



Meeting Agenda

Community Livability and Public Safety Committee

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8499

Wednesday, April 27, 2022

5:30 PM

Online and Via Phone

Register to attend:

https://us02web.zoom.us/webinar/register/WN_BWlwMpM7S5Gqvy7BIE9y7w

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **APPROVAL OF AGENDA**

4. **PUBLIC COMMENT**

(Estimated Time: 0-15 Minutes)

During this portion of the meeting, community members may address the Committee for up to two (2) minutes regarding the Committee's business meeting topics.

5. **APPROVAL OF MINUTES**

- 5.A [22-0425](#) Approval of March 23, 2022 Community Livability and Public Safety Committee Meeting Minutes

Attachments: [Minutes](#)

6. **COMMITTEE BUSINESS**

- 6.A [22-0399](#) Recommendations for the 2022 Olympia Heritage Award Nominations

Attachments: [2022 Nomination - Angelus Hotel](#)
[2022 Nomination - Eastside Club](#)
[2022 Nomination - Howard Point Naming Project](#)
[2022 Nomination - Jack's Shoes](#)
[2022 Nomination KGY Media Group](#)

- 6.B [22-0403](#) 2020 Demonstration and Crowd Control Review

Attachments: [2020 Demonstration Review Report](#)

- 6.C [22-0402](#) Olympia Police Department's Complaint Form, Policies and Procedures

Attachments: [Link to OPD Complaint Form](#)

- 6.D [22-0401](#) Recommendation for the Olympia Police Department to Acquire and Implement Body Worn Cameras and In-Car Video Systems

Attachments: [Link to RCW Chapter 10.122](#)

7. REPORTS AND UPDATES

8. ADJOURNMENT

The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the City Council Committee meeting, please contact the Council's Executive Assistant at 360.753.8244 at least 48 hours in advance of the meeting. For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1.800.833.6384.



City Hall
601 4th Avenue E.
Olympia, WA 98501
360-753-8244

Community Livability and Public Safety Committee

Approval of March 23, 2022 Community Livability and Public Safety Committee Meeting Minutes

Agenda Date: 4/27/2022
Agenda Item Number: 5.A
File Number:22-0425

Type: minutes **Version:** 1 **Status:** In Committee

Title

Approval of March 23, 2022 Community Livability and Public Safety Committee Meeting Minutes



Meeting Minutes - Draft

Community Livability and Public Safety Committee

City Hall
601 4th Avenue E
Olympia, WA 98501
Information: 360.753.8499

Wednesday, March 23, 2022

5:30 PM

Online and Via Phone

Register to Attend:

https://us02web.zoom.us/webinar/register/WN_o6lOpoqiSOONbY8yf-R7dQ

1. **CALL TO ORDER**

The meeting was called to order at 5:30 p.m.

2. **ROLL CALL**

Present: 3 - Chair Dontae Payne, Committee member Yén Huỳnh and Committee member Cheryl Selby

3. **APPROVAL OF AGENDA**

The agenda was approved.

4. **PUBLIC COMMENT**

No one spoke.

5. **APPROVAL OF MINUTES**

- 5.A [22-0294](#) Approval of February 23, 2022 Community Livability and Public Safety Committee Meeting Minutes

The minutes were approved.

6. **COMMITTEE BUSINESS**

- 6.A [22-0295](#) Meeting with Advisory Committee/Commission Chairs

The Committee met with the Chairs and Liaisons of the City's Advisory Committees. After introductions, the group discussed work plans, the function of Council liaisons to each committee, highlights of work for each committee, and feedback on the Advisory Committee application review process.

Clarifying questions were asked throughout the discussion.

The discussion was completed.

7. **REPORTS AND UPDATES**

Strategic Communications Director Kellie Purce Braseth gave an overview of the upcoming vacancies and recruitment calendar for the Boards & Commissions. The Committee discussed recommending to Council to reappoint those boards and commissions terms at a future City Council Meeting.

Parks and Recreation Committee (PRAC) Chair Maria Ruth, and Ms. Purce Braseth discussed the vacant committee seat on PRAC.

The committee members asked clarifying questions.

8. ADJOURNMENT

The meeting adjourned at 7:50 p.m.



Community Livability and Public Safety Committee

Recommendations for the 2022 Olympia Heritage Award Nominations

Agenda Date: 4/27/2022
Agenda Item Number: 6.A
File Number:22-0399

Type: decision **Version:** 1 **Status:** In Committee

Title

Recommendations for the 2022 Olympia Heritage Award Nominations

Recommended Action

Committee Recommendation:

Move to recommend the Heritage Commission nominations for 2022 Heritage Awards to full City Council for consideration.

City Manager Recommendation:

Move to recommend the Heritage Commission nominations for 2022 Heritage Awards to full City Council for consideration.

Report Issue:

Whether to recommend the Heritage Commission's proposed Heritage Award nominations for City Council consideration.

Staff Contact:

Marygrace Goddu, Historic Preservation Officer, Community, Planning & Development, 360.480.0923

Presenter(s):

Holly Davies, Heritage Commission Chair

Background and Analysis:

Each year the Heritage Commission seeks to recognize individuals and organizations who make important contributions to historic preservation in Olympia. The emphasis has traditionally been on brick-and-mortar preservation, research, and interpretive projects. Last year however, consistent with a desire to recognize a greater diversity of achievement, the Commission brought forward nominations recognizing other ways that local heritage is meaningfully shared, including a local playwright and a documentary film producer among our nominees.

This year the Commission continues the effort to recognize a broad range of heritage resources that shape our community character and identity, while continuing to also highlight excellence in traditional preservation architectural heritage. History does not always come packaged in

architecturally significant structures, and the commission aims to showcase a more inclusive narrative of local heritage.

In that spirit, the nominees for 2022 include three very different small businesses that have stood the test of time to become local landmarks in our community, who the commission proposes to recognize as Olympia Legacy Businesses.

According to American Planning Association, “The definition of “legacy business” varies from locality to locality, but in general the term applies to longstanding, independent enterprises that make a strong contribution to community character. Legacy businesses are cultural anchors, repositories of community traditions and stories. They are run by what the City of North Miami calls “serial entrepreneurs,” often providing a foothold and place to prosper for immigrants to the United States.” (*American Planning Association 2022, PAS Memo #109*)

The following nominations for 2022 have been selected and are recommended to the CLPS Committee for endorsement to the full City Council. The full text of the nominations, prepared by Heritage Commissioners, are attached.

- **Excellence in Rehabilitation - The Angelus Hotel**
For exemplary rehabilitation of the historic Angelus Hotel, completing exterior preservation and interior improvements to re-establish safe, functional and attractive living and commercial spaces in the Downtown Olympia National Historic District.
- **Historic Preservation - Howard Point Place Name Project**
In appreciation for restoration of Howard Point to official State maps.
- **Olympia Legacy Business - Jack’s Shoe Repair and Alteration**
In recognition for continuous service to the Olympia community for more than seventy-seven years.
- **Olympia Legacy Business - The Eastside Club Tavern**
Recognizing 80 years as a family run and operated business serving the Olympia community.
- **Olympia Legacy Business - KGY Radio**
Applauding 100 years of marking memories through music and connecting listeners to the Olympia community.

Neighborhood/Community Interests (if known):

Options:

1. Move to recommend the Heritage Commission nominations for 2022 Heritage Awards to full City Council for consideration.
2. Modify the list of proposed awardees and recommend to City Council for consideration.
3. Do not move to recommend the Heritage Commission nominations for 2022 Heritage Awards to full City Council for consideration, resulting in deferral or delay of 2022 Heritage Awards.

Financial Impact:

Minimal cost to create award certificates and awards are funded by the Community Planning and Development administrative budget.

Attachments:

2022 Nomination - Angelus Hotel

2022 Nomination - Eastside Club

2022 Nomination - Howard Point Naming Project

2022 Nomination - Jack's Shoes

2022 Nomination KGY Media Group



Olympia's

Preservation Award supports the Heritage Commission's goal of recognizing excellence in the rehabilitation of historic objects, buildings, structures, sites and districts, as well as new construction in historic areas (OMC 18.12.055).

PERSON MAKING NOMINATION:

Name	Contact Details	Date of Nomination
Olympia Heritage Commission	mgoddu@ci.olympia.wa.us (360)753-8031	May 2022

NOMINATION TYPE:

- Person Project Other:
 Organization Building

CATEGORY OF NOMINATION:

- Preservation Education Other:
 New Construction Scholarship

NOMINEE:

Name	Address	Phone/Email
TAJ 2 LLC		

SIGNIFICANCE OF NOMINATION:

Brief summary of the significance of the person, organization, project or building. This text will be used by the City of Olympia in preparing and presenting the award at the City Council meeting. Attach additional pages as needed.

The Angelus Hotel was built circa 1900 as a hotel significantly different from what it looks like today, with a stepped parapet false façade on the east side of the building, and a total of two stories. It has retained its character since the 1919 renovation, containing a total of three stories now, more rectangular in form and storefronts along the first floor facing south along 4th avenue. It is listed on the local register and located within the national downtown historic district of Olympia. It has and still is contributing to the downtown’s character and vibrant corridor by housing many businesses on the first floor. It housed multiple businesses in the past starting with the M.E George Grocery Store and a hay, grain, and feed store when it was first built. Over time it housed several more businesses such as the rainbow café, a saloon, meat market, shoe repair shop, restaurants, and a barber shop. Now it houses businesses along 4th avenue such as the Cascadia Grill, Juju’s, and many more. Since it’s 1919 renovation it has always been in use as residential units on the upper floors, with small commercial spaces on the first floor.

The Owners who recently purchased this building renovated it around 2019-2020 and were determined about retaining the exterior and interior character and craftsmanship of the building by preserving as much as possible. The exterior façade was primarily preserved and cleaned, with little to no alteration or removal of materials. On the exterior the existing siding was cleaned and repainted, repainted the prominent cornice, cleaned and repainted storefront windows on the first level, preserved the mural on the east side, failed aluminum windows were replaced with vinyl windows and were matched in color and size to reflect the original. The owner noted one original window was repaired and preserved on the north side of the building. Tile flooring at the main exterior entrance with the name angelus has been preserved. Contemporary sign brackets were removed and replaced with more compatible ones that match the character of the building. Lighting fixtures were removed and replaced with fixtures resembling the ones in a 1936 photograph of the Angelus Hotel. Significant interior improvements have been done as well, improving the living conditions of residential units by upgrading finishes, mechanical and plumbing fixtures. A new fire alarm system was installed too, improving the safety of occupants. Alterations in the main corridor were made such as rebuilding the subfloor to level out the floor. The main stairway was altered to also correct settling but owners made sure to have the original railings and wainscotting reinstalled afterwards. Both stairs within the building were cleaned and repainted. Original paneled wood doors to unit entries were retained and repainted. Carpet has been replaced in the corridor. And overall, the interior trim of windows was repaired and repainted. Within the units flooring was removed and leveled, walls were repaired and repainted, ceiling was repaired and repainted, casework has been removed and replaced with new, some built in casework was preserved. Some more significant space improvements were done to convert offices and shallow studios with shared bathrooms to more functional sized apartment units that have their own individual bathroom. While this meant relocating and adding doors in certain parts of the corridor, the owner and contractor insured the character of the hallway reflected the original by matching the wainscotting and door casing.

Significant improvement to the Angelus Hotel has been made to both the interior and exterior for better living conditions and businesses, while still preserving the character of the building. After review with the Heritage Commission and analysis of improvements, we agreed that it has met the secretary of interior standards to qualify for the Special Tax Valuation. We agreed that as much as possible was preserved and repaired, and items were only removed that were not a reflection of its significant period or beyond the ability of being repaired. We would like to offer a heritage award to this significant building housed in our vibrant 4th avenue corridor, that has stood its time for over a hundred years.

X I have attached information to support my nomination, including documents, images, & other recognitions.

For a project

nomination, I have included “before” and “after” photos.

ADDITIONAL INFORMATION – PROVIDE AS APPLICABLE

PROPERTY OWNER FOR BUILDING/PROJECT BEING NOMINATED (if different from above):

Name	Address	Phone/Email

ARCHITECT / CONSULTANT FOR PROJECT BEING NOMINATED (if different from above):

Name	Address	Phone/Email
General Contractor Investor Services LLC	120 State Ave NE #1408, Olympia, WA 98501	(360)753-8031

BUILDING DETAILS:

Address	Historical Name
204 4 th Avenue West, Olympia Washington, 98501	Angelus Hotel
Year Built	Year Rehabilitated
Circa 1900	1919 2019-2020 (? Date on Permit Documents)
Original/Early Owner	Original Architect/Builder

Geroge White and many other unlisted owners	George White
Original Use	Current Use
1900-1920: hay, grain, feed store with a grocery store at the corner, 1920-Present: Hotel, retail shops on the first floor, residential units on the upper floor	Retail shops on the first floor along 4 th AVE Residential units on the upper two stories
Heritage Designation Status	Other Information
Listed on the local register Located in the Olympia National Downtown Historic District	

Attach additional pages as needed

Please email completed form and attachments to Marygrace Goddu at: mgoddu@ci.olympia.wa.us

Established in 1942 The Eastside Club Tavern has been more than just a local watering hole, but an Olympian community staple for decades. The Eastside Club Tavern has been a part of Olympia's important beer industry, Evergreen College culture, and music scene. This tavern is one of many local businesses that have helped form what Olympia is throughout the years, and deserves to be recognized as an integral part of our community.

Babe and Agnes Haumann purchased the club in 1942. The couple would also run a flower shop next door, but the tavern was always the primary business. Agnes, while not being allowed to initially drink beer with the men at the tavern ran the business side of operations while husband Babe bartended and was the face of the company. Both stayed active with running the tavern for their entire lives. Babe passing away in 1981, and Agnes in 2009. The business has stayed within the family and continues the legacy that Babe and Agnes left behind.

When the Eastside Club Tavern first opened, it was common practice to not serve hard alcohol. Throughout the years, many taverns in the area began adding hard spirits to their offerings, but the Eastside stuck true to their roots and passion, beer. As such they were the first bar in the area offering a wide variety and introducing the community to smaller brewers, and a wide variety of beer types. While Olympia Beer had a large impact on Olympia's early formation and history, the Eastside continued the tradition and helped foster the large microbrew industry our community enjoys today.

In 1959 4th Avenue of Olympia experienced a devastating and dramatic event when a train derailed and crashed into a group of businesses. The Eastside Club Tavern was one of the businesses struck, and was miraculously able to make a recovery after a short closure.

Throughout the decades the Eastside has become a stomping ground for local legislators and Evergreen College students alike. Famous Evergreen Alum Matt Groening (The Simpsons) was a frequent visitor during his time in Olympia, and during one of his more recent returns he gifted the bar a coaster drawing of his appreciation of the club.

Taverns are a place for community members to gather. Ideas are shared, as are experiences. The Eastside Club Tavern has hosted countless performers, musical and otherwise, that have made an impact on the local creative scene and beyond. Such acts as Frank Black and the Catholics (Frank Black would later be a part of The Pixies), Dead Moon, The Dirty Birds, Hill Stomp, CAverage and many more. Recently they have hosted comedy shows by up and coming comedian Sam Miller who is beginning to gain national attention for his brutally honest standup about addiction and houselessness.

The Eastside Club and Tavern has helped to form Olympia over the past 80 years of being a family run and operated business. Institutions such as these deserve to be recognized as a building block of our community. The impacts this tavern has had in Olympia is unfathomable to calculate, but one thing is for sure is Olympia would not be the same today without their 80 years of serving our community.

recognition as an official place name. The Howard Point Place Name Project was formed and sought to correct this omission, restoring the Howards' name to the landscape and to honor their importance in Olympia's early history

Local and regional historians have long acknowledged the contributions of the Alexander and Rebecca Howard family as prominent citizens of early Olympia. The Howards operated the Pacific House Hotel on what is now Capitol Way from the late 1850s to the 1870s, renowned for its service and hospitality. Rebecca Howard managed the hotel and kitchen, making a reputation for herself as a savvy businesswoman, a fine hostess and avid community booster. In 1864 the Howards purchased the north half the Calvin H Hale Donation Claim on Olympia's east side and established a fine farm on what became known locally as Howard Point. The Howards also speculated in land, acquiring properties in and around Olympia. In the 1870s, when Olympia vied to become the Northern Pacific Railroad terminus on Puget Sound, the Howards offered to donate part of their land to support the cause.

After the Howards' deaths in the late 1800s, the land was sold and divided. As the area grew, residents used the name, "Howard Point", as a landmark to guide people to the neighborhood and developers featured it on maps. Since that time filling and road construction have made the feature less prominent, and the name was not made official. The work of the Project members corrected that. Project members include, but are not limited to, Dr. Thelma Jackson, Shanna Stevenson, Dr. Terrall H. Bryan (descendant of the Howard Family) and Ed Echtle.

× *I have attached information to support my nomination, including documents, images, & other recognitions.*

For a project nomination, I have included "before" and "after" photos.

ADDITIONAL INFORMATION – PROVIDE AS APPLICABLE

PROPERTY OWNER FOR BUILDING/PROJECT BEING NOMINATED (if different from above):

Name	Address	Phone/Email

ARCHITECT / CONSULTANT FOR PROJECT BEING NOMINATED (if different from above):

Name	Address	Phone/Email

BUILDING DETAILS:

Address	Historical Name
Year Built	Year Rehabilitated
Original/Early Owner	Original Architect/Builder
Original Use	Current Use
Heritage Designation Status	Other Information

Attach additional pages as needed

Please email completed form and attachments to Marygrace Goddu at: mgoddu@ci.olympia.wa.us



2022 Olympia Preservation Award Nomination

Olympia's Preservation Award supports the Heritage Commission's goal of recognizing excellence in the rehabilitation of historic objects, buildings, structures, sites and districts, as well as new construction in historic areas (OMC 18.12.055).

PERSON MAKING NOMINATION:

Name	Contact Details	Date of Nomination
Ken House	253-227-3610 kennethjhouse@gmail.com	3/19/2022

NOMINATION TYPE:

- Person Project Other:
 Organization Building

CATEGORY OF NOMINATION:

- Preservation Education Other: Legacy Business
 New Construction Scholarship

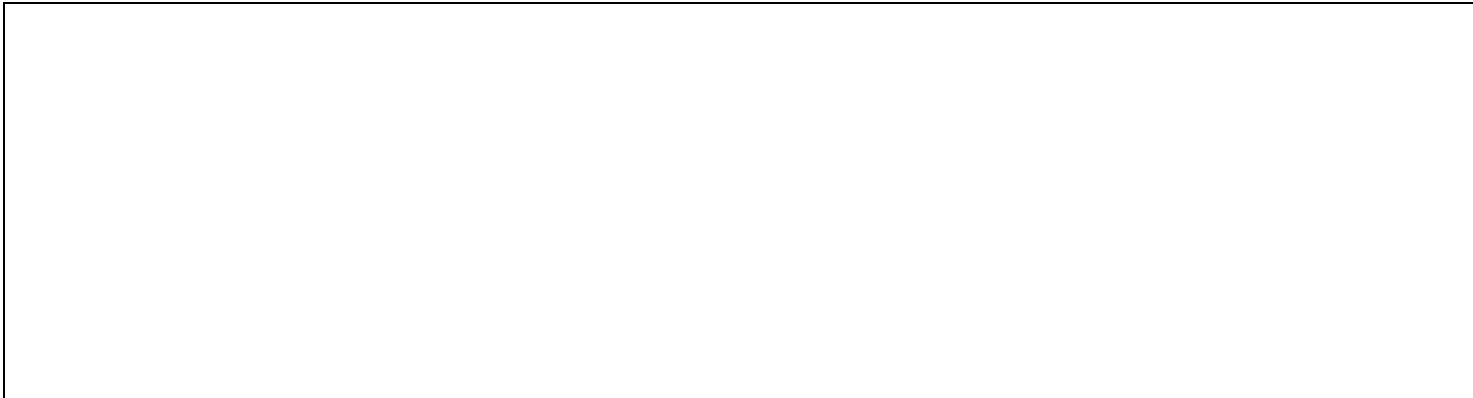
NOMINEE:

Name	Address	Phone/Email
JACK'S SHOE REPAIR & ALTERATION, Sun Hak Nam, owner	115 Columbia Street SW, Olympia	253-227-3610

SIGNIFICANCE OF NOMINATION:

Brief summary of the significance of the person, organization, project or building. This text will be used by the City of Olympia in preparing and presenting the award at the City Council meeting. Attach additional pages as needed.

This award recognizes Jack's Shoe Repair & Alteration as an Olympia legacy business having served the community continuously for more than 77 years. Jack's was founded in 1945 as Jack's Shoe Service by Jack (Gabino) and Elodia Nunez. Jack was a cobbler born in Leon, Guanajuato, Mexico, May 10, 1903. He arrived in the United States in 1919 and the couple relocated to Olympia in 1942. They initially opened their shop at 417 ½ Capital Way. The first shop location had been the site of Goodyear Shoe Rebuilders since April, 1928. Various members of the Nunez family worked at the shop over the years. At one point the shop employed eight staff and featured a long time shoe shine stand and built, as well as, repaired shoes. In July, 1965 Jack's moved to 115 Columbia Street, where it continues in business today. Jack retired in 1968 and passed away on 10/13/1970, preceded by Elodia in 1966. The store continued to be operated by their son, Richard Nunez, until it was sold by the family in 1983. Subsequent owner/operators included Se Shin, Mo Sum Yi, Han Gongyul and the current owner, Sun Hak Nam (Kevin). Kevin has owned Jack's for ten years.



- × *I have attached information to support my nomination, including documents, images, & other recognitions.*
- For a project nomination, I have included "before" and "after" photos.*

ADDITIONAL INFORMATION – PROVIDE AS APPLICABLE

PROPERTY OWNER FOR BUILDING/PROJECT BEING NOMINATED (if different from above):

Name	Address	Phone/Email

ARCHITECT / CONSULTANT FOR PROJECT BEING NOMINATED (if different from above):

Name	Address	Phone/Email

BUILDING DETAILS:

Address	Historical Name
115 Columbia NW, Olympia	Jack's Shoe Service, Jack's Shoe Repair, Jack's Shoe Rebuilders
Year Built	Year Rehabilitated
Original/Early Owner	Original Architect/Builder
Original Use	Current Use
Heritage Designation Status	Other Information

Attach additional pages as needed

Please email completed form and attachments to Marygrace Goddu at: mgoddu@ci.olympia.wa.us



2022 Olympia Preservation Award Nomination

Olympia's Preservation Award supports the Heritage Commission's goal of recognizing excellence in the rehabilitation of historic objects, buildings, structures, sites and districts, as well as new construction in historic areas (OMC 18.12.055).

PERSON MAKING NOMINATION:

Name	Contact Details	Date of Nomination
Audrey Henley	(360)n 888-3255	March 25 ,2022

NOMINATION TYPE:

- Person Project Other:
 Organization Building

CATEGORY OF NOMINATION:

- Preservation Education Other:
 New Construction Scholarship

NOMINEE:

Name	Address	Phone/Email
KGY Media Group	1700 Marine Dr. NE Olympia, WA 98501	nick.kerry@kgyradio.com

SIGNIFICANCE OF NOMINATION:

Brief summary of the significance of the person, organization, project or building. This text will be used by the City of Olympia in preparing and presenting the award at the City Council meeting. Attach additional pages as needed.

KGY Media Group is a local, family-owned Broadcast Radio and Digital Advertising Company serving the South Puget Sound region of the Seattle/Tacoma market. With studio/offices located in Olympia, KGY Media Group operates three local radio brands: 96.9 KAYO-Country (Regional/7-County Coverage Area), Olympia's 95.3 KGY (Local/Thurston County Coverage Area), and KAYO Legends on 96.9 HD3.

*In 1922, Benedictine Monk, Father Sebastian Ruth, received the radio call letters "KGY" rights. Original broadcasts were from his log cabin shack just north of Old Main atop the college hill at what was St. Martin's College. Banners in the studio proclaimed "KGY, Where the Cedars Meet the Sea." His time at the log cabin was historical for the station as it allowed more room for performers and talents. His tenure broadcasting from St. Martins brought in more than 4,000 visits.

In 1939, Tom Olsen purchased KGY and operated the station, working alongside family members Theresa Olson, Jennifer Kerry, and Barbara Kerry, who reported the news, weather, and traffic. Barbara was the receptionist and the official spokesperson of KGY until the mid-2000s.



2022 Olympia Preservation Award Nomination

Historical events include being one of the oldest radio stations in the United States. A visit by President Harry Truman visiting in 1948. The Olsen family commissioned the design of two historic landmarks: The Rockway-Leland in the 1940s, now home to radio station KXXO and KGY's, and in 1960 the unmistakable waterfront station on Budd Inlet. Both were designed by another famous local family, Joseph and Robert Wholeb. KGY on-air personality Dick Pust had the longest-running morning show in Washington. In 2018 KGY acquired management of KAYO. On April 5th, 2022, KGY Radio celebrated 100 years of broadcasting. KGY will celebrate this impressive feat with historical features, audio, and fun anecdotes throughout the year!

KGY holds a meaningful place in Olympia's entertainment and business history. Leading the group of stations today is Nick Kerry, a fourth-generation member and the great-grandson of Tom Olsen and the grandson of Barbara Olsen Kerry. He has been carrying on his family's tradition for 10 years now and spent his youth interning at KGY. Undoubtedly his charisma and passion were inspired by his grandmother!

Radio matters. We know the vital role of broadcasting essential information and some of our favorite and sometimes not-so-favorite tunes. The radio is our co-pilot, providing a soundtrack for road trips, marking memories through music, and communicating and connecting listeners to their community. Let's recognize Olympia's KGY Media Group for its longevity and commitment to community service, architectural preservation, and support of the arts!

**Excerpt is taken from kgyfm.com*

Video: *The Olympian "KGY celebrates 100 years"* <https://www.theolympian.com/article260360855.html>

- I have attached information to support my nomination, including documents, images, & other recognitions.*
- For a project nomination, I have included "before" and "after" photos.*

ADDITIONAL INFORMATION – PROVIDE AS APPLICABLE

PROPERTY OWNER FOR BUILDING/PROJECT BEING NOMINATED (if different from above):

Name	Address	Phone/Email

ARCHITECT / CONSULTANT FOR PROJECT BEING NOMINATED (if different from above):

Name	Address	Phone/Email

BUILDING DETAILS:

Address	Historical Name
Year Built	Year Rehabilitated
Original/Early Owner	Original Architect/Builder
Original Use	Current Use
Heritage Designation Status	Other Information

Attach additional pages as needed

Please email completed form and attachments to Marygrace Goddu at: mgoddu@ci.olympia.wa.us



Community Livability and Public Safety Committee

2020 Demonstration and Crowd Control Review

Agenda Date: 4/27/2022
Agenda Item Number: 6.B
File Number: 22-0403

Type: report **Version:** 1 **Status:** In Committee

Title

2020 Demonstration and Crowd Control Review

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Receive a briefing on the 2020 Demonstration and Crowd Control Review.

Report

Issue:

Whether to receive a briefing on the 2020 Demonstration and Crowd Control Review.

Staff Contact:

Rich Allen, Interim Chief, Olympia Police Department, 360.753.8147

Presenter(s):

Rich Allen, Interim Chief, Olympia Police Department

Background and Analysis:

In 2020, more than 70 demonstrations occurred in Olympia, Washington, several of which resulted in injuries to community members and police officers, significant property damage, and widespread disturbances to the community's sense of public safety and security. In order to learn from those events and ensure that the Olympia Police Department (OPD) follows best practices for public demonstrations and crowd management, the City of Olympia commissioned a comprehensive review.

While the review found that OPD's event responses were within its existing policies, the study identified several ways in which the Department could improve. Staff will provide an update on what the Department is doing to address recommendations identified in the review.

Neighborhood/Community Interests (if known):

The community has an expectation that the Olympia Police Department's response to public demonstrations is consistent with best practices, unbiased, and maximizes public safety while

protecting community members' First Amendment rights.

Options:

1. Receive the report.
2. Do not receive the report.
3. Receive the report at another time

Financial Impact:

There is no financial impact related to providing the presentation.

Attachments:

2020 Demonstration Review Report

City of Olympia Review of 2020 Public Demonstration Responses and Current Crowd Management Policies and Practices

January 19, 2022

Tara L. Parker
Attorney at Law



Ogden Murphy Wallace P.L.L.C.
901 Fifth Avenue, Suite 3500 Seattle, WA 98164
Phone: 206.447.7000
Direct: 206.447.2263
tparker@omwlaw.com | www.omwlaw.com

I. Executive Summary

In 2020, more than 70 demonstrations occurred in Olympia, Washington, several of which resulted in injuries to community members and police officers, significant property damage, and widespread disturbances to the community's sense of public safety and security. In order to learn from those events and ensure that the Olympia Police Department (OPD) follows best practices for public demonstrations and crowd management, the City of Olympia commissioned this study. A comprehensive review was conducted of eighteen significant demonstration events in Olympia that occurred between May 31, 2020, and January 31, 2021, as well as the applicable OPD policies, practices, trainings, and communications.

The study found that the OPD's event responses were within its existing policies. However, the study also identified several ways in which the Department's 2020 policies and practices fell short of best practices. Most importantly, those shortcomings were also identified by the Department over the course of time since May 31, 2020, as it progressively reflected on its performance lessons learned.

Specifically, over the course of the past eighteen months, the Department has made significant efforts and progress in its efforts to meet several needs that were identified by this study and detailed in this report. This report discusses each identified need for reform and makes the following recommendations:

1. Adopt a Public Assembly and Crowd Management Statement of Purpose that declares the OPD's commitment to support and facilitate the exercise of citizen's First Amendment rights in a fair and equitable manner, without consideration as to content or political affiliation, with as minimal interference with such activities as is reasonably necessary to preserve public safety and order.

2. Adopt a Comprehensive Crowd Management Policy that provides clear guidance to officers, supervisors, commanders, and participating first responders and mutual aid partners regarding the employment of appropriate crowd management, intervention, and public safety strategies in a manner that facilitates, to the extent safe and feasible, community members' rights to free expression and peaceable assembly.

3. Communication. Establish formal communication protocols that consistently inform the community of its actions, including publishing After Action Reports and engagement with community members and business owners who are adversely affected by events.

4. Enhance Crowd Management Trainings. Require that all OPD officers, supervisors, commanders, and community partners (such as Olympia Fire Department Medics) who assist with crowd management receive training on First Amendment rights, Diversity, Equity and Inclusion (DEI) principals, procedural justice, and crowd-specific de-escalation skills.

5. Resources. Provide (a) improved audio and video recording technology equipment for Department use during events in order to enhance reporting, transparency, accountability, opportunities to learn, and the capacity to capture criminal acts and aid prosecutions; (b) additional staff resources allocated to ensuring internal affairs policy compliance; and (c) a more clearly defined and accessible complaint process.

II. Introduction

On May 25, 2020, George Floyd was murdered by Minneapolis police officer Derek Chauvin as three other officers looked on and prevented passers-by from intervening. When video and reports of that tragic event were broadcast, citizen protests against police brutality, especially towards Black people, quickly spread nationwide and to over 2,000 cities and towns in over 60 countries in support of the Black Lives Matter (BLM) movement. Polls in summer 2020 estimated that between 15 million and 26 million people had participated at some point in the demonstrations in the United States, making the protests the largest in U.S. history. While the majority of protests were peaceful, demonstrations in some cities escalated into riots, looting, and street skirmishes with police and counter-protesters.

In Olympia, Washington there were more than 70 demonstration events in 2020, several of which resulted in injuries to community members and police officers, significant property damage, and widespread disturbances to the community's sense of public safety and security. In addition to public outrage regarding police misconduct and historic racism in law enforcement, many demonstrations involved partisan political conflicts, concerns regarding wealth inequality, and other public policy issues. These events and law enforcement responses were further complicated by the public safety issues imposed by the Covid-19 pandemic.

By the end of 2021, many members of the Olympia community were critical of the OPD's conduct in response to several demonstration events. In response, on May 4, 2021, the City of Olympia commissioned this study at the request of the City Council.

The primary goal of this review and report is to ensure that the OPD's policies, practices, trainings, communications, and mutual aid protocols related to responding to public demonstrations are consistent with best practices, unbiased, and maximize public safety while protecting community members' First Amendment rights. The study specifically required the following:

1. Review the Olympia Police Department's response to 2020 public demonstrations and crowd control to determine if they were unbiased, ensured public safety, and upheld first amendment rights. The study will include reviewing video documentation captured by the public and submitted to OPD. The review will include, but is not limited to, consistency with current OPD policies; practices; training; consistency of pre-demonstration communication protocol; mutual aid protocols; and how and why the Department adapted their response over the course of the summer starting with the first event on May 31, 2020, and lessons learned.
2. Review and assess OPD's policies, procedures, and training related to public demonstrations and crowd control to determine if they are unbiased, ensure public safety, uphold first amendment rights and are in alignment with best practices regarding diversity, equity, and inclusion. The review and assessment will include, but is not limited to, mutual aid with partner jurisdictions and agencies, and pre-demonstration communication protocol.
3. Provide a written report to the City Manager. The report will contain the findings of items 1 and 2; including trends, patterns, and areas where the response was inconsistent with OPDs policies, procedures, and training standards. The report will also include specific recommendations to revise policies, training, mutual aid agreements, and pre-demonstration communication protocol to ensure OPD responds to public demonstrations in a way that is unbiased, ensures public safety, and upholds residents first amendment rights.

III. Methodology

Eighteen significant public demonstration events were selected for in-depth review. Seventeen of the selected events occurred between May 31, 2020, and December 12, 2020. Events that occurred on January 31, 2021, at the Olympia Red Lion Hotel were also reviewed at the request of City leaders. The events examined were selected based upon their scale as measured by the number of demonstrators and police involved, arrests, and documented public impact as represented by media reports and video documentation.

The following information and records were collected regarding the selected incidents:

- OPD training materials related to crowd management.
- OPD Policies related to crowd management and uses of force;
- Applicable Mutual Aid agreements;
- Individual reports of use of force, including officer statements, from OPD and other involved law enforcement agencies;
- Case summaries;
- Chain of Command reviews of individual uses of force;
- OPD Incident Action Plans for all planned events;
- Arrest and charging documents;
- Videos and photos in OPD records and submitted by the public;
- News outlet articles and news coverage;
- Social media posts from community members, reporters, and city officials regarding events reviewed, including Twitter Posts, YouTube videos, Facebook live streams and videos.

Numerous law enforcement reform organization proposals, law enforcement agency policies and practices, and crowd management studies were also reviewed for this study. The following sources provided particularly valuable guidance:

Center for Policing Equity Guiding Principles for Crowd Management, <https://policingequity.org/images/pdfs-doc/crowdmgt.pdf>

Campaign Zero (law enforcement reform and training resources), <https://campaignzero.org/#vision>

ACLU WA, Know Your Rights Guide: Protests, <https://www.aclu-wa.org/docs/know-your-rights-guide-protests>

Los Angeles PD Directive 11: Crowd Management, Intervention, and Control,
https://lapdonlinestrgeacc.blob.core.usgovcloudapi.net/lapdonlinemedia/2021/10/Directive_11.2_Crowd_Management_Intervention_Control_April_2021.pdf

The Seattle Police Department 2021 Policy on Crowd Management, Intervention and Control,
<https://www.seattle.gov/police-manual/title-14---emergency-operations/14090---crowd-management-intervention-and-control>

Tacoma Police Department Professional Standards Policy,
https://cms.cityoftacoma.org/police/Tacoma_Police_Department_Policies.pdf

Seattle Office of Inspector General Sentinel Event Review of Police Response to 2020 Protests in Seattle,
<http://www.seattle.gov/Documents/Departments/OIG/Policy/OIGSERWave1Report072221.pdf>

City of Portland Police Bureau 0635.10 Crowd Management/Crowd Control
<https://www.portlandoregon.gov/police/article/649358>

Final Report of The President's Task Force on 21st Century Policing
https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

International Association of Chiefs of Police Model Crowd Management Policy
<https://www.theiacp.org/sites/default/files/2020-08/Crowd%20Management%20FULL%20-%2008062020.pdf>

FEMA Incident Command System (ICS) Model,
<https://training.fema.gov/emiweb/is/icsresource/assets/ics%20review%20document.pdf>

IV. General Observations and Findings

A. Overview of OPD Demonstration and Crowd Management Responses

It is undisputed that the 70+ demonstrations in Olympia between May 2020 and early 2021 took an enormous toll on the community, engendered distrust toward the OPD by many, and raised legitimate questions regarding the Department's responses to particular events.

This study's review of eighteen of the most controversial events revealed that the Department, like police departments throughout the country, struggled to respond adequately to the unprecedented

number of unplanned events, many of which involved individuals who were destructive and unresponsive to lawful orders.

The Department consistently developed operational plans for planned events, and those plans improved over time. However, most of the events reviewed were not planned. Moreover, the records did not reveal significant departures from OPD policies and trainings, but the policies and trainings in place did not provide adequate crowd-specific guidance or measures of assessment. Also, because events often involved other law enforcement agencies and there were no formal communications protocols in place, it was very difficult to discern which agency employees were responsible for controversial conduct. Finally, the Department's lack of sufficient audio and visual recordings of the events resulted in many people relying on citizen's recordings and interpretations of events that were incomplete. In sum, all of these dynamics resulted in an unacceptable lack of clarity and transparency regarding OPD conduct.

The review of event records also demonstrated positive aspects of the Department's demonstration responses. The records indicate that officers and supervisors properly reported and reviewed uses of force. Also, over time, the Department integrated lessons learned from successive events, as is discussed in more detail below. In order to understand that evolution, we began with an examination of the OPD policies that guided the Department.

B. OPD Policies and Procedures re Demonstrations and Crowd Management

The General Orders that govern OPD employee practices, procedures, rights and obligations do not contain specific regulations regarding public demonstrations and crowd management. Accordingly, OPD operations related to crowd management have followed its general Use of Force policy.¹ There are several key requirements in the Use of Force policy that apply to potential disturbances at public demonstrations:

1. Requirement to de-escalate

The OPD includes de-escalation in use of force training and applies de-escalation principles (such as time, distance, and communication) in use of force situations.

2. Requirement to apply a progressive use of force continuum

The OPD policy requires a progressive application of force, and the force that is responsive to the subject's actions. Officers are trained to only use the amount of force necessary, and to only use force until a threat is no longer present.

¹https://cms7files.revize.com/olympia/Document_center/Services/Police/Accountability%20&%20Transparency/OPD-policy-use-of-force.pdf.

3. Requirement for comprehensive reporting

The OPD requires comprehensive use of force reporting and review by a supervisor anytime force is used. In addition to the use of force report, involved officers must each complete a supplemental report to the incident.

4. Duty to intervene

The OPD policy requires officers to intervene and report improper arrests or excessive use of force without delay. This is reinforced in training with new and existing employees.

5. Permissible Crowd Management Munitions

The Training Office will maintain the list of Crowd Management Munitions approved by the Chief. Commissioned staff may deploy approved pyrotechnic and irritant munitions only in an outdoor environment, in accordance with training, and when approved by the shift supervisor.

V. Lessons Learned and Related Developments

The OPD has demonstrated its commitment to providing the highest level of services to all members of the Olympia community, particularly in the wake of the historic events of 2020. For example, the Department states the following on its website:

We hope you see that we are continuing to build an organization that delivers 21st Century police services. We are committed to ensuring that OPD staff are professional, highly trained, and versed in crisis intervention, procedural justice, de-escalation and fair and impartial policing. We are focused on providing the best policing service for our community that we can, and to ensuring that our actions are consistent with the values of our community.

Moreover, in the past year, the Department has provided several informational statements regarding high-profile events, announced its adoption of the police reform objectives provided by the #8CANTWAIT national campaign, and, most significantly, the Department posted its Guiding Principles for Demonstrations and Crowd Control (“Guiding Principles”).² These documents represent numerous,

²https://cms7files.revize.com/olympia/Document_center/Services/Police/Accountability%20&%20Transparency/Demonstrations-CrowdControl-Guidelines.pdf

significant ways in which the Department has improved its performance and intends to continue to improve. This study seeks to highlight and build on those developments.

The OPD's Guiding Principles document specifies numerous values, procedures and priorities that should be established in formal policies and official Department practices. The remainder of this report discusses the specific lessons learned, how the Department has endeavored to address those lessons, and recommendations for further action in order to align the Department policies and procedures with best practices and the City of Olympia's values.

1. Olympia's Public Assembly and Crowd Management Values

As noted in Section IV B. the OPD has policies that were followed in its responses to demonstration events in 2020. However, as the Department recognizes, the OPD's lack of specific policies regarding its priorities and operations in response to demonstrations and crowd management likely contributed to its lack of preparedness for the large number and scale of demonstrations last year. That is largely due to the fact that general use of force standards and training are not necessarily appropriate or effective in crowd situations. Moreover, the use of force standards do not provide a framework for ensuring that Department employees recognize, respect and protect individual's free speech and assembly rights.

Accordingly, the lack of specific policies regarding demonstrations and crowd management is a very significant problem that the Department is committed to remedying as soon as possible. In mid-2021, the Department required officers to draft proposed crowd management policies as part of the Police Lieutenant civil service exam. This study included review of the draft policy that received the highest score. The draft policy reflects extensive review of many of the resources listed in Section III of this report, and it integrates the widely agreed best practices for crowd management. The Department began the process of using the draft policy to develop and adopt a new policy with the aid and input of various stakeholders, including community members. The process was stalled by concurrent requirements for policy updates that were necessary to comply with 2021 legislation. Nonetheless, the Department recognizes that the public assembly and crowd management policy is important, and it is committed to completing the process as soon as possible.

The Department's efforts to date, and the draft policy developed through the Lieutenant civil service exam, reflect the Department's recognition that adopting applicable, formal policies is critical. Such policies clarify values, standards, and expectations for the Department and its employees. There should not be any ambiguity or discretion regarding how the Department and its employees plan for and attend

to public demonstrations, public exercise of free speech and peaceable assembly, and the potential threats to public safety that may arise in events involving multiple people with strongly conflicting views. Formal policies minimize the potential for disparate and biased responses, while providing clear standards of accountability when conduct is questioned.

For all of the reasons above, it is the best practice for police departments to have specific and comprehensive policies regarding public demonstrations and crowd management. Such policies have been adopted in jurisdictions throughout the country. The Seattle Police Department and Los Angeles Police Department have recently adopted such policies, and the City of Portland Police Bureau has one currently under review. Each of them is referenced in Section III of this report. The policies in those jurisdictions largely reflect the same principles, expectations and practices contained in the general practices and informal policies that the OPD articulated in its Guiding Principles for Demonstrations and Crowd Control.

RECOMMENDATION: Adopt a Public Assembly and Crowd Management Policy Statement

A policy statement should be adopted as soon as possible that declares the OPD’s commitment to support and facilitate the exercise of individual’s First Amendment rights in a fair and equitable manner, without consideration as to content or political affiliation, with as minimal interference with such activities as is reasonably necessary to preserve public safety and order. The Department’s language should signal a shift away from an “us vs. them” mindset and focus on facilitating peaceful assembly and ensuring the safety of community members. Thus, rather than addressing the Department’s responsibility as “crowd control” it should refer to “crowd management.” Adopting this policy statement in the OPD’s General Orders can be accomplished relatively quickly, while the process of developing a comprehensive set of crowd management orders, with input from the community and other stakeholders is underway.

2. Comprehensive Crowd Management Policy

The OPD General Orders should be amended to include a policy that provides clear guidance to officers, supervisors, and commanders in employing appropriate crowd management, intervention, and public safety strategies in a manner so as to facilitate, to the extent safe and feasible, community members’ rights to free expression and peaceable assembly. As the examples provided by Seattle, Portland, and Los Angeles show, a comprehensive Crowd Management Policy contains a large number of items. Such a policy should be developed in accordance with Olympia’s Reimagining Public Safety principles and provide stakeholders with meaningful opportunities for public review and comment.

The Department required Lieutenant candidates to draft model crowd management policies and evaluated the submissions utilizing the following criteria:

- Pre-planning using the OPD matrix
- Mission and purpose
- Communication plan – both internally and externally to community
- After-action report – critique of operations
- Participants are treated equally and without bias
- De-escalation efforts to be taken with the group
- Adjusting police tactics as the participants' behavior changes
- Police reports written in a timely manner
- Using the Incident Command System (ICS)
- Who has authority to authorize force
- How to address counter protesters
- Logistics
- How to use mutual aid
- When to disperse a group
- When does a gathering become an unlawful assembly
- Pre-planned events vs. spontaneous events
- Participants openly carrying firearms
- Disturbances within the group

The guidelines above integrate several lessons learned that were identified by the Department over the past eighteen months. The following twenty-one items are included in the Department's Guiding Principles document:

1. Meet with Event Organizers

To ensure the safety of everyone involved, OPD welcomes and encourages meeting in advance with event organizers. This allows OPD to discuss event objectives, develop plans for the route, schedule, timing and strategies to prevent the escalation of disruptive behavior by individuals within the crowd or by counter demonstrators.

2. Communicate with Stakeholders in Advance

The OPD will inform community members and City leaders about planned demonstrations or civil disturbances that have the potential to impact quality of life, daily operations and public safety.

3. Provide Consistent Crowd Management and Engagement

The OPD uses a risk assessment matrix and protocol to develop plans. This approach ensures consistent planning criteria, which minimizes the potential for disparate treatment based on who is involved in any demonstration and provides for greater accountability and transparency.

4. Set Clear Expectations for Officers, Command Staff, and Mutual Aid Partners

Protecting First Amendment rights of all who participate and providing a high level of public safety is always reinforced. It is also communicated to officers the specific behaviors, tactics, and messaging that are expected of them during a demonstration. This includes how and when to engage, what tools to use, and the objectives.

Prioritize directing incoming staff to a staging point, where they can be properly briefed about expectations and other aspects of the event prior to deployment. OPD will also prioritize providing pre-event briefing information staff who are on standby and ready to deploy if needed.

5. Prioritize De-Escalation

The OPD's guiding principle in responding to demonstrations and crowd control is de-escalation. The OPD learned during the 2020 protests that were focused on policing and police reform, that police officer presence escalated tensions. The OPD adapted its strategy by removing police from visual sight of protest participants, which helped lower emotions and reduce violent interactions between the OPD and demonstrators. This practice will continue.

A critical resource for the OPD in effectively managing demonstrations has been the use of bicycles. Bicycle officers are able to maneuver more quickly in a crowd than officers in motor vehicles, and bicycle helmets provide some head protection but are not seen as militaristic gear. Bicycle officers are often seen as less intimidating than other officers in riot type gear, and therefore able to engage with protesters more easily. The OPD learned that bicycles were the most effective mode of crowd management and will continue to prioritize their use.

In addition, Officers are trained and expressly prohibited from using racist, insulting or obscene language at demonstrators, counter demonstrators or observers.

6. Protect the Safety of Demonstrators and Community At-Large

Ensuring everyone has a safe space to express their first amendment rights is a top priority. The OPD will attempt to separate groups if feasible when opposing groups demonstrate or reveal that they may be prone to violence or conflict. The OPD will enforce laws when they are violated, especially when there is a significant risk to public safety, particularly among those carrying firearms and other weapons capable of producing significant bodily harm. The OPD will do everything possible to ensure those demonstrating have a safe space to exercise constitutionally protected rights related to free speech.

7. Use Dispersal Orders for Civil Disturbances Only

A civil disturbance is an unlawful assembly and is defined by law. Normally this is characterized by a group of people involved in collective violence, destruction of property or other unlawful acts. Civil disturbances are often, but not always, spontaneous occurrences that require the emergency mobilization of law enforcement officers. Law enforcement may employ crowd control techniques and tactics to address unlawful public assemblies. Tactics and techniques may include a show of force, crowd containment, dispersal equipment and strategies and preparation for and/or initiating arrests.

The use of less lethal weapons will not be used on peaceful crowds.

8. Criminal Activity Intervention Criteria

The OPD considers the following factors when deciding if they need to intervene when individuals or groups are engaged in criminal activity: number of individuals engaged in criminal acts, type of criminal acts, presence of weapons, level of risk to non-involved, presence of children and vulnerable people, number of staff available to facilitate a safe intervention and public safety risk related to action or inaction by law enforcement.

If criminal activity involves only a few individuals, the OPD will attempt to separate and address those individuals.

9. Provide Audible and Clear Dispersal Orders

Before dispersing crowds or deploying any crowd control measures the OPD will clearly communicate to those involved in a civil disturbance that they must disperse, and that a failure to do so may result in exposure to use of force and/or arrest. The OPD will provide as many warnings as feasible and safe, and sufficient time and egress will be allowed for the crowd to comply and disperse.

10. Conditions When Dispersal Orders May Not Occur

The OPD may not be able to issue dispersal orders if the risk to public safety is too high due to widespread violence or property damage. These situations are extremely rare. The OPD will work diligently to open lines of communication with event organizers to facilitate a peaceful outcome.

11. Use of Force Standards and Communications

If force is used, it will be done in compliance with the use of force policy and crowd management training. It is also important that the OPD clearly communicate to staff and the community the decisions made related to any civil disturbance and why.

12. Prohibit Damage to Private Property

The OPD recognizes the compounding negative impacts civil disturbances have on small business, particularly in the downtown core. The impacts are often seen in the loss of revenue related to actual business as well as property damage. The OPD's decision to engage and take enforcement action during

a civil disturbance when property damage is occurring is dependent on many factors such as the ratio of police to demonstrators, un-involved people in the immediate area, the presence of children or vulnerable people and overall risk vs. benefit related to public safety given police intervention.

The OPD will seek to take enforcement action against any level of property damage or crimes against persons if it is safe and the risk to public safety has been considered. After the conclusion of the event, OPD will communicate to the impacted business or businesses regarding why a decision was made to take or not take enforcement action.

13. Tear Gas Discontinued

The OPD recognizes the concerns expressed by the Olympia community regarding the use of tear gas. Recent legislation also further restricts its use. Therefore, the OPD has eliminated tear gas as a tool for dispersing civil disturbances and has disposed of all supplies.

14. Assistance from Armed Groups Expressly Prohibited

The OPD does not want, nor will it allow the assistance of vigilantes, armed groups or anyone who is not a police officer to assist carrying out the duties and functions of police in any circumstance. Engaging in this type of conduct is unlawful, and the OPD will take enforcement action against violators.

15. Provide and call for Medical Response

OPD officers will provide or call for medical assistance for persons injured at demonstrations. In 2020, the OPD encountered a number of individuals who suffered injuries during civil disturbances. Getting medical personnel to those injured and in immediate need of medical care was often very difficult due to the location, number of demonstrators, potential safety risks and barriers to ingress and egress. In response to this, the OPD has developed a partnership with the Olympia Fire Department, in which we now have trained medics walking alongside police officers at public demonstrations. The role of the medics is to care for people injured, not to manage crowds or act as an agent of the police department. This ensures that anyone injured in during a public demonstration will get immediate medical assistance.

16. Permit Journalists and Legal Observers to monitor Demonstrations

Journalists, legal observers and others may observe and record the demonstrations and officer's response. Journalists and legal observers are allowed in areas open to the public. If they enter areas that are closed to the public, they will be asked to leave, and enforcement action taken if they refuse to do so.

17. Only Officers Trained in Demonstration/Crowd Management will be Assigned

Officers who have not been trained in crowd management will either be assigned to the perimeter or partnered under the direct supervision of fully trained staff.

18. Enhanced Officer Health and Wellness

Caring and protecting the health and wellness of officers tasked with responding to a mass demonstration is essential. Major demonstrations produce an all-hands-on deck response in which officers are mandated to work long hours under high levels of stress. Physical and mental fatigue impacts officers' ability to manage protests effectively and maintain positive community relationships.

In 2020, the OPD developed and implemented an intentional officer wellness strategy. The OPD trained 12 officers and professional staff to be peer support specialists to support the emotional needs of staff. Additionally, the OPD contracted with a local psychologist for officers to consult for mental health and wellness. The OPD will continue to support and fund these programs and look for ways to ensure staff are physically and mentally healthy to continue to responsibly and effectively manage demonstrations.

19. Require Timely Reporting on Use of Force

The OPD requires that all uses of force by OPD employees and supporting agencies be thoroughly documented. Use-of-force reporting requirements apply equally to policing demonstrations and civil disturbances. The OPD records, evaluates and investigates every use of force and all use of force complaints as defined in OPD policy. Every use of force incident is forwarded to the Police Auditor for review.

20. After Action Reviews

After action reviews increase learning, helps the Department adapt future responses and provide the community with transparent information about police actions.

After every demonstration the OPD will provide a summary of the event to community members and City leaders, so they are fully informed about what happened, what the police response was, and why any particular law enforcement actions were taken. This level of communication is essential for maintaining and building trust, transparency and accountability.

21. Mutual Aid Partners

The OPD has established mutual aid agreements in place with other law enforcement agencies in Thurston County to provide assistance. In 2020, the OPD utilized mutual aid assistance on many occasions for pre-planned events as well as for events that were unanticipated or rapidly evolved. While the mutual aid agreements that currently exist are general as to providing mutual aid, they are not specific to protests or demonstrations.

Moving forward the OPD will engage in conversations with mutual aid law enforcement partner agencies around including language specific to demonstrations and imbedding language into mutual aid agreements that allows the venue agency to define expectations and rules of engagement for all participating law enforcement agencies.

Throughout the vast majority of demonstrations in 2020, the OPD and command staff from mutual aid agencies were not in the same incident command center. The OPD will make every attempt to have all agencies participating in managing demonstrations operate out of the same incident command center. This builds trust among agencies and creates an opportunity to identify any issue areas, such as inconsistencies in policies and tactics regarding use of force. Enhanced communication between agencies will result in a more consistent, unified response.

RECOMMENDATION: The OPD General Orders should be amended to include a policy that provides clear guidance to officers, supervisors, and commanders in employing appropriate crowd management, intervention, and public safety strategies in a manner so as to facilitate, to the extent safe and feasible, community members' rights to free expression and peaceable assembly. Such a policy should integrate the OPD's Guiding Principles policy statements, be developed in accordance with Olympia's Reimagining Public Safety principles and provide stakeholders with meaningful opportunities for public review and comment.

3. Establish Formal Communication Protocols

During 2020, the Department's resources were, at times, insufficient to provide timely and consistent public information regarding rapidly unfolding demonstration events. This resulted in some inconsistent communications, raising public concerns about the Department's transparency and accountability.

Accordingly, the OPD learned that it needed clear communication protocols for addressing public demonstration events that involved adverse impacts on participants and the community. The Department improved and standardized its communications by increasingly informing potentially affected businesses and individuals prior to events, when possible, and it released public statements summarizing events after they occurred. The OPD also adopted a process for drafting After Action Reports regarding events where there were uses of force, arrests, or significant injuries. The After Action Reports specifically address how the Department met the criteria outlined in the Guiding Principles.

RECOMMENDATION: The OPD General Orders should include communication protocols that require it to immediately notify the City Communications Office of planned demonstrations and of unplanned, significant public assemblies. The protocols should require consistent, thorough, and unbiased communications that inform the community of the Department's actions responding to demonstration events, including the timely release of After Action Reports, as well as engagement with community members and business owners who are adversely affected by events.

4. Enhance Trainings.

This study included a review of multiple documents related to OPD's 2020 crowd management trainings. The trainings and materials were thorough and accurate with respect to specific applicable OPD policies and established, permissible tactics. However, this study revealed two ways in which prior trainings did not meet best practices.

First, the language, tone, and imagery used by the Department frequently presented demonstrators in an antagonistic light. For example, the written materials for a March 2020, two-day training repeatedly refers to demonstration participants as "Protestors," placing that term in quotes in a way that suggested persons who are exercising their rights of free speech and assembly are there for illegitimate purposes. Similarly, some of the photographs used in a power point presentation for a crowd control training depict scenes of violence and disorder unnecessarily. Although it is true that a relatively small number of demonstrators have engaged in unlawful conduct, it is improper to frame trainings regarding public demonstrations and crowd management in an antagonistic light.

Second, the Department's 2020 trainings related to crowd management did not sufficiently emphasize the importance of recognizing First Amendment rights, the duty to respect diverse viewpoints, and the Department's fundamental role as a facilitator of peaceful public assemblies. The 2020 trainings also failed to train officers in procedural justice, which is an approach that demonstrates respect to community members, treating them with dignity and fairness and allowing community members to express their views and tell their side of the story during encounters with the police.

The OPD has subsequently reexamined how it needs to train officers to prepare for public demonstrations. The Department recognizes the need for enhanced emphasis and training on First Amendment rights, procedural justice, DEI principles, and the facilitation of peaceful assembly. Furthermore, the passage of new laws related to use of force requires the OPD to enhance and expand such training. Training will now emphasize the importance of de-escalation and communications tactics in the context of a mass demonstration to ensure officers are equipped to handle interactions calmly and professionally. Trainings will now be related to the differences between constitutionally protected activity and criminal acts, rules for maintaining officers' displayed name or badge number when wearing civil disturbance gear and training on when to use hard protective gear and equipment vs. soft gear during mass demonstrations and how that correlates to de-escalation.

RECOMMENDATION: The OPD should require that all OPD officers, supervisors, commanders, and community partners (such as Olympia Fire Department Medics) who assist with crowd management receive training on First Amendment rights, Diversity, Equity and Inclusion (DEI) principals, procedural justice, and crowd-specific de-escalation skills. The Department should continue training officers and commanders on de-escalation skills, mobile field force and civil disturbance, use of less-lethal munitions, and use of force policy and reporting, all with an eye toward eliminating potentially biased and antagonist language and imagery. The Department trainings must emphasize that the Department and its employees will support and facilitate individuals' rights of free expression and peaceable assembly, with as minimal interference in such activities as is reasonably necessary to preserve public safety and order.

5. Additional Resources.

During and after the events of 2020, the Department learned that its ability to provide responsive and transparent services was somewhat constrained by its resources. The primary resource deficiency identified was related to audio and visual recording technology. Accordingly, the Department requested body cameras and dashboard-mounted video recording devices in order to enhance reporting, transparency, accountability, opportunities to learn, and the capacity to capture criminal acts and aid prosecutions. This request was granted by the city and the equipment is expected to be in place by summer 2022.

The Department also found that, in 2020, the capacity of its Office of Professional Standards ("OPS"), which is responsible for internal investigations and reviewing all use of force reports, was constrained by inadequate staffing. The OPS Lieutenant was also tasked with overseeing the Detective Unit hiring and training, which strained that Lieutenant's ability to timely process internal affairs matters.

Two developments were therefore instituted in 2021 to provide additional resources to OPS. First, the City Council contracted with a local law firm to serve as the City's Police Auditor, which provides independent review of all Department use of force incidents, complaints, and investigations, as well providing feedback to the Department regarding ways to improve its applicable policies and practices. And second, the City approved funding for an additional Lieutenant to oversee the Detective Unit training and hiring, thus allowing the OPS Lieutenant more time to attend to internal affairs.

The third area that was identified as needing improvement was the policy, procedures, and accessibility of the Department complaint process. In 2020 and 2021, the OPD website did not provide the public with easily accessible information and a complaint submission process that adequately enabled

members of the public to communicate their complaints regarding the OPD. Furthermore, the General Orders related to complaints, which had last been revised in 2017, was in need of additional clarification and specific provisions in order to align the Department with best practices.

In response, during 2021, the Department, in consultation with the Police Auditor, underwent an extensive process to revise its General Orders related to complaints in order to align them with best practices. Meanwhile, the City has created a new complaint form and on-line submission process, including information for the public that reflects and explains the revised General Orders.

RECOMMENDATION: The City and the Department should continue monitoring and assessing the provision and efficacy of Department audio-visual recording equipment, internal affairs resources, and the complaint process to ensure the Department meets the community's expectations of accountability and transparency.

VI. Conclusion

The City of Olympia and its Police Department have engaged in broad, commendable, and challenging efforts to critically examine Olympia's approach to policing, learn from past events, invite public scrutiny and input, and invest in a city-wide system of public safety that fosters trust and works for everyone. It was an honor and a privilege to conduct this study and contribute to those efforts.



Community Livability and Public Safety Committee

Olympia Police Department's Complaint Form, Policies and Procedures

Agenda Date: 4/27/2022
Agenda Item Number: 6.C
File Number:22-0402

Type: report **Version:** 1 **Status:** In Committee

Title

Olympia Police Department's Complaint Form, Policies and Procedures

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Receive a briefing on Olympia Police Department's (OPD) complaint form, policies and procedures.

Report

Issue:

Whether to receive a briefing on OPD's complaint form, policies and procedures.

Staff Contact:

Rich Allen, Interim Chief, Olympia Police Department, 360.753.8147
Susan Grisham, Assistant to the City Manager, 360.753.8244

Presenter(s):

Rich Allen, Interim Chief, Olympia Police Department
Susan Grisham, Assistant to the City Manager

Background and Analysis:

On November 2, 2020, the Olympia City Council selected the law firm of Ogden Murphy Wallace, P.L.L.C. to serve as Police Auditor. The purpose of the Police Auditor is to increase public trust and confidence in OPD by providing an independent review and audit of the Police Department's internal investigations regarding complaints against the Olympia Police Department or its employees.

In their evaluation, the Police Auditor recommended changes to the Police Department's complaint procedures, policies and form. Staff will provide an update on what the City has done to implement the recommendations and improve the process for community members to file complaints.

Neighborhood/Community Interests (if known):

The community has an expectation of police transparency and accountability, and the ability to file complaints in an accessible manner.

Options:

1. Receive the report.
2. Do not receive the report.
3. Receive the report at another time.

Financial Impact:

There is no financial impact related to the presentation.

Attachments:

[Link to OPD Complaint Form](#)



Police Complaint Form

What is a Complaint?

A complaint is a written or verbal communication conveying dissatisfaction with the performance or conduct of the Department or one or more of its members

Who Can File a Complaint?

Any person, regardless of age, gender or nationality who witnesses or has direct knowledge of police misconduct or unlawful behavior may file a complaint with the Olympia Police Department. Although you can file a complaint anonymously, it is helpful if you provide a phone number or email address so an investigator can follow up to obtain additional information that may be crucial to the investigation. It also allows the OPD to notify you of the results and outcome of the investigation.

The Olympia Police Department views all complaints against its employees seriously. For this reason, complaints must be based on fact. Intentional false reporting in an attempt to unjustly subject a police employee to undeserved discipline or slander, or to place their employment in jeopardy, could result in criminal charges being filed and/or a civil suit by the employee involved.

How Do I File a Complaint?

- **Submit an Online Form:**
You can submit a complaint online using the located at this link <https://olympiawa.gov/opdcomplaints>
- **Send us an Email:** olympiapolice@ci.olympia.wa.us
- **Visit Us In-person:**
The Olympia Police Department lobby is open to receive walk-in complaints during regular business hours, Monday through Friday, at Olympia City Hall, 601 4th Ave. E
- **Send Us a Letter**
Olympia Police Department – Office of Professional Standards
601 4th Ave E
Olympia, WA 98501
- **Call Us**
During business hours, call the Olympia Police Department at 360.753.8300. After business hours, call the non-emergency dispatch number at 360.704.2740. A call taker will gather your information and an on-duty Supervisor will contact you.

Anonymous Complaints

OPD accepts anonymous complaints. A preliminary investigation will be conducted. However, the investigation will be closed if the Department does not have an opportunity to obtain sufficient information. As a public agency, records are subject to the Washington Public Records Act, which requires all records to be disclosed upon request, unless an exemption applies.

If you are a complainant, victim or witness of a crime and you ask at the time of your complaint that your identifying information not be released, the City will seek to honor that request to the extent allowed by law. PLEASE NOTE: The City can never guarantee confidentiality.



Police Complaint Form

Contact Information *(Leave blank if submitting anonymously)*

Name

Address *(City, State, Zip)*

Email

Phone

Complaint Details

Incident Date

Incident Time

Incident Location

Officer name(s) if known

Please describe your complaint and provide information that is important to understanding the incident or issue. You can attach supporting photos or documentation to this form. You can attach additional pages if you need more space to write.

I hereby certify that the information in this complaint is true and correct to the best of my knowledge.

I acknowledge that this information may be used by the City of Olympia to further investigate the complaint.



Community Livability and Public Safety Committee

Recommendation for the Olympia Police Department to Acquire and Implement Body Worn Cameras and In-Car Video Systems

Agenda Date: 4/27/2022
Agenda Item Number: 6.D
File Number:22-0401

Type: report **Version:** 1 **Status:** In Committee

Title

Recommendation for the Olympia Police Department to Acquire and Implement Body Worn Cameras and In-Car Video Systems

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to recommend to the full City Council for approval the acquisition and implementation of Body Worn Cameras and In-Car Video Systems.

Report

Issue:

Whether to recommend to the full City Council for approval the acquisition and implementation of Body Worn Cameras and In-Car Video Systems.

Staff Contact:

Rich Allen, Interim Chief, Olympia Police Department, 360.753.8147

Presenter(s):

Rich Allen, Interim Chief, Olympia Police Department

Background and Analysis:

During the 2021 legislative session, the Washington State Legislature passed House Bill 1223 (now called the Uniform Electronic Recordation of Custodial Interrogations Act outlined in Revised Code of Washington (RCW) Chapter 10.122), which requires, at minimum, audio recording of any custodial interrogation in the field and both audio and video for interrogations conducted at the police department or jail.

The implementation of body-worn cameras and in-car videos is the most appropriate, reliable and

safest means to fulfil this mandate. Funding for a body-worn camera/in-car video program was approved by City Council as part of the 2022 budget adoption on December 14, 2021.

Neighborhood/Community Interests (if known):

The community has an expectation of police transparency and accountability. Body-worn cameras and in-car video systems will help provide increased transparency and accountability.

Options:

1. Move to recommend to the full City Council for approval the acquisition and implementation of Body Worn Cameras and In-Car Video Systems.
2. Do not move to recommend to the full City Council for approval the acquisition and implementation of Body Worn Cameras and In-Car Video Systems.
3. Provide other direction to staff.

Financial Impact:

The Olympia Police Department requested funding for a body-worn camera/in-car video program, which was approved by Council as part of the 2022 budget adoption on December 14, 2021.

Attachments:

[Link to RCW Chapter 10.122](#)

Complete Chapter

Chapter 10.122 RCW

UNIFORM ELECTRONIC RECORDATION OF CUSTODIAL INTERROGATIONS ACT

Sections

- 10.122.010 Short title.
- 10.122.020 Definitions.
- 10.122.030 Electronic recording requirement.
- 10.122.040 Consent not required—Notice.
- 10.122.050 Exception for exigent circumstances.
- 10.122.060 Exception for individual's refusal to be recorded electronically.
- 10.122.070 Exception for interrogation conducted by other jurisdiction.
- 10.122.080 Exception based on belief recording not required.
- 10.122.090 Exception for safety of individual or protection of identity.
- 10.122.100 Exception for equipment malfunction.
- 10.122.110 Burden of persuasion.
- 10.122.120 Notice of intent to introduce unrecorded statement.
- 10.122.130 Procedural remedies.
- 10.122.140 Handling and preserving electronic recording.
- 10.122.150 Policies and procedures relating to electronic recording.
- 10.122.160 Limitation of liability.
- 10.122.170 Self-authentication.
- 10.122.180 No right to electronic recording or transcript.
- 10.122.190 Application—Construction—2021 c 329.
- 10.122.200 Relation to electronic signatures in global and national commerce act.
- 10.122.900 Effective date—2021 c 329.