Chief Weiks commented on the importance of the committee supporting a model to assist the department forecast the required number of officers in the future.

Police Commander Mason said the information shared with the committee accounted for how the police department operates. The basic question is the kind of police department the City should have and the expectations of the police department and the model necessary to assist in identifying all the elements.

City Administrator Doan recommended meeting with Police Chief Weiks and Communications staff to develop some concepts for community conversations and present the information in addition to modeling information to the Council for further discussion. The committee agreed with the recommendation.

ADJOURNMENT: **With there being no further business, Chair Dahlhoff adjourned the meeting at 9:27 a.m.**

Prepared by Valerie L. Gow, Recording Secretary/President
Puget Sound Meeting Services, psmsoly@earthlink.net

TO: Public Health & Safety Committee
FROM: Jon Weiks, Chief of Police
DATE: February 14, 2023
SUBJECT: K9 Program Update

1) Recommended Action:

No action is requested. This is for discussion only.

2) Background:

The police department will be providing the committee with an overview of the K9 Program. Lieutenant Ken Driver will be discussing the 2023 transition plan to our new handler/K9 team, training requirements/goals, and 2022 deployment stats. Our new K9 team will be introduced to the committee upon return to an in-person format.

3) Policy Support:

2021-2026 Strategic Priority: *"Provide and Sustain Quality Public Safety Services"*

4) Alternatives:

This is for discussion only.

5) Fiscal Notes:

There are no fiscal notes.

6) Attachments:

No attachments.

TO: Public Health & Safety Committee
FROM: Jon Weiks, Chief of Police
DATE: February 14, 2023
SUBJECT: South Sound Behavioral Hospital

1) Recommended Action:

No action is requested. This is for discussion only.

2) Background:

The CEO of South Sound Behavioral Hospital will present an overview of their new facility and programs in Lacey. There will be an opportunity to learn about their role in the community mental health system. <https://www.southsoundbehavioralhospital.com/>

3) Policy Support:

2021-2026 Strategic Priority: *"Provide and Sustain Quality Public Safety Services"*

4) Alternatives:

This is for discussion only.

5) Fiscal Notes:

No fiscal impact.

6) Attachments:

No attachments.