

TO: Shawn MacPherson, Camas City Attorney  
FROM: Ted H. Gathe, Attorney  
CC: Mayor Steve Hogan, City Administrator Doug Quinn, City Clerk Sydney Baker  
DATE: January 19, 2026  
SUBJECT: Proceedings under RCW 42.12.010; Investigation of alleged violation of Camas City Council Professional Code of Conduct

Background information:

You have asked me to conduct an independent investigation in regard to certain criminal charges filed by the Clark County Prosecutor's Office against Councilmember John Svilarich. The charges resulted from an incident that occurred on August 31, 2024 in the city of Camas. The incident was initially investigated by the Camas Police Department. The case was thereafter referred to the Clark County Prosecuting Attorney's Office. Following its review, the Clark County Prosecutor's Office on September 19, 2024 filed charges of one count of Assault in the Second Degree, a felony, and one count of Reckless Endangerment, a gross misdemeanor against Mr. Svilarich. Thereafter, the Clark County Prosecutor's Office entered into a plea agreement which resulted in Mr. Svilarich pleading guilty to Assault in the Fourth Degree, a gross misdemeanor in Clark County Superior Court on December 18, 2025.

On December 19, 2025, City Administrator Doug Quinn informed the City Council via email regarding the plea entered by Mr. Svilarich and the sentencing imposed by the Superior Court.

On January 5, 2026, Camas City Councilmember Tim Hein submitted a signed complaint alleging violation(s) of the Camas Code of Professional Conduct or other applicable City policies by Councilmember Svilarich in connection with the incident described above. In accordance with the procedural process set forth in the Code of Conduct, a copy of the complaint was submitted to the Camas City Attorney.

The City of Camas Code of Professional Conduct provides that the City Attorney has the authority to have the investigation of any alleged violation(s) referred to outside legal counsel.

In connection with this investigation, you have provided the following documents for my review as well as other documents that I have included in this investigation:

1. Camas Police Department incident reports, Case Number 24001029 as well as body cam and car cam footage and other enclosures including photos
2. Clark County Prosecuting Attorney's Office -Charging documents

3. Information for criminal prosecution- State of Washington v. JohnVincent Svilarich, Clark County Superior Court Case No.2024-1-02434-06 dated September 19, 2024
4. Plea Bargain Agreement and Findings of Fact, Conclusions of Law, and Judgment and Sentence (Misdemeanor) dated December 18, 2025.
5. RCW 9A.36.041(1).(2) Assault in the Fourth Degree
6. Camas Council Policies and Procedures Handbook- version 7-22-25
7. Camas City Council Code of Professional Conduct
8. Resolution 23-008- Civility and Belonging Agreement
9. E-mail from Camas City Councilmember Tim Hein to Mayor Steve Hogan, City Attorney Shawn MacPherson and City Administrator Doug Quinn dated January 5, 2026 alleging violations of the City Council Code of Professional Conduct by Councilmember Svilarich
10. Columbian newspaper article, January 9, 2025 entitled 'Councilor Svilarich Pleads Guilty'

Issue:

Did Councilmember Svilarich's conduct in connection with the criminal complaint filed against him and its resolution constitute sufficient grounds to charge him with violation of the Camas City Council Professional Code of Conduct?

Discussion:

When a complaint is filed under the Camas Code of Professional Conduct, the City Attorney or his designee is required to make an initial finding: does the complaint, on its face, allege facts, which if true, would substantiate a violation of the Code. If it does so, the investigation would continue. If not, the investigation would end. In addition to the Code of Conduct, the complaint also seeks review of any other applicable city policies that may apply to Councilmember Svilarich's conduct. In that regard, you have also provided me with the Council Resolution on Civility – Resolution No. 23-008 for review and consideration.

The Civility Resolution's intent and purpose as set forth in the Whereas clauses is to ensure that civility is practiced in "the conduct of City business," in "participation in City programs" and to "maintain a positive online atmosphere." The Resolution itself states in part that the Civility and Belonging Agreement "is a general statement of intent as it relates to interactions by and between the City Council, staff and members of the public in their participation within all City programs." (Emphasis added) The Resolution further states that "the terms herein are not intended to provide substantive enforcement authority unless and until formally adopted as part of any Council guidelines, rules or procedures."

While Resolution No. 23-008 has been formally adopted as part of the Camas City Council Professional Code of Conduct, the plain language of the Whereas clauses and the

Resolution itself limits its application to the conduct of city business and city programs. Councilmember Svilarich's conduct which led to the filing of criminal charges occurred outside of any recognized city business or city programs. Thus, I would conclude that the Civility Resolution is not applicable to Mr. Svilarich's conduct as described herein.

While the Camas City Council Professional Code of Conduct is primarily concerned with ensuring "fair, ethical and accountable local government" on the part of its elected officials, it also contains broad and general statements regarding integrity and personal accountability and responsibility. Under the Integrity section of the Code, City Councilmembers are expected to "demonstrate sound moral and ethical principles on a daily basis", "tell the full truth, keep promises and . . . "avoid misrepresenting facts." Under the Accountability and Responsibility section, City Councilmembers are expected to demonstrate personal accountability as "the basis of my commitment to the community", "accept responsibility for my behavior and disclose the results in a transparent manner. I will have the courage to admit mistakes. . . . .".

Councilmember Svilarich's conduct on August 31, 2024 and in several instances thereafter appear to be in violation of the Integrity and Accountability and Responsibility sections of the Code of Professional Conduct as quoted above. This conclusion is based on the following facts and observations:

1. In both the Camas Police Officers body cam footage and written reports, Mr. Svilarich was initially uncooperative and deceptive with the investigating officers. He first denied having a weapon but when confronted with other witnesses reports admitted that he was carrying a gun. It is both confounding and potentially dangerous when engaging with a police officer to deny having a weapon on one's person. He subsequently refused to allow the investigating officer to either photograph the gun or take possession of it.
2. The incident that led to criminal charges against Mr. Svilarich was totally avoidable on his part. He initially began a confrontation with the victim when he observed from the bridge above the Washougal River the victim throwing a cigarette butt into the river where he was fishing. After a heated verbal exchange with the victim, Mr. Svilarich and his companion continued on their walk. Upon returning to the bridge, Mr. Svilarich threw a rock roughly estimated to be six to eight inches in diameter in the direction of the victim fishing in the river below. According to witnesses as stated in the police report, the rock landed within six to eight feet of the victim and then bounced into the river. Mr. Svilarich's denial that he threw the rock toward or at the victim is clearly contradicted by the facts.
3. Mr. Svilarich was initially charged with Assault in the Second Degree (a serious felony) and Reckless Endangerment, a gross misdemeanor, based on the allegation that he pointed a loaded gun at the victim after the altercation near the bridge. As a result of a plea agreement, Mr. Svilarich pled guilty to Assault in the Fourth Degree, a

gross misdemeanor and was sentenced by the Court to probation, anger management class and community service. In his sentencing documents, he stipulated that he was admitting that he committed assault in the fourth degree. It is important to point out that he admitted to the crime and was not accepting the plea without admitting guilt also known as a Newton or Alford Plea. Despite that admission and stipulation, Mr. Svilarich was quoted in a January 9, 2025 article in the Columbian newspaper as stating, "It's a sad day when someone gets arrested for throwing a rock in the river. It wasn't my best day but I still don't feel I did anything wrong."

It is my determination that the complaint filed against Councilmember Svilarich does allege facts that would substantiate a violation of the Code of Conduct and it is my recommendation that this investigation and report be provided to the Mayor and City Council for further action and proceedings as set forth in the Code of Conduct.

Should you have further questions about this investigation and report, please contact me.

Ted H. Gathe PLLC

By: Ted H. Gathe



**CAMAS  
POLICE DEPARTMENT**

2100 NE 3RD AVE  
CAMAS, WA 98607  
(360) 834-4151

INCIDENT REPORT	
CASE NUMBER <b>24001029</b>	SUPPLEMENT NUMBER
CASE TYPE <b>THREATS / HARRASMENT</b>	CAD EVENT NUMBER
REPORT DATE <b>08/31/2024</b>	
REPORTING OFFICER <b>6319/6319 - CHANEY, DAVID</b>	

**INCIDENT**

LOCATION	OCURRED	DATE	TIME	DAY
<b>CAMAS, WA 98607</b>	<b>ON OR FROM</b>	<b>08/31/2024</b>	<b>07:40</b>	<b>SAT</b>
PREMISE NAME <b>WASHOUGAL RIVER GREENWAY</b>	JURISDICTION <b>CPD</b>	<b>TO</b>	<b>08/31/2024</b>	<b>07:40</b>
BEAT <b>92</b>	ZONE <b>14</b>	<b>REPORTED</b>	<b>08/31/2024</b>	<b>07:42</b>
			<b>07:42</b>	<b>SAT</b>

**NATURE OF INCIDENT**

- ALCOHOL RELATED   
  SENIOR CITIZEN   
  HATE / BIAS   
  ARSON   
  CHILD ABUSE  
 GANG RELATED   
  OFFICER ASSAULT   
  DRUG RELATED   
  DOMESTIC VIOLENCE   
  JUVENILE

**RELATED REPORT NUMBERS**

**RELATED CASE NUMBERS**

**SYNOPSIS**

An argument between a fisherman and a citizen occurred along the Washougal River Greenway. The situation ended when the citizen (SVILARICH) pulled a gun on the fisherman (BEAUDOIN). The involved parties gave conflicting statements about what occurred with the firearm. Refer to PA for charging review.

**ADDITIONAL INFORMATION**

<input type="checkbox"/> AED	<input type="checkbox"/> NALOXONE
<input type="checkbox"/> ADDITIONAL IN EVIDENCE.COM	
USE OF FORCE <b>N</b>	CASINO <b>IN CAR CAMERA</b>
	BWC <b>Y</b>

**STATUS**

CASE STATUS	CASE STATUS DATE	DISPOSITION	DISPOSITION DATE	APPROVAL	APPROVAL DATE
<b>CLOSED</b>	<b>09/13/2024</b>	<b>ARREST</b>	<b>09/13/2024</b>	<b>6321/6321 - NADGWICK, CHUCK</b>	<b>09/04/2024</b>

**OFFENSES**

ENTRY NO	VIOLATION/STATUTE	OFFENSE DESCRIPTION									
<b>1</b>	<b>CM9.28.030</b>	<b>CMC AIM/DISCHARGE FIREARM</b>									
ATTEMPTED	LEVEL	DEGREE	COUNTS	NCIC CODE	BCS CODE	DISPOSITION			DISPOSITION DATE		
<b>N</b>	<b>GM</b>	<b>98</b>	<b>1</b>	<b>5299</b>							
AGENCY CLASSIFICATION				LOCATION OF OFFENSE							
<b>WEAPON OFFENSE-OTHER</b>											
GOC		MODIFIER 1		MODIFIER 2			MODIFIER 3				
COURT				COURT DATE			JUDGE				
COMMENT											
ENTRY NO	VIOLATION/STATUTE	OFFENSE DESCRIPTION									
<b>2</b>	<b>CM9.08.030</b>	<b>CMC RECKLESS ENDANGERMENT</b>									
ATTEMPTED	LEVEL	DEGREE	COUNTS	NCIC CODE	BCS CODE	DISPOSITION			DISPOSITION DATE		
<b>N</b>	<b>GM</b>	<b>98</b>	<b>1</b>	<b>7399</b>							
AGENCY CLASSIFICATION				LOCATION OF OFFENSE							
<b>PUBLIC ORDER CRIMES-OT</b>											
GOC		MODIFIER 1		MODIFIER 2			MODIFIER 3				
COURT				COURT DATE			JUDGE				
COMMENT											

**VICTIMS**

ENTRY NO	INVOLVEMENT	NAME: LAST, FIRST, MIDDLE											
<b>2</b>	<b>VICTIM</b>	<b>BEAUDOIN, DANIEL J.</b>											
HOME ADDRESS					MAILING ADDRESS								
<b>6416 SE CARLTON ST PORTLAND OR 97206</b>													
EMPLOYER			EMPLOYER ADDRESS				OCCUPATION						
HOME PHONE			CELL PHONE			OTHER PHONE			EMPLOYER PHONE				
			<b>(360) 980-4389</b>										
DOB	AGE	SEX	RACE	JUV	ETH	HEIGHT	WEIGHT	HAIR	EYES	POB	RESIDENCY	CITIZEN	GANG IDENTIFICATION
<b>07/31/1978</b>	<b>46</b>	<b>M</b>	<b>W</b>	<b>N</b>	<b>N</b>	<b>600</b>	<b>230</b>				<b>R</b>		
DL NUMBER	DL ST	SSN	FBI ID	STATE ID	LOCAL	ID1	ID2						
COMMENT													

**WITNESSES**

ENTRY NO	INVOLVEMENT	NAME: LAST, FIRST, MIDDLE											
<b>5</b>	<b>WITNESS</b>	<b>FOGLE, MICHAEL D</b>											
HOME ADDRESS					MAILING ADDRESS								
<b>723 G ST WASHOUGAL WA 98671</b>													
EMPLOYER			EMPLOYER ADDRESS				OCCUPATION						
HOME PHONE			CELL PHONE			OTHER PHONE			EMPLOYER PHONE				
<b>(360) 837-9707</b>													
DOB	AGE	SEX	RACE	JUV	ETH	HEIGHT	WEIGHT	HAIR	EYES	POB	RESIDENCY	CITIZEN	GANG IDENTIFICATION
<b>04/18/1968</b>	<b>56</b>	<b>M</b>	<b>W</b>	<b>N</b>	<b>N</b>	<b>60</b>	<b>205</b>	<b>BRO</b>	<b>BRO</b>		<b>R</b>		
DL NUMBER	DL ST	SSN	FBI ID	STATE ID	LOCAL	ID1	ID2						
COMMENT													

**SUSPECTS**

ENTRY NO	INVOLVEMENT	NAME: LAST, FIRST, MIDDLE											
<b>1</b>	<b>SUSPECT</b>	<b>SVILARICH, JOHN VINCENT</b>											
HOME ADDRESS					MAILING ADDRESS								
<b>3904 NW 8TH CIR CAMAS WA 98607</b>													
EMPLOYER			EMPLOYER ADDRESS				OCCUPATION						
HOME PHONE			CELL PHONE			OTHER PHONE			EMPLOYER PHONE				
			<b>(206) 979-2695</b>										
DOB	AGE	SEX	RACE	JUV	ETH	HEIGHT	WEIGHT	HAIR	EYES	POB	RESIDENCY	CITIZEN	GANG IDENTIFICATION
<b>10/23/1957</b>	<b>66</b>	<b>M</b>	<b>U</b>	<b>Y</b>	<b>U</b>						<b>R</b>		
DL NUMBER	DL ST	SSN	FBI ID	STATE ID	LOCAL	ID1	ID2						
COMMENT													

**MEDIA LIST REPORT**

<b>INCIDENT REPORT</b>		<b>CAMAS POLICE DEPARTMENT</b>		<b>CASE NUMBER</b> 24001029	
[REDACTED]	TITLE <b>SVILARICH HANDGUN</b>	MEDIA DATE <b>08/31/2024 12:17</b>	ENTERED DATE <b>08/31/2024 12:17</b>		
	CONTEXT <b>INCIDENT</b>	COMMENTS			
[REDACTED]	TITLE	MEDIA DATE	ENTERED DATE		
	CONTEXT <b>5 - WITNESS - FOGLE, MICHAEL</b>	<b>08/31/2024 04:19</b>	<b>08/31/2024 04:20</b>		
	COMMENTS				

**NARRATIVE**

**ORPHAN DOCUMENTS:**

Digital photos uploaded

**DISPATCH CAD CALL NOTES:**

Reporting Party: Daniel BEAUDOIN

08/31/24 07:42:28 (ces918) : SOME GUYS JUST THREW ROCKS AT RP WHO WAS FISHING AND PULLED A GUN ON RP.. HE WAS ON THE WALKING BRIDGE AND RP ONT HE WATER...

08/31/24 07:42:28 (ces918) : EB ON THE TRAIL WITH A DOG AND 2 OTHER MEN

08/31/24 07:42:28 (ces918) : WM, 60S, GRY BEARD, DARK GRY HAT W A LIGHT GRY BILL, RED RIMMED SUNGLASSES, GRY/BLK PLAID SHIRT,

08/31/24 07:42:36 (ces918) : ==WALKING W 1 OTHER MAN AND A DOG

08/31/24 07:42:48 (ces918) : RP ASKED HIM WHAT HE WAS DOING THROWING ROCKS AND HE PULLED A GUN OUT AND POINTED IT RIGHT AT RP...

08/31/24 07:42:57 (ces918) : GUN WAS A GLOCK STYLE HANDGUN....

08/31/24 07:43:24 (ces918) : GUY HE WAS WITH WAS SHORTER WM, 60S, BLUISH/GRY HOODIE, KHAKI SHORTS... WITH A BRWN LAB LIKE DOG...

08/31/24 07:43:34 (ces918) : RP ON THE WATER AT THE WALKING BRIDGE WAITING..

08/31/24 07:43:41 (ces918) : AND MALE IS EB ON THE TRAIL FROM THE BRIDGE

08/31/24 07:43:46 (ces918) : TOW THE DUCK PONDS...

08/31/24 07:44:04 (ces918) : RP NO LONGER SEES HIM... LS RIGHT BEFORE RP CALLED

08/31/24 07:44:25 (ces918) : CON

08/31/24 07:52:55 (ces911) : 3D92 -- EAST END OF DUCK PONDS..2ND YALE WITH BOTH

**DETAILS:**

At 07:52am on 08-31-24, Camas Units were dispatched to a brandishing that just occurred at the Washougal River Greenway. This area is a trail system that weaves through the green space and ponds along the Washougal River. It includes sections of paved walking trails and a bridge that spans the river.

The 911 caller (victim) was a fisherman named Daniel BEAUDOIN. BEAUDOIN told dispatch he was fishing near the walking bridge and someone threw rocks at him and then pulled a gun and pointed it at him. BEAUDOIN provided a description of the suspect and the firearm.

I went to meet the victim at the bridge while Officer Gonzalez did an area check for the suspect. Officer Gonzalez radioed that he located the suspects on the trail near NE 2nd Avenue / Yale Street. I diverted to cover Officer Gonzalez before making contact with the victim.

When I arrived, Officer Gonzalez was speaking with two individuals. One of these subjects matched the description of the brandishing suspect and was identified as John **SVILARICH**. The second individual was identified as SVILARICH's friend, John NEUMANN. Officer Gonzalez told me SVILARICH is armed and has a CPL. I spoke with SVILARICH and NEUMANN while Officer Gonzalez went to speak to a different possible witness.

I wanted to make sure they both knew the reason for our contact and explained that someone reported SVILARICH pointed a gun at them. SVILARICH responded, "That's not true. I wouldn't do that." I asked why someone would make up a story like that and SVILARICH responded, "He's an asshole". I asked how the person even knew he was in possession of a firearm and SVILARICH claimed, "I don't know". I challenged SVILARICH by suggesting it is probably not just a lucky guess. SVILARICH responded, "It could be. 3-quarter of a million people in Washington have a concealed permit".

SVILARICH verified he is presently carrying a black handgun. After some discussion, he agreed to show me the gun holstered on his waistband at his lower back. He identified it as a Walther PPS, 9mm semi-automatic handgun (bodycam screenshot image uploaded). He also provided me with his valid Concealed Carry Permit, #CSP001701. SVILARICH told me he is a certified pistol instructor and a certified range instructor. He says he last fired that Walther 9mm between 1-2 months ago at the range. He would not voluntarily submit to any further examination of the gun nor would he voluntarily allow police to seize his weapon.

At that point witness John NEUMANN asked if he could leave because he was running late for an event. I asked if they were throwing rocks. NEUMANN responded by saying he wasn't sure what SVILARICH wanted to say about that. I yelled for Officer Gonzalez to come speak to NEUMANN separate from SVILARICH before he leaves. NEUMANN again expressed a need to leave and it was suggested he be interviewed by phone. Officer Gonzalez made arrangements to interview NEUMANN and then he left.

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I then continued with SVILARICH; asking him what started the initial conflict with the fisherman (BEAUDOIN). SVILARICH said the fisherman threw a cigarette butt into the river. He "called him out" about it and then it escalated from there. The two men were yelling at each other. SVILARICH says the fisherman was calling him names and tried to get SVILARICH to come down to the water's edge and fight him. SVILARICH declined. He said "we went on our way and then he accosted us in the end." I asked him to explain what he meant by "accosted". SVILARICH said they left and walked up the trail. The fisherman continued to call him names and then walked up to the trail and got between us. He says the fisherman stood in the middle of the trail and called me a "fucking pussy".

I asked for further details and SVILARICH wanted to know if he was required to tell this story? I explained that he was accused of committing a crime. That pointing a gun at someone is against the law. That we have not talked to the reporting party yet. That there are usually 2 sides to every story. I simply asked SVILARICH to share his side of the story. He seemed agreeable to continuing.

I again asked SVILARICH how the fisherman knew he had a gun? SVILARICH responded, "I don't know".

I asked SVILARICH how the guy knew specifically that he had a black handgun? SVILARICH responded, "I don't know. You have a black handgun. He has a black handgun (pointing to Ofc Gonzalez). Most guns sold in this county are probably black."

I asked SVILARICH if he ever displayed the gun? He then admitted, "I did. Yes". I challenged him about being deceptive earlier. SVILARICH admits the fisherman knew he had a gun because he displayed it when the fisherman came at them. He said, "I told him to back up and go away. I did not point it at him. I did not brandish it. I had the gun at low-ready". SVILARICH then demonstrated with his hands as if he was gripping a gun pointing downward towards the ground. He mentioned his expertise with guns (pistol instructor / range safety officer) as evidence against ever pointing a firearm at someone. He claims he "never raised it above low-ready" and told the man to go away. The man was being aggressive and SVILARICH says he felt threatened; "he's a large man, carrying a couple fishing poles, and he was being aggressive".

I asked SVILARICH about throwing rocks at the fisherman? He acknowledged throwing a rock into the river, but says he did not throw it at the fisherman. I asked him what was the purpose of throwing the rock. SVILARICH said, "I had a rock. The river was still. It wasn't thrown at him. I didn't even see him".

SVILARICH said there were no other witnesses other than NEUMANN and the fisherman (BEAUDOIN).

I told SVILARICH he was free to leave. I advised I would complete my investigation and may contact him in the future. Before leaving, SVILARICH expressed a few other points. He says he has owned guns for many years and has never taken a gun out in a public place before today. He's a careful gun owner and knows the rules. He also said in retrospect, he should have probably called 911 himself. We also discussed his dishonest responses initially. He said he was anxious and has never had this type of interaction with police before. SVILARICH then left the area.

I contacted the reporting party by phone and made arrangements to meet him at the NE 3rd Loop trailhead. I interviewed Daniel **BEUDOIN** at 08:38 hours. I asked him to explain what happened. (The victim and suspect don't know each other but will be referred to by name for clarity in this report.)

He said he was fishing in the river beneath the bridge and smoking a cigarette. He threw his cigarette on the ground when he was finished. Some guy yelled down at him saying, "you're a real class act" **BEAUDOIN** told the guy he'd pick it up before he leaves. The guy (**SVILARICH**) then started cussing him out. **BEAUDOIN** responded by saying something like, "Fuck you. Get the fuck out of here." The cursing and insults continued between both of them. **BEAUDOIN** says **SVILARICH** then said something threatening to him but he could not recall the exact phrase. In response, **BEAUDOIN** told **SVILARICH**; "Well, I'm right fucking here. Come on down here." **BEAUDOIN** acknowledges he was challenging **SVILARICH** to a fight of sorts. At that point the 2 men on the bridge walked away. **BEAUDOIN** never left the river's edge during the initial portion of this encounter.

**BEUDOIN** thought it was over and he continued fishing. About 10-20 minutes later the 2 guys are back on the bridge. Then a large rock gets thrown off the bridge and lands right next to **BEAUDOIN**. He estimates the rock was about 8-inches in diameter and landed about 2 feet away from him. **BEAUDOIN** yelled up at them, "What the fuck are you doing". The men then walked away.

**BEAUDOIN** says he walked up from beneath the bridge and caught up with them at the trail. He yelled, "What the fuck are you doing throwing rocks?". **SVILARICH** then drew a gun from the right side of his waistband, pointed it directly at **BEAUDOIN**, and said - "I'd back up if I were you". **BEAUDOIN** estimates **SVILARICH** was about 50 feet away from him when he drew the weapon. **BEAUDOIN** said he called **SVILARCH** a pussy and turned and walked away. He says **SVILARICH** kept the gun aimed at him the whole time as he walked away. **BEAUDOIN** yelled at **SVILARICH** to "get the fucking gun off me" as he walked away. I asked if anything else was said during this portion of the incident. He recalled **SVILARICH** telling him he can throw rocks wherever he wants. **BEAUDOIN** said he called 911 immediately after this occurred.

I told **BEAUDOIN** that **SVILARICH** claims he never pointed the gun at him but instead always kept it at a low-ready position. **BEAUDOIN** snapped, "Bullshit! Motherfucker pointed it directly at me." He said the gun was pointed "dead mass" as he pointed to his chest area.

I asked **BEAUDOIN** what he wanted to see done about the incident. He felt **SVILARICH** should be arrested and wants to press charges.

While I was speaking with **BEAUDOIN**, I identified another potential witness. Michael **FOGLE** was also fishing under the bridge at the same time. **FOGLE** and **BEAUDOIN** are acquaintances. **FOGLE** told me the following:

He was fishing beneath the bridge on the opposite side as **BEAUDOIN**. He said he heard

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BEAUDOIN get into a yelling match with some guys up on the bridge. The two were shouting back and forth, name calling and exchanging insults. At one point BEAUDOIN told the man to come down here if you want to do something about it. This went on for a while and then the two men walked away. FOGLE saw the same two men on the bridge again about 15 minutes later. He described seeing the men peek over the bridge railing and then duck backwards. He then saw the guy with white hair and glasses throw a rock off the bridge. The rock landed in the water right in front of BEAUDOIN. FOGLE estimates the rock landed about 8-10 feet in front of BEAUDOIN.

At that point he saw BEAUDOIN leave the river's edge and walk up to the trail. FOGLE did not see nor hear what occurred up at the trail. He said BEAUDOIN came back a few moments later and told him "the guy pulled a gun on me." FOGLE had nothing else to add.

These interviews were captured on body worn camera. Refer to the recording for further details.

See Officer Gonzalez's report for additional witness interviews.

**RECOMMENDATION:**

The victim and suspect have conflicting statements about whether or not a gun was pointed directly at BEAUDOIN. The one and only witness claims not to have seen that particular detail.

I ask that this case be sent to the Prosecuting Attorney to review for criminal charges against John SVILARICH.

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**CMC 9.28.030 - Aiming or discharging firearms :**

1. For conduct not amounting to a violation of Chapter 9A.36 Revised Code of Washington, any person who:

- a) Aims any firearms, whether loaded or not, at or towards any human being;
- b) Willfully discharges any firearm, air gun, or other weapon, or throws any deadly missile in a public place, or in any place where any person might be endangered thereby. A public place shall not include any location at which firearms are authorized to be lawfully discharged; or
- c) Except as provided in RCW 9.41.185, sets a so-called trap, spring pistol, rifle or other dangerous weapon, although no

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*injury results, is guilty of a gross misdemeanor.*

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**RCW 9.41.270 - Weapons apparently capable of producing bodily harm-Unlawful carrying or handling:**

*(1) It shall be unlawful for any person to carry, exhibit, display, or draw any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons.*

*(2) Any person violating the provisions of subsection (1) above shall be guilty of a gross misdemeanor. If any person is convicted of a violation of subsection (1) of this section, the person shall lose his or her concealed pistol license, if any. The court shall send notice of the revocation to the department of licensing, and the city, town, or county which issued the license.*

*(3) Subsection (1) of this section shall not apply to or affect the following:*

- (a) Any act committed by a person while in his or her place of abode or fixed place of business;*
- (b) Any person who by virtue of his or her office or public employment is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses, while in the performance of such duty;*
- (c) Any person acting for the purpose of protecting himself or herself against the use of presently threatened unlawful force by another, or for the purpose of protecting another against the use of such unlawful force by a third person;*
- (d) Any person making or assisting in making a lawful arrest for the commission of a felony; or*
- (e) Any person engaged in military activities sponsored by the federal or state governments.*

*I certify or declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. I intend my printed name and PSN on this document to be my signature. This document was signed in Clark County, Washington.*

INCIDENT REPORT	CAMAS POLICE DEPARTMENT	CASE NUMBER 24001029
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# CAMAS POLICE DEPARTMENT

2100 NE 3RD AVE  
CAMAS, WA 98607  
(360) 834-4151

<b>SUPPLEMENT INCIDENT REPORT</b>	
CASE NUMBER 24001029	SUPPLEMENT NUMBER 1
CASE TYPE THREATS / HARRASMENT	CAD EVENT NUMBER
REPORTING OFFICER 6331/6331 - GONZALEZ, CARL	REPORT DATE 08/31/2024

## INCIDENT

LOCATION CAMAS, WA 98607	DATE 08/31/2024	TIME 09:26
PREMISE NAME		
BEAT 92	ZONE 15	JURISDICTION CPD

## STATUS

WORK FLOW STATUS APPROVED	APPROVAL 6319/6331 - CHANEY, DAVID	APPROVAL DATE 09/01/2024
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## WITNESSES

ENTRY NO 3	INVOLVEMENT WITNESS	NAME: LAST, FIRST, MIDDLE NEUMANN, JOHN S											
HOME ADDRESS 4428 NW BASS ST CAMAS WA 98607					MAILING ADDRESS								
EMPLOYER				EMPLOYER ADDRESS				OCCUPATION					
HOME PHONE				CELL PHONE (360) 907-8127			OTHER PHONE			EMPLOYER PHONE			
DOB 11/04/1945	AGE 78	SEX M	RACE W	JUV N	ETH N	HEIGHT	WEIGHT	HAIR	EYES	POB	RESIDENCY R	CITIZEN	GANG IDENTIFICATION
DL NUMBER	DL ST	SSN	FBI ID	STATE ID	LOCAL	ID1	ID2	COMMENT					
ENTRY NO 4	INVOLVEMENT WITNESS	NAME: LAST, FIRST, MIDDLE MCKINNEY, TYLER R											
HOME ADDRESS 832 C ST WASHOUGAL WA 98671					MAILING ADDRESS								
EMPLOYER				EMPLOYER ADDRESS				OCCUPATION					
HOME PHONE				CELL PHONE (971) 571-9048			OTHER PHONE			EMPLOYER PHONE			
DOB 09/13/1995	AGE 28	SEX M	RACE W	JUV N	ETH N	HEIGHT	WEIGHT	HAIR	EYES	POB	RESIDENCY N	CITIZEN	GANG IDENTIFICATION
DL NUMBER	DL ST	SSN	FBI ID	STATE ID	LOCAL	ID1	ID2	COMMENT					

## NARRATIVE

### ORPHAN DOCUMENTS:

-There are no attached documents.

### DETAILS:

On 08-31-2024, Sergeant Chaney and I responded to a brandishing just occurred in the Washougal River Greenway near the large pedestrian bridge. The complainant, Dan Beaudoin, told dispatch two males threw rocks at him while he was fishing and pulled a gun on him. He was on the water and the males were on the bridge. Beaudoin advised he asked the men why they were throwing rocks and "he" pulled a gun out and pointed it right at him. He described the gun as a Glock style handgun. The two males were last seen eastbound on the trail with a dog.

Beaudoin described the male with the gun as white, in his 60s, gray beard wearing a gray/black plaid shirt, dark gray hat with a light gray bill and red rimmed sunglasses. The person with him was a shorter white male in his 60s wearing khaki shorts and a bluish-gray hoodie. The dog they had was

INCIDENT REPORT	CAMAS POLICE DEPARTMENT	CASE NUMBER 24001029
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described as a "brown lab like" dog.

I arrived at the parking lot for the east end of the trail located at NE 2nd Avenue and NE Yale Street. Sergeant Chaney was going to attempt contact with Beaudoin near the pedestrian bridge. I first gathered several license plates in the parking lot in case the men were not located. I then drove onto the paved trail and headed west. I did not see anyone on the paved trail.

As I approached the east end of the "duck ponds" I saw two men matching the description with a black lab dog walking along a trail through the grass headed south, away from the paved trail. The distance they were from the bridge and time since the call came out was consistent to where I saw them and the pace they were walking. I called out to the men to come back to me and they both walked to me.

The first male to approach me was the one Beaudoin described as having the gun. I introduced myself and told him I recognized him. He introduced himself as John Svilarich. He then told me he was a city counselor as response to me recognizing him. He introduced the other male as John Neumann.

Prior to explaining why I was there I asked if either of them had a weapon. Svilarich advised he did have a weapon. I could not see a weapon but noticed he had his thumbs tucked into each of his front shorts pocket. I advised we had received a call about a brandishing and advised this contact was being audio and video recorded. I then advised Sergeant Chaney was on his way to another location so we could figure out what was happening. By this time, Neumann, had walked back to Svilarich and I. He matched the description of the second male.

I asked Svilarich if there was an interaction and he said a guy had threatened them and they did not like it. I asked him to describe their side of the story and Svilarich removed his hands from his pockets, shook his head side to side, and exhaled loudly before we were interrupted by another fisherman. This man commented that Svilarich and Neumann were throwing rocks at Beaudoin. The fisherman was identified as Tyler McKinney, the son of Beaudoin. I asked him not to interject and wait for me which he did.

Svilarich then asked, "Do we have to share the story?" I explained to him it would be good since Beaudoin was claiming a gun had been pointed at him and that would be a crime. Svilarich initially nodded yes as if he understood, but then quickly shook his head, rolled his eyes and said, "Yeah." I again advised that Sergeant Chaney was working on contacting Beaudoin and I believe I located he and Neumann before he could speak with Beaudoin. I again told them we are still trying to learn what happened.

Svilarich was very friendly upon initial contact but seemed defensive and hesitant to talk about the incident. He seemed annoyed based on non-verbal gestures he showed prior to McKinney interrupting.

I had to get my notebook out of my vehicle and asked McKinney to wait, but to please not become involved and I will speak with him shortly. He agreed and did not cause any further issues.

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I contacted Svilarich and Neumann again and asked if he had a CPL (Concealed Pistol License) and he said he did. He was currently carrying and when asked where it was on his person he said, "5 o'clock." I then requested their personal information which was willingly given to me.

I again explained it would be good to hear their side of the story, but told him I could not make them talk with me. Svilarich nodded in agreement and said, "That's kind of what I think, alright? yeah." He continues, "I can tell you that uh..." looks down and pauses for a moment before stating, "The guy was very intimidating." I then asked if they were as close to Beaudoin as we currently were. Svilarich backed up several steps making the distance between them maybe 20-30 feet and indicated that was the distance from Beaudoin.

Neumann interjected and said they were on the bridge when he (Beaudoin) threw a cigarette butt. He started to speak as I asked where they were in relation to Beaudoin and they said Beaudoin was at the water and they were on the bridge.

Svilarich then stated that he and Neumann were coming off the bridge, headed east, and pointed to an approximate distance that he showed a moment earlier, when he was confronted by Beaudoin. Svilarich stated, "He (Beaudoin) started yelling at us. Calling me a fucking pussy, um...basically I felt threatened." Svilarich confirmed Beaudoin was standing on the trail, blocking their path. I asked why Beaudoin was calling him that and he shook his head side to side and made a hand gesture similar to not knowing and said, "He didn't like me."

Sergeant Chaney arrived and I introduced him to Svilarich and Neumann. I then interviewed McKinney.

McKinney told me he did not see any of the incident but heard some of what happened. McKinney was about a football field upriver (east) and said, "My dad's the one they pulled the gun on." He heard yelling and decided to walk the trail towards his father. While heading there, his father called him and said "they" pulled a gun on him.

I asked what he heard being yelled and he said he recognized his dad's voice saying, "You gonna fucking throw rocks at me you mother fucker?" His dad then told him when they talked that they were throwing rocks at him. McKinney admitted he did not know what happened prior to what he had just told me.

McKinney said his father told him that he walked over to them and confronted them about throwing rocks and that's when the gun was pulled on them. I asked how the gun was pulled/displayed and McKinney did not have that information. I asked if maybe the gun was not pulled, but rather Svilarich pulled up his shirt to show the firearm. McKinney was unsure and said it could have happened that way but he doesn't believe his father would exaggerate something like this. I later learned Svilarich admitted he drew his firearm, but claims to have not displayed it at Beaudoin.

McKinney did not have any further information and was willing to speak with his father to contact us or meet us near where we currently were. I walked back towards Sergeant Chaney who was talking with Svilarich and noticed Neumann was cresting the hill and leaving. Sergeant Chaney then asked

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me to call Neumann and get a statement.

Neumann explained he and Svilarich had began walking the trail from Goot Park and walked westbound, towards the police department side of the trail. They were crossing the pedestrian bridge when they noticed a man (Beaudoin) fishing and he threw a cigarette butt onto the ground. He said Svilarich yelled, "Not a cool move!" and Beaudoin "went ballistic." I asked him what he meant by "went ballistic" and he said Beaudoin was yelling "fuck you" and cussing at them and Svilarich also engaged and yelled similar sayings back at Beaudoin. He and Svilarich continued across the bridge to the other trail head near the police department before turning around and walking back. There was no other confrontation besides the yelling match at this point.

As they crossed the bridge the second time, Neumann said he was walking in front of Svilarich and heard a splash. He claims he did not know what happened but Svilarich and Beaudoin began yelling and cussing at each other again. Neumann said he was hard of hearing so did not hear everything that was said, but agreed that both were equally engaged in the yelling/cursing.

Neumann and Svilarich continued off of the bridge and when they hit the level area just passed the bridge, Beaudoin appears in front of them on the trail, blocking their path. Beaudoin yells, "You want a piece of me? Let's go after it!" Beaudoin was confronting them and Svilarich told Beaudoin to stay away and that he has a gun. Neumann then told me, "He pulled it out," and Beaudoin responded by calling Svilarich a "pussy" because he wouldn't fight like a man and had to pull a gun. Neumann said Beaudoin walked away and they continued walking along the trail without further incidents.

I asked Neumann how Svilarich pulled his gun and to describe how Svilarich was holding the gun. Neumann claimed he could not describe how the gun was being held because he was standing behind Svilarich. I asked if he pulled it from his holster and he said he did not know. From earlier, Svilarich told me he carried his firearm at the 5 o'clock position. My experience makes me believe the firearm is holstered on his right between his side and back. If Neumann was behind Svilarich, it is likely he would have seen him draw or not draw from the holster.

At this time, Neumann is the only party not directly involved that could clarify how Svilarich was displaying his firearm. There are concerns with discrepancies in Neumann's statement. He told me Svilarich "pulled it out" but then claims he was unsure if it was un-holstered. He also claims to not know how Svilarich was holding the firearm because he was standing behind Svilarich. Another similar statement by Neumann is hearing a splash, but was in front of Svilarich as to not see or know what happened.

Neumann and Svilarich are clearly friends and he admitted Svilarich and Beaudoin were equally engaged in a yelling match, but details are not as clear when it comes to the firearm and throwing of rocks.

See Sergeant Chaney's report for further details.

*I certify or declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. I intend my printed name and PSN on this document to be my signature. This document was signed in Clark County, Washington.*

INCIDENT REPORT	CAMAS POLICE DEPARTMENT	CASE NUMBER 24001029
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INCIDENT REPORT	CAMAS POLICE DEPARTMENT	CASE NUMBER 24001029
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# CAMAS POLICE DEPARTMENT

2100 NE 3RD AVE  
CAMAS, WA 98607  
(360) 834-4151

## SUPPLEMENT INCIDENT REPORT

CASE NUMBER <b>24001029</b>	SUPPLEMENT NUMBER 3
CASE TYPE <b>THREATS / HARRASMENT</b>	CAD EVENT NUMBER
REPORTING OFFICER <b>6327/6327 - MCNALL, TIM</b>	REPORT DATE <b>09/05/2024</b>

### INCIDENT

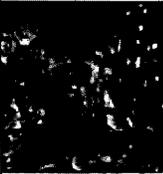
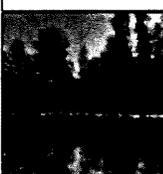
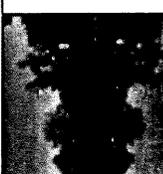
LOCATION <b>CAMAS, WA 98607</b>		DATE <b>09/05/2024</b>	TIME <b>13:40</b>
PREMISE NAME			
BEAT	ZONE	JURISDICTION <b>CPD</b>	

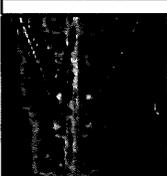
### STATUS

WORK FLOW STATUS <b>APPROVED</b>	APPROVAL <b>6345/6327 - HAUSINGER, STEFAN</b>	APPROVAL DATE <b>09/10/2024</b>
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### MEDIA LIST REPORT

	TITLE <b>WHERE BEAUDOIN STOOD WHEN ROCK WAS THROWN</b>	MEDIA DATE <b>09/05/2024 02:59</b>	ENTERED DATE <b>09/05/2024 02:59</b>
	CONTEXT <b>INCIDENT</b>	COMMENTS	
	TITLE <b>POSSIBLE AREA WHERE SVILARICH GOT ROCK</b>	MEDIA DATE <b>09/05/2024 02:59</b>	ENTERED DATE <b>09/05/2024 02:59</b>
	CONTEXT <b>INCIDENT</b>	COMMENTS	
	TITLE <b>BRIDGE AND BEAUDOIN</b>	MEDIA DATE <b>09/05/2024 02:59</b>	ENTERED DATE <b>09/05/2024 02:59</b>
	CONTEXT <b>INCIDENT</b>	COMMENTS	
	TITLE <b>POSSIBLE AREA WHERE SVILARICH GOT ROCK</b>	MEDIA DATE <b>09/05/2024 02:59</b>	ENTERED DATE <b>09/05/2024 03:00</b>
	CONTEXT <b>INCIDENT</b>	COMMENTS	
	TITLE <b>WHERE BEAUDOIN WAS WHEN SVILARICH DREW GUN</b>	MEDIA DATE <b>09/05/2024 02:59</b>	ENTERED DATE <b>09/05/2024 03:00</b>
	CONTEXT <b>INCIDENT</b>	COMMENTS	
	TITLE <b>AREA WHERE BEAUDOIN THINKS SVILARICH YELLED AT HIM</b>	MEDIA DATE <b>09/05/2024 02:59</b>	ENTERED DATE <b>09/05/2024 02:59</b>
	CONTEXT <b>INCIDENT</b>	COMMENTS	

INCIDENT REPORT		CAMAS POLICE DEPARTMENT		CASE NUMBER 24001029	
	TITLE <b>WHERE BEAUDOIN STOOD DURING 1ST ARGUMENT</b>	MEDIA DATE 09/05/2024 02:59	ENTERED DATE 09/05/2024 02:59	CONTEXT <b>INCIDENT</b>	
	COMMENTS				
	TITLE <b>AREA WHERE ROCK HIT</b>	MEDIA DATE 09/05/2024 02:59	ENTERED DATE 09/05/2024 02:59	CONTEXT <b>INCIDENT</b>	
	COMMENTS				
	TITLE <b>WHERE BEAUDOIN SAYS SVILARICH DREW GUN</b>	MEDIA DATE 09/05/2024 02:59	ENTERED DATE 09/05/2024 02:59	CONTEXT <b>INCIDENT</b>	
	COMMENTS				
	TITLE <b>WHERE BEAUDOIN RETREATED TO</b>	MEDIA DATE 09/05/2024 02:59	ENTERED DATE 09/05/2024 03:00	CONTEXT <b>INCIDENT</b>	
	COMMENTS				
	TITLE <b>AREA WHERE FOGLE SAYS HE WAS STANDING</b>	MEDIA DATE 09/05/2024 02:59	ENTERED DATE 09/05/2024 03:00	CONTEXT <b>INCIDENT</b>	
	COMMENTS				
	TITLE <b>FOGLE STANDING IN RIVER AT SHADOW LINE WHEN ARGUING STARTED</b>	MEDIA DATE 09/05/2024 02:59	ENTERED DATE 09/05/2024 03:00	CONTEXT <b>INCIDENT</b>	
	COMMENTS				
	TITLE <b>RIPPLE WAS AREA FOGLE WAS STANDING WHEN ROCK WAS THROWN</b>	MEDIA DATE 09/05/2024 02:59	ENTERED DATE 09/05/2024 03:00	CONTEXT <b>INCIDENT</b>	
	COMMENTS				
	TITLE <b>SPOT ON BRIDGE WHERE FOGLE SAW SVILARICH BEFORE ROCK THROW</b>	MEDIA DATE 09/05/2024 02:59	ENTERED DATE 09/05/2024 03:00	CONTEXT <b>INCIDENT</b>	
	COMMENTS				
	TITLE <b>SHORELINE DISTANCE OF FOGLE'S VIEWPOINT</b>	MEDIA DATE 09/05/2024 02:59	ENTERED DATE 09/05/2024 03:00	CONTEXT <b>INCIDENT</b>	
	COMMENTS FOGLE WAS STANDING IN THE RIVER				
	TITLE <b>SPOT WHERE SVILARICH PEEKED OVER JUST BEFORE ROCK THROW</b>	MEDIA DATE 09/05/2024 02:59	ENTERED DATE 09/05/2024 03:00	CONTEXT <b>INCIDENT</b>	
	COMMENTS				

INCIDENT REPORT		CAMAS POLICE DEPARTMENT		CASE NUMBER 24001029		
	TITLE	POSSIBLE AREA WHERE SVILARICH GOT ROCK	MEDIA DATE	09/05/2024 02:59	ENTERED DATE	09/05/2024 03:00
	CONTEXT	INCIDENT				
	COMMENTS					
	TITLE	POSSIBLE AREA WHERE SVILARICH GOT ROCK	MEDIA DATE	09/05/2024 02:59	ENTERED DATE	09/05/2024 03:00
	CONTEXT	INCIDENT				
	COMMENTS					
	TITLE	POSSIBLE AREA WHERE SVILARICH GOT ROCK	MEDIA DATE	09/05/2024 02:59	ENTERED DATE	09/05/2024 03:00
	CONTEXT	INCIDENT				
	COMMENTS					
	TITLE	WHERE BEAUDOIN RETREATED	MEDIA DATE	09/05/2024 02:59	ENTERED DATE	09/05/2024 03:00
	CONTEXT	INCIDENT				
	COMMENTS					
	TITLE	BOTH AREAS WHERE SVILARICH ARGUED W/BEAUDOIN	MEDIA DATE	09/05/2024 02:59	ENTERED DATE	09/05/2024 03:00
	CONTEXT	INCIDENT				
	COMMENTS					
	TITLE	GRAVEL AREA WHERE WITNESS FOGLE WAS	MEDIA DATE	09/05/2024 02:59	ENTERED DATE	09/05/2024 03:00
	CONTEXT	INCIDENT				
	COMMENTS					
	TITLE	AREA WHERE BEAUDOIN SAID FOGLE WAS	MEDIA DATE	09/05/2024 02:59	ENTERED DATE	09/05/2024 03:00
	CONTEXT	INCIDENT				
	COMMENTS					
	TITLE	POSSIBLE AREA WHERE SVILARICH GOT ROCK	MEDIA DATE	09/05/2024 02:59	ENTERED DATE	09/05/2024 03:00
	CONTEXT	INCIDENT				
	COMMENTS					

**NARRATIVE**

**ORPHAN DOCUMENTS:**

None

**DETAILS:**

Detective Manning and I were assigned follow-up to this case to clarify details of where everyone was at while on scene during the incident. On 09-03-24, I called Beaudoin who agreed to meet at the Baz Riverfront Park Trailhead. We met around 1600 hours. While waiting for Detective Manning to arrive Beaudoin started telling me about the incident. I asked him how far away Svilarich was from

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him when he pulled his gun out. Beaudoin pointed to a vehicle parked five stalls away from his truck and said about there. When Detective Manning arrived he measured the distance to be 40 feet away. Beaudoin said it might be a different distance when we get on the trail. We walked down to the bridge and while walking I noticed there weren't very many places to pick up an 8 inch rock. One place was at the bottom of the trail heading west from the parking lot. Once the paved trail turned south there was really only one other place to pick up a rock which was at the end of the fence line. The end of the fence line is approximately 100 yards away from the bridge.

Once we got to the bridge Beaudoin showed us approximately where he remembered Svilarich standing when the argument started over him dropping his cigarette. He pointed out where he was standing on the south riverbank. His story was consistent with what he told Sgt. Chaney as Svilarich and Neumann walked north on the trail. He said he continued to move along the river fishing and about 15-20 minutes later ended up being a little closer to the bridge than where he was standing during the initial argument with Svilarich. Beaudoin heard a "clack" and realized a rock had been thrown towards him. He looked up and saw it was Svilarich, the same person who yelled at him about his cigarette. He said the rock didn't hit the water first. It hit the rocks on the shore line that he approximated were 5-6 feet away from him. Beaudoin said he got mad and hustled up the trail to the walking path. He said he got to the walking path before Svilarich and Neumann got to the corner where a section of railing started. He stopped on the path next to a warning sign because Svilarich's dog was running down the path towards him. Before seeing Svilarich or Neumann he said he yelled at them for throwing the rock. Svilarich said he could throw rocks whenever he wanted. About that time Svilarich came around the corner and drew his gun aiming "center mass" on Beaudoin. Beaudoin said he immediately turned and walked back to the river calling Svilarich a "fucking pussy" for pulling a gun.

The dog ran down the path towards the river. Beaudoin said he kept looking over his shoulder continuing to call Svilarich names. He said Svilarich alternated from pointing the gun directly at him and putting it into a low-ready position. Once Svilarich got to the path leading to the river he might have stepped off the trail to call for his dog. Once the dog came back Svilarich walked away re-holstering his gun. Beaudoin said he originally retreated to a grassy bush area and as Svilarich got closer he moved closer to the river. Detective Manning measured the distance from where Svilarich drew his weapon to where Beaudoin said he stood next to the warning sign. It measured 78 feet. Beaudoin said he was mad and called Svilarich names but never advanced towards Svilarich or Neumann.

Beaudoin and I stood in the areas he was standing during the argument and the rock throw while Detective Manning took photos from the bridge. Beaudoin said Fogle was fishing near or on a rocky island in the river when both incidents occurred.

On 09-04-24, around 1515 hours, we met Fogle at the Baz Riverfront Park Trailhead and walked to the area he was fishing when the incidents occurred (north side of the river just west of the bridge). While Fogle and I were on the north river bank Detective Manning was on the bridge taking photos and measurements. Fogle said he was knee deep in the river when Svilarich originally yelled at Beaudoin for dropping his cigarette. He threw a rock to give us an idea where he was standing in the river. After Beaudoin and Svilarich finished yelling at each other Svilarich and Neumann walked north towards NE 3rd Loop. Beaudoin continued fishing the river moving west and Fogle moved a little west as well. About 15-20 minutes later when Beaudoin was making his way back towards the area he was originally fishing at during the argument with Svilarich he heard people walking south on the bridge. There were only two people on the bridge. When they got a little more than halfway across Svilarich peered over the railing. Fogle recognized him as the same person arguing a short time

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earlier with Beaudoin. Svilarich continued walking south along the bridge and peered over the railing a second time the closer he got to Beaudoin. When Beaudoin got close to the bridge Fogle heard a "clank, splash." He figured a rock hit the rocks near Beaudoin and then the water because he saw a ripple in the water. He estimated the rock landed about 6-8 feet from Beaudoin. He never saw Svilarich throw the rock because he was still fishing. Beaudoin yelled at Svilarich calling him some names and made way towards the main walking path with all of his gear. Fogle heard arguing once Beaudoin got to the trail but he couldn't make out what was being said. He couldn't see anything either because of the foliage. Beaudoin came back to towards the river saying he or they "just pulled a gun on me." He also told Fogle he wasn't close to Svilarich when Svilarich pulled the gun. Fogle remembered seeing the same two walkers the next morning on the trail around 0930-1000 hours. They asked how the fishing was and Fogle said terrible. He kept walking because he did not want them to associate him with the previous day's event.

On 09-05-24, around 1200 hours, we met with Neumann at the Baz Riverfront Park Trailhead. We walked the path to the bridge. We stopped on the bridge where Neumann said he looked over the railing looking for fish. Svilarich was further south on the bridge when he started arguing with Beaudoin. Using the range function on a Lidar gun I measured that Beaudoin was standing on the river bank about 100 feet from where Neumann looked over the railing. We then walked to the area where Svilarich pulled his gun on Beaudoin. While walking to that area Neumann said he had heard a splash in the water and assumed Svilarich threw a rock. He never saw Svilarich with a rock nor did he see Svilarich throw it. He also did not know where Svilarich got the rock. He said he was just thinking he wanted to get out of there to avoid a confrontation with Beaudoin.

Neumann said he and Svilarich were at the end of the railing (east end) when he noticed Beaudoin coming towards the main path from the river path. Beaudoin was yelling things indicating he wanted to fight. Neumann stopped walking as Beaudoin came up onto the path. Svilarich walked in front of him and drew his gun from his right hip. Neumann then got into a shooting stance raising his arms up indicating pointing a firearm at a target. Neumann demonstrated this same motion 2-3 times. He said Svilarich pointed the gun in Beaudoin's direction telling Beaudoin he had a gun and to get back. Beaudoin backed off the trail towards the river calling Svilarich "a pussy." I measured the distance between where Neumann thought Beaudoin was standing to where Svilarich drew his gun to be approximately 40 feet. We asked Neumann at what point did Svilarich put his gun away. He moved to a point slightly east of the trail entrance to the river. Standing where Neumann remembered Beaudoin standing when Svilarich put his gun away, I measured it was approximately 27 feet between Svilarich and Beaudoin. A short time later Neumann described it again. This second time he wasn't sure if Beaudoin was on the trail or just off the trail. Neumann was closer this time and I measured approximately 27 feet between Svilarich and Beaudoin when Svilarich drew his gun (Neumann's second recollection).

See Detective Manning's report for more details. I attached photos of the scene area to the multimedia summary of this report. All interviews were captured on my body worn camera.

In reading other reports and speaking to most everyone involved, Beaudoin's statements are consistent as well as Fogle's statements. Svilarich originally denied brandishing a gun to Sgt. Chaney but eventually said he un-holstered it keeping it at low ready the entire time. Neumann told Ofc. Gonzalez Svilarich pulled his gun out but then said he was unsure if he un-holstered it. He told Detective Manning and I that Svilarich un-holstered it and demonstrated a shooting stance that was not a low ready position. It was not the same shooting stance that I observed Svilarich demonstrate to Sgt. Chaney as I watched Sgt. Chaney's body worn camera video. Neumann told us Svilarich pointed the gun in Beaudoin's direction not sure if he pointed it directly at Beaudoin. Svilarich denied

INCIDENT REPORT	CAMAS POLICE DEPARTMENT	CASE NUMBER 24001029
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throwing a rock but then admitted throwing it. He told Sgt. Chaney he didn't see Beaudoin. Fogle said Svilarich looked over the bridge railing two times right before hearing the rock land near Beaudoin. Beaudoin said he was nowhere near Svilarich when Svilarich drew his gun and pointed it at Beaudoin. Both Beaudoin and Neumann said Beaudoin did not advance towards Svilarich. Neumann's recollection of where Beaudoin was standing during the confrontation after Svilarich threw the rock is inconsistent. He initially told Detective Manning and I Beaudoin was on the trail. Then he told us he might have been just off the trail when Svilarich drew his gun. He had told Ofc. Gonzalez that Beaudoin blocked their path.

Everyone said they thought the incident was over after the initial argument only to be reignited by Svilarich throwing the rock.

Please forward to the Prosecuting Attorney to review for criminal charges against John SVILARICH.

*I certify or declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. I intend my printed name and PSN on this document to be my signature. This document was signed in Clark County, Washington.*

INCIDENT REPORT	CAMAS POLICE DEPARTMENT	CASE NUMBER 24001029
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# CAMAS POLICE DEPARTMENT

2100 NE 3RD AVE  
CAMAS, WA 98607  
(360) 834-4151

SUPPLEMENT INCIDENT REPORT	
CASE NUMBER 24001029	SUPPLEMENT NUMBER 4
CASE TYPE THREATS / HARRASMENT	CAD EVENT NUMBER
REPORTING OFFICER 6345/6345 - HAUSINGER, STEF	REPORT DATE 09/13/2024

## INCIDENT

LOCATION 2100 NE 3RD AVE CAMAS, WA 98607 US	DATE 09/13/2024	TIME 11:45
PREMISE NAME		
BEAT 92	ZONE 12	JURISDICTION CPD

## STATUS

WORK FLOW STATUS APPROVED	APPROVAL 6321/6345 - NADGWICK, CHUCK	APPROVAL DATE 09/13/2024
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## SUSPECTS

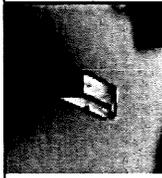
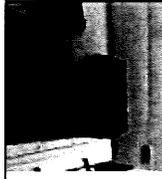
ENTRY NO 1	INVOLVEMENT CITED	NAME: LAST, FIRST, MIDDLE SVILARICH, JOHN VINCENT												
HOME ADDRESS 3904 NW 8TH CIR CAMAS WA 98607					MAILING ADDRESS									
EMPLOYER				EMPLOYER ADDRESS				OCCUPATION						
HOME PHONE				CELL PHONE (206) 979-2695			OTHER PHONE		EMPLOYER PHONE					
DOB 10/23/1957	AGE 66	SEX M	RACE U	JUV Y	ETH U	HEIGHT	WEIGHT	HAIR	EYES	POB	RESIDENCY R	CITIZEN	GANG IDENTIFICATION	
DL NUMBER	DL ST	SSN	FBI ID	STATE ID	LOCAL	ID1	ID2		COMMENT					
ARREST - 1 CITED SVILARICH, JOHN VINCENT														
ARREST NUMBER			ARREST DATE 09/13/2024 10:21			OFFICER 6345/6345-HAUSINGER, STEFAN			ARREST LOCATION 2100 NE 3RD AVE					
CITATION NUMBERS														
WARRANT NUMBERS														
COMMENT														
<b>CHARGES</b>														
ENTRY NO 1	VIOLATION CODE CM9.28.030			VIOLATION DESCRIPTION CMC AIM/DISCHARGE FIREARM										
ATTEMPTED N	LEVEL GM	DEGREE 98	COUNT 1	NCIC CODE 5299	BCS CODE	AGENCY CLASSIFICATION WEAPON OFFENSE-OTHER								
GOC				MODIFIER 1		MODIFIER 2		MODIFIER 3						
COURT				COURT DATE			JUDGE		COURT DISPOSITION					
WARRANT NO			CITATION NO 4A0741518			REQUIRED BOND TYPE		BOND AMT		REQUIRED FINE				
COMMENT														
ENTRY NO 2	VIOLATION CODE CM9.08.030			VIOLATION DESCRIPTION CMC RECKLESS ENDANGERMENT										
ATTEMPTED N	LEVEL GM	DEGREE 98	COUNT 1	NCIC CODE 7399	BCS CODE	AGENCY CLASSIFICATION PUBLIC ORDER CRIMES-OT								
GOC				MODIFIER 1		MODIFIER 2		MODIFIER 3						
COURT				COURT DATE			JUDGE		COURT DISPOSITION					
WARRANT NO			CITATION NO 4A0741518			REQUIRED BOND TYPE		BOND AMT		REQUIRED FINE				
COMMENT														

## PROPERTY

ENTRY NO 1	INVOLVEMENT EVIDENCE	TYPE FIREARMS	MAKE				MODEL PPS	
SERIAL NUMBER AY5252			QUANTITY	COLOR	COLOR	OAN	REF NO	EVIDENCE N
DESCRIPTION HANDGUN							CUSTODY STATUS SUBMITTED	

<b>INCIDENT REPORT</b>		<b>CAMAS POLICE DEPARTMENT</b>				CASE NUMBER <b>24001029</b>	
GUN MAKE <b>WAL-WALTHER, CARL</b>		GUN TYPE <b>PI-PISTOL, SEMIAUTOM</b>		CALIBER <b>9 -9MM</b>	COLOR <b>BLK</b>	CATEGORY <b>-</b>	
COMMENT							
ENTRY NO <b>2</b>	INVOLVEMENT <b>EVIDENCE</b>	TYPE <b>FIREARM AC</b>	MAKE			MODEL	
SERIAL NUMBER			QUANTITY	COLOR <b>BLK</b>	COLOR <b>SIL</b>	OAN	REF NO
DESCRIPTION <b>HOLSTER AND MAGAZINE</b>						CUSTODY STATUS <b>SUBMITTED</b>	
COMMENT							
ENTRY NO <b>3</b>	INVOLVEMENT <b>EVIDENCE</b>	TYPE <b>FIREARM AC</b>	MAKE			MODEL	
SERIAL NUMBER			QUANTITY <b>7</b>	COLOR	COLOR	OAN	REF NO
DESCRIPTION <b>9MM AMMO</b>						CUSTODY STATUS <b>SUBMITTED</b>	
COMMENT <b>SEVEN ROUNDS (HOLLOW POINT)</b>							

**MEDIA LIST REPORT**

	TITLE <b>PC STATEMENT</b>	MEDIA DATE <b>09/16/2024 09:54</b>	ENTERED DATE <b>09/16/2024 09:54</b>
CONTEXT <b>INCIDENT</b>			
COMMENTS			
	TITLE <b>PHOTOS OF GUN</b>	MEDIA DATE <b>09/13/2024 04:03</b>	ENTERED DATE <b>09/13/2024 04:03</b>
CONTEXT <b>INCIDENT</b>			
COMMENTS			
	TITLE <b>PHOTOS OF GUN</b>	MEDIA DATE <b>09/13/2024 04:03</b>	ENTERED DATE <b>09/13/2024 04:03</b>
CONTEXT <b>INCIDENT</b>			
COMMENTS			
	TITLE <b>VOLUNTARY PERMISSION TO SEARCH</b>	MEDIA DATE <b>09/16/2024 09:56</b>	ENTERED DATE <b>09/16/2024 09:56</b>
CONTEXT <b>INCIDENT</b>			
COMMENTS			
	TITLE <b>PHOTOS OF GUN</b>	MEDIA DATE <b>09/13/2024 04:03</b>	ENTERED DATE <b>09/13/2024 04:03</b>
CONTEXT <b>INCIDENT</b>			
COMMENTS			
	TITLE <b>PHOTOS OF GUN</b>	MEDIA DATE <b>09/13/2024 04:03</b>	ENTERED DATE <b>09/13/2024 04:03</b>
CONTEXT <b>INCIDENT</b>			
COMMENTS			
	TITLE <b>CITATION 4A0741518</b>	MEDIA DATE <b>09/16/2024 09:55</b>	ENTERED DATE <b>09/16/2024 09:55</b>
CONTEXT <b>INCIDENT</b>			
COMMENTS			

**NARRATIVE**

INCIDENT REPORT	CAMAS POLICE DEPARTMENT	CASE NUMBER 24001029
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**SUBJECT OF THIS REPORT:**

Arrest of John Svilarich

**ORPHAN DOCUMENTS:**

PC Statement  
Citation 4A0741518  
Voluntary Permission to Search

**DETAILS:**

I was previously made aware of the details of this case, both in talking with Detectives McNall and Manning, as well as my own reading of the associated police reports. I was aware probable cause existed to arrest John Svilarich for CMC 9.28.030 (Aim/Discharging a Firearm) and CMC 9.08.030 (Reckless Endangerment).

I drove by Svilarich's home on 9/12/24 late in the afternoon and didn't notice his truck parked in the driveway. Svilarich was likely still out of town, which is what he had told Detective McNall in a voicemail last Saturday.

The following morning on 9/13/24 I drove by his residence again. I noticed a silver Ford F150 registered to Svilarich parked in the driveway. I called Svilarich at 206-979-2695. I received no answer and left him a voicemail identifying myself. I explained probable cause existed to arrest him and asked that he come to the Camas Police Department to sort this out, and he could be on his way. I received no call back. I sent a text message to this number identifying myself, but again received no call back. This was around 10am.

A short time later, I observed Svilarich's truck exiting his neighborhood. I followed it westbound on NW 16th Ave from Klickitat St. I was planning on following him to see if he was on his way to CPD as I requested, but it became apparent he was heading the opposite direction. I stopped Svilarich's truck at SE 32nd St and SE 196th Ave. just outside the city limits of Camas near the QFC grocery store.

Before contacting the driver, I noticed both of his hands were outside the window of the truck resting on door for me to see. I contacted the driver and he identified himself as Svilarich. I explained our conversation was being recorded on my body camera. Svilarich said he received my text and voicemail but said he had obtained counsel and was told to wait before doing anything, and not say anything to police. I explained I understood that and would not be asking him any questions as a result, but explained he was under arrest. Svilarich said he understood and asked if it would be ok to follow me back to CPD because he had his dogs with him, and he would be entirely cooperative with the process. I told him that would be fine, and Svilarich followed me to CPD.

While enroute, I received a phone call from Svilarich's attorney Jon McMullen. I filled him in on the situation and informed him a search warrant was signed and ready to be executed on his client's home for the firearm used in this incident, but that I hadn't told Svilarich that yet. Mr. McMullen and I ended our conversation shortly thereafter.

Upon arrival at the police department, while in the booking room, Svilarich offered to turn over the handgun we were looking for and acknowledged the fact police were interested in recovering a

INCIDENT REPORT	CAMAS POLICE DEPARTMENT	CASE NUMBER 24001029
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handgun from him. I hadn't told him about this so I'm guessing his attorney told him. Svilarich said he would hand over the gun, which was in his truck.

I advised Svilarich of his constitutional rights per my department issued rights card. Svilarich said he understood his rights.

Once Svilarich was processed and issued his citation for the above offenses, I went over the attached Voluntary Permission to Search form with him. I explained I wanted to search his truck (which he had driven to CPD) for the firearm in question. Svilarich read the form with me and signed it giving consent. Due to Svilarich's level of cooperation, I allowed him to retrieve the firearm from his truck. Svilarich said it was in the glove box and "loaded." He removed the firearm in its holster and handed it to me. Svilarich was thanked for his cooperation, and he drove away.

The firearm is a Walther PPS 9MM handgun serial number AY5252. It was loaded (one round in the chamber) and in a black plastic holster. The holster, ammo clip, and ammunition were packaged separately and logged into evidence. There are seven (7) 9MM rounds in question. The handgun was packaged and logged into evidence under this case number. Photos were taken and uploaded to this report.

This ended my involvement in this case.

Case cleared by arrest. Please forward to prosecutor.

*I certify or declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. I intend my printed name and PSN on this document to be my signature. This document was signed in Clark County, Washington.*

2/JS

FILED

SEP 19 2024

Scott G. Weber, Clerk, Clark Co.

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF CLARK

STATE OF WASHINGTON,

Plaintiff,

v.

JOHN VINCENT SVILARICH,

Defendant.

INFORMATION

No. 24-1-02434-06

CPD: 24-1029

COMES NOW the Prosecuting Attorney for Clark County, Washington, and does by this inform the Court that the above-named defendant is guilty of the crime(s) committed as follows, to wit:

**COUNT 1 - ASSAULT IN THE SECOND DEGREE - 9A.36.021(1)(c)**

That the defendant, John Vincent Svilarich, in the County of Clark, State of Washington, on or about August 31, 2024, did intentionally assault Daniel J Beaudoin, a human being, with a deadly weapon, to-wit: a firearm; contrary to Revised Code of Washington 9A.36.021(1)(c).

This crime is a 'most serious offense' pursuant to the Persistent Offender Accountability Act (RCW 9.94A.030(32), RCW 9.94A.030(37), RCWA 9.94A.505(2)(a)(iii) and RCW 9.94A.570).

**COUNT 2 - RECKLESS ENDANGERMENT - 9A.36.050**

That the defendant, John Vincent Svilarich, in the County of Clark, State of Washington, on or about August 31, 2024, did recklessly engage in conduct which did create a substantial risk of death or serious physical injury to another person, to wit: Daniel J Beaudoin; contrary to Revised Code of Washington 9A.36.050(1).

ANTHONY F. GOLIK  
Prosecuting Attorney in and for  
Clark County, Washington

Date: September 18, 2024

BY:   
Daniel A. Gasperino, WSBA #35626  
Senior Deputy Prosecuting Attorney

INFORMATION - 1

Clark County Prosecuting Attorney's Office  
PO Box 5000  
Vancouver, Washington 98660

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<b>DEFENDANT: JOHN VINCENT SVILARICH</b>							
<b>RACE: White</b>		<b>SEX: Male</b>		<b>DOB: 10/23/1957</b>			
<b>DOL:</b> [REDACTED]		<b>SID:</b> [REDACTED]					
<b>HGT: 6'02"</b>		<b>WGT: 185</b>		<b>EYES: Brown</b>		<b>HAIR: Gray</b>	
<b>WA DOC:</b>				<b>FBI: C792VDD5V</b>			
<b>LAST KNOWN ADDRESS(ES):</b>							
<b>(HOME) 3904 NW 8TH CIR CAMAS, WA 98607</b>							

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**SEP 19 2024**

Scott G. Weber, Clerk, Clark Co.

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**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF CLARK**

STATE OF WASHINGTON,  
Plaintiff,  
v.  
John Vincent Svilarich,  
Defendant.

MOTION IN SUPPORT OF ISSUANCE  
OF A SUMMONS  
No. 2024-1-02434-06

I, Daniel A. Gasperino, am a Senior Deputy Prosecuting Attorney for the Clark County Prosecuting Attorney's Office and in such official capacity have read and reviewed the attached probable cause declaration authored by Camas Police Department Officer Gary Manning, dated September 18, 2024, under report number Camas Police Department 24-1029.

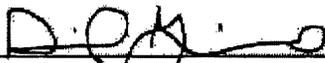
Said document sets forth probable cause that the defendant has committed the following crimes:

Count	Crime Date	Crime	RCW
1	August 31, 2024	ASSAULT IN THE SECOND DEGREE	9A.36.021(1)(c)
2	August 31, 2024	RECKLESS ENDANGERMENT	9A.36.050

which occurred in Clark County, Washington.

Based upon the above information your declarant believes that a Criminal Summons should issue to secure the appearance of the defendant before the court to answer to the above charges and asks the court to issue a Criminal Summons to the defendant's last known address as shown below.

Executed at Vancouver, Washington on this 18th day of September, 2024

  
Daniel A. Gasperino, WSBA #35626  
Senior Deputy Prosecuting Attorney

1 The defendant is described as follows:

<b>DEFENDANT: John Vincent Svilarich</b>			
<b>RACE: White</b>		<b>SEX: Male</b>	<b>DOB: 10/23/1957</b>
<b>DOL:</b> [REDACTED]		<b>SID:</b> [REDACTED]	
<b>HGT: 6'02"</b>	<b>WGT: 185</b>	<b>EYES: Brown</b>	<b>HAIR: Gray</b>
<b>WA DOC:</b>		<b>FBI: C792VDD5V</b>	
<b>LAST KNOWN ADDRESS(ES):</b>			
HOME 3904 NW 8TH CIR CAMAS, WA 98607			



firearm, then stated he had one but did not display it, then stated he had pulled out the firearm but had it at "low ready" to protect himself. Svilarich denied pointing it at Beaudoin. Svilarich also eventually admitted to throwing the rock off the bridge, but stated he did not know Beaudoin was in the vicinity of where it landed.

The undersigned declares and certifies under penalty of perjury under the laws of the State of Washington that the preceding statement is true and correct to the best of his/her knowledge.

Signed this 18th day of September, 2024 in Camas, Clark County, Washington.

*[Signature]* 6382  
Officer's Signature / #

Officer's Name (printed): Detective Gary Manning # 6382

The undersigned Judge/Magistrate/Commissioner hereby certifies that I have read or had read to me the above statement of probable cause to arrest and that I find probable cause to arrest  is established  is not established (release defendant).

Signed this 19 day of September, 2024 in Vancouver, Clark County, Washington.

*[Signature]*  
Judge/Magistrate/Commissioner

3:06 am/pm  
Time

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FILED

SEP 19 2024

Scott G. Weber, Clerk, Clark Co.

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7 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
8 IN AND FOR THE COUNTY OF CLARK

9 STATE OF WASHINGTON,  
10 Plaintiff,  
11 v.

CRIMINAL SUMMONS

12 John Vincent Svilarich,  
13 Defendant.

No. 2024-1-02434-06

14 TO: John Vincent Svilarich  
15 3904 NW 8TH CIR  
16 CAMAS, WA 98607

17 WHEREAS, the Prosecuting Attorney of Clark County, Washington, has filed an  
18 Information in the above Court, and the Court having found that probable cause exists that, in the  
19 County of Clark, State of Washington, John Vincent Svilarich, committed the following crimes:

20

Count	Crime Date	Crime	RCW
21 1	August 31, 2024	ASSAULT IN THE SECOND DEGREE	9A.36.021(1)(c)
22 2	August 31, 2024	RECKLESS ENDANGERMENT	9A.36.050

23 THEREFORE, you are hereby commanded to appear in person before the Judge of the  
24 Superior Court, on the Superior Court First Appearance Docket, at the Clark County  
25 Courthouse, 1200 Franklin Street, Vancouver, Washington on October 2, 2024, at 1:30 p.m. and  
26 answer to the charges filed against you.  
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CRIMINAL SUMMONS - 1

Clark County Prosecuting Attorney's Office  
PO Box 5000  
Vancouver, Washington 98660

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1 Failure of you to so appear will result in the issuance of a warrant, and your arrest and  
2 detention pending further proceedings by the Court.

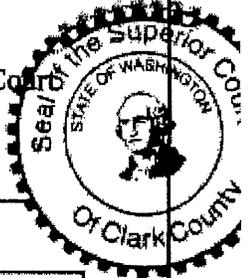
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4 By Order of the Court:

5 RA Lewis  
6 Judge of the Superior Court

Given Under My Hand This 17 Day of

7 September, 2024.  
8 SCOTT G. WEBER  
9 County Clerk and Clerk of the Superior Court

By: Jamie Verdine  
Deputy



<b>DEFENDANT: John Vincent Svilarich</b>			
<b>RACE:</b> White	<b>SEX:</b> Male	<b>DOB:</b> 10/23/1957	
<b>DOL:</b> [REDACTED]		<b>SID:</b> [REDACTED]	
<b>HGT:</b> 6'02"	<b>WGT:</b> 185	<b>EYES:</b> Brown	<b>HAIR:</b> Gray
<b>WA DOC:</b>	<b>FBI:</b> C792VDD5V		
<b>LAST KNOWN ADDRESS(ES):</b>			
HOME 3904 NW 8TH CIR. CAMAS, WA 98607			

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Scott G. Weber, Clark, Clark Co.

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF CLARK

STATE OF WASHINGTON,  
Plaintiff,  
v.  
John Vincent Svilarich,  
Defendant.

NOTICE OF SPECIAL PUNISHMENT  
PROVISION

No. 2024-1-02434-06

COMES NOW, the State of Washington, by and through the Prosecuting Attorney and advises the defendant that the following offense(s) with which the defendant has been charged, is/are either classified as a "most serious offense" pursuant to RCW 9.94A.030(32) or is/are a listed offense pursuant to 9.94A.030(37)(a).

Count	Crime Date	Crime	RCW
1	08/31/2024	ASSAULT 2	9A.36.021(1)(c)

A person who is convicted in this state of any felony considered a 'most serious offense' and who has been convicted on at least two separate occasions of crimes in this state or another state that would be considered 'most serious offense', shall be classified as a persistent offender and shall be sentenced to a term of total confinement of life imprisonment without the possibility of parole.

DATED: September 18, 2024

ANTHONY F. GOLIK  
Prosecuting Attorney

By D. A. Gasperino  
Daniel A. Gasperino, WSBA #35626  
Senior Deputy Prosecuting Attorney

FILED

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF CLARK

STATE OF WASHINGTON,

Plaintiff,

v.

John Vincent Svilarich

Defendant.

PLAINTIFF'S OMNIBUS/DISCOVERY  
DEMAND

No. 2024-1-02434-06

LEA Report No. CPD: 24-1029

COMES NOW the Prosecuting Attorney for Clark County, Washington pursuant to and in accordance with Superior Court Criminal Rule 4.7(b), the plaintiff makes written demand for disclosure of the following material and information no later than 14 days prior to the date set for trial:

1. Defendant to state the general nature of his/her/their defense.
2. Defendant to state whether or not the defendant will rely on an alibi and, if so, furnish a list of alibi witnesses and their addresses;
3. Defendant to state whether or not the Defendant will rely on a defense of insanity at the time of the offense,
  - a. If so, defendant to supply the name(s) of his witness(es) on the issue, both lay and professional.
  - b. If so, defendant to permit the prosecution to inspect and copy all medical reports under his/her/their control or the control of his attorney.
  - c. If so, defendant is also to submit to a psychiatric examination by a doctor selected by the prosecution.
4. For discovery of the names and addresses of persons whom the Defendant intends to call as witnesses at the hearing or trial, together with any written or recorded statements and the substance of any oral statements of such witnesses;
5. Defendant to advise whether any expert witness will be called, and if so, supply:
  - a. Name of witness, qualifications, and subject of testimony;
  - b. Reports of such experts or other communications relevant to such testimony; and if oral, a summary thereof.
6. Defendant to disclose any books, papers, documents, photographs, or tangible objects which the defendant intends to use in a hearing or at trial;

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7. Defendant to state whether the Defendant's prior convictions will be stipulated or need be proved.

ANTHONY F. GOLIK  
Prosecuting Attorney in and for  
Clark County, Washington

Date: September 18, 2024

BY:   
Daniel A. Gasperino WSBA #35626  
Senior Deputy Prosecuting Attorney

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OH

**FILED**

DEC 18 2025 2:30

Scott G. Weber, Clerk, Clark Co.

Jon J McMullen

S12

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF CLARK

STATE OF WASHINGTON,

No. 2024-1-02434-06

Plaintiff,

v.

FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND JUDGMENT AND SENTENCE  
(MISDEMEANOR)

John Vincent Svilarich,

Defendant

Date of Birth: 10/23/1957

EXECUTION SUSPENDED

SID #: [REDACTED]

IMPOSITION DEFERRED

THIS MATTER, having come on regularly for sentencing on the 18<sup>th</sup> day of December, 2025, the defendant being present and represented by his/her undersigned attorney, with the State being represented by the undersigned Deputy Prosecuting Attorney, and the defendant having previously  entered valid pleas of guilty to  been convicted at  jury  bench trial of the crime(s) of:

COUNT	CRIME	RCW	DATE OF CRIME
1	ASSAULT IN THE FOURTH DEGREE	9A.36.041(1),(2)	08/31/24

as charged in the Amended Information and the court having afforded each counsel the right to speak, having asked the defendant if he/she wished to make a statement in mitigation of punishment, and having heard and considered the arguments presented, now, therefore, the Court makes the following :

**I. FINDINGS OF FACT**

- The defendant is guilty of the above-listed crime(s);
- The maximum terms for the above crimes are:

COUNT	TERM	FINE
1	364 days	\$5,000

3. The defendant has served  0  days of confinement prior to sentencing, said confinement being solely related to the crimes for which the defendant is being sentenced.

**4. ABILITY TO PAY LEGAL FINANCIAL OBLIGATIONS.**

The court makes the following specific findings:

The defendant is "indigent" pursuant to RCW 10.101.010(3)(a)-(c) because:

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- The defendant receives public assistance as defined in RCW 10.101.010(3)(a).
  - The defendant is involuntarily committed to a public mental health facility.
  - The defendant receives an annual income, after taxes, of one hundred twenty-five percent or less of the current federally established poverty level.

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The defendant is not "indigent" as defined in RCW 10.101.010(3)(a)-(c) and therefore the court has considered the defendant's financial resources, and the nature of the burden that payment of costs will impose in determining the amount and method of payment for costs imposed by this judgment.

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The following extraordinary circumstances exist that make restitution inappropriate. (RCW 9.94A.753):

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The defendant has the present means to pay costs of incarceration. RCW 9.94A.760.

5.  The offense charged in Count(s) is/are Domestic Violence offense(s) as that term is defined in RCW 10.99.020. Domestic Violence was pled and proved.

6.  For the offense(s) charged in Count(s) the defendant and the victim are "family or household members" as that term is defined in RCW 10.99.020.

Further, the defendant and the victim are "intimate partners" as defined in RCW 10.99.020.

7.  For the offense(s) charged in Count(s) the defendant and the victim are "family or household members" as that term is defined in RCW 9A.36.04.

8.  The crime is one of the following offenses: Assault in the Fourth Degree with Sexual Motivation, Assault in the Fourth Degree committed against a family or household member as defined in RCW 9.94A.030, Communication with a Minor for Immoral Purposes, Custodial Sexual Misconduct in the Second Degree, Failure to Register, Harassment, Patronizing a Prostitute, Sexual Misconduct with a Minor in the Second Degree, Stalking, Indecent Exposure, or Violation of a Sexual Assault Protection Order granted under Chapter 7.90 RCW. Therefore, the defendant shall have a biological sample collected for purposes of DNA identification analysis. RCW 43.43.754.

9.  The defendant has previously had DNA collected in this state pursuant to a previous conviction. RCW 43.43.7541.

10.  The State has moved to dismiss Count(s) .

## II. CONCLUSIONS OF LAW

1. The Court has jurisdiction over the defendant and the subject matter.
2. The defendant is GUILTY of the crime(s) set forth above.
3.  The Court DISMISSES Counts .

## III. JUDGMENT AND SENTENCE

The court having determined that no legal cause exists to show why sentence should not be pronounced, now, therefore,

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:**

1. The defendant is sentenced to the Clark County Jail as follows:

364 days on Count I

1 a. 355 days of the sentence shall be  suspended  deferred for 24 months on the  
2 conditions listed in Appendix A.

3 b. Defendant shall serve a total of 10 days of the sentence as follows:

4 (a) 0 days credit for time served.

5 (b)      days/months of additional total confinement in the Clark County Jail.

6 (c) 10 days of partial confinement, if eligible and approved, may be served as:

7       days of work or education release

8       days of Work Crew

9 If in custody, the defendant shall be screened while in custody. A map with specific  
10 instructions on when and where to report has been provided to the defendant that  
11 contains the escape warning.

12 (d) 10 days of community service. (8 hours = 1 day) (180 HOURS)

13 (e) The defendant's term of confinement is to commence immediately unless otherwise  
14 indicated:     

15  If the defendant has been referred to work crew and is determined to be medically unfit to perform the  
16 work crew by the Clark County Corrections Unit, Corrections may screen the defendant for community  
17 service in lieu of the work crew obligation, if legally allowed, and if they accept him/her in their program.  
18 Corrections shall obtain medical verification of the defendant's medical disability and the defendant shall  
19 provide any waivers necessary to allow Corrections to obtain said medical information. The Corrections  
20 staff shall supervise the defendant to insure compliance. If the defendant is found to be medically unfit  
21 for work crew and not acceptable for community service, Corrections shall provide the defendant a return  
22 date to Court for further review by the court. No other court order is necessary to do this conversion.

23 The sentence imposed herein shall be served consecutively to any sentences which the defendant may be  
24 sentenced to under any other cause in either District Court or Superior Court, unless otherwise specified  
25 herein.

26 2. The defendant shall pay the following to the Clerk of the Superior Court:

27  See companion felony order for financial obligations.

\$ To be set Restitution.  To be Paid to       
 Victim(s) and amounts to be set by separate court order. The addresses of the victims  
may be withheld and provided confidentially to the Clerk.

\$ 500.00 Victim's Assessment, RCW 7.68.035 -  
\$ 250. Misdemeanor/\$500. gross misdemeanor

\$      DV Penalty Assessment, RCW 10.99.080  
Violation of a DV protection order (\$15 mandatory fine), RCW 26.50.110

\$ 200. Criminal Filing Fee (mandatory, however may waive if court found defendant to be  
indigent pursuant to RCW 10.101.010(3)(a)-(c)). RCW 36.18.020 (Court Costs)

Witness Costs. RCW 10.01.160 and 2.40.010

Sheriff's Service Fees. RCW 10.01.160 and 36.18.040

\$      Jury Demand Fees. RCW 10.01.160 and 10.46.190

Sheriff Fees for service of warrant (\$100 max). RCW 10.01.160

\$      Appointed Attorney Fees, with credit for prepaid to Indigent Defense Cost Recovery.

Court Appointed Defense Investigator/Expert and other defense costs.

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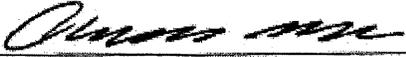
\$ \_\_\_\_\_ Fine. RCW 9A.20.021  
\$ \_\_\_\_\_ Drug Fund Contribution. Fund #  1015  1017 (TF). To be paid within 2 years.  
Crime Lab Fee. RCW 43.43.690  
Extradition Costs  
\$ \_\_\_\_\_ Costs for Emergency Response. (DWI Offenses, \$ 1,000 Maximum - RCW 38.52)  
Responding Agencies: \_\_\_\_\_  
\$ \_\_\_\_\_ DNA (mandatory unless DNA previously collected by prior conviction in this state) (RCW 43.43.7541) if conviction is for offense which requires DNA collection.  
Other Costs for: \_\_\_\_\_  
Costs of Incarceration. The Court specifically finds that the defendant  does  does not have the means to pay for the cost of incarceration at the rate of \$ 50.00 per day.

Payment shall not be less than \_\_\_\_\_ per month or, if left blank, the amount shall be set by the Community Corrections Officer and shall be paid in full prior to expiration of the suspended/deferred sentence. Payments shall commence on \_\_\_\_\_ or as set by the Department of Corrections. All payments shall be in accordance with the policies of the Clerk.

3. Pursuant to RCW 10.82.090, the financial obligations imposed in this Judgment shall bear interest from the date of the Judgment until payment in full, at the rate applicable to civil judgments. An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW 10.73.160.
4. The defendant shall pay a monthly community supervision fee to the Department of Corrections. The amount, manner and due dates of the payments shall be as established by the policies and procedures of Department of Corrections and state law.
5. **FIREARMS.** You must immediately surrender any concealed pistol license and you may not own, use or possess any firearm unless your right to do so is restored by a court of record. (The court clerk shall forward a copy of the defendant's driver's license, identicard, or comparable identification, to the Department of Licensing along with the date of conviction or commitment). RCW 9.41.040, 9.41.047 - applies only to Domestic Violence cases
6. The defendant shall pay the costs of services to collect unpaid legal financial obligations. RCW 36.18.190.
7. When there is a reasonable cause to believe that the defendant has violated a condition or requirement of this sentence, the defendant shall allow, and the Department of Corrections can conduct, searches of the defendant's person, residence, automobile or other personal property. Residence searches shall include access, for the purposes of visual inspection, all areas of the residence in which the defendant lives or has exclusive/joint control/access and automobiles owned and possessed by the defendant.
8. The court finds that Count \_\_\_\_\_ is an offense that makes mandatory the withholding of the driving privilege by the Department of Licensing. The court clerk is directed to immediately punch the defendant's Washington Driver's license or permit to drive with a "C" as directed by the Department of Licensing pursuant to RCW 46.20.270.

- 1 [X] 9. The bail or release conditions previously imposed are hereby exonerated and the Clerk shall disburse it  
2 to the appropriate person.  
3 [ ] 10. Violations of Defendant's Conditions of Supervision are to be handled by the Clark County Superior  
4 Court.

5 DONE in Open Court and in the presence of the defendant this date: 12/18/25

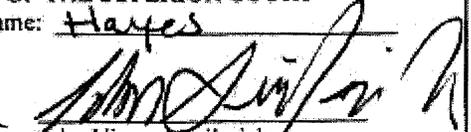
6   
7 JUDGE OF THE SUPERIOR COURT  
8 Print Name: Hayes

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10 Daniel A. Gasperino  
11 WSBA #35626  
12 Deputy Prosecuting Attorney

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14 Jon J. McMullen  
15 WSBA #26771  
16 Attorney for Defendant

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18 John Vincent Svilarich  
19 Defendant

20 I, Scott G. Weber, Clerk of this Court, certify that the foregoing is a full, true and correct copy of the Judgment and  
21 Sentence in the above-entitled action now on record in this office.

22 *Witness* my hand and seal of the said Superior Court affixed this date: \_\_\_\_\_

23 Clerk of the Court of said county and state, by: \_\_\_\_\_, Deputy Clerk

APPENDIX "A"

STATE OF WASHINGTON V. John Vincent Svilarich  
CLARK COUNTY SUPERIOR COURT CAUSE NUMBER 2024-1-02434-06

CONDITIONS OF PROBATION

GENERAL CONDITIONS:

- 1. LAW: Defendant shall not violate any federal, state or local criminal laws, and shall not be in the company of any person known by him to be violating such laws.
- 2. Defendant shall not commit any like offenses.
- 3. Defendant shall notify his/her community corrections officer within forty-eight (48) hours of any arrest or citation.
- 4. PROBATION:
  - a. Defendant shall be under the supervision of a Community Corrections Officer of the Department of Corrections, for 12 months, and shall follow the conditions in this order and the rules imposed by the probation officer/Department of Corrections. Defendant shall report in person to the probation officer before 4:00 p.m. on the first business day after defendant's release and shall thereafter fully and truthfully report to such officer as directed.
  - b. The defendant shall be required to have face to face, in person contact with his Community Corrections Officer and this shall occur a minimum of once per month.
- 5. RESIDENCE: Defendant shall not move from his present address unless given prior permission by the court or the Community Corrections Officer.
- 6. EMPLOYMENT: Defendant shall devote not less than forty (40) hours per week to gainful employment or education or shall be actively seeking full time employment.
- 7. Remain in prescribed geographic boundaries specified by the community corrections officer.
- 8. Defendant shall not accept employment in the following fields:  

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- 9. Defendant shall notify the Court or his/her Community Corrections Officer, in advance, of any change in his/her employment.
- 10. Defendant shall personally obtain written permission from his/her Community Corrections Officer prior to leaving the County permanently.

**SPECIAL CONDITIONS:**

- 1      1. **EVALUATION:** Defendant shall undergo an evaluation for treatment for  substance abuse  mental health  anger management treatment and fully comply with all recommended treatment.
- 2      2. **Defendant shall complete an Anger Control Class.**
- 3      3. Defendant shall participate in a **domestic violence perpetrator program** as approved under RCW 26.50.150 and fully comply with all recommended treatment.
- 4      4. Treatment shall be at the defendant's expense and he/she shall keep his account current if it is determined that the defendant is financially able to afford it.
- 5      5. Defendant shall submit to urine, breath or other screening whenever requested to do so by the treatment program staff and/or the community corrections officer.
- 6      6. **ALCOHOL:** Defendant shall not possess or consume alcoholic beverages  at all  to excess. The defendant  will  will not be required to submit to a program of monitored antabuse. Defendant shall not be in any place where alcoholic beverages are sold by the drink for consumption or are the primary sale item. Defendant shall submit to random urine, breath and/or other testing to detect usage of alcohol as requested by his/her Community Corrections Officer.
- 7      7. **CONTROLLED SUBSTANCES:** Except by lawful prescription, defendant shall not possess, use, or deliver any item prohibited by the Uniform Controlled Substances Act. The defendant shall notify his Community Corrections Officer on the next working day when a controlled substance has been medically prescribed. Defendant shall submit to random urine, breath and/or other testing to detect usage of drugs as requested by his Community Corrections Officer.
- 8      8. If the defendant is or becomes subject to a court-ordered mental health or chemical dependency treatment, the defendant must notify the Department of Corrections and the defendant's treatment information must be shared with DOC for the duration of the defendant's incarceration and supervision.
- 9      9. Defendant shall not have any contact with other participants in the crime, either directly or indirectly.
- 10     10. **GUNS AND WEAPONS:** Defendant hereby stipulates that (s)he shall not possess or use any firearm, deadly weapon or ammunition except for military duty.
- 11     11. **ASSOCIATION:** Defendant shall not initiate or permit communication or contact with persons known to him/her to be convicted felons, or presently on probation, community supervision or parole for any offense, juvenile or adult, except immediate family or as authorized by his/her community corrections officer for treatment purposes. Additionally, the defendant shall not initiate or permit communication or contact with the following persons:
- 12    \_\_\_\_\_
- 13     12. Defendant shall not initiate or permit communication or contact with persons known to him/her to be substance abusers.
- 14     13. **VICTIM CONTACT:**
- 15    The defendant shall not have any contact with the victim(s), Daniel J Beaudoin including but not limited to personal, verbal, written, electronic, telephonic or through a third person.
- 16     This condition is for the statutory maximum sentence of 2 years.

1  **DOMESTIC VIOLENCE: VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE**  
2 **UNDER CHAPTER 10.99 RCW AND WILL SUBJECT A VIOLATOR TO ARREST; ANY**  
3 **ASSAULT, DRIVE-BY SHOOTING OR RECKLESS ENDANGERMENT THAT IS A**  
4 **VIOLATION OF THIS ORDER IS A FELONY.**

A Domestic Violence Protection Order is separately entered and the clerk of the court shall forward a copy of the Domestic Violence order on or before the next judicial day following filing to the Clark County Sheriff's Department.

5  **HARASSMENT: VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE UNDER**  
6 **CHAPTER 9A.46 RCW AND WILL SUBJECT A VIOLATOR TO ARREST.**

A Harassment No Contact Order is separately entered and the clerk of the court shall forward a certified copy of the order to the victim. The Clerk shall contact the Clark County Prosecuting Attorney's Victim/ Witness unit to obtain the address for mailing.

- 7  14. Defendant shall not possess burglary tools.
- 8  15. Defendant shall attend and successfully complete a shoplifting awareness educational program as directed by the community corrections officer.
- 9  16. Defendant shall attend and successfully complete the Victim Awareness Educational Program as directed by the community corrections officer.
- 10  17. Defendant's privilege to operate a motor vehicle is suspended/revoked for a period of \_\_\_\_\_.
- 11  18. Defendant shall not operate a motor vehicle without a valid driver's license and proof of liability insurance in his/her possession.
- 12  19. Defendant shall not go to \_\_\_\_\_.
- 13  20. Defendant is required to undergo HIV testing which is mandated by law and covered by a separate written order of this Court.
- 14  21. Defendant shall not associate with any persons known to be gang members or associated with gangs.
- 15  22. Defendant shall not wear or display any clothing, apparel, insignia or emblems that are associated with or represent gang affiliation or membership as determined by the Community Corrections Officer.
- 16  23. Defendant shall not possess any gang paraphernalia as determined by the Community Corrections Officer.
- 17  24. Defendant shall not use any names, nicknames or monikers that are associated with gangs.
- 18  25. Defendant shall submit to affirmative acts necessary to monitor compliance with the orders of the court as required by the Department of Corrections.
- 19  26. Defendant shall sign necessary release of information documents as required by the Department of Corrections.
- 20  27. Defendant shall comply with a curfew, the hours of which are established by the Community Corrections Officer.
- 21  28. If the defendant is removed/deported by the U.S. Immigration and Customs Enforcement, the community custody time is tolled during that time that the defendant is not reporting for supervision in the United States. The defendant shall not enter the United States without the knowledge and permission of U.S. Immigration and Customs Enforcement. If the defendant re-enters the United States, he/she shall immediately report to the Department of Corrections for supervision.
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29. When there is a reasonable cause to believe that the defendant has violated a condition or requirement of this sentence, the defendant shall allow, and the Department of Corrections can conduct, searches of the defendant's person, residence, automobile or other personal property. Residence searches shall include access, for the purposes of visual inspection, all areas of the residence in which the defendant lives or has exclusive/joint control/access and automobiles owned and possessed by the defendant.

30. Other: \_\_\_\_\_  
\_\_\_\_\_

IDENTIFICATION OF DEFENDANT John Vincent Svilarich			
Alias name, DOB: ,			
SID No. [REDACTED] (If no SID take fingerprint card for State Patrol)		Date of Birth: 10/23/1957	
Race: White	Ethnicity:		Sex: Male
Driver License No. [REDACTED]		Driver License State: WA	
FBI No. C792VDD5V		Local ID No. (CFN):	
		Corrections No.	
Other _____			

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7 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
8 IN AND FOR THE COUNTY OF CLARK

9 STATE OF WASHINGTON,  
10 Plaintiff,  
11 v.  
12 John Vincent Svilarich,  
13 Defendant  
14 Date of Birth: 10/23/1957

No. 2024-1-02434-06

APPENDIX 2.2  
DECLARATION OF CRIMINAL HISTORY

15 COME NOW the parties, and do hereby declare, pursuant to RCW 9.94A.525 that to the best of  
16 the knowledge of the defendant and his/her attorney, and the Prosecuting Attorney's Office, the  
17 defendant has the following undisputed prior criminal convictions:

CRIME	COUNTY/STATE CAUSE NO.	DATE OF CRIME	DATE OF SENTENCE	DV*? YES	PTS
No known criminal history					

18 DATED this 9th day of December, 2025.

19  
20 Defendant

21 Jon J. McMullen, WSBA#26771  
22 Attorney for Defendant

23 Daniel A. Gasperino, WSBA# 35626  
24 Senior Deputy Prosecuting Attorney

25 with No  
26 default Butchgood  
27 Check

**CLARK COUNTY PROSECUTING ATTORNEY'S OFFICE OFFER OF SETTLEMENT**

TO: DEFENSE ATTORNEY Jon J McMullen WSBA 26771 jon@jonmcmullenlaw.com

State of Washington v. John Vincent Svilarich Cause No 2024-1-02434-06

The defendant is charged with the following:

Count	Charge	Score	Range	Enhancement	Total Range
1	ASSAULT IN THE SECOND DEGREE - DEADLY WEAPON	0	3-9 months	None	3-9 months
2	RECKLESS ENDANGERMENT	GM	0-364 days	None	0-364 days

The State makes the following Offer of Settlement. In accepting this offer, the defendant is agreeing to stipulate to its terms and recommendations, unless otherwise noted. The offer is: 1) based on the accompanying Declaration of Criminal History which the defendant acknowledges is accurate, true and complete and further that the resultant offender score calculations in this offer are correct; 2) supersedes any previous offer made in this case; 3) is exclusive to the above referenced cause number(s), unless otherwise noted. Furthermore, defendant understands and agrees that the failure of the defendant to declare disputed criminal history or to disclose additional criminal history or to dispute the resultant offender score calculations prior to entering any plea of guilty constitutes a breach of this agreement by the defendant.

**This offer may be withdrawn at any time prior to the entry of a guilty plea, or it otherwise expires on 12/18/25.**

If the defendant pleads guilty to the following, the State will recommend confinement, costs, conditions and supervision as outlined in this offer. If the amendment to these charges would ordinarily result in charges being filed past the time periods set forth in RCW 9A.04.080, the defendant hereby expressly agrees to waive the right to have the below charges filed within such time periods and expressly waives any objection to or claim against the filing of the below-listed charges that may be brought now or in the future alleging the charges were not timely filed.

Count	Charge	Score	Range	Enhancement	Total Range
01	AMEND TO: ASSAULT IN THE FOURTH DEGREE	GM	0-364 days	None	0-364 days

**RECOMMENDATION AS TO CONFINEMENT**

10 Days Partial Confinement [ 10 days Work Crew; and/or  
Days Community Service (Eight (8) hours per day)

364 Days with 354 days suspended on the gross misdemeanor for 2 years.

If the defendant does not qualify for partial confinement program(s), the recommendation will be for total confinement.

**TERMS APPLICABLE TO ALL RECOMMENDATIONS**

This offer includes credit for time served in custody solely on this case, up to the date of sentencing. It also includes standard conditions of supervision including reporting to DOC. This offer is exclusive to the above referenced cause number(s), unless otherwise noted.

All recommendations include court costs of \$200.00; crime victim's compensations fee of \$500; fine of \$500; biological collection fee of \$100.00; appointed attorney's fees, and *any* related defense costs, such as investigator fees, expert witness fees, transcription fees, etc. which have been or will be paid by order of the court. To accept this offer, defendant agrees to pay restitution (in an amount presently understood to be TO BE SET) which could be established or modified by the court at a later date based on additional information. The defendant agrees to pay restitution to victims of uncharged crimes contained

in the discovery, and/or dismissed counts. The Defendant is free to argue for reduction in financial obligations, other than restitution or those required by law, on the basis of indigency.

Defendant shall comply with directions of the DOC and the Clerk of the Court regarding reporting and paying any financial obligations and comply with financial monitoring as required by statute.

#### SUPERVISION

2 Years of probation/supervision on gross misdemeanor.

#### OTHER CONDITIONS OF SUPERVISION

(This list is non-exclusive – the State is free to recommend other usual conditions )

The defendant shall perform affirmative acts necessary to monitor compliance with the orders of the court as required by the Department of Corrections (DOC) and shall comply with the instructions, rules and regulations of DOC for the conduct of the defendant during the period of community supervision/custody. The defendant shall receive permission from DOC prior to moving.

Treatment for:  anger control.

No contact with Daniel J Beaudoin for 2 years.

No violations of federal, state, or local criminal laws.

*This agreement requires Defendant to admit relevant conduct. Absent advance notice and consent of the undersigned prosecutor, pleas which do not admit relevant conduct (Newton, Alford, or In re Barr pleas) are not allowed. Defendant breaches this agreement if he enters such a plea without prior approval of the prosecutor.*

OTHER: This is a stipulated agreement. Defendant agrees not to request or accept any sentencing alternatives, in exchange for the reduction in charges as listed above. Please note the expiration date.

If the defendant fails to appear for sentencing, commits any additional crimes between pleading guilty and sentencing, or otherwise breaches this agreement, or if the defendant later moves to withdraw this plea, moves for amendment or arrest of the judgment pursuant to CrR 7.8, appeals, or otherwise collaterally attacks the conviction or sentence under this cause number, the defendant understands and agrees that this will constitute a breach by the defendant of the plea agreement/offer of settlement and further the defendant agrees as a remedy for said breach, the State will be free to make any recommendation(s) it deems appropriate and/or to re-file any dismissed or withheld counts, enhancements, or aggravating factors, but that the defendant may not withdraw his/her guilty plea in the event the State elects any of these remedies.

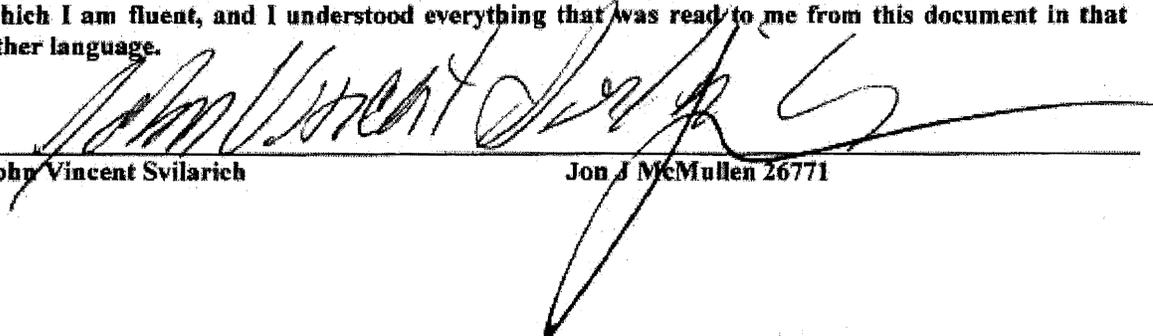
*This offer form must be attached to the Statement of Defendant on Plea of Guilty.*

December 9th, 2025



Daniel A. Gasperino

I have read the entire offer of settlement and I have fully discussed the entire offer of settlement with my attorney. I understand all of the above paragraphs and the terms of the offer of settlement. I have discussed all of the terms of this offer of settlement with my attorney and I have no questions about this offer of settlement. I freely and voluntarily enter into this agreement and I accept all of the terms of the offer of settlement. If English is not my native language or I am not fluent in English I have had the entire offer of settlement read to me in my native language or a language in which I am fluent, and I understood everything that was read to me from this document in that other language.



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John Vincent Svilarich

Jon J McMullen 26771

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF CLARK

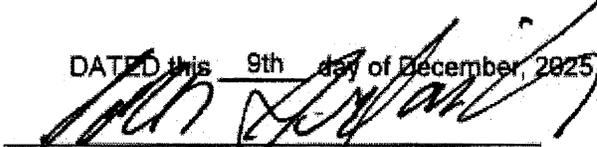
STATE OF WASHINGTON,  
Plaintiff,  
v.  
John Vincent Svilarich,  
Defendant  
Date of Birth: 10/23/1957

No. 2024-1-02434-06  
APPENDIX 2.2  
DECLARATION OF CRIMINAL HISTORY

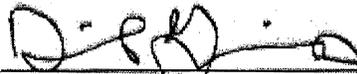
COME NOW the parties, and do hereby declare, pursuant to RCW 9.94A.525 that to the best of the knowledge of the defendant and his/her attorney, and the Prosecuting Attorney's Office, the defendant has the following undisputed prior criminal convictions:

CRIME	COUNTY/STATE CAUSE NO.	DATE OF CRIME	DATE OF SENTENCE	DV*? YES	PTS
No known criminal history					

DATED this 9th day of December, 2025

  
Defendant

  
Jon J. McMullen, WSBA# 26771  
Attorney for Defendant

  
Daniel A. Gasperino, WSBA# 35626  
Senior Deputy Prosecuting Attorney

*No Additional Background  
Check Completed By  
The Defense*

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**FILED**

DEC 18 2025

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Scott G. Weber, Clerk, Clark Co.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF CLARK

STATE OF WASHINGTON,  
Plaintiff,  
v.  
John Vincent Svilarich,  
Defendant.  
SID: [REDACTED]

If no SID, use DOB: 10/23/1957

No. 2024-1-02434-06  
**NO-CONTACT ORDER**  
(CLJ = NOCON)  
(Superior Cts = ORNC, ORWPNP)  
 Pre-trial  
 Post Conviction  
 Clerk's action required.

1. **Protected Person's Identifiers:**

Daniel J Beaudoin  
Name (First, Middle, Last)  
07/31/1978 Male  
DOB Gender Race

**Defendant's Identifiers:**

Date of Birth	
10/23/1957	
Gender	Race
Male	White

*If a minor, use initials instead of name, provide other info, and complete a Law Enforcement and Confidential Information, Form PO 003.*

2. **Defendant:**

- do not cause, attempt, or threaten to cause bodily injury to, assault, sexually assault, harass, stalk, or keep under surveillance the protected person.
- do not contact the protected person directly, indirectly, in person, or through others, by phone, mail, or electronic means, except for mailing or service of process of court documents through a third party, or contact by the defendant's lawyers.
- do not knowingly enter, remain, or come within \_\_\_\_\_ (1,000 feet if no distance entered) of the protected person or the protected person's residence, school, workplace, other: \_\_\_\_\_
- other: \_\_\_\_\_

3. **Firearms, Weapons, and Concealed Pistol License; Defendant:**

- do not, own, possess, or control a firearm. (RCW 9.41.040)
- do not access, have in your custody or control, obtain, purchase, receive, attempt to purchase or receive, or possess a firearm, other dangerous weapon, or concealed pistol license. (RCW 9.41.800)

- immediately surrender all firearms and other dangerous weapons within the defendant's possession or control and any concealed pistol license to *(local law enforcement agency)* \_\_\_\_\_
- comply with the *Order to Surrender and Prohibit Weapons* filed separately. (RCW 9.41.800)

## 4. This no-contact order expires on:

- (Date and time)* \_\_\_\_\_
- 1  2  5 years from today's date.

The court may extend a no-contact order even if the defendant does not appear at arraignment.

**Warning:** Violation of this order with actual notice of its terms is a criminal offense under chapter 7.105 RCW and will subject a violator to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony. **You can be arrested even if the person protected by this order invites or allows you to violate the order's prohibitions.** You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written request.

## 5. Based upon the record, both written and oral, the court finds that the defendant has been charged with, arrested for, or convicted of an offense of:

- |   |  |
|---|--|
| <input type="checkbox"/> domestic violence, ch. 10.99.RCW | <input type="checkbox"/> sex, ch. 9A.44 RCW                    |
| <input type="checkbox"/> stalking, ch. 9A.46 RCW          | <input checked="" type="checkbox"/> harassment, ch. 9A.46 RCW  |
| <input type="checkbox"/> human trafficking, ch. 9A.40 RCW | <input type="checkbox"/> promoting prostitution, ch. 9A.88 RCW |

## 6. The court finds that the defendant's relationship to the person protected by this order is as a/an:

- intimate partner because they are:
- current or former spouses or domestic partners,  parents of a child-in-common,  age 16 or older and are/were in a dating relationship, and  live or have lived together  not lived together.
- family or household member pursuant to RCW 10.99.020(7) and/or RCW 7.105.010(13).
- This order is not a *Domestic Violence No Contact Order*.

## 7. For crimes not defined as a serious offense, the court makes the following mandatory findings pursuant to RCW 9.41.800(1) and (2).

- The defendant used, displayed, or threatened to use a firearm or other dangerous weapon in a felony.
- The defendant is ineligible to possess a firearm pursuant to RCW 9.41.040.
- Possession of a firearm or other dangerous weapon by the defendant presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.
- The defendant represents a credible threat to the physical safety of the protected person, and the court issues this *No-Contact Order* to prevent possible recurrence of violence.

**Additional Warnings to Defendant:** This order does not modify or terminate any order

entered in any other case. You are still required to comply with other orders. Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States, shall accord full faith and credit to the order.

8. **Civil Standby**

Not needed.

The appropriate law enforcement agency shall, at a reasonable time and for a reasonable duration, assist the defendant or protected person in obtaining personal belongings located at \_\_\_\_\_

9. **Further Service**

Not needed. Defendant was given a copy of this *Order* at the hearing.

Required. Defendant must be served with a copy of this order.

**Clerk's Action.** The court clerk shall forward the *No Contact Order* on or before the next judicial day to the following law enforcement agency where the restrained person lives or can be served (*check only one*):  Sheriff's Office  Police Department (*county or city*) \_\_\_\_\_

This agency shall serve the *No-Contact Order* and shall promptly complete and return proof of service to this court.

10. **Washington Crime Information Center (WACIC) and Other Data Entry**

**Clerk's Action.** The court clerk shall forward a copy of this order immediately to the following law enforcement agency (*county or city*) Clark County

(*check only one*):  Sheriff's Office or  Police Department

This agency shall enter this order into WACIC and National Crime Info. Center (NCIC).

Dated: 12/18/25 Time 2:20 a.m./6p.m.

[Signature]  
JUDGE Print name

[Signature]  
Senior Deputy Prosecuting Attorney  
WSBA #35626  
Print name: Daniel A. Gasperino

[Signature]  
Attorney for Defendant  
WSBA# 26771  
Print name: Jon J McMullen

I acknowledge receipt of a copy of this order:

[Signature]  
Defendant

The protected person shall be provided with a certified copy of this order.

I am a certified or registered interpreter or found by the court to be qualified to interpret in the \_\_\_\_\_ language, which the defendant understands. I translated this order for the defendant from English into that language.

Signed on *(date)* \_\_\_\_\_ at *(city)* \_\_\_\_\_, *(state)* \_\_\_\_\_

Interpreter: \_\_\_\_\_ Print name: \_\_\_\_\_

A completed law enforcement sheet must be attached for identification purposes by the police or sheriff.

CH  
CASE

**FILED**

DEC 18 2025

2:28  
Scott G. Weber, Clerk, Clark Co.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF CLARK

STATE OF WASHINGTON,

Plaintiff,

v.

John Vincent Svtlarich,

Defendant.

No: 2024-1-02434-06

**ORDER RE MOTION TO MODIFY/RESCIND NO-CONTACT ORDER**

Denied (ORDYMT)

Granted (ORGMT)

(Clerk's action required)

THIS MATTER came before the Court upon the State of Washington's Motion for an Order to Rescind the No-Contact Order filed on: October 2, 2024, for protected person: Daniel J Beaudoin.

Based upon the motion, declarations, and testimony, if any, and the relevant court records, the court:

denies the motion;

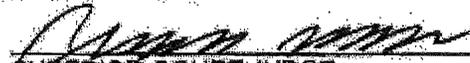
grants the motion, and

replaces the order referenced above with a new No-Contact Order, filed separately.

rescinds the No-Contact Order referenced above.

The Clerk of the Court shall forward a copy of this Order that rescinds on or before the next judicial day to the Clark County Sheriff's Office/Police Department where the case is filed which shall enter it in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.

DATED THIS 18<sup>th</sup> day of December, 2025

  
SUPERIOR COURT JUDGE

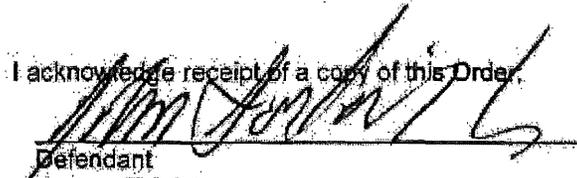
Presented By:

  
Daniel A. Gasparno, WSBA# 35626  
Senior Deputy Prosecuting Attorney

I acknowledge receipt of a copy of this Order:

Protected Person  
Type or Print Name:

I acknowledge receipt of a copy of this Order:

  
Defendant  
Type or Print Name:

**RCW 9A.36.041****Assault in the fourth degree.**

(1) A person is guilty of assault in the fourth degree if, under circumstances not amounting to assault in the first, second, or third degree, or custodial assault, he or she assaults another.

(2) Assault in the fourth degree is a gross misdemeanor, except as provided in subsection (3) of this section.

(3)(a) Assault in the fourth degree occurring after July 23, 2017, and before March 18, 2020, where domestic violence is pleaded and proven, is a class C felony if the person has two or more prior adult convictions within ten years for any of the following offenses occurring after July 23, 2017, where domestic violence was pleaded and proven:

- (i) Repetitive domestic violence offense as defined in RCW 9.94A.030;
- (ii) Crime of harassment as defined by RCW 9A.46.060;
- (iii) Assault in the third degree;
- (iv) Assault in the second degree;
- (v) Assault in the first degree; or
- (vi) A municipal, tribal, federal, or out-of-state offense comparable to any offense under (a)(i) through (v) of this subsection.

For purposes of this subsection (3)(a), "family or household members" for purposes of the definition of "domestic violence" means spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, and persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship. "Family or household member" also includes an "intimate partner" as defined in RCW 10.99.020.

(b) Assault in the fourth degree occurring on or after March 18, 2020, where domestic violence against an "intimate partner" as defined in RCW 10.99.020 is pleaded and proven, is a class C felony if the person has two or more prior adult convictions within ten years for any of the following offenses occurring after July 23, 2017, where domestic violence against an "intimate partner" as defined in RCW 10.99.020 or domestic violence against a "family or household member" as defined in (a) of this subsection was pleaded and proven:

- (i) Repetitive domestic violence offense as defined in RCW 9.94A.030;
- (ii) Crime of harassment as defined by RCW 9A.46.060;
- (iii) Assault in the third degree;
- (iv) Assault in the second degree;
- (v) Assault in the first degree; or
- (vi) A municipal, tribal, federal, or out-of-state offense comparable to any offense under (b)(i) through (v) of this subsection.

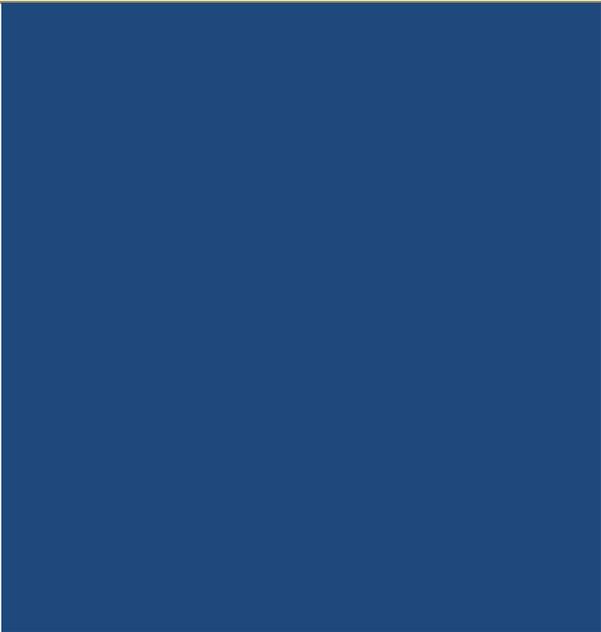
[ 2021 c 215 s 106; 2020 c 29 s 7; 2017 c 272 s 1; 1987 c 188 s 2; 1986 c 257 s 7.]

**NOTES:**

**Effective date—2022 c 268; 2021 c 215:** See note following RCW 7.105.900.

**Effective date—2020 c 29:** See note following RCW 7.77.060.

**Effective date—1986 c 257 ss 3-10:** See note following RCW 9A.04.110.



# Council Policies & Procedure Handbook

City Clerk's Office

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## **Per MRSC Article, Council Rules of Procedure:**

“The motivation in adopting rules is to increase meeting efficiency and effectiveness and to manage or reduce conflict. The basic idea in adopting rules is to ensure that these meetings will run more smoothly and follow a generally accepted format. A well-organized and well-managed meeting does not necessarily guarantee good results, but it certainly helps.”

City councils are authorized by RCW 35A.12.120 to determine their own rules and order of business and to establish formal rules for the conduct of council meetings. Council will follow Robert's Rules of Order as the standard for parliamentary procedure, unless otherwise provided for in the Council's adopted policies and procedures.

### *Resources ...*

The following rules are made up primarily of excerpts from:

- 1) Examples provided by MRSC of other Code/Mayor-Council city's rules;
- 2) RCW 42.30, the Open Public Meetings Act;
- 3) MRSC Publication – Mayor and Council Members Handbook
- 4) Roberts Rules of Order – Newly Revised; and
- 5) Jurassic Parliament.

The goal being to ensure these rules are indeed “best practice” for the City of Camas.

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# Camas City Council

## Rules of Procedure

### A. Regular, Workshop and Special Meetings

All meetings (Meetings) of the Camas City Council (Council) will be held in compliance with state statutes, including the Open Public Meetings Act (OPMA), RCW 42.30.

Members of public are welcome to observe and address Council during defined Public Comment periods; comments can also be taken by phone, mail or email. See the Resident Public Meeting handout on the City of Camas (City) [website](#) for further details. Public comments sent to [publiccomments@cityofcamas.us](mailto:publiccomments@cityofcamas.us) within 24 hours prior to a Meeting will be saved to the Clerk's Meeting record.

#### 1. Quorum

A majority (four) of the entire Council (seven) will constitute a quorum for the transaction of business at Council Meetings (Meetings). In the absence of a quorum, a lesser number may adjourn any Meeting to a later time or date with appropriate public notice.

#### 2. Appearance of Fairness/Conflict of Interest

In all its dealings, Council and its Members will be governed by RCW 42.36 (appearance of fairness doctrine), RCW 42.20 (misconduct of public officers), and RCW 42.52 (ethics in public service).

#### 3. Regular Meetings

Regular Meetings will be held on the first and third Mondays of each month beginning at 7:00 p.m. at City Hall unless otherwise rescheduled by notice of the Camas City Clerk (or designee). Regular Meetings are intended to conclude no later than

10:00 p.m., subject to extension by Council.

If any Monday of this schedule falls on a legal holiday, the Meeting will be held the immediately following Tuesday.

#### 4. Workshop Meetings

Workshop Meetings will be held on the first and third Mondays of each month beginning at 4:30 p.m. at City Hall unless otherwise rescheduled by notice of the Clerk. Workshop Meetings will conclude no later than 6:30 p.m., subject to extension by Council.

If any Monday of this schedule falls on a legal holiday, the Meeting will be held the immediately following Tuesday.

Workshops are devoted exclusively to the exchange of information relating to municipal affairs. No votes will be taken on any matters under discussion, nor will any Council Member(s) enter into a formal commitment with another member regarding a vote to be taken subsequently.

#### 5. Special Meetings

Special Meetings will be called by the Clerk upon the written request of the Mayor of Camas, City Administrator, or a quorum of Members with at least 24 hours' written notice to each Member and the newspaper of local circulation. Special Meeting notices will state the purpose of the Meeting. No official action will be transacted at any Special Meeting of Council unless the item has been stated in the notice of such Meeting.

#### 6. Town Hall Meetings

Town Hall meetings are informal gatherings that

provide an opportunity for community members to engage directly with their elected officials, ask questions, and discuss local issues. These meetings are organized at the discretion of individual council members, meaning they may choose whether or not to hold them. Additionally, when a council member decides to host a Town Hall meeting, they are responsible for creating their own agenda, which may focus on specific topics or concerns relevant to their constituents.

## 7. Remote Attendance/Virtual Meetings

Per Camas Ordinance 21-009 and Ordinance 22-010, remote attendance would be considered as an alternative, relatively infrequently used method for participation, subject to the Member providing sufficient advance notice to the Clerk, Mayor and City Administrator, and further subject to their demonstrating that satisfactory equipment will be available for their participation.

In an event of a proclaimed emergency by City, county, state, or federal officials, when a physically present quorum of Members is prohibited, prevented, or not required in order to conduct a Meeting, a quorum of Members will be obtained through other City-approved remote means. It will be noticed at all required locations and through all means of communication possible under the circumstances at the time.

To the extent possible and consistent with state law, Members may participate in a Meeting remotely. The use of a virtual platform will allow the Public to observe all activity, allow the recording of the Meeting and allow the Members, Staff and the Public to adequately hear the discussion, comments and any voting by the Members.

Members will contact the Clerk to confirm arrangements.

At any time during a Member's remote attendance the signal is lost, the time will be noted as that Member's leaving the Meeting. At any time, a quorum is no longer seen or heard during a virtual

Meeting, the Meeting will recess until their return or adjourn if unable to secure attendance.

## 8. Posting Requirements for Regular, Workshop and Special Meetings

Public notices (agendas) are to state the dates, times and places of Meetings and posted on the City website and City Hall (unless otherwise directed under a proclamation of emergency).

- a. For a rescheduled Regular or a Special Meeting, a public notice stating the date, time, and place of the Meeting will be posted in all those locations at least 24 hours in advance.
- b. The notice described above is not required for a Meeting that is an emergency session in the event of a severe and imminent threat to the health, safety, or welfare of the Public, when a two-thirds (5) Roll Call vote of Council determines that the delay would be detrimental to the City's efforts in responding to the threat.

## 9. Minutes of Meetings

The Clerk will attend the Meetings and record all the actions and resolutions of Council in accordance with the OPMA. In the absence of the Clerk, Council may appoint one of its own members or another person to temporarily perform the Clerk's duties.

Within 15 days of a Meeting the official record of the Meeting will be prepared by the Clerk and indicate the vote of the Members. It will be available for public review on the City's website.

## 10. Cancellation of Meetings

The City will provide notice of the cancellation to the Public in the same manner that notice is given for a Special Meeting under RCW 42.30.080. The Members *may* call for a future Special Meeting, after the conditions causing the cancellation are

no longer an issue.

Consideration of canceling a future Meeting will be raised in a Meeting, and with consensus or a majority vote (4) of Council, the Clerk will issue the notice as soon as possible, ensuring it is a minimum 24 hours in advance of the canceled Meeting. Reasons for cancelling include, but are not limited to, a lack of agenda items, adverse weather conditions, or an emergency.

If the Meeting to be canceled is a Regular Meeting and the Members are intending to take action that state law requires be in a Regular Meeting, the RCW 42.30.090's adjournment procedure will be used instead of cancellation, because the resulting rescheduled meeting will qualify as a Regular Meeting.

## **B. Conduct of Meetings**

### **1. Meetings To Be Public**

All Meetings, subject to the OPMA, will be open to the Public and the Public will have a reasonable opportunity to see and hear the proceedings, except when the Meetings may be closed to the Public and the media for clearly defined topics as defined in RCW 42.30, for executive and closed sessions. These sessions are arranged in conjunction with the City Attorney and City Clerk's Office.

All Meetings subject to the OPMA will be open to the media, freely subject to recordings services at any time, provided that such recording activity do not interfere with the orderly conduct of the Meeting.

### **2. Presiding Officer**

The Presiding Officer (Chair) at all meetings will be the Mayor, Mayor Pro Tempore (Pro Tem), or the Mayor Pro Tem Alternate and will be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. Council will appoint annually one of its member's Pro Tem and

Pro Tem Alternate, who will Chair the meeting in the absence of the Mayor. In the absence of the Mayor, the Pro Tem, and the Pro Tem Alternate, the member present who has the longest consecutive service on Council will be the Chair.

The Mayor, the current Pro Tem, and Pro Tem Alternate will discuss qualifications required of the possible nominees for the successors. There will be a nomination for consideration which will allow Council discussion of qualifications followed by a vote. If the motion is voted down, at that time, any Council Member may make a nomination, followed by discussion and a vote until approved.

The Chair will recognize members requesting to speak; members are encouraged to:

- Speak one at a time taking care to remain germane to the topic at hand, and
- Speak to the merits of an issue and avoid references to personalities.

When a Member serves as the Chair, the Member will maintain those rights and will be governed in all matters and issues by the same rules and restrictions as other Members.

### **3. Agenda Preparation**

The Administrator coordinates the development of Meeting agendas with the Mayor, City Clerk and Department Heads. They meet weekly to review and update the Council Calendar of items scheduled to go to Council.

Agendas for Meetings will be prepared by the Clerk at the direction of the Administrator and specify the time and place of the Meeting.

The Clerk will prepare to have the final Meeting agenda and materials available to Members and the Public by publishing them on the City's website. Items for inclusion on an agenda, are to be provided at least four days prior to the Meeting for which the item is to appear. This allows sufficient time for review, initial research, and

preparation of staff reports and accompanying materials.

If a Member wants to place or remove an item on an agenda, they are to provide it to the City Administrator, who will reach out to the remaining Members to see if there is a total of at least three Members who are in agreement. The City Administrator will work with the Member, the Clerk and assigned staff person to prepare the item for discussion.

Weekly, the Clerk's Office distributes the Council Calendar of items scheduled for future Workshop, Regular, and Special meetings; Members may also request to review at any time.

Changes to an "established" Council Calendar, can be made by the Administrator and City Clerk in conjunction with the Mayor.

When adding or deleting any proposed agenda items, consideration should be given to ensuring the Meeting can be run efficiently and that the items that have been sufficiently prepared in order that an informed discussion can take place and it is in the best interests of the City.

To adhere to the OPMA, no more than three Members total should discuss a potential new agenda item outside of an open public meeting. Members will contact the City Administrator or Clerk to work with remaining Members for a consensus of a total of three Members to take up emergent items (or to schedule a Special Meeting).

In a Meeting, the Mayor, Administrator, or Members will have the right to add and remove items on agendas with a majority vote of Council in accordance with state statute for placement on a future Council Meeting agenda.

Subject to Council's right to amend the agenda, no legislative item will be voted upon which is not on the current Meeting agenda, except in emergency situations where the Public's health, safety or welfare are jeopardized (emergency

ordinances require a vote of a majority plus one [5] of the whole Council and are effective upon adoption; it may not levy taxes, grant review, extend a franchise or authorize the borrowing of money).

During a Meeting, the Chair may rearrange, change the sequence, or add/remove items.

Legally required and advertised public hearings will have higher priority over other time-scheduled agenda items that have been scheduled for convenience rather than for statutory reasons.

Council is under no obligation to consider or act upon items that are presented without supporting information.

#### 4. Regular Agenda

Regular Meetings are prepared with the following order of business:

- a. Call to order
- b. Pledge of Allegiance
- c. Roll Call of Council
- d. Public comment
- e. Consent agenda
- f. Mayor Announcements
- g. Meeting Items
- h. Public Comment
- i. Council Comments
- j. Executive Session (if applicable)
- k. Closing of the Meeting

#### 5. Workshop Agenda

Workshop Meetings are prepared with the following order of business:

- a. Call to order
- b. Roll Call of Council
- c. Public Comment
- d. Workshop Topics
- e. Staff Miscellaneous and Reports
- f. Public Comment
- g. Council Comments and Reports
- h. Closing of the Meeting

#### 6. Consent Agenda

A consent agenda may be used to allow Council to act on numerous administrative or noncontroversial items at one time. Included on this agenda can be noncontroversial matters such as approval of minutes, payment of bills, financial write-offs, etc.

Upon request by any Member, an item may be removed from the Consent Agenda and placed on the Meeting Agenda for discussion and a stand-alone vote.

## 7. Agenda Distribution

The Clerk will publish Meeting agendas four days prior to the Meeting. The Clerk uses the City website newsletter-subscription feature to notify subscribers of its publication. The Public can sign-up to the distribution list by going to <https://www.cityofcamas.us/newsletter/subscriptions>, select "City Council Meeting and Workshop Agenda," and provide their email address. Meeting agendas are also posted at City Hall.

If any changes are made to the agenda after they are published, the Clerk will email and text Council Members notifying them of the change.

## 8. Attendance and Excused Absences

Election to Council is a privilege freely sought by the nominee. It carries with it the responsibility to participate in Council activities and represent the residents of the City. Attendance at Meetings is critical to fulfilling this responsibility.

RCW 35A.12.060 provides that a council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council.

Members may be so excused by complying with this section. The member will contact the Mayor, Administrator or Clerk prior to the meeting and state the reason for his/her inability to attend the meeting. The Clerk's Office will inform the council of the Member's absence. The Member is announced "excused" in the meeting and if there

is no objection, the Member is excused; and it will be noted in the meeting minutes. If there is an objection and subsequent majority vote that the absence is unexcused, it will be noted in the meeting minutes.

There is an expectation that Members will make every effort to also attend Special Meetings, Workshops and any committees' meetings of which they are assigned.

When a Member is late to a meeting, it is noted in the meeting minutes as to their time of arrival.

## 9. Meeting Clerk's Duties

- a. Maintain the electronic recording during the Meeting.
- b. Take Roll Call.
- c. Records all votes taken. In instances of a Roll Call vote, the Clerk will call the name of each Member present in random order and will record the member's aye, nay, or abstention.
- d. Advisor to the Meeting body and may raise administrative points - if an item is missed by mistake, seeking clarification of the motion, an amendment, or the result of the vote; or to make a Point of Order when a serious procedural error is in process or likely to occur.
- e. Prepare minutes at the conclusion of the Meeting. Prepare brief minutes for approval by the Members at the next regularly scheduled Meeting.
- f. The Clerk will not insert any directed or verbatim language unless requested by any Members, administration, or Staff.

## 10. Disorderly Conduct

The Chair may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time or speaking vulgarities. Such person will be seated

until the Chair determines whether the person is in order.

If the person so engaged in speaking is called out of order, they will not be permitted to continue to speak at the same Meeting except by a majority (4) vote of Council.

If a disruption to the meeting occurs and order cannot be restored, the Mayor will call a 15-minute recess, with consensus of the Council.

Selected staff will work with any person(s) to ensure order can be restored and maintained, or they may proceed to use one of the options provided for in RCW 42.30.050<sup>1</sup> to ensure orderly continuation of the meeting. No person will be removed from a public Meeting *except* for an actual breach of the peace committed at the Meeting.

### **C. Public Comment Portion**

In Washington State, Council Meetings are bound by parliamentary principles, which provide the rules and guidelines for the conduct of public meetings.

Each Regular and Workshop Meeting agenda will provide for reserved time for public participation.

If requested by a Member, the Chair will have discretion to allow the Public to speak at times other than the Public Comment period.

#### **MEETING STRUCTURE**

Mayor (Mayor Pro Tem or Pro Tem Alternate) is the Chair of the meeting

Agenda is to be followed, may be changed via

Council consensus

Comments or behavior not allowed:

- Name-calling or personal attacks; obscene or indecent remarks; derogatory comments to personalities
- Advertising or promoting the sale of products, services, or private enterprise
- Promotion of candidates running for public office, upcoming ballot measures, contest, or lotteries
- Comment periods are provided at the beginning and end of Council meetings as a forum to hear from residents – no sign-up or sign-in process required

#### **PUBLIC COMMENT GUIDELINES**

- Clearly state name and city of residence
- Address comments to Council as a whole; not individual members, staff, or audience members
- Keep comments to three minutes stating what you: support, oppose, suggest, or are calling attention to
- Comments during Public Hearings will be limited to five minutes, and you are only allowed to comment once per Public Hearing
- Handouts may be distributed to supplement your comment (presentations or digital aids are not allowed)
- Comment time may not be added to/donated to other speakers

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<sup>1</sup> RCW [42.30.050](#) Interruptions—Procedure. In the event that any meeting is interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are interrupting the meeting, the members of the governing body conducting the meeting may order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by majority vote of the members. In such a session, final disposition may be taken only on matters appearing on the agenda. Representatives of the press or other news media,

except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the governing body from establishing a procedure for readmitting an individual or individuals not responsible for disturbing the orderly conduct of the meeting. Nothing in this section prohibits the governing body from stopping people from speaking to the governing body when not recognized by the governing body to speak.

- If a response is requested, state that during your comment and provide the preferred form of contact
- Per Resolution 20-005, no responses to comments or questions are provided during public comment
- Mayor will terminate comments beyond allotted time, or if there is a violation of the comment/behavior guidelines
- To address Council outside of the public comment period of a meeting, email [publiccomments@cityofcamas.us](mailto:publiccomments@cityofcamas.us) or mail/deliver comments to City Hall, 616 NE 4th Avenue

## D. Executive Sessions

### 1. Purpose

Executive Sessions may be held during a Regular or Special Meeting to consider matters authorized in RCW 42.30.110. Primarily:

- Real property acquisition and sale
- Public bid contract performance
- Complaints against public officers and employees
- To evaluate qualifications of an applicant or to review the performance of a public employee
- Litigation
- Other matters authorized by the chapter

Before convening into an Executive Session, the Chair will announce the purpose of the session, the anticipated amount of time needed, and that no decisions are allowed in Executive Sessions. If appropriate, the Meeting will reconvene to take action or simply adjourn. The minutes will reflect the names of all attendees of the Executive Session.

### 2. Calling Executive Session

At a Meeting, the Members, by a two-thirds (5) Roll Call vote of Council may call an executive session under the conditions out lined in the OPMA. The Roll Call vote and purpose(s) for

calling the executive session will be entered into the minutes of the public part of the Meeting at which the vote is taken.

Attendees of executive session will keep confidential all materials seen and verbal information provided in the session, and will comply with RCW 42.23.070(4), relating to the disclosure of confidential information: No municipal officer may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.

## E. Closed Meetings

The key difference between Executive Sessions and Closed Sessions are that the notice and other requirements of the OPMA do not apply to Closed Session conducted per RCW 42.30.140.

For local governments that have union employees, the only purposes allowed for calling a Closed Session are to plan or adopt strategies or positions related to: (per RCW 42.30.110)

- Collective bargaining
- Professional contract negotiations
- Grievance or mediation proceedings
- Reviewing the proposals made in negotiations while in progress

The presider in Executive or Closed sessions is the Mayor or designee. The City Attorney's role is a legal advisor to his "client", the City – mayor, city administrator, city council, city staff, and boards and commissions.

Other staff may be invited as is necessary for the effective communication of the matter at hand.

## F. Breach of Confidentiality Consequences

Any officer violating confidentiality is liable to the City for a penalty in the amount of \$500, in addition to such other civil or criminal liability or penalty as may otherwise be imposed upon the

Member by law.

In addition to all other penalties, civil or criminal, the violation by any Member of confidentiality may be grounds for forfeiture of his or her office (RCW 42.23.050).

## **G. Discussion and Voting**

### **1. Conduct of Discussion**

During Council discussion and debate, no member will speak until recognized by the Chair. After such recognition, the member will confine discussion to the topic at hand and to its merits and will not be interrupted except by a point of order or privilege raised by another member. Speakers should address their remarks to the Chair, maintain a courteous tone and avoid interjecting a personal note into debate.

No member will speak more than once on the same topic unless every member desiring to speak to that topic will have had the opportunity to do so.

### **2. Ordinances and Resolutions**

No ordinance, except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code or an ordinance adopting a code of ordinances, will relate to more than one subject, and that subject will be clearly stated in its title.

A vote on all ordinances and resolutions will be entered in the minutes. If the vote is unanimous, it will be necessary only to state so in the minutes, unless a Roll Call vote is required by law or by Council rules.

### **3. Roll Call**

In all Roll Call votes, the names of Members will be called in random order.

### **4. Duty to Vote**

Election to a deliberative body carries with it the obligation to vote. Members present at a Meeting will vote on every matter before the body, unless otherwise excused or prohibited from voting by law. A Member who is present and abstains or does not respond to a Roll Call vote will be counted as voting with the prevailing side and will be so recorded, unless otherwise excused or prohibited by law from voting.

Conflict of interest, as defined by law, will be the sole reason for a member to abstain from voting. The opinion of the City Attorney will be binding on Council with respect to the existence of a conflict of interest. A vote may be tabled, if necessary, to obtain the opinion of the Attorney.

The right to vote is limited to the Members present at the time the vote is taken. Voting by proxy is not permitted. Members may table an item if another Member is pending arrival or exercising a Point of Privilege, until they can participate in the vote in the same meeting.

All votes must be held and determined in public; no secret ballots are permitted.

### **5. Results of Voting**

In all cases where a vote is taken, the Chair will declare the result.

It will be in order for any Member voting in the majority (4) to move for a reconsideration of the vote on any topic.

### **6. Electronic Devices in Meetings**

Members will not send or receive electronic communications concerning any matter pending before Council during a Meeting.

To ensure focus on the discussions during meetings, Members should only use the internet during meetings to access agenda packet information, Council resource documents, including but not limited to City policies, Robert's Rules of Order, or other research relevant to the

discussion.

In deference to the Meeting at hand, Members should make every effort to refrain from sending or receiving electronic communication of a personal nature during Meetings, though it may sometimes be necessary to send or receive very urgent/emergency family or business communications.

## H. Miscellaneous

### 1. Adoption and Amendment of Rules of Procedure

These rules of procedure of Council will be placed on the agenda of the first Meeting following the seating of the newly elected Members for review and adoption. A copy of the rules adopted will be distributed to each Member.

Council may alter or amend its rules at any time by a majority (4) vote of Council after notice has been given of the proposed alteration or amendment.

### 2. Suspension of Rules

The Rules of Council may be suspended for a specified portion of a Meeting by an affirmative two-thirds (5) Roll Call vote of Council except that Council actions will conform to state statutes and to the State of Washington and the United States Constitutions.

### 3. Council Appointments to Boards and Commissions

Council Appointments are made annually to City, County, or Regional Boards and Commissions. These "Liaison" appointments are made at the direction of the Mayor. Consideration of a Member's interest in a particular subject or

assignment will be made. The Appointee will serve for a term of one year, unless otherwise designated, and may be reappointed to the same Board or Committee from year to year. The Appointee will report objectively about any updates, of the group's activities, or discussions and considerations. These reports are provided during Council Updates in Council Workshop meetings. Members will avoid making duplicate reports and make every effort to be concise.

Liaison Appointment name definitions:

Alternate – Should the appointed Member to that Committee be unable to attend a particular meeting, the Alternate will instead.

Board Member – Seats on a board that are specifically established to be filled by an elected official of the City.

Committee Member – the Board or Committee is solely made up by Members of Council exclusively.

Observer – keep current with the group; communicate with leaders of the group; and report back to the Council to keep them informed of its current and/or future activities. Extreme care must be taken to avoid an Appearance of Fairness Doctrine violation or conflict of interest possibilities with groups or agencies.

Participant – Particular Boards or Committees are made up of non-Members, but the Committee invites the input or feedback from a Member of Council.

When appropriate, Appointees will schedule with Council an annual presentation by the board or commission about programs, goals, and accomplishments.

Ad Hoc committees may be established for a specific period of time by the Mayor or by a resolution of Council which specifies the task of the ad hoc committee and the date of its dissolution.

Members of Ad Hoc Committees will be on a

volunteer basis. All those who wish to serve will signify so in a meeting so the Clerk may take note. Outside the meeting, the volunteers are considered by the Mayor who will determine who the members will be. The Mayor will also designate the Member who is to be the Chair of the Committee. The Chair will report on the status of the Committee's progress on assigned tasks to Council from time to time. Final Committee findings will be reported to Council for final discussion and approval.

#### 4. Relationship with City Attorney

The Attorney's Office serves as the legal adviser to the Mayor, City Council, City Clerk and all City departments with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City; represents and defends the City in legal matters; handles all suits initiated on behalf of the City and any of its departments; prosecutes violations of City ordinances; and provides counsel to elected officials on code interpretation and reform.

Although the Mayor or Administrator typically has more contact with the Attorney than the Members, the Attorney's job is to advise all city officials.

Ultimately the Attorney is legal guidance to all City Officials, and it is up to the Council to establish the procedures that direct that guidance.

A Member should consult with the Attorney to determine whether they should recuse themselves from a quasi-judicial discussion and decision. If a member is recused on the advice of the Attorney, they are to announce their intent under the Appearance of Fairness Disclosures and will leave the Chamber. They will be considered absent when voting occurs.

If a Member believes they may have a conflict of interest, they are encouraged to discuss the law and any potential conflicts with the Attorney prior to the meeting(s) at which the item will be discussed and/or voted on.

Outside of a meeting before requesting research or other action by the Attorney, Members are advised to consult with the Clerk or Administrator so that efforts are not duplicated.

The Attorney, along with the Administrator will call an Executive Session regarding any topics related to City Liability or current litigation so that there is a clear understanding of what may or may not be said when engaging those matters with members of the public.

The provision of the "Open Public Meetings Act" will not be applicable to any conference, discussion or deliberation between the legislative body and its city attorney concerning settlements, avoidance of, or contemplated litigation, settlement offers and like matters, all of which will be subject to the statutory and common law attorney-client privilege.

#### I. Respecting Roles and Responsibilities

The following will guide interactions between Members, administration, and Staff.

- a. Members, Administration, and Staff will continue to demonstrate mutual courtesy and respect towards one another and of their respective roles and responsibilities.
- b. Administration and Staff acknowledge Council as policy makers. Members acknowledge City Administration and Staff have subject matter expertise who provide consultation to Council and administer policies set by Council.
- c. Members honor Staff and their designated levels of authority and department operating rules. Any personnel concerns will be addressed with the Administrator.
- d. Materials or information supplied to any member in response to a request will be made available to all members so that all have access to the same information. In the spirit of, "if one knows, all know", any correspondence that appears to purposefully exclude particular Members, Staff or

Administration, will be forwarded to all those who were excluded.

- e. Members may request information on agenda items or policy issues, unless directed to go through the Administrator.
- f. Individual Members will not direct Staff.
- g. Members will not engage in coercing or influencing Staff to engage in any act that is in conflict with the performance of official duties.
- h. Members shall not attend staff meetings unless directed by the Administrator.

## **J. No Surprise Rule**

Members should use best efforts to:

- a. Contact the Administrator to advise of emerging issues as soon as aware of them.
- b. Provide the Administrator, and associated Staff whose item is in question, advance notice of any questions or concerns about the item prior to the Meeting. Staff responses to such requests will be provided to all Members.
- c. Provide the Administrator and Staff advance notice if planning to propose substantial amendments and/or revisions to any agenda item.

# Appendix

## Council Committees

All council members are welcome to attend any or all committee meetings as observers only and should not participate in the discussions.

### C-TRAN

*Meets the second Tuesday of each month*

The C-TRAN Board of Directors is the nine-member elected body that meets monthly to set policy and legislative direction for C-TRAN's CEO, ensuring the agency delivers safe, reliable, and cost-effective public transit across Clark County.

<https://mail.c-tran.com/about-c-tran/c-tran-board-information/board-of-directors>

*The Council Member appointed to this board will have a voting position*

### City/School Committee

*Meets the fourth Monday of each month*

The City/School Committee is meant to provide communication and networking between the district and city leadership teams, creating a mutually beneficial partnership, sharing information about events and initiatives, and identifying ways the two entities can assist each other.

<https://www.camas.wednet.edu/page/about-board-meetings>

*Representative Position*

### Columbia River Economic Development Council (CREDC)

*Meets the second Tuesday of the month – bi-monthly*

The Columbia River Economic Development Council (CREDC) is the official economic development organization for Clark County, uniting more than 150 public and private partners to support business recruitment, retention, and innovation—providing free, confidential services to help companies start, grow, or relocate in Southwest Washington while advancing regional economic vitality.

<https://credc.org/board-of-directors/>

*Mayor is appointed to this board*

### Camas-Washougal Chamber of Commerce

*Meets monthly at the Chamber Luncheon – usually on a Wednesday*

The Camas-Washougal Chamber of Commerce luncheon is a monthly networking and educational event—open to members and the public—where community leaders, businesses, and local officials gather over a mid-day meal to hear updates (like the “State of the Cities”), share insights, and foster regional connections.

<https://business.cwchamber.com/events/search>

*Representative Position*

## **Design Review Committee**

*Meets as needed*

Reviews and makes recommendations regarding development proposals as they relate to architecture, landscaping, and site design for compliance with City design guidelines and principles. Strong background in architecture, landscape design, and/or site design is highly desirable.

<https://www.cityofcamas.us/bc-drc/page/design-review-committee>

*Liaison Position*

## **Downtown Camas Association**

*Meets the last Wednesday of each month*

The Downtown Camas Association board provides volunteer leadership to guide efforts in strengthening and promoting historic Downtown Camas—overseeing partnerships, events, beautification, public art, economic development, and historic preservation year-round.

<https://downtowncamas.com/dca/board-members-and-advisors/>

*Representative Position*

## **East County Ambulance Advisory Board (ECAAB)**

*Meets quarterly*

The East County Ambulance Advisory Board advises elected officials and emergency service administrators on the region's ambulance service delivery—meeting regularly to review performance, monitor response protocols and equipment, consider community feedback, and recommend improvements to ensure safe and effective pre-hospital care.

<https://www.ecfr.us/>

*Representative Position*

## **Finance Committee**

*Meets the third Thursday of each month*

The Camas Finance Committee—a standing subcommittee of the City Council—reviews and recommends financial matters such as claim checks, automated clearinghouse transactions, and budget amendments to ensure fiscal oversight and transparency in Camas's governance.

<https://www.cityofcamas.us/finance>

*Representative Position*

## **GP Mill Clean-Up Advisory Committee**

*Meets every three months*

The GP Mill Cleanup Advisory Board in Camas (officially the Community Advisory Group) reviews technical cleanup materials, provides community outreach and feedback to the Department of Ecology and Georgia-Pacific, and helps ensure public input guides the investigation and remediation of contamination at the historic mill site.

<https://downtowncamas.com/camaswamillinfo/>

*Representative Position*

## **LEOFF Board**

*Meets quarterly or as needed*

Law Enforcement Officers and Firefighters (LEOFF) Disability Board adopts rules and regulations related to mandated benefits provided to law enforcement officers and firefighters hired under LEOFF I provisions.

<https://www.cityofcamas.us/bc-leoff>

*The Council Member(s) appointed to this board will have a voting position*

## **Library Board of Trustees**

*Meets the third Thursday of each month*

The Camas Public Library is managed by the City of Camas, by and with the consent of the Library Board of Trustees (Camas Municipal Code 2.44.010). The five trustees adopt bylaws and all policies, rules and regulations for the Library. The board of trustees of the Library has exclusive control of expenditures from monies appropriated for the Library (Camas Municipal Code 2.44.040).

<https://www.cityofcamas.us/bc-library-board>

*Representative Position*

## **Lodging Tax Advisory Committee**

*Meets annually in the Spring*

Review proposed changes to the lodging tax rate, tax exemptions, and use of the tax. Tax proceeds may be used for tourism promotion, acquiring and operating tourism-related facilities, and other services authorized by state law.

<https://www.cityofcamas.us/bc-ltac>

*The Council Member appointed to this board will have a voting position*

## **Parks & Recreation Commission**

*Meets the fourth Wednesday of each month per CMC 2.28.010*

Advises the City Council on matters related to parks, recreation and open space within the City of Camas.

<https://www.cityofcamas.us/bc-parks-rec-commission>

*Liaison Position*

## Planning Commission

*Meets the third Tuesday of each month per CMC 2.32.060*

An independent review body of local citizens that provides recommendations to the City Council as to best methods of conservation utilization, planning and development within the city. The Commission conducts public hearings as part of their decision-making process and considers input from the public. The Commission also provides informal and advisory review via public workshops on a variety of studies, analyses, reports and plans related to land use matters.

<https://www.cityofcamas.us/bc-pc>

*Liaison Position*

## Port of Camas-Washougal

*Meets the first and third Wednesday of each month*

The Port of Camas-Washougal Board of Commissioners is a three-member elected policy body that meets twice monthly to set strategic direction, adopt budgets, oversee port-owned assets—such as the marina, airport, industrial park, and waterfront.

<https://portcw.com/commission/#calendar-1>

*Liaison Position*

## Regional Transportation Council (RTC)

*Meets the first Tuesday of each month*

The Southwest Washington Regional Transportation Council (RTC) is the federally and state-designated metropolitan/regional transportation planning organization for Clark, Skamania, and Klickitat counties, coordinating long-range planning, project prioritization, and funding allocation to improve mobility, safety, and air quality across the bi-state metropolitan area.

<https://rtc.wa.gov/agency/board/>

*The Council Member appointed to this board will have a voting position. This is a shared seat with the City of Washougal and alternates every year.*



## **CAMAS CITY COUNCIL PROFESSIONAL CODE OF CONDUCT**

The Camas community is entitled to a fair, ethical and accountable local government. The general public should have full confidence that their elected and appointed officials:

- Are good stewards of the public’s trust and committed to serving in the best interest of the Camas community;
- Comply with both the letter and spirit of the laws and policies affecting the operations of city government;
- Are independent, impartial and fair in their judgment and actions;
- Use their public office for the public good, not for personal gain; and
- Conduct public deliberations and processes openly, unless required by law to be confidential, in an atmosphere of respect and civility.

This document represents the Professional Code of Conduct for City Councilors. It describes core values: the traits and qualities that represent our highest priorities. These values are the fundamental forces that define our behavior. The Council has previously adopted by Resolution 20-003 a Code of Ethics policy which largely mirrors the state law requirements as well as a Resolution 23-008 which adopted a Civility and Belonging Agreement. Both Resolutions shall continue in full force and effect. The purpose of the Code of Conduct as set forth herein is to provide additional guiding principles as well as provide for certain measures to be utilized for enforcement as necessary.

As Councilors for the City of Camas, we are committed to these core values:

### **UNDERSTANDING THE COUNCIL ROLE**

I understand that my role is to serve as policy maker – to represent the values, beliefs, and priorities of the Camas community while serving in the community’s best interest. My responsibilities include developing and adopting a vision and goals for the city, and aligning plans, policies, agreements and budgets in furtherance of this vision.

I understand that the Mayor is responsible for undertaking and accomplishing the policy objectives of the council and for the day-to-day operations of the city. I will recognize that the Mayor and their staff have subject matter expertise, and utilize their knowledge and experience to guide and inform decision-making. I will strive to be informed about the issues facing the city and be prepared to ask questions of staff and colleagues. To that end, I will endeavor to engage with staff during Council meetings in a respectful manner and, to the extent possible, provide advance notice to staff of anticipated questions to be raised during any meeting.

### **STEWARDSHIP AND PUBLIC TRUST**

I understand that public trust is the cornerstone of a healthy city government and that a public office is a public trust. When elected, I was entrusted with public power by the people to be used only for their benefit and never for personal benefit. I further understand that public trust is not fixed, it can be improved or damaged and that stewardship of the public interest must be my primary concern. I will act to promote the public good and protect the public trust with: *humanity* by demonstrating

empathy and true care for the wants and needs of the Camas community, *transparency* by openly sharing information and inviting public engagement, *capability* by creating high-quality short and long-term plans, and *reliability* by delivery on promises – all the time - with competence and good intent.

- Making the Public feel welcome is an important part of the democratic process.
- In Meetings, Members should be welcoming to speakers and should address them with respect.  
Members should not debate or engage in argument with Public Commenters.
- If needed, Members may ask the presider for a point of order.
- Questions by Members to the Public and Staff should seek to clarify or expand information, never to appear to challenge or belittle; and never engage in personal attacks of any kind, under any circumstances.

## INTEGRITY

I will strive for integrity in the broadest sense to guide my actions in all decisions and relationships, including those with constituents, employees and other Councilors. I will demonstrate sound moral and ethical principles on a daily basis. I will tell the full truth, keep promises, and will avoid misrepresenting facts..

To that end:

- Except as required by law, I will not disclose or use privileged, confidential or propriety information obtained in executive session or otherwise in the course of duties.
- I will refrain from creating an appearance of impropriety in my actions and decisions. I will not use my official position to influence council decisions in which I have a material financial interest, an organizational responsibility or personal relationship which may give the appearance of a conflict of interest, or a strong personal bias.
- I will not use my political position to advance private interests.
- I will not use my position or City resources for personal, family, or financial gain.
- I will ensure that the public interest comes first, and that I do not advance my personal interests at the expense of the public.
- I will respect the will of the majority on Council decisions.

## PROFESSIONALISM AND RESPECT

Members should refrain from publicly criticizing a Staff individual and concerns about the performance of the individual should not be directly voiced in public or to the individual directly. Comments about Staff performance are to be directed to the Administrator and kept private and vice versa.

## **ACCOUNTABILITY AND RESPONSIBILITY**

Personal accountability is the basis of my commitment to the community. I will strive to meet or exceed expectations; accept responsibility for my behavior and disclose the results in a transparent manner. I will have the courage to admit mistakes and the limitations of my knowledge and to take responsibility to find solutions.

Members should keep in mind any communication is treated as public communication. Be mindful in conversations to clarify when Members are stating their own opinions, versus when it is the opinion of Council as a whole.

## **EFFECTIVE MEETINGS**

Effective open public meetings are central to democratic-republic decision-making. I will prepare in advance to assure meetings are organized, questions and discussions are focused, and good decisions can be made. I will adhere to meeting protocols and processes. I will honor the public's participation and use public meetings for information sharing and decision-making. I will be respectful of other Councilors, the public and everyone's time.

It is the responsibility of the Presider to keep the comments of the Members germane during all Meetings. Members will honor the efforts of the Presider to focus discussions on current items. If there is a disagreement about the agenda or the Presider's actions, those objections should be voiced politely and with reason, following a procedure consistent with parliamentary process.

## **VIOLATIONS**

Any Councilmember who has information that a Councilmember may have violated the Code of Conduct shall provide that information in writing to the City Council and the Mayor. Complaints should be of such substance as to justify the opening of the proceedings as provided and not be used for the purpose of harassment or to unjustifiably delay Council consideration of City matters. The written complaint must be based substantially upon the personal knowledge of the complainant and signed by the person filing the complaint. No action will be taken on any complaint which is filed later than 30 days after knowledge of violation of the Code of Conduct is alleged to have occurred.

Upon receipt of the complaint, the Mayor shall provide it to the City Attorney. The City Attorney shall promptly review the information, and in writing determine whether the complaint, on its face, alleges facts that, if true, would substantiate a violation of the Code of Conduct, and provide information to Council within 30 days. The City Attorney may advise referral to an outside agency or legal counsel for such determination in their discretion, resulting in the 30 day timeline not being met. The City Attorney will then present this issue to the Council for an extension. If such a determination is made, then the Mayor and City Attorney or other agency/counsel shall jointly gather all information necessary for the City Council to determine whether a violation has occurred.

Within 30 days of receipt of the information from the Mayor, Council will determine, by majority vote, whether a violation has occurred. The accused member of City Council does not vote on any

matter involving that member. Deliberation by the Council may be in executive session; however, upon request of the person complained against, the meeting shall be open to the public.

In the event that the City Council members agree that one or more violations occurred, the City Council will determine, by majority vote whether any of the following actions, taking into account the seriousness of the offense and/or the degree to which the offense has caused the City or Council to be held in disrepute, should be taken to assure that the violation does not recur. Please note the following sanctions should be prepared in conjunction with the City Attorney.

(i) Admonition. An admonition shall be a verbal nonpublic statement made to the individual by the Mayor Pro Tem as the ranking member of the Council with the City Attorney in attendance.

(ii) Reprimand. A reprimand shall be administered to the individual by letter. The letter shall be approved and signed by the City Council. The action of the City Council shall be final and not subject to further review.

(iii) Censure. A censure is a measure governed by Robert's Rules of Order and shall be a written statement administered personally to the individual as follows:

- Council will provide notice of at least 20 days for the individual to appear at a specific time and place to receive the censure. The notice shall include a copy of the proposed censure.
- Within five days of receipt of the notice, the individual may file a request for review of the content of the censure and request revisions. The City Council shall review the proposed censure and determine whether or not any revisions should be made. The action of the City Council shall be final and not subject to further review. If no such request is received, the censure shall be administered at the time and place set.
- The censure shall be given publicly, and the individual shall not make a statement for any reason. A censure shall be deemed administered at the time it is scheduled whether or not the individual appears.