

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

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

Staff: City Administrator Lisa Parks, City Attorney Karen Kirkpatrick, Finance Director Troy Niemeyer, Police Chief Jon Weiks, Police Commander Jay Mason, Assistant Fire Chief Shawn Crimmins, Police Lieutenant Carlos Quiles, Police Management Analyst Dr. Oliver Bowers, and Police Administrative Supervisor Laura Wohl.

**APPROVAL OF  
MINUTES:**

**APRIL 9, 2024:**

**MOTION:** **Councilmember Dahlhoff moved, seconded by Councilmember Von Holtz, to approve the minutes of April 9, 2024 as published. A voice vote approved the motion unanimously.**

**R2024-008 SURPLUS  
CANINE JAMES:** Police Chief Weiks reported the proposed resolution would surplus Canine James. Canine James has served the City of Tumwater for approximately nine years. He and his handler, Police Officer Mize, are scheduled to retire in June. Canine James has been cared by Officer Mize and the department believes it is in the best interest of the City, given the specialized training of Canine James, that it would be appropriate for Officer Mize to retain ownership of Canine James by purchasing him from the City.

The mechanism is through the City's surplus property process similar to the 2016 action for Canine Otis, declaring Canine James as surplus property enabling Office Mize the opportunity to purchase Canine James from the City.

The committee is asked to recommend placing the resolution on the consent calendar for approval by the City Council.

Councilmember Dahlhoff said the process of surplus Canine James is somewhat bizarre given the service the dog has provided to the City. She commented on the department's transition planning to ensure an overlap of another canine dog and handler to replace Officer Mize and Canine James. She complimented the department for its transitional planning.

Councilmember Von Holtz asked about the possibility of a celebration for Officer Mize. Police Chief Weiks advised of the department's planned celebration for Officer Mize. The Police Guild has also scheduled a separate celebration for Officer Mize.

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**MOTION:** Councilmember Dahlhoff moved, seconded by Councilmember Von Holtz, to forward Resolution R2024-008 Surplus Canine James, to the City Council for approval on the consent calendar. A voice vote approved the motion unanimously.

**2023 POLICE USE OF FORCE UPDATE:** Police Chief Weiks said the annual update is provided each May. This year, as part of the Department's succession planning and training, the briefing will be presented by Lieutenant Carlos Quiles.

Lieutenant Quiles reported the information is only indicative or representative of the City of Tumwater and not of local jurisdictions.

Other than for the experience of 22 years as a police officer, Lieutenant Quiles shared information on the amount of training he has completed in the use of force totaling over 250 hours. He is also directly involved in all training for the department.

The Tumwater Police Department's use of force philosophy begins with training. Force is any act reasonably likely to cause physical pain or any other act exerted upon a person's body to compel control, constrain, or restrain a person's movement. Physical force is not included during a pat down or during incidental touching, verbal commands, or compliant handcuffing when there is no physical pain or injury according to the Tumwater Police Department Policy Manual and in adherence with the Attorney General's model use of force policy.

Force is used in different scenarios, such as protecting against criminal offenses, making an arrest, preventing someone from escaping, preventing someone from fleeing a lawful temporary detention, court orders from a judge, or taking a person into custody who may be in crisis and needs medical treatment. The main four areas the department encounters in the use of force include protection against criminal offenses, making arrests, stopping people from fleeing temporarily in investigative detentions, and to protect others and police officers from eminent threat of bodily injury.

The degree of force is determined by patrol tactics of five overarching principles:

1. Officers must understand their respective legal authority
2. Officers must understand how to communicate
3. Officers must understand how to properly categorize and manage threats
4. Position and movement
5. Utilizing available tools and resources to safely resolve situations

Lieutenant Quiles described examples of how the five principles are applied in the field. When responding to a call, officers must consider the problem/situation, whether the officer has the available time to address the

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situation, and if so, the officer must slow down and set the conditions for success. In self-initiated activities, officers are required to consider “why here and why now.” All Tumwater police officers adhere to the principles, which is why the department’s use of force incidents is low.

Use of force data incidents involve automatic notice to the supervisor (Patrol Sergeant) who fills out a notification form that is forwarded to Lieutenant Quiles and Lieutenant Driver (Patrol Lieutenants) for review and forwarding to Police Commander Jay Mason for command review. The process includes three levels of review for all use of force incidents.

Use of force incidents are categorized by utilizing a force analysis software system completed by a vendor to analyze and issue a report on each incident to enable the department to review data annually for comparative analysis and training purposes.

In 2023, the department experienced 25 incidents of use of force. Lieutenant Quiles displayed a graphic representing ten years of data of use of force incidents. In 2023, the department experienced 10 more use of force incidents than in 2022. During 2021, the department experienced only 13 incidents of use of force primarily because of the COVID pandemic and recent changes in law restricting actions by officers in 2021 and 2022.

Lieutenant Quiles reported incidents in 2023 were categorized as low levels of force. He noted the importance of context, as the 25 incidents were from 27,000 police contacts in 2023. Police officers were dispatched to 76% of the use of force incidents rather than initiating the call. Twenty percent of the incidents involved assistance to other agencies and four percent were the result of the officer proactively responding. Most use of force incidents occurred between the hours 4 p.m. to midnight.

Of the 25 use of force incidents, 40% involved property crimes or trespassing and 32% were disturbances or suspicious circumstances equating to 72% of all use of force incidents in 2023. Males were involved in 14 of the incidents and eight incidents involved females. The remaining incidents did not include identification of gender. Seventeen of the incidents involved Caucasians, three incidents involved African Americans, one case involved a Hispanic, one incident involved a person of Asian descent, and the other incidents were not categorized because the subjects did not identify their respective race or they identified with multiple races. A majority of the subjects were between the ages of 30 and 49 years.

Lieutenant Quiles reviewed data on the number of officers present and officers using force. In 92% of the incident calls, more than two officers were present. Typically, more officers on a scene reduce the need to use higher levels of force as people tend to be more compliant when more

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officers are present. Approximately 76% of force incidents involved physical force of officers grabbing or wrestling with a suspect to place them into custody. Speed of force data reflects that the longer duration of a situation results in the use of force. Longer situations typically result in an officer using force because de-escalation requires participation by the suspect and willingness to accept the process. In most cases, the suspect is not willing to participate or accept a resolution.

Of all use of force incidents in 2023, only 24% involved community members in the City of Tumwater, 28% of the incidents involved suspects who lived in the City of Olympia, and the remaining suspects lived in other areas.

Lieutenant Quiles invited questions from the committee.

Police Chief Weiks added that the use of force review pertained only to low-level uses of force. The department also has implemented an internal use of force review board for any level 2 (striking or higher use of force) incidents.

Councilmember Dahlhoff asked whether the number of incidents involving suspects living outside of Thurston County link with the ability to easily access the City from I-5.

Dr. Bowers replied that different factors apply with the first involving distance to crime in terms of the ways in which people leave their own living space to commit specific types of crimes. Certain types of theft and property crimes are often committed by suspects who live in other areas. Because Tumwater is located along the I-5 corridor because of the City's retail corridor, many enticing opportunities exist attracting crime from individuals living in counties located north and south of Thurston County. Although not possible to stop individuals from entering the City, the department collaborates regionally and works with other counties to share intelligence and monitoring of typical targets and offenders. The department is working with other agencies to develop a City of Tumwater retail theft organization to work with local retailers because retail crime has become an issue because of the ease of access from I-5. One major issue surrounds individuals traveling to Tumwater with the intent to commit crime. Gang affiliates and gang-related crimes in recent years were committed by gang members who lived outside Thurston County.

Chair Agabi inquired as to the number of use of force incidents in 2023 that resulted in bodily harm to either the officer or the subject. Lieutenant Quiles reported two officers were injured last year with one requiring surgery. He offered to follow up with additional information.

Police Chief Weiks noted that one use of force incident included canine contact with a felony assault suspect with a firearm who had fled from

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officers. The suspect was tracked along I-5 into a forested area whereby Canine James alerted to the presence of the suspect. Multiple warnings were conveyed to the suspect who refused to surrender with Canine James eventually entering the brush and engaging with the suspect until officers could locate the suspect and remove Canine James.

Lieutenant Quiles reported data reveals that eight subjects were injured in 2023 experiencing mostly scrapes and/or bruises.

Councilmember Von Holtz asked whether the level of police calls of 27,000 in 2023 is typical for the City's population. Lieutenant Quiles noted that the population in the City during the day increases substantially because of the number of state office buildings with many services provided to the public during the day.

Chair Agabi noted that many state offices are empty with employees working from home. He asked whether that factor has led to a reduction in traffic in the City compared to 2023. Lieutenant Quiles responded that many state agencies are staffed with many offices serving the public as well.

Councilmember Dahlhoff asked about the correlation between the increase in homelessness and legal authority by the police to approach homeless individuals. Police Chief Weiks said that any incident or issue occurring in the City requires an officer to consider and establish legal authority. The proposed parks ordinance that generated issues involves the need to establish a clear legal authority when responding to areas of encampments or individuals experiencing homelessness.

Councilmember Dahlhoff cited an email she received and forwarded to the Chief about an attack experienced by a middle school student during school hours. She asked whether the department's data on use of force includes incidents occurring at schools. Police Chief Weiks advised that a fight involving two students is not considered a use of force incident by the department. The department is often contacted when those types of incidents occur. Often, the School Resource Officer is contacted and addresses the incident.

**ADDITIONAL  
ITEMS:**

Councilmember Dahlhoff cited her email to Chief Weiks regarding an incident during a recent walk by community member Aaron Jones. She asked about the process for discussions and sharing of information with the committee. Police Chief Weiks explained that messages whether from a Councilmember or an officer are to ensure all community members report any incidents. One of the most important messages is to ensure community members know that perhaps the lack of information should be reported because together with other information it can make a difference. All information represents pieces of a puzzle and information provided by one person can make a difference to a case. It is important the community

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including the Council provides information to the Police Department to enable the department to track and investigate patterns to complete the puzzle.

Councilmember Von Holtz said the racial slurs Aaron Jones encountered during her walk through the City resonates with her being as a woman of color because individuals encountering that type of behavior have been taught not to initiate and walk away. She asked whether the department would be receptive to receiving a call or an email about those types of circumstances as many people in the community often believe contact with the police would be a waste of the department's time. Police Chief Weiks affirmed the need for the department to be informed of those incidents regardless if the action did not result in a criminal offense because the information could reflect a pattern that might rise to the level of criminal activity.

Chair Agabi spoke to a recent email from a community member about the recent incident in his capacity as a member of the Public Health and Safety Committee. He spoke to the individual asking him about other reporting he initiated because of the incident. The individual shared that he contacted the Mayor, who forwarded his phone call to Police Chief Weiks. Based on reporting by him and other witnesses at the scene, the offending individual has a habit and pattern of offensive behavior. His concern is the possibility of individuals harassing people based on the color of their skin or their appearance. It is important to move past that type of behavior in 2024. The individual should be informed that his behavior in 2024 is not allowed either in the City or in America. Police Chief Weiks said the department is pursuing efforts to address the situation.

**ADJOURNMENT:**      **With there being no further business, Chair Agabi adjourned the meeting at 9:49 a.m.**

Prepared by Valerie L. Gow, Recording Secretary/President  
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