

March 19, 2024

### VIA US MAIL AND EMAIL

City of Port Townsend John Mauro City Manager 250 Madison Street, Ste. 2 Port Townsend, WA 98368 Jmauro@cityofpt.us

Kendra S. Rosenberg Kenyon Disend PLLC 11 Front Street South, Ste. 200 Issaquah, WA 98027 Kendra@KenyonDisend.com

Olympic Peninsula YMCA Wendy Bart Chief Executive Officer 675 N 5th Ave. Ste. 3A Sequim, WA, 98382 wendy@olympicpeninsulaymca.org

Re: Unlawful Ban of Julie Jaman from Mountain View Swimming Pool

Dear Mr. Mauro, Ms. Rosenberg, and Ms. Bart:

The Center for American Liberty represents Port Townsend resident Julie Jaman. I am writing to inform you of unlawful and retaliatory actions by the City of Port Townsend (the "City") and the Olympic Peninsula YMCA (the "YMCA") against my client and to demand that the City and the YMCA take immediate action to remedy the situation. Please direct all future correspondence regarding this matter to me (<a href="https://harmeet@libertycenter.org">harmeet@libertycenter.org</a>), Josh Dixon (<a href="mailto:jdixon@libertycenter.org">jdixon@libertycenter.org</a>), and Eric Sell (<a href="mailto:esell@libertycenter.org">esell@libertycenter.org</a>).

### I. Factual Background

Jaman is an 82-year-old resident of Port Townsend, where she has lived for almost forty years. Throughout that time, she has regularly used the Mountain View Swimming Pool (the "Pool") for recreational and therapeutic purposes. That changed on July 26, 2022, when the YMCA



summarily and permanently banned Jaman from the Pool for engaging in speech protected by the First Amendment. Since her banishment, the City, in concert with the YMCA, has engaged in a high-profile smear campaign that has caused her severe emotional distress and has painted her in a false light within the community. The City and the YMCA have continued to ban Jaman from using the Pool.

### A. The Mountain View Swimming Pool

The Pool is located in a building complex that is owned by the Port Townsend School District and leased to the City. In July of 2020, the City contracted with the YMCA to take over management of the Pool. The City pays the YMCA \$276,000 per year to operate the Pool.

#### **B.** The Locker-Room Incident

On July 26, 2022, Jaman went for a swim at the Pool. After she finished, she entered the women's locker room to shower and change. There were no signs warning patrons that the locker rooms were open to members of the opposite sex. In fact, the signage indicated that the locker rooms were sex segregated. While in the shower, Jaman heard a male voice inside the locker room. When she pulled back the shower curtain to see who was there, she saw a biological male wearing a female swimsuit. The individual—later identified to Jaman as "Clementine Adams"—was watching two young girls who appeared to be about four to six years old as they were preparing to use the toilet. Adams was not wearing any form of identification indicating an affiliation with the YMCA.

Jaman was startled by Adams's presence in the women's locker room and believed that she might be witnessing a crime in progress. Jaman asked Adams, "Do you have a penis?" Adams responded, "None of your business," after which Jaman said, "Get out of here!"

Within seconds, YMCA staff member Rowen DeLuna entered the women's shower area and began berating Jaman. DeLuna did not inform Jaman that Adams was transgender, that Adams was an employee of the YMCA, or that the Pool had a policy allowing individuals to use the locker rooms that aligned with their gender identity. Instead, DeLuna informed Jaman that her speech toward Adams was "discriminatory," that she was "banned for life" from the YMCA because of her speech, and that she could no longer set foot inside the facility. In addition, DeLuna told Jaman to leave or she would call the police. Jaman told DeLuna that she too wanted the police involved so they could investigate potential misconduct. YMCA staff called 911 and asked for the police to escort Jaman from the premises. A recording of this call reveals that the YMCA staff told the police that Jaman was harassing YMCA employees and belligerently refusing to leave. None of this was true.



After the YMCA staff called 911, Jaman left the Pool and went directly to the Port Townsend police station—which is adjacent to the YMCA—to file a complaint regarding Adams's actions toward the young girls in the women's locker room. When an officer with the Port Townsend police called Jaman later that day, it was not to take *her* complaint, but to investigate the *YMCA*'s complaint. Jaman then learned of the false accusations made against her by the YMCA staff and explained to the officers that YMCA's characterization of the incident was false.

Later that day, Jaman contacted Wendy Bart, CEO of the YMCA, to report the incident. Bart was already aware of what had happened. Bart told Jaman that Adams was transgender, that Adams was an employee of the YMCA, and that Jaman should have been aware of the YMCA's locker-room policy given the "pride flags" hanging outside the locker room. Bart also told Jaman that the YMCA was standing by the ban imposed by DeLuna.

On or about, July 27, 2022, Jaman went to the sidewalk outside the facility to voice her objection to the YMCA's locker-room policy. Jaman held an approximately two-foot by two-foot cardboard sign that read "Men who identify as women are using the women's dressing rooms." Jaman protested outside for approximately two hours. She repeated her protest the next day.

On August 1, 2022, Jaman spoke at the Port Townsend City Council meeting, where she voiced her objection to the locker-room policy and her ban.

On August 11, 2022—in the wake of significant local and national media attention—the City released an official Q&A discussing the July 26 incident. See Exhibit A. In the Q&A, the City said—falsely—that Jaman had engaged in a "documented previous pattern of disrespectful behavior." Id. The YMCA made similar false statements to the media. See Exhibit B (quoting YMCA's statement asserting that Jaman had "repeatedly violated the [YMCA's] code of conduct"). Despite multiple requests, neither the City nor the YMCA has explained this alleged prior misconduct.

Emails and other documents obtained through public-records requests reveal that in the weeks following the July 26 incident, City officials were intimately involved in responding to concerns within the community regarding operation of the Pool. This included what appears to be a coordinated effort involving Mayor David Faber, City Manager John Mauro, and City Councilwoman Libby Wennstrom, among others, working with the YMCA and Feary Public Relations—a crisis communications firm hired by the City—to develop a public response to the incident. This public relations campaign included statements to the media, social media posts, the above-mentioned Q&A, and other statements by members of the City Council. *See, e.g.*, Exhibits C–F. These statements labeled Jaman as hateful and bigoted and indicated that she had engaged in a pattern of conduct that violated the YMCA's policies. None of this is true.



#### C. The August 15, 2022 Event

On August 15, 2022, a group of concerned citizens organized a small rally in a public park across the street from Port Townsend City Hall to support Jaman and oppose her ban. The organizers obtained all necessary permits and planned to have several speakers, including Jaman.

The event did not proceed as planned. A group of approximately 200-250 counter protesters gathered near the park with signs and noise devices and disrupted the event. The counter protesters rode bikes through the event, physically assaulted attendees, and even sabotaged the event organizer's sound equipment. Port Townsend police officers stood across the street and watched all of this unfold. They only intervened when a counter protester unhooked the sound equipment, but they otherwise allowed the disruption of the event to continue unabated.

#### D. The YMCA Affirms the Ban

On August 25, 2022, Bart sent Jaman a letter confirming the lifetime ban that DeLuna had imposed. *See* Exhibit G. Similar to the City's Q&A and the YMCA's prior statements to the media, the letter indicated that the ban was due to a "pattern of code of conduct violations." The letter did not state what these "code of conduct violations" were. The letter also threatened Jaman with prosecution for trespass if she entered the Mountain View facility again.

#### II. The City's and the YMCA's Actions were Unlawful

The City's and the YMCA's conduct violated the First and Fourteenth Amendments to the United States Constitution<sup>1</sup> and Washington law.

#### A. The City and the YMCA Violated the First Amendment

The First Amendment prohibits the government from retaliating against individuals for exercising their First Amendment rights. *Sloman v. Tadlock*, 21 F.3d 1462, 1469–70 (9th Cir. 1994) ("State action designed to retaliate against, and chill political expression strikes at the very heart of the First Amendment."). Moreover, the government may not discriminate against speech

<sup>&</sup>lt;sup>1</sup> While the YMCA is formally a nonprofit corporation, its close connection with the City through its management of City-leased property and its coordinated response with the City to the July 26 incident renders it a state actor for purposes of 42 U.S.C. § 1983. See Brentwood Acad. v. Tennessee Secondary Sch. Athletic Ass'n, 531 U.S. 288, 298 (2001) (holding private entity is state actor when there is "pervasive entwinement of public institutions and public officials in [the private actor's] composition and workings"); Lee v. Katz, 276 F.3d 550, 555 (9th Cir. 2002) (holding private entity is government actor when regulating speech on public property); Tsao v. Desert Palace, Inc., 698 F.3d 1128, 1140 (9th Cir. 2012) (holding private conduct "qualifies as state action under the joint action test" when the offending conduct results from a "system of cooperation and interdependence with the" government).



exercised on public property based on its viewpoint. *See Cornelius v. NAACP Legal Def. & Educ. Fund,* 473 U.S. 788, 806 (1985); *Minn. Voters All. v. Mansky,* 138 S. Ct. 1876, 1891 (2018) (holding speech regulations must be reasonable and viewpoint neutral even in non-public fora). The City and the YMCA violated both of these commands.

First, Jaman's ban was in retaliation for her protected speech. When Jaman saw Adams accompanying two young girls in the women's locker room and watching them while they undressed, she was concerned she was witnessing unlawful conduct. Jaman reacted as most reasonable individuals would in her position: by telling Adams to leave the women's locker room. At the time, Jaman was not aware that Adams identified as transgender, that Adams was an employee of the YMCA, or that Adams had the YMCA's permission to escort the two young girls to the toilet. Jaman also was unaware that the YMCA had a policy of allowing transgender individuals to use the women's locker room. While Jaman's comments may have offended DeLuna and Adams, they are nevertheless protected by the First Amendment. Matal v. Tam, 137 S.Ct. 1744, 1751 (2017) ("Speech may not be banned on the ground that it expresses ideas that offend.").

To be sure, the government may, in appropriate cases, take action to protect its employees from harassing conduct of third parties. But Jaman's comments did not come remotely close to the line of losing protection under the First Amendment or otherwise justifying the YMCA's response.

By banning Jaman from the Pool based on her speech, the City and the YMCA retaliated against her for engaging in protected activity. White v. Lee, 227 F.3d 1214, 1226 (9th Cir. 2000) (noting that criticizing government policies is "paradigmatically protected by the First Amendment"). DeLuna made clear that Jaman was being banned for the comments she uttered upon seeing Adams in the women's locker room. Bart confirmed this in her August 25 letter. Moreover, Jaman's banishment—and the threat to take legal action against her if she returned to the Pool—is sufficiently severe to constitute retaliation as a matter of law. Brodheim v. Cry, 584 F.3d 1262, 1270–71 (9th Cir. 2009) (threatening legal action for engaging in protected activity is unconstitutional retaliation); White, 227 F.3d at 1226 (same).

Second, the YMCA engaged in viewpoint discrimination on public property and acted unreasonably in banning Jaman. The government engages in viewpoint discrimination when it allows speech favoring one side of a debate but not the other. Kaahumanu v. Hawaii, 682 F.3d 789, 806 (9th Cir. 2012). The City's and the YMCA's conduct here discriminated against speech based on the "ideology or the opinion or perspective of the speaker." Rosenberger v. Univ. of Virginia, 515 U.S. 819, 829 (1995). Had Jaman been supportive of Adams's presence and activities in the locker room, she would not have been banned from the Pool. As a result, access to the Pool is dependent on patrons refraining from criticizing the Pool's locker-room policy. This is textbook viewpoint discrimination, see Perry Educ. Ass'n v. Perry Local Educators' Ass'n, 460 U.S. 37, 46



(1983), which is prohibited regardless of the type of government property at issue, *Mansky*, 138 S. Ct. at 1891. Moreover, Jaman's lifetime ban was constitutionally unreasonable.

The City and the YMCA's retaliatory and viewpoint discriminatory actions are unconstitutional *per se. See 303 Creative LLC v. Elenis*, 600 U.S. 570, 589 (2023) (holding viewpoint discrimination unconstitutional). What is more, the City's and the YMCA's actions would not satisfy strict scrutiny even if it applied. For one thing, while employers may have a compelling interest in protecting employees from "harassing" comments, that interest is not implicated here in light of the facts that Jaman did not know Adams was transgender, Adams was not wearing any YMCA attire, and Jaman reasonably perceived she was witnessing an unlawful act. For another thing, permanently banning Jaman on the spot was not narrowly tailored. The YMCA could have taken several different actions that would have been less restrictive of speech, including giving Jaman a warning before banning her or banning her for a time period shorter than the rest of her life.

Remedies for violating the United States Constitution include injunctive relief, damages, and attorney's fees. *OSU Student Alliance v. Ray*, 699 F.3d 1053 (9th Cir. 2012); 42 U.S.C. § 1988. Government actors can also be individually liable for violating the constitution. *See Kando v. City of Long Beach*, No. 21-56199, 2023 WL 3092304, at \*1 (9th Cir. Apr. 26, 2023) (holding no qualified immunity for government officers who "threaten retaliatory punishment for protected activity"). Official and individual liability is warranted here.

#### B. The City and the YMCA Violated the Fourteenth Amendment

The City and the YMCA also violated Jaman's due process rights under the Fourteenth Amendment. The Due Process Clause prohibits the government from depriving an individual of fundamental rights absent due process of law. *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976). Exercising First Amendment rights on public property is a protected liberty interest. *Vasquez v. Rackauckas*, 734 F.3d 1025, 1043 (9th Cir. 2013); *Finley v. Nat'l Endowment for the Arts*, 100 F.3d 671, 675 (9th Cir. 1996), *rev'd on other grounds*, 524 U.S. 569 (1998). Moreover, individuals have a due process right to be free from false statements made by the government "in connection with" other violations of their rights. *Gobel v. Maricopa Cnty.*, 867 F.2d 1201, 1205 (9th Cir. 1989). Prior to depriving an individual of their liberty interests, the government must provide the individual "notice and opportunity to be heard." *Lavan v. City of Los Angeles*, 693 F.3d 1022, 1032 (9th Cir. 2012). The City and the YMCA did neither here.

The YMCA banned Jaman for life immediately upon hearing her object to Adams's presence in the locker room. It provided her no notice of its locker-room policy or that such objection would be deemed a violation of the YMCA's conduct policies. Instead, DeLuna simply banned her on the spot. This knee-jerk reaction does not come close to satisfying due process. *Id.* 



(holding "City's decision to forego any process before permanently depriving" individual of protected interest violated due process). Nor did the City or the YMCA provide Jaman any process prior to Bart confirming the ban through her August 25 letter. Instead, the City and the YMCA engaged in a coordinated public relations campaign against Jaman in which they made false and defamatory statements about her in the media and on government web pages. In short, the City's and YMCA's actions fall well short of the irreducible minimum required for due process. *Guenther v. Comm'r*, 889 F.2d 882, 884 (9th Cir. 1989); *San Diego Minutemen v. California Bus. Transp. & Hous. Agency's Dep't of Transp.*, 570 F. Supp. 2d 1229, 1241 (S.D. Cal. 2008) (holding when the government revokes an individual's right to speak on public property it must first provide an "opportunity for a fair adversary hearing").

### C. The City and the YMCA Violated Washington Law

The City and the YMCA also violated Washington common law. The statements that the City and the YMCA published about Jaman were false and defamatory *per se*, and the City and the YMCA acted in reckless disregard of the truth, at least. *Bender v. City of Seattle*, 99 Wash.2d 582, 599, 664 P.2d 492 (1983); *Taskett v. KING Broad. Co.*, 86 Wash. 2d 439, 447, 546 P.2d 81, 86 (1976) (*en banc*). In addition, the statements impermissibly painted Jaman in a false light. *Eastwood v. Cascade Broad. Co.*, 106 Wash.2d 466, 722 P.2d 1295 (1986). Further, the City's and the YMCA's coordinated public relations campaign against Jaman amounts to the intentional infliction of emotional distress. *Kloepfel v. Bokor*, 149 Wash.2d 192, 66 P.3d 630 (2003) (*en banc*). And both the City and the YMCA were negligent in various ways, including but not limited to failing to warn patrons that persons of the opposite biological sex may be in sex-segregated lockerrooms and failing to supervise DeLuna adequately. All of these actions have caused Jaman severe emotional distress.<sup>2</sup>

#### III. The City and YMCA Must Cease their Unlawful Conduct

The City's and the YMCA's actions against Jaman were not only unlawful but also shameful. When an 80-year-old woman reasonably believes she is witnessing a crime against minors in a women's showering area, the government's reaction should be to gather all of the facts and learn what happened, not take sides in an ideologically charged debate. The City and the YMCA plainly have strong feelings regarding the presence of transgender individuals in private areas. So strong, in fact, that they support allowing adult biological males watch young girls while they undress in the Pool locker room. While this may be uncontroversial to some, it is not required by Washington law, and many others, like Jaman, see such actions as an indication of potential wrongdoing and an invasion of privacy, especially where, as here, there was no advance warning

<sup>&</sup>lt;sup>2</sup> Attached to this letter is Jaman's Washington State Tort Claim Form. Jaman submits this form to perfect her state law claims against the City and its employees under RCW § 4.96.020.



that the women's room was not sex-segregated and the individual at issue was not wearing any official identification indicating an affiliation with the YMCA. Under the Constitution, Jaman may not be summarily punished for her initial reaction to what she saw.

Moreover, the public records obtained since the incident show City officials and YMCA employees engaged in a sophisticated and coordinated public relations campaign to smear Jaman and make her appear to be bigoted and dangerous to transgender individuals. This couldn't be further from the truth. It is true that Jaman supports keeping women's spaces reserved for biological women. But she does not harbor hate towards anyone based on their gender identity, nor has she ever engaged in harassment at the Pool or elsewhere. Yet that is exactly what the City and the YMCA have led the public to believe through their false and misleading statements. Such scapegoating is all the more loathsome because it was done to advance an ideological agenda in a highly charged political debate.

Jaman simply wants to return to the Pool she has used for almost forty years. She wants to continue recreating with her friends and fellow Pool patrons. She wants everyone at the Pool to feel safe and secure in sensitive places. And above all else, she wants her life back. The City's refusal to allow Jaman to return to the Pool represents the sad reality of constitutional rights and public safety in Port Townsend. The City must make amends immediately to stop the ongoing harm to Jaman and to the community.

To remedy the unlawful conduct against my client, I demand the following: (1) the City and the YMCA lift the ban against Jaman; (2) the City and the YMCA issue a formal apology to Jaman for their actions against her; and (3) the City and the YMCA pay Jaman the sum of \$350,000 for her emotional distress arising out of the incident. I require a response to this letter by 5:00 p.m. Pacific Time on Wednesday, March 27, 2024. If the City and YMCA fail to comply with this demand by that deadline, all options will be on the table, including the institution of legal proceedings in court.

I look forward to hearing from you.

Sincerely,

Harmeet K. Dhillon

Enclosures as stated

cc:



Josh Dixon (by email only at <a href="mailto:jdixon@libertycenter.org">jdixon@libertycenter.org</a>)
Eric Sell (by email only at <a href="mailto:jessell@libertycenter.org">jessell@libertycenter.org</a>)
Center for American Liberty

Rosemary Schurman (by email only at <u>rbschurman@msn.com</u>) (Washington Bar ID No. 11451)

# **EXHIBIT A**

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# **Engage PT**

# **Mountain View Pool**

Mountain View Pool

**Questions and Answers** 

August 11, 2022

Our city is a place where we strive to provide a welcoming and supportive environment where every person is respected and valued, and where we are committed to fostering a sense of well-being.

The situation that happened last month at the Mountain View pool is difficult, however, and we need to work together as a community and find a path forward.

We take this situation extremely seriously. Incorrect information is circulating, and correct information will clear the way for constructive and open conversations.

It's very important to note that the City of Port Townsend follows the Washington State Law Against Discrimination, Chapter 49.60 RCW, and Washington Administrative Code 162-32-060. We, along with Washington state's other 280 cities, are required to follow state law.

The City has received many questions regarding our policy and procedures concerning this issue. The following questions and answers are intended to provide clarity and the best information available to help our community understand and move forward together.

# Q: What is the City of Port Townsend's role in creating or enforcing policies for behavior at the Mountain View Pool?

A: We have a successful partnership with the YMCA and consider them a valuable community partner, however, we do not manage pool operations. For background, in 2021, the City entered into a contract with the Olympic Peninsula YMCA to operate the Mountain View Pool. Section 3e of the contract affirms that the YMCA's license to use the pool and facilities and "includes the right to set its own rules and policies regarding access to the Pool and its facilities, and to exclude any person from using the Pool, its facilities and equipment, subject to any code, statute, or law prohibiting such exclusion."

### Q: What are the city's policies related to transgender rights and access?

A: The City of Port Townsend follows the Washington State Law Against Discrimination, Chapter 49.60 RCW, and Washington Administrative Code 162-32-060. We, along with Washington state's other 280 cities, are required to follow state law.

# Q: How does the agreement you have with the YMCA address discrimination?

A: Section 5e states: The Pool shall be managed and operated as a not-for-profit institution available to the general public without discrimination as to age, race, creed, religion, gender, sexual orientation, marital status, national origin, political affiliation, physical handicap, or ancestry.

# Q: Was there a Code of Conduct violation at the pool on July 26?

A: Yes. A pool patron confronted a YMCA employee (a transgender employee, and a member of a protected class) who was accompanying two day-camp children to the restroom in the women's locker room. The YMCA has a "rule of 3" so staff and children are never in groups of fewer than three. The patron made discriminatory and derogatory comments toward the YMCA employee.

# Q: Can you tell me about the YMCA Code of Conduct and any violations that occurred?

A: YMCA members and participants (patrons) sign a Code of Conduct stating that when they use the facility patrons agree to:

Provide an atmosphere free of discrimination, hatred, derogatory or unwelcome comments, intimidation, conduct or actions based on an individual's sex, race, ethnicity, age, religion, disability, gender identity, sexual orientation, or any other legally protected status.

In addition, the Code of Conduct states that the YMCA will not tolerate disrespectful words or gestures towards YMCA staff or others.

Both of these codes were violated by the patron on July 26th. When the conversations between the patron and staff continued to escalate, the YMCA Aquatics Manager told the patron that she was revoking the patron's access.

# Q: How is the City responding to the reaction in the community after the incident?

A: Following this incident, there has been increased tension, confusion around policies and inaccurate reports, locally and nationally. We are working very diligently to come to a place of understanding and to provide accurate information to alleviate the confusion and false reports.

# Q: There have been allegations of misconduct by the employee. Are they true?

A: No. There was no inappropriate conduct by the YMCA employee. The YMCA employee was performing duties and accompanying day-camp children in the restroom in accordance with YMCA "rule of 3" protocol.

# Q: Was the employee wearing any YMCA identification?

A: No. The employee was wearing a bathing suit since the YMCA day-camp was using the pool as part of their activities for the day. At the time of the confrontation, the employee was accompanying day-camp children to the restroom in the women's locker room.

### Q: Has the YMCA been in contact with the parents of the day-camp children.

A: Yes, the YMCA has been in contact with the parents of the day-camp children. There have not been any complaints by any parent or child involved in this matter.

# Q: Were there prior Code of Conduct violations by the member that contributed to her membership being terminated?

A: While the Code of Conduct violation alone is enough to revoke access privileges, there was a documented previous pattern of disrespectful behavior by the same patron.

# Q: Can you tell us about the Mountain View Pool changing rooms?

A: In addition to the universal changing rooms (family rooms), the YMCA provides men's and women's locker rooms with private changing areas as well as showers with curtains at the pool.

### Q: Are these facilities in accordance with Washington state law?

A: Yes. The YMCA operates in accordance with state law that gives people the right to access the locker rooms, changing rooms, and bathrooms that aligns with their gender identity, per WAC 162-32-060. The law states, "entities shall allow individuals the use of gender-segregated facilities, such as restrooms, locker rooms, dressing rooms, and homeless or emergency shelters, that are consistent with that individual's gender expression or gender identity."

# Q: When is the pool going to reopen?

A: The pool will open when the YMCA leadership determines the pool is ready to open. To do that, the YMCA needs to assure that each employee can come back to a harassment-free environment for the benefit of their staff and patrons.

# Q: What is the City doing to share its policies and help the community move forward?

A: We take this situation very seriously and are acting swiftly. Some of our actions include:

- Holding a Council Committee meeting on August 10, 2022, to discuss a statement and policy related to the incident, state law, and the public comment received at a City Council meeting on August 1, 2022. Another City Council meeting on August 15, 2022, will include an item referred back from the Committee related to this issue.
- · Sharing state code and policies.
- Collaborating with the YMCA to review related policies and the incident.
- Continuing work on a Diversity, Equity and Inclusion statement through the City Council's Culture and Society Committee.
- Engaging a third-party Diversity, Equity and Inclusion organization to help guide us through a process of reviewing our policies and procedures, what can be communicated better and to help our community resolve diversity issues in a more constructive manner.
- Posting this Question and Answer document on our website.

Port Townsend YMCA Q&A (202 KB)

# **Department News**

Mountain View Pool

SIMS GATEWAY AND BOAT YARD EXPANSION PROJECT OPEN HOUSE AUG 6

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# **Contact Information**

### **General Administration Phone Number:**

(360) 379-5047

# **Open To Public Hours:**

Monday - Friday 9:00 am - 4:00 pm

\*In person meetings by appointment only

#### Address:

250 Madison Street, Suite 2, Port Townsend, WA 98368

## **Email**

engagept@cityofpt.us

# **Department Directory**

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250 Madison Street Port Townsend WA 98368 Phone (360) 385-3000

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Wednesday, March 6, 2024

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# Resident banned from Mountain View Pool after confrontation with trans employee



(/uploads/original/20220809-155340-YMCA.jpg)

Counter-protesters in support of the 18-year-old transgender pool employee gather outside Mountain View Pool Thursday.

LEADER PHOTO BY BRIAN KELLY

Posted Wednesday, August 10, 2022 8:00 am

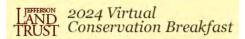


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The Olympic Cougar Project: Conservation in a Human-Dominated Landscape

Thursday, March 14 • 9:00-10:30 am a free, online event



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(/stories/foodco-op-awardssix-farmer-

Food Co-op awards six Farmer Fund grants (/stories/food-co-opawards-six-farmerfund-grants,159475)

By Leader Staff In February, the Port Townsend Food Co-op awarded its first Farmer Fund YMCA officials said they were following state law in allowing access to its facilities."

# James Sloan jsloan@ptleader.com (mailto:jsloan@ptleader.com)

A Port Townsend woman has been permanently banned from the Mountain View Pool on Blaine Street after she confronted a transgender YMCA employee in the facility's changing rooms and refused to leave the property until pool staff called the police.

Since the incident, protests and subsequent counter-protests have occurred over the past week outside Mountain View Pool, which is managed and operated by the Olympic Peninsula YMCA.

And with a spate of harassing and disturbing phones calls and emails — most coming from out of the county — YMCA officials decided to close the Mountain View Pool and the YMCA's Jefferson County branch for the rest of the week.

Officials also said they were having trouble getting employees to come to work. The pool is now expected to open back up on Monday, Aug. 15.

The incident started when Julie Jaman began yelling at an 18-year-old YMCA employee, who is a transgender woman, in the women's changing room at the pool.

While showering in the changing room, Jaman said she heard a "man's voice" and claimed she "saw a man dressed in a woman's bathing suit" who appeared to be watching young girls taking down their bathing suits to use the restroom, Jaman said in an interview with The Leader.

The confrontation grew into an argument with another pool employee who was in the room, and Jaman was told to leave.

Officials with the Olympic Peninsula YMCA disputed Jaman's version of events.

Erin Hawkins said the employee did nothing wrong.

"One of our YMCA staff members, she accompanied two girls to the restroom facility, serving in a supervision role. At the 'Y' we have a rule of three; staff always accompany children in a group of three, and staff members are never alone with a child," Hawkins said.

#### REPEAT OFFENDER

Hawkins said Jaman had violated the YMCA's code of conduct for use of the facility, something YMCA officials said had happened multiple times in the past.

"One of the children was standing outside the restroom stall, and the other girl was using the restroom. Mrs. Jaman, then expressed her concern in a disrespectful manner toward this staff person, which violates the 'Y' code of conduct," Hawkins said.

Jaman then got into an argument with the pool's aquatic manager and refused to leave the facility, officials said, eventually leaving after a staff member called the Port Townsend Police Department.

In the police report from the incident, the Port Townsend officer noted that "Julie became very 'triggered' and had an emotional response" after seeing the transgender employee in the changing room.

The report also stated that the employee "was in the bathroom with a child in the day camp and Julie asked if she had a penis and started screaming at her to get out."

After the confrontation, Jaman left the Mountain View Campus shortly after the police were called, according to the police report and YMCA.

Jaman was also told she could not come back.

"The manager informed Mrs. Jaman that her membership was suspended [indefinitely] for violating the YMCA's code of conduct," Hawkins said, referencing the YMCA's rule that members cannot discriminate or harass patrons or staff members on the basis of sexual orientation.

fund- Grants to six local farms, using grants,159475) funds collected from its point-of-sale Change for Change ...

# Quilcene school levy vote returns in April (/stories/quilcene-school-levy-vote-returns-in-april,159474)

By James Robinson Quilcene School District officials decided in a special session Feb. 23 to return a recently-failed levy question to voters in April's special election. The ...

# Double-check signatures for March 12 ballot deadline (/stories/double-check-signatures-for-march-12-ballot-deadline,159463)

By Kirk Boxleitner The deadline to return your ballot for the 2024 Jefferson County presidential primary election is Tuesday, March 12, at 8 p.m. at one of 10 local drop-box ...

More ▶ (/news/)



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bai 781 GETAWAY !: est

(/stories/ptleader\_getaway\_2023 \_web,120332)

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> View this issue (/stories/ptleader\_getaway\_2023\_ web,120332)

Browse other issues (/specialsections/)

"Julie Jaman has repeatedly violated the 'Y's code of conduct, such as using disrespectful words or gestures toward YMCA staff or others; abusive, harassing and/or obscene language or gestures toward YMCA staff or others," Hawkins said in an email.

Jaman, who said she is a 35-year patron of the pool, said she never used vulgar language toward any YMCA employees nor has she been reprimanded at the pool in the past.

"I was told secondhand that I used vulgar or abusive language since the only charge made to me was that I was discriminating ... I believe that that story of abusive language was made up later on," Jaman said.

"I know all about pool etiquette; I've never been reviewed or reprimanded, a warning, nothing," she said.

#### STATE LAW CITED

Jaman said that the main issue she has with the pool is the lack of clarity in the form of signs or other means to indicate that transgender women will be allowed in the women's restroom.

YMCA officials said they were following state law in allowing access to its facilities.

Washington state law asserts that transgender people have the right to access locker rooms, changing rooms, and bathrooms that align with their gender expression or gender identity.

When asked if she acknowledges the gender identity of the transgender pool employee, Jaman did not give a clear answer, saying that she was confused by the question.

Since the incident, Jaman has continued to refer to the YMCA employee as a man.

Hawkins also said the YMCA implements a variety of background checks on pool staff and patrons before they are accepted into the facility.

"Most importantly, children who are entrusted to our care, we do have a series of measures in place to keep kids safe. Our staff received background checks before being hired by the YMCA," Hawkins said.

Additionally, staff members complete training every year to recognize potential child abuse and applicants looking to join the pool are screened through software called Raptor Technologies, which checks to confirm that applicants aren't sex offenders and have never committed crimes against children, according to the YMCA.

Following the incident, protests and counter-protests have occurred in front of the Mountain View Campus on Monday, Tuesday, Wednesday, and Thursday of last week.

According to Hawkins, Tuesday, Aug. 2 drew the largest crowd with around 50 to 60 people, and the majority of those in attendance were counter-protesting in support of the YMCA's decision and to support the LGBTQ+ community.

The incident has since prompted headlines on multiple conservative news and entertainment outlets, with many repeating the false claim that Jaman had confronted a man in the woman's shower area and was banned by the YMCA because of it.

"Since then, the whole world has been knocking at my door," Jaman said of the incident's nationwide media coverage.

Mountain View Pool and the Olympic Peninsula YMCA have since received critical and negative phone calls and emails from people around the country.

"Staff have received harsh criticism and hateful messages from all over the country for the 'Y' acting in accordance with state law and revoking Julie's membership for repeatedly violating our Code of Conduct," Hawkins said via email, adding that only a few news outlets have reached out to the YMCA to hear its side of the story.

So far, the Mountain View Pool and Olympic Peninsula YMCA have received around 100 total calls and emails since the incident.



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Jaman stated that she has been a victim of the after-effects from her pool incident as well, saying that the city of Port Townsend has taken the YMCA's side and city representatives have accused her of being a bigot.

"At this point, it appears I am the one being discriminated against," Jaman said.

#### ANGER BOILS OVER

The protests and discussions on transgender people using women's and men's restrooms and changing facilities spilled into the Port Townsend City Council meeting last week, with 25-plus advocates on both sides talking about the incident.

"This individual is not a man identifying as a woman; this individual is a woman. I think we need to have respect and inclusivity ... it is inappropriate for people in this day and age, in 2022, not to recognize what transgender means," said Sequim resident Rebecca Horst.

Tensions rose when both Port Townsend Mayor David Faber and City Manager John Mauro tried to talk after the public comment session.

Both were repeatedly interrupted when they tried to speak.

"I listened to you quietly; I would like you to listen to me quietly now," Faber said.

"Port Townsend is a welcoming community, and hate and discrimination have no place in this community," the mayor said. "LGBTQ people, trans people in particular in this case, are entitled to basic respect, and they have not been receiving that in much of the commentary tonight, calling them 'pedophiles' and 'rapists' and 'predators."

"Our staff, our team, is comprised of a variety of individuals, some who identify as trans [and] LGBTQ community members, and it's our duty to not just respect diversity, but to actually embrace that as part of what builds a strong city team," Mauro added.

"I couldn't stand up here and say to you that we are not behind the Y's decision based on abusive behavior to stand for the respect of every individual," he said.

# OTHER ITEMS THAT MAY INTEREST YOU

Food Co-op awards six Farmer Fund grants (/stories/foodco-op-awardssix-farmerfundgrants,159475) Foul weather hits Jefferson County (/stories/foulweather-hitsjeffersoncounty,158308) County property taxes not keeping pace with inflation (/stories/county -propertytaxes-notkeeping-pacewithinflation,15831 3) Briefs (/stories/briefs, 158312)



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(tel:1-360-385-2900)

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# **EXHIBIT C**

Subject: FW: draft FAQ

Date: Wednesday, August 10, 2022 8:45:57 AM

Attachments: image001.png

DRAFT FAQ.docx

This is the draft that our City Manager put together.

Heidi

From: John Mauro < JMauro@cityofpt.us> Sent: Tuesday, August 9, 2022 5:41 PM

To: Heidi Greenwood <HGreenwood@cityofpt.us>; Thomas Olson <tolson@cityofpt.us>; Steve King

<sking@cityofpt.us>
Subject: draft FAQ

HI All

We're talking with our consultant at 9am tomorrow – thanks to Heidi for setting this up.

To get us started, here are some draft FAQs to review, add to and edit.

Our communications at the moment are protected under attorney client privilege; we'll loop in Wendy at the Y for information as/when appropriate.

Thank you!

John

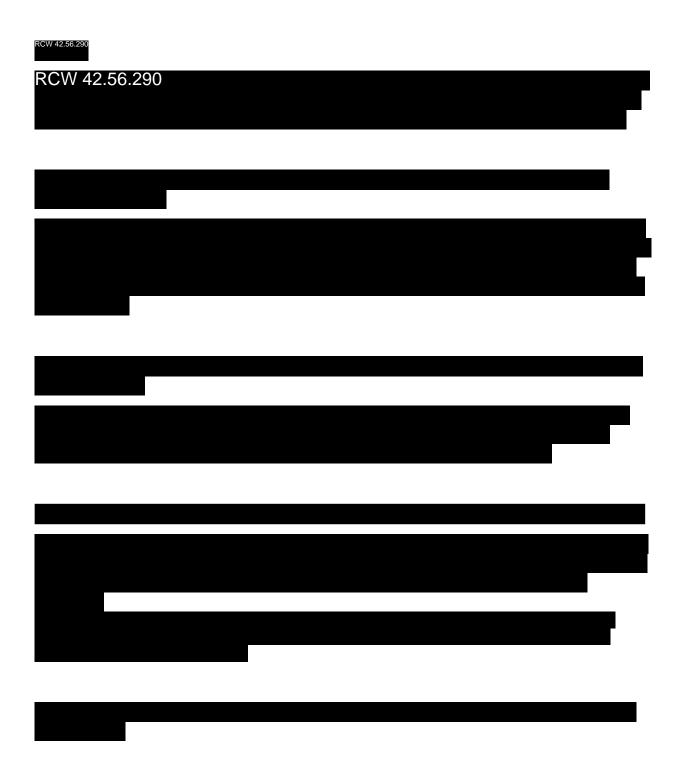
#### John Mauro | City Manager

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# DRAFT FAQ



From: <u>sking@cityofpt.us</u>

To: <u>smudgett@feareygroup.com</u>

Subject: Fwd: draft FAQ

Date: Wednesday, August 10, 2022 9:05:22 AM

Attachments: <u>image001.png</u>

## Sent from my iPhone

## Begin forwarded message:

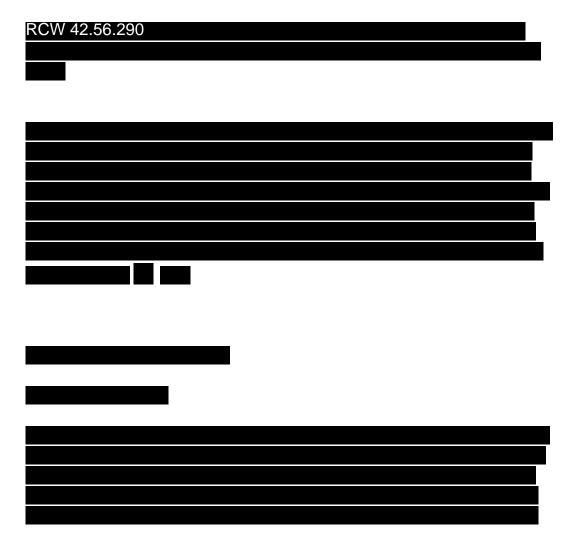
From: Steve King <sking@cityofpt.us> Date: August 10, 2022 at 8:44:47 AM PDT

To: John Mauro <JMauro@cityofpt.us>, Heidi Greenwood

<HGreenwood@cityofpt.us>, Thomas Olson <tolson@cityofpt.us>

Subject: RE: draft FAQ

I like where this is going...



#### RCW 42.56.290

Thanks! Steve

From: John Mauro < JMauro@cityofpt.us> Sent: Tuesday, August 9, 2022 5:41 PM

**To:** Heidi Greenwood <HGreenwood@cityofpt.us>; Thomas Olson

<tolson@cityofpt.us>; Steve King <sking@cityofpt.us>

**Subject:** draft FAQ

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From: JMauro@cityofpt.us smudgett@feareygroup.com To:

Subject: FW: YMCA Incident

Date: Wednesday, August 10, 2022 9:36:37 AM

Attachments: image001.png

22-3987 YMCA.pdf

Second page = police notes

### John Mauro | City Manager

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From: Thomas Olson <tolson@cityofpt.us> Sent: Tuesday, August 9, 2022 3:21 PM To: John Mauro < JMauro@cityofpt.us>

Subject: Fwd: YMCA Incident

See attached.

Thomas Olson Chief of Police Port Townsend Police Department 360-531-4965

Sent from my iPhone

Begin forwarded message:

From: Jon Stuart < <a href="mailto:JStuart@cityofpt.us">JStuart@cityofpt.us</a>> Date: August 9, 2022 at 3:17:22 PM PDT To: Thomas Olson < tolson@cityofpt.us>

**Subject: YMCA Incident** 

Jon Stuart | Act. Sergeant

City of Port Townsend | www.cityofpt.us | istuart@cityofpt.us 1925 Blaine St. Suite 100, Port Townsend, WA 98368 P:(360) 344-9752 | C:(360) 390-8938 | F:(360) 379-4438

# **Incident Report**

Print Date/Time: 08/09/2022 15:15

Port Townsend Police Department

ORI Number: V

**DIST - Disturbance** 

WA0160100

Incident: 2022-00003987

Incident Date/Time: 7/26/2022 1:54:02 PM

jstuart

Location: 1925 BLAINE ST

PORT TOWNSEND WA 98368

Phone Number: (360)643-0013

Report Required: No

Prior Hazards: No LE Case Number: Venue: Port Townsend

Source: 911 Priority: 3

Status: In Progress

Nature of Call:

Incident Type:

Unit/Personnel

Login ID:

Unit Personnel

PT716 PTPD0092-TITTERNESS

PT717 PTPD0032-STUART

Person(s)

No. Role Name Address Phone Race Sex DOB

1 Suspect JUMAN, JULIE

2 Reporting party USA, T-MOBILE (360)643-0013

Vehicle(s)

Role Type Year Make Model Color License State

Disposition(s)

Disposition Count

D 1

Property

Date Code Type Make Model Description Tag No. Item No.

#### **CAD Narrative**

07/26/2022: 17:01:32 mtitterness Narrative: SPOKE TO JULIE. JULIE WAS USING THE RESTROOM AND HEARD A MANS VOICE AND OBSERVED WHAT APPEARED TO BE A MAN IN A FEMALE BATHING SUIT ASSISTING A SMALL FEMALE CHILD. JULIE BECAME VERY "TRIGGERED" AND HAD AN EMOTIONAL RESPONSE TO A STRANGE MALE BEING IN THE BATHROOM AND HELPING A YOUNG GRIL TAKE OFF HER BATHING SUIT. HAD A LONG DISCUSSION ABOUT THE COMPLEX ISSUE. JULIE IS GOING TO REACH OUT TO THE YMCA AND DISCUSS THIS ISSUE WITH THEM. SHE IS HOPING NOT TO BE TRESPASSED FROM THE POOL.

07/26/2022: 15:47:41 merwick1 Narrative: JULIE JAMAN 360-385-6078 REQ PHONE CALL CALLER WOULDN'T GIVE ANY INFO TO START THEN FINALLY GAVE YMCA ADV OF DELAY DUE TO PRIORITY CALLS AND CALL VOLUME STATED SHE WANTS A CALL "WHEN HE'S READY TO DO HIS JOB"

07/26/2022 : 13:59:53 merwick1 Narrative: CLEMENTINE WAS IN THE BATHROOM WITH A CHILD IN THE DAY CAMP AND JULIE ASKED IF SHE HAD A PENIS AND STARTED SCREAMING AT HER TO GET OUT

07/26/2022: 13:59:07 merwick1 Narrative: WAS YELLING AT CLEMENTINE ADAMS WHO IS A WORKER FOR THE YMCA

07/26/2022 : 13:58:31 merwick1 Narrative: SUSP IN THE BATHROOM REFUSING TO LEAVE

07/26/2022: 13:56:05 merwick1 Narrative: SUS IN THE LOCKER ROOM REFUSING TO LEAVE

07/26/2022: 13:55:47 merwick1 Narrative: \*\*JULIE JUMAN

07/26/2022 : 13:55:23 merwick1 Narrative: HAS BEEN ASKED TO LEAVE AND IS REFUSING

07/26/2022: 13:54:57 merwick1 Narrative: SUSP JULIE JUMAND

07/26/2022 : 13:54:37 merwick1 Narrative: FEMALE ON SCENE SCREAMING AT EMPLOYEE AND CALLING NAMES AND REFUSING TO LEAVE

From: <u>JMauro@cityofpt.us</u>

To: sking@cityofpt.us; HGreenwood@cityofpt.us; smudgett@feareygroup.com; tolson@cityofpt.us

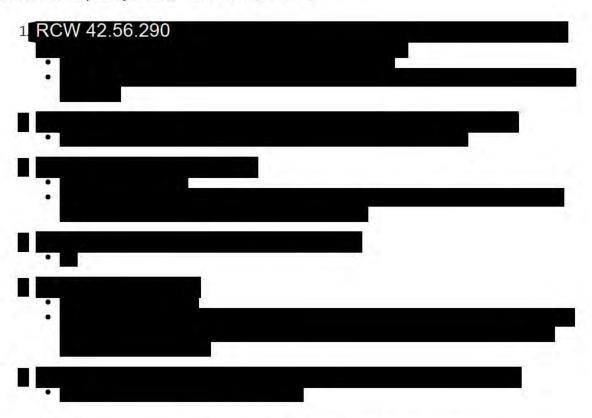
Subject: RE: Mountain View Pool

Date: Wednesday, August 10, 2022 10:32:10 AM

Attachments: <u>image001.png</u>

Hi all

I spoke with Wendy Bart just now. Here's what I learned:



I've asked Wendy to get back with urgency on #1, #2 and will send info when I get it.

Thanks, Stephanie! Glad you're with us on this one!

John

### John Mauro | City Manager

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P: 360.379.5043 | M: 360.531.2916



**From:** Steve King <sking@cityofpt.us>

Sent: Wednesday, August 10, 2022 10:15 AM

**To:** Heidi Greenwood <HGreenwood@cityofpt.us>; smudgett@feareygroup.com; John Mauro

<JMauro@cityofpt.us>; Thomas Olson <tolson@cityofpt.us>

**Subject:** Mountain View Pool

Hi Stephanie,

I just verified with our facilities staff what is in the locker rooms. The showers have curtains and there are also changing rooms within the locker rooms with curtains.

The Y has brought this all up to speed since they took over operations of the pool.

Thanks, Steve

-----Original Appointment-----

**From:** Heidi Greenwood < <u>HGreenwood@cityofpt.us</u>>

Sent: Tuesday, August 9, 2022 5:32 PM

To: Heidi Greenwood; Heidi Greenwood; <a href="mailto:smudgett@feareygroup.com">smudgett@feareygroup.com</a>; John Mauro; Thomas Olson;

Steve King

**Subject:** GoToMeeting Invitation - Meeting with Fearey Group

When: Wednesday, August 10, 2022 9:00 AM-10:00 AM (UTC-08:00) Pacific Time (US & Canada).

Where: City Hall 2nd Floor Admin Conference Room

This is a meeting with the PR firm to help us with the YMCA.

Meeting with Fearey Group Wed, Aug 10, 2022 9:00 AM - 10:00 AM (PDT)

Please join my meeting from your computer, tablet or smartphone.

https://meet.goto.com/158912413

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- One-touch: tel:+18722403212,,158912413#

Access Code: 158-912-413

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To: <a href="mailto:sking@cityofpt.us">sking@cityofpt.us</a>; <a href="mailto:HGreenwood@cityofpt.us">HGreenwood@cityofpt.us</a>; <a href="mailto:smudgett@feareygroup.com">smudgett@feareygroup.com</a>; <a href="mailto:tolor@cityofpt.us">toloon@cityofpt.us</a>; <a href="mailto:smudgett@feareygroup.com">smudgett@feareygroup.com</a>; <a href="mailto:toloon@cityofpt.us">toloon@cityofpt.us</a>; <a href="mailto:smudgett@feareygroup.com">smudgett@feareygroup.com</a>; <a href="mailto:smudgett@feareygroup.com">smudgett@fearey

Subject: RE: Mountain View Pool

Date: Wednesday, August 10, 2022 10:55:14 AM

Attachments: <u>image001.png</u>

Sorry – last question was:

### RCW 42.56.290

I'll let you know as she's going to look into that and respond.

John

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Sent: Wednesday, August 10, 2022 10:32 AM

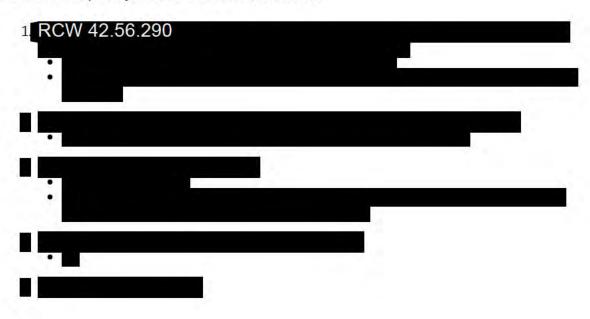
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From: HGreenwood@cityofpt.us

To: <a href="mailto:JMauro@cityofpt.us">JMauro@cityofpt.us</a>; <a href="mailto:sking@cityofpt.us">sking@cityofpt.us</a>; <a href="m

Subject: RE: Mountain View Pool

Date: Wednesday, August 10, 2022 10:55:24 AM

Attachments: <u>image001.png</u>

Perhaps the Washington State Office of Equity might help us. If they cannot, they may be able to recommend someone to help us with a path forward.

Their website is here: <a href="https://equity.wa.gov/">https://equity.wa.gov/</a>

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Sent: Wednesday, August 10, 2022 10:32 AM

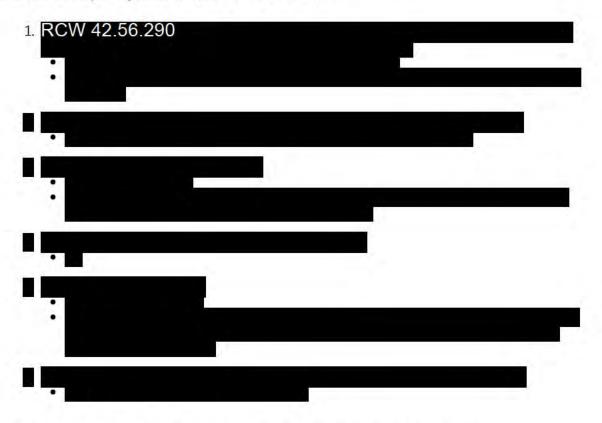
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From: Stephanie Mudgett

To: Heidi Greenwood; John Mauro; Steve King; Thomas Olson

Subject: Re: Mountain View Pool

Date: Wednesday, August 10, 2022 10:58:52 AM

Attachments: image001.png

Outlook-A picture .pnq

### **CAUTION: External Email**

good idea

......

### STEPHANIE MUDGETT | Senior Consultant

### smudgett@feareygroup.com

M: 206.484.4409

FEAREY.AGENCY | LINKEDIN

**CELEBRATING 40 YEARS** 



YOU, AMPLIFIED.

From: Heidi Greenwood < HGreenwood@cityofpt.us>

Sent: Wednesday, August 10, 2022 10:55 AM

To: John Mauro < JMauro@cityofpt.us>; Steve King < sking@cityofpt.us>; Stephanie Mudgett

<smudgett@feareygroup.com>; Thomas Olson <tolson@cityofpt.us>

Subject: RE: Mountain View Pool

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Their website is here: https://equity.wa.gov/

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Sent: Wednesday, August 10, 2022 10:32 AM

To: Steve King <sking@cityofpt.us>; Heidi Greenwood <HGreenwood@cityofpt.us>;

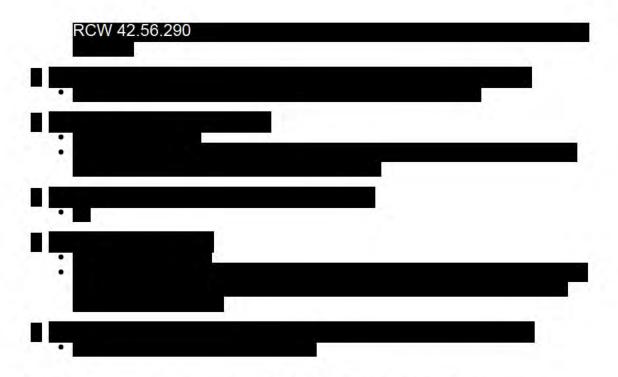
smudgett@feareygroup.com; Thomas Olson <tolson@cityofpt.us>

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1. RCW 42.56.290



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John

### John Mauro | City Manager

City of Port Townsend | www.cityofpt.us 250 Madison Street, Suite 2 | Port Townsend, WA 98368 P: 360.379.5043 | M: 360.531.2916



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From: Steve King < sking@cityofpt.us>

Sent: Wednesday, August 10, 2022 10:15 AM

**To:** Heidi Greenwood < <a href="https://example.com">HGreenwood@cityofpt.us</a>; <a href="mailto:smudgett@feareygroup.com">smudgett@feareygroup.com</a>; <a href="mailto:John Mauro">John Mauro</a>

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Where: City Hall 2nd Floor Admin Conference Room

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Meeting with Fearey Group

Wed, Aug 10, 2022 9:00 AM - 10:00 AM (PDT)

Please join my meeting from your computer, tablet or smartphone.

https://meet.goto.com/158912413

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

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- One-touch: <u>tel:+18722403212,,158912413#</u>

Access Code: 158-912-413

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From: Stephanie Mudgett

To: Heidi Greenwood; John Mauro; Steve King; Thomas Olson

Subject: Re: Mountain View Pool

Date: Wednesday, August 10, 2022 10:58:58 AM

Attachments: image001.png

Outlook-A picture .png

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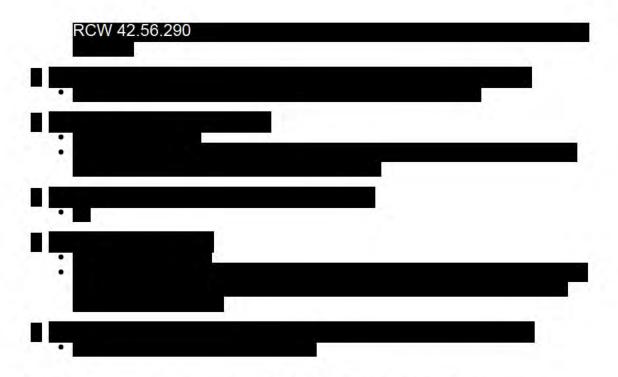
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From: Stephanie Mudgett

To: John Mauro; Steve King; Heidi Greenwood; Thomas Olson

Subject: Re: Mountain View Pool

Date: Wednesday, August 10, 2022 10:59:32 AM

Attachments: image001.png

Outlook-A picture .png

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Thank you - I will write in the Q&A that she did, and we can delete if not. Process improvement if not....S

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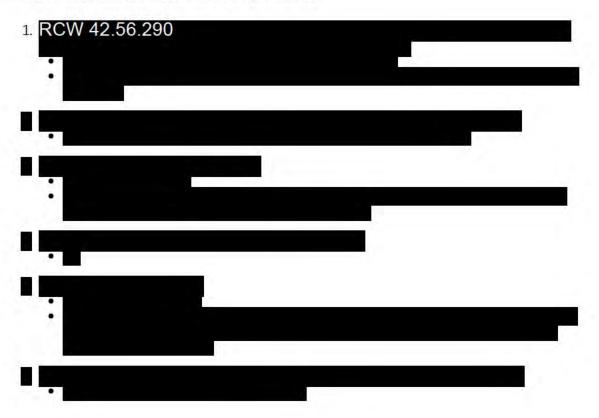
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Subject: Re: Mountain View Pool

**Date:** Wednesday, August 10, 2022 10:59:33 AM

Attachments: <u>image001.png</u>

Outlook-A picture .png

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smudgett@feareygroup.com

M: 206.484.4409

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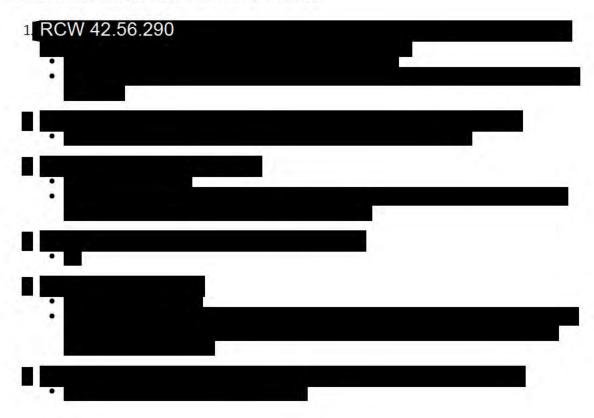
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From: <u>Stephanie Mudgett</u>

To: <u>Heidi Greenwood; John Mauro; Steve King; Thomas Olson</u>

Subject: Re: Mountain View Pool - Q&A

**Date:** Wednesday, August 10, 2022 11:31:26 AM

Attachments: <u>image001.png</u>

Outlook-A picture .png

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**M:** 206.484.4409

**FEAREY.AGENCY** | LINKEDIN

CELEBRATING 40 YEARS



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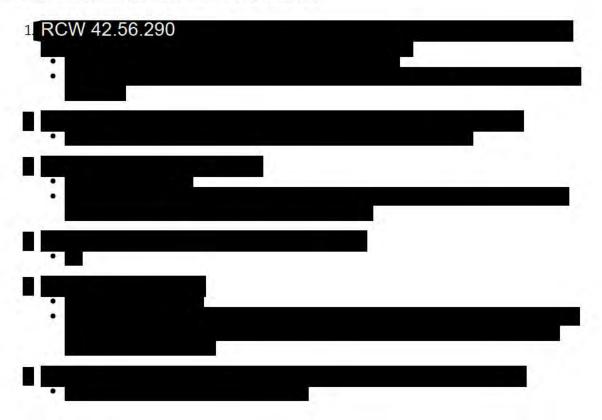
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Subject: Re: Mountain View Pool - Q&A

**Date:** Wednesday, August 10, 2022 11:31:27 AM

Attachments: <u>image001.png</u>

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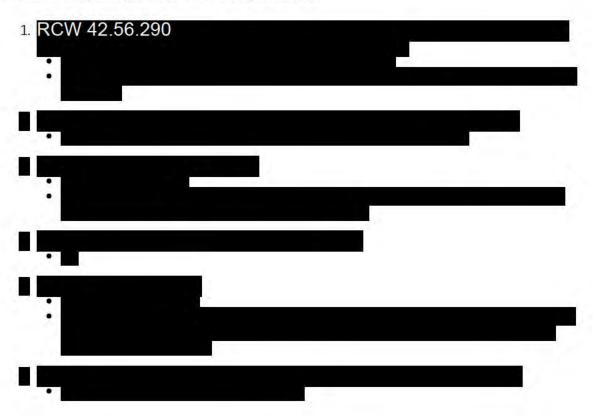
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Subject: Re: Mountain View Pool - Q&A

**Date:** Wednesday, August 10, 2022 11:31:56 AM

Attachments: <u>image001.png</u>

Outlook-A picture .png

Yes!

### Get Outlook for iOS

From: Stephanie Mudgett <smudgett@feareygroup.com>

Sent: Wednesday, August 10, 2022 11:31:19 AM

To: Heidi Greenwood <HGreenwood@cityofpt.us>; John Mauro <JMauro@cityofpt.us>; Steve King

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**To:** John Mauro <JMauro@cityofpt.us>; Steve King <sking@cityofpt.us>; Stephanie Mudgett <smudgett@feareygroup.com>; Thomas Olson <tolson@cityofpt.us>

Subject: RE: Mountain View Pool

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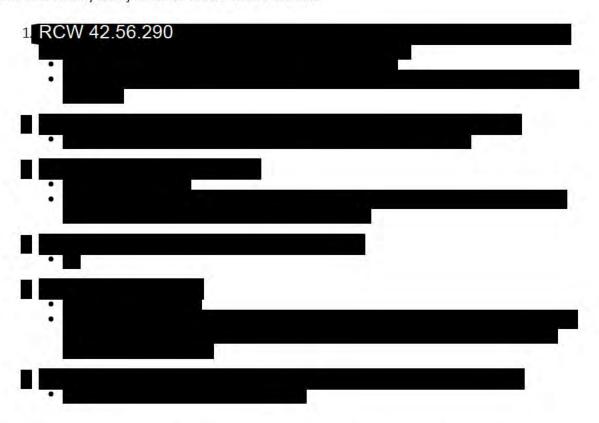
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John Mauro | City Manager

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https://meet.goto.com/158912413

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

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- One-touch: tel:+18722403212..158912413#

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To: <u>Heidi Greenwood</u>

Subject: Mountain View Pool Q&A draft - ATTORNEY/CLIENT PRIVILEDGE

**Date:** Wednesday, August 10, 2022 11:33:50 AM

Attachments: Outlook-A picture .pnc

Outlook-A picture .png Port Townsend YMCA Q&A 081022 Rev. 2.docx

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### **STEPHANIE MUDGETT** | Senior Consultant

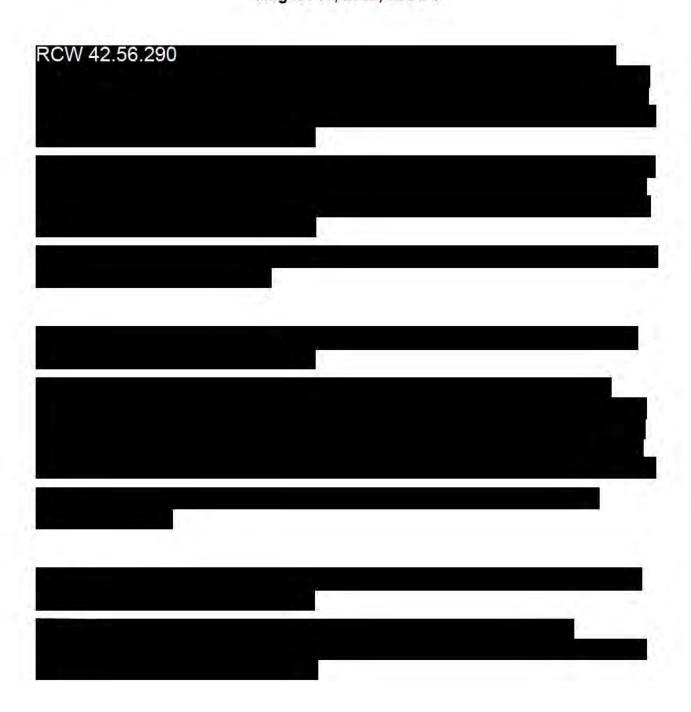
smudgett@feareygroup.com

**M:** 206.484.4409

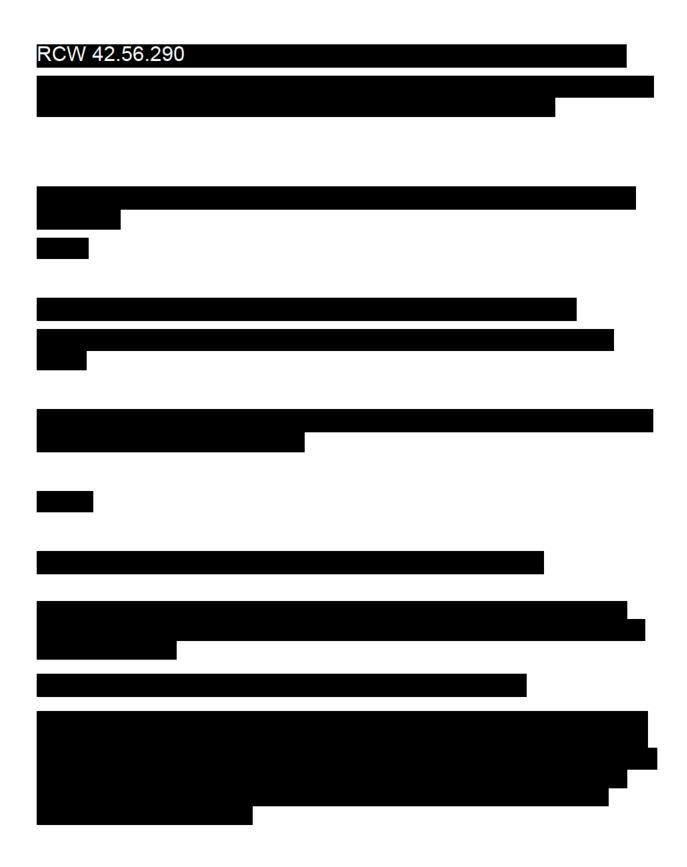
**FEAREY.AGENCY** | LINKEDIN



# Mountain View Pool Questions and Answers August 10, 2022, DRAFT



# RCW 42.56.290



## RCW 42.56.290



From: Stephanie Mudgett
To: Heidi Greenwood

Cc: <u>John Mauro; Steve Kinq; Thomas Olson</u>
Subject: Re: Mountain View Pool - Q&A

Date: Wednesday, August 10, 2022 11:46:28 AM

Attachments: image001.png

Outlook-A picture .pnq Outlook-A picture .pnq image001.pnq

### RCW 42.56.290

Stephanie 206-484-4409

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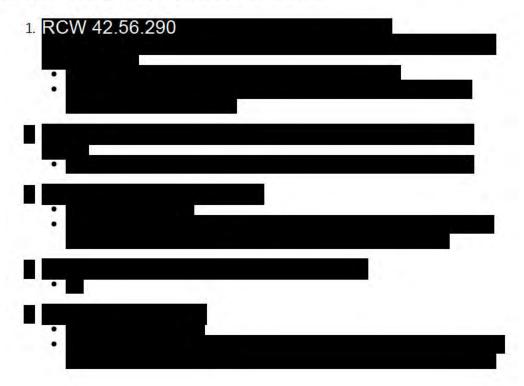
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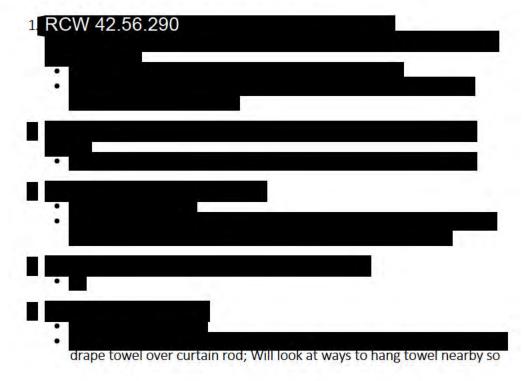
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**Date:** Wednesday, August 10, 2022 11:50:04 AM

Attachments: Outlook-A picture .png

Outlook-A picture .png

Port Townsend YMCA Q&A 081022 Rev. 2.docx

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# RCW 42.56.290

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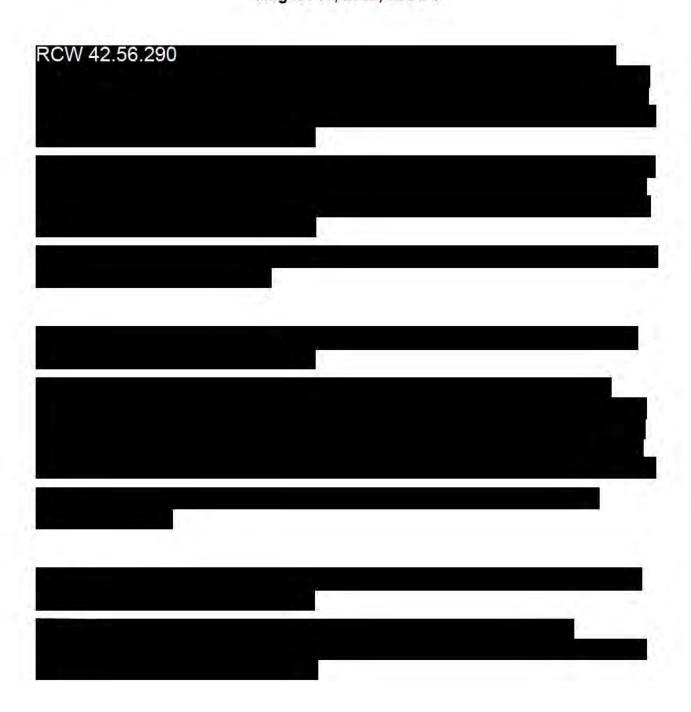
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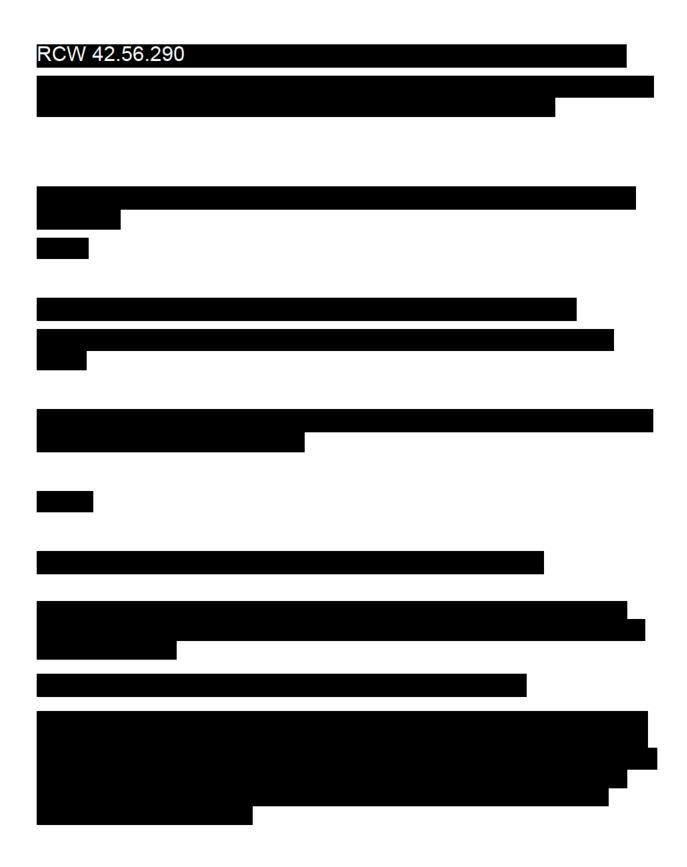
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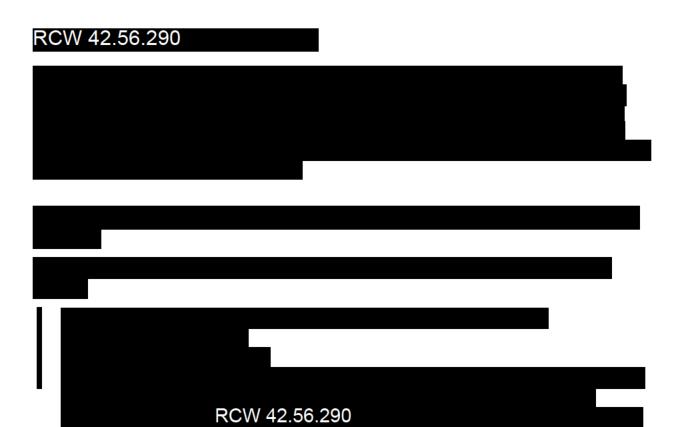
FEAREY.AGENCY | LINKEDIN

# Mountain View Pool Questions and Answers August 10, 2022, DRAFT



# RCW 42.56.290





###

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To: <u>smudgett@feareygroup.com</u>; <u>HGreenwood@cityofpt.us</u>

 Cc:
 sking@cityofpt.us; tolson@cityofpt.us

 Subject:
 RE: Mountain View Pool - Q&A

Date: Wednesday, August 10, 2022 1:34:55 PM

Attachments: <u>image001.png</u>

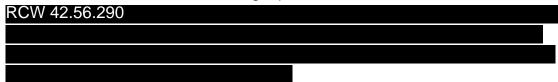
image002.png

Port Townsend YMCA QA 081022 Rev. 3.docx

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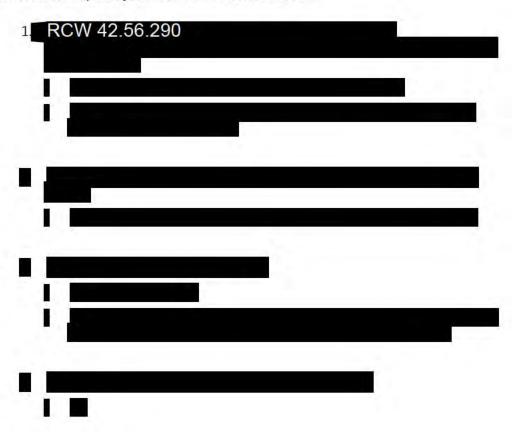
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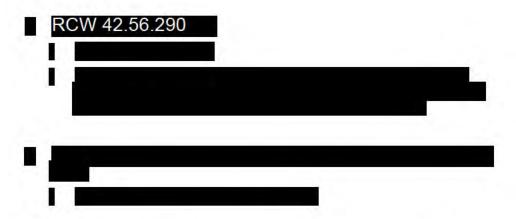
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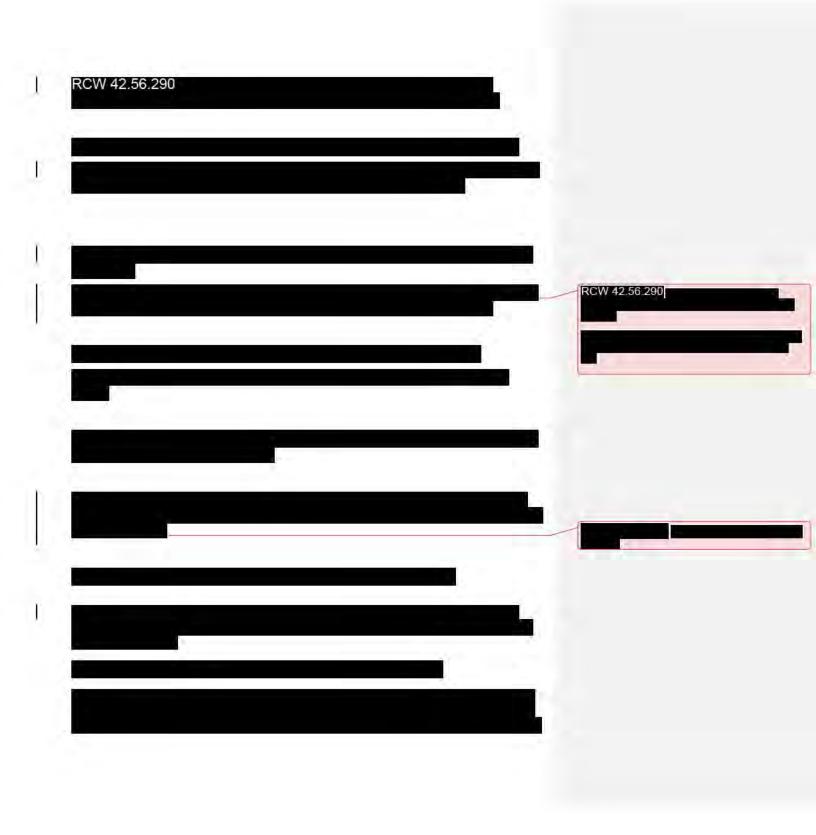
Mountain View Pool

Questions and Answers

August 10, 2022, DRAFT\_3









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Date: Wednesday, August 10, 2022 1:36:01 PM

Attachments: image001.png

image002.png

22-3987 YMCA (002).pdf

Oops – sorry for double-send. Police notes now attached.

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### STEPHANIE MUDGETT | Senior Consultant

smudgett@feareygroup.com

M: 206.484.4409

FEAREY.AGENCY | LINKEDIN

**CELEBRATING 40 YEARS** 



YOU, AMPLIFIED.

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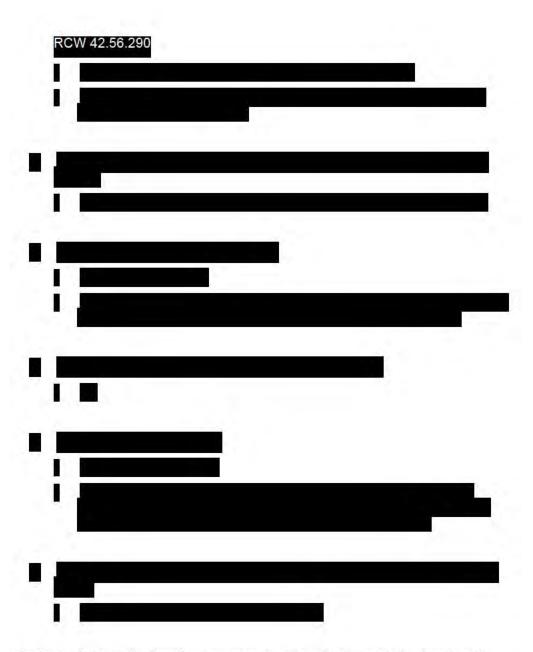
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# **Incident Report**

Print Date/Time: 08/09/2022 15:15

Port Townsend Police Department

ORI Number: V

**DIST - Disturbance** 

WA0160100

Incident: 2022-00003987

Incident Date/Time: 7/26/2022 1:54:02 PM

jstuart

Location: 1925 BLAINE ST

PORT TOWNSEND WA 98368

Phone Number: (360)643-0013

Report Required: No

Prior Hazards: No LE Case Number: Venue: Port Townsend

Source: 911 Priority: 3

Status: In Progress

Nature of Call:

Incident Type:

Unit/Personnel

Login ID:

Unit Personnel

PT716 PTPD0092-TITTERNESS

PT717 PTPD0032-STUART

Person(s)

No. Role Name Address Phone Race Sex DOB

1 Suspect JUMAN, JULIE

2 Reporting party USA, T-MOBILE (360)643-0013

Vehicle(s)

Role Type Year Make Model Color License State

Disposition(s)

Disposition Count

D 1

Property

Date Code Type Make Model Description Tag No. Item No.

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To: <u>John Mauro</u>

Cc: <u>Heidi Greenwood</u>; <u>Steve King</u>; <u>Thomas Olson</u>

Subject: Re: Mountain View Pool - Q&A

Date: Wednesday, August 10, 2022 2:03:57 PM

Attachments: <u>image001.png</u>

image002.png image001.png image002.png image001.png

Port Townsend YMCA QA 081022 Rev. 3.docx

Do we want to hop on a call right now to go through this together? I'm not sure what I should do at this point before 3 pm to help?

Stephanie 206-484-4409

On Aug 10, 2022, at 1:35 PM, John Mauro <JMauro@cityofpt.us> wrote:

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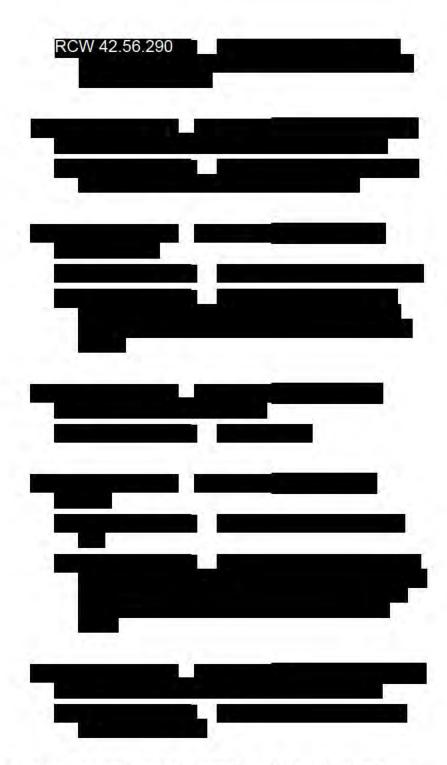
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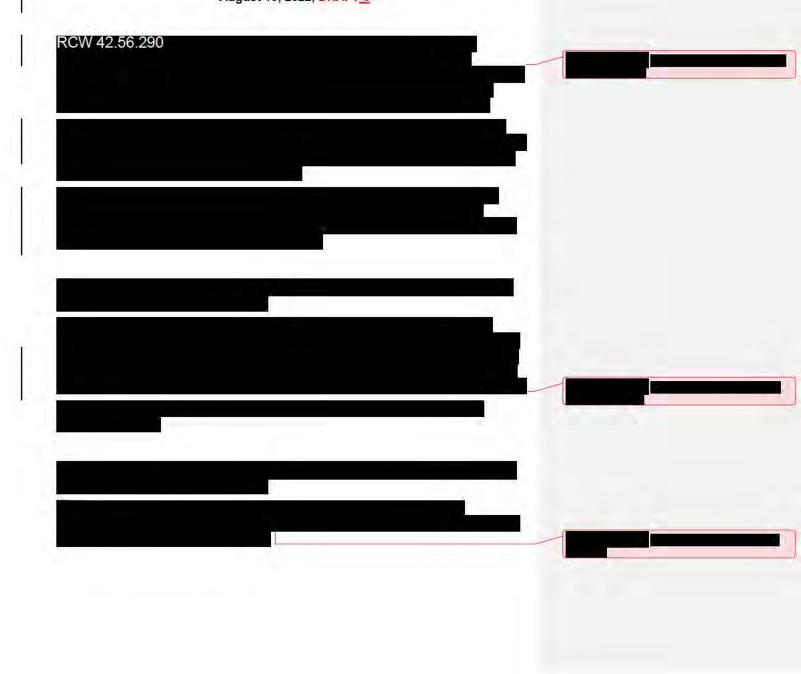
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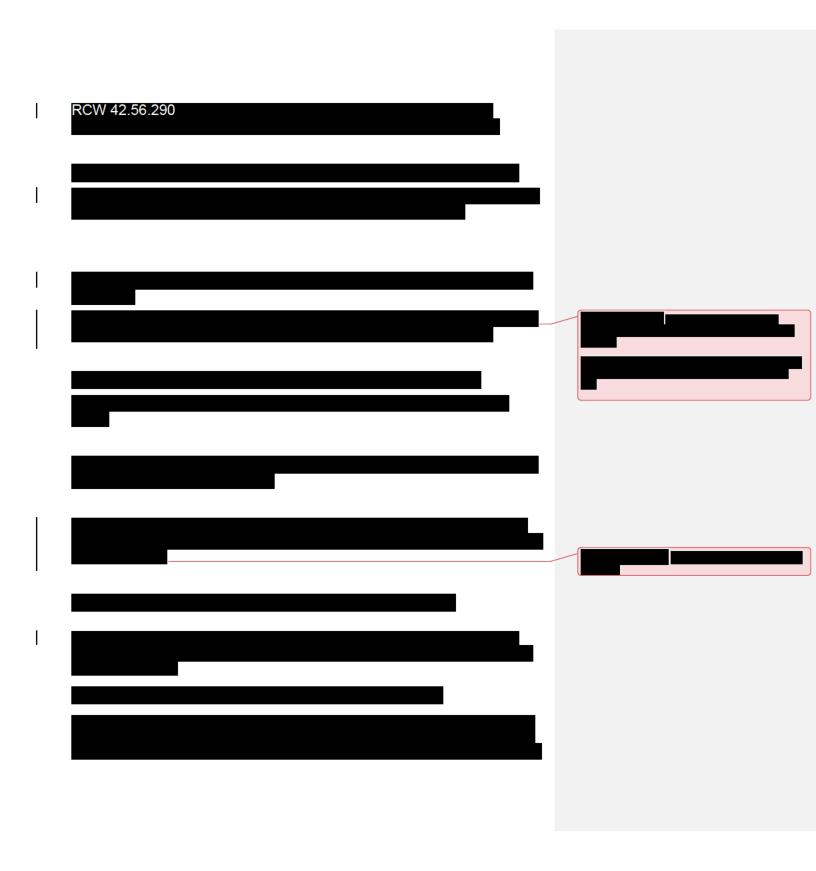
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Questions and Answers

August 10, 2022, DRAFT\_3









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Attachments: <u>image001.png</u>

image002.png image001.png image001.png image002.png image001.png

22-3987 YMCA (002).pdf

# Thank you - please ask Wendy RCW 42.56.290

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Oops – sorry for double-send. Police notes now attached.

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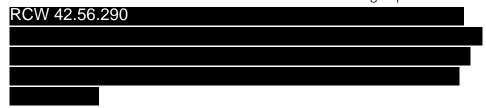
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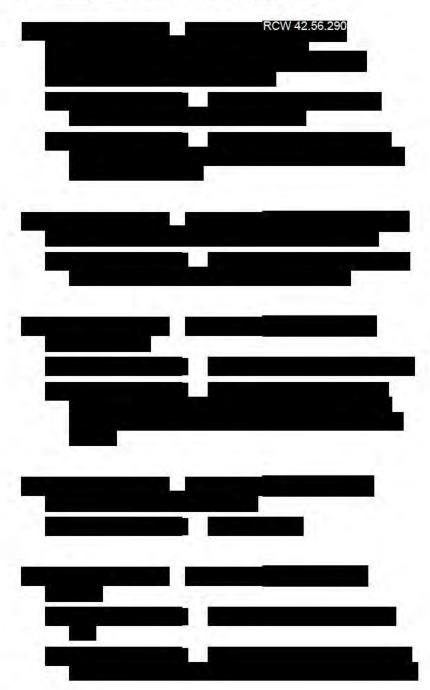
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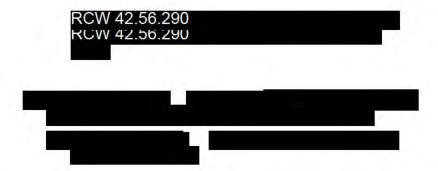
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Print Date/Time: 08/09/2022 15:15

Login ID: jstuart **ORI Number:** 

WA0160100

Port Townsend Police Department

Incident: 2022-00003987

Incident Date/Time: 7/26/2022 1:54:02 PM Location: 1925 BLAINE ST

PORT TOWNSEND WA 98368

Phone Number: (360)643-0013

Report Required: No

**Prior Hazards:** No LE Case Number:

Incident Type: **DIST** - Disturbance Venue: Port Townsend

911 Source:

Priority: Status: In Progress

Nature of Call:

Unit/Personnel

Unit Personnel PT716

PTPD0092-**TITTERNESS** 

PT717 PTPD0032-STUART

Person(s)

DOB No. Role Name **Address Phone** Race Sex

1 Suspect JUMAN, JULIE

2 Reporting party USA, T-MOBILE (360)643-0013

Vehicle(s)

Role Year Make Model Color License State Type

Disposition(s)

Disposition Count

D

Property

Date Code Make Model Type Description Tag No. Item No.

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Attachments: <u>image001.png</u>

image002.png image001.png image001.png image002.png image001.png

22-3987 YMCA (002).pdf

# Thank you - please ask Wendy RCW 42.56.290

Stephanie 206-484-4409

On Aug 10, 2022, at 1:36 PM, John Mauro <JMauro@cityofpt.us> wrote:

Oops – sorry for double-send. Police notes now attached.

# John Mauro | City Manager

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P: 360.379.5043 | M: 360.531.2916

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Sent: Wednesday, August 10, 2022 1:35 PM

To: Stephanie Mudgett <smudgett@feareygroup.com>; Heidi Greenwood

<HGreenwood@cityofpt.us>

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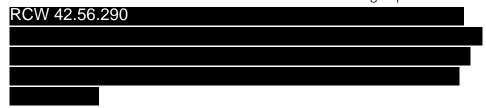
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smudgett@feareygroup.com

**M:** 206.484.4409

FEAREY.AGENCY | LINKEDIN

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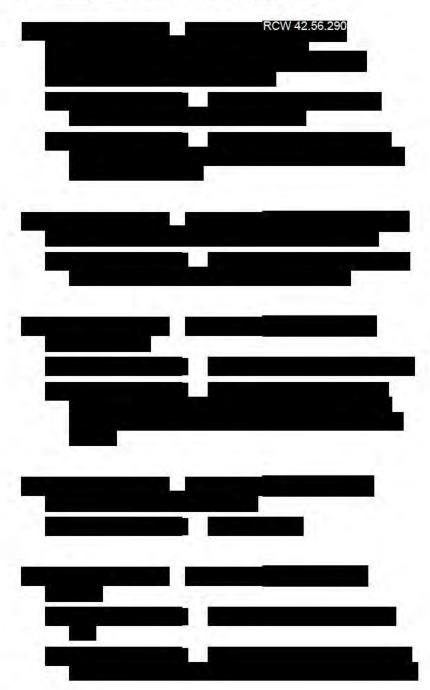
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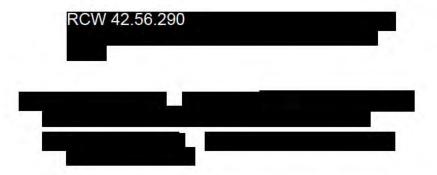
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# **Incident Report**

Print Date/Time: 08/09/2022 15:15

Login ID: jstuart **ORI Number:** 

WA0160100

Port Townsend Police Department

Incident: 2022-00003987

Incident Date/Time: 7/26/2022 1:54:02 PM Location: 1925 BLAINE ST

PORT TOWNSEND WA 98368

Phone Number: (360)643-0013

Report Required: No

**Prior Hazards:** No LE Case Number:

Incident Type: **DIST** - Disturbance Venue: Port Townsend

911 Source:

Priority: Status: In Progress

Nature of Call:

Unit/Personnel

Unit Personnel PT716

PTPD0092-**TITTERNESS** 

PT717 PTPD0032-STUART

Person(s)

DOB No. Role Name **Address Phone** Race Sex

1 Suspect JUMAN, JULIE

2 Reporting party USA, T-MOBILE (360)643-0013

Vehicle(s)

Role Year Make Model Color License State Type

Disposition(s)

Disposition Count

D

Property

Date Code Make Model Type Description Tag No. Item No.

# **CAD Narrative**

07/26/2022: 17:01:32 mtitterness Narrative: SPOKE TO JULIE. JULIE WAS USING THE RESTROOM AND HEARD A MANS VOICE AND OBSERVED WHAT APPEARED TO BE A MAN IN A FEMALE BATHING SUIT ASSISTING A SMALL FEMALE CHILD. JULIE BECAME VERY "TRIGGERED" AND HAD AN EMOTIONAL RESPONSE TO A STRANGE MALE BEING IN THE BATHROOM AND HELPING A YOUNG GRIL TAKE OFF HER BATHING SUIT. HAD A LONG DISCUSSION ABOUT THE COMPLEX ISSUE. JULIE IS GOING TO REACH OUT TO THE YMCA AND DISCUSS THIS ISSUE WITH THEM. SHE IS HOPING NOT TO BE TRESPASSED FROM THE POOL.

07/26/2022: 15:47:41 merwick1 Narrative: JULIE JAMAN 360-385-6078 REQ PHONE CALL CALLER WOULDN'T GIVE ANY INFO TO START THEN FINALLY GAVE YMCA ADV OF DELAY DUE TO PRIORITY CALLS AND CALL VOLUME STATED SHE WANTS A CALL "WHEN HE'S READY TO DO HIS JOB"

07/26/2022 : 13:59:53 merwick1 Narrative: CLEMENTINE WAS IN THE BATHROOM WITH A CHILD IN THE DAY CAMP AND JULIE ASKED IF SHE HAD A PENIS AND STARTED SCREAMING AT HER TO GET OUT

07/26/2022: 13:59:07 merwick1 Narrative: WAS YELLING AT CLEMENTINE ADAMS WHO IS A WORKER FOR THE YMCA

07/26/2022 : 13:58:31 merwick1 Narrative: SUSP IN THE BATHROOM REFUSING TO LEAVE

07/26/2022: 13:56:05 merwick1 Narrative: SUS IN THE LOCKER ROOM REFUSING TO LEAVE

07/26/2022: 13:55:47 merwick1 Narrative: \*\*JULIE JUMAN

07/26/2022 : 13:55:23 merwick1 Narrative: HAS BEEN ASKED TO LEAVE AND IS REFUSING

07/26/2022: 13:54:57 merwick1 Narrative: SUSP JULIE JUMAND

07/26/2022 : 13:54:37 merwick1 Narrative: FEMALE ON SCENE SCREAMING AT EMPLOYEE AND CALLING NAMES AND REFUSING TO LEAVE

From: <u>JMauro@cityofpt.us</u>

To: <u>smudgett@feareygroup.com</u>

Cc: <u>HGreenwood@cityofpt.us</u>; <u>sking@cityofpt.us</u>; <u>tolson@cityofpt.us</u>

Subject: RE: Mountain View Pool - Q&A

**Date:** Wednesday, August 10, 2022 2:08:57 PM

Attachments: <u>image001.png</u>

Yes, let's do so. Let's try for 230 so I can call wendy again and RCW 42.56.290

Also, I know Heidi is working through some comments/edits

too. Best jOhn

# John Mauro | City Manager

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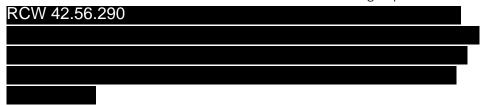
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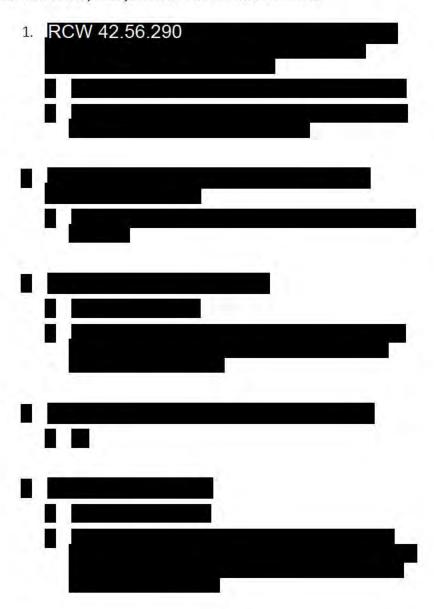
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Port Townsend YMCA QA 081022 Rev. 3.docx

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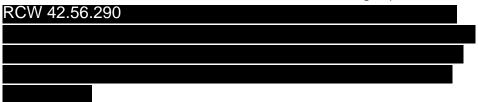
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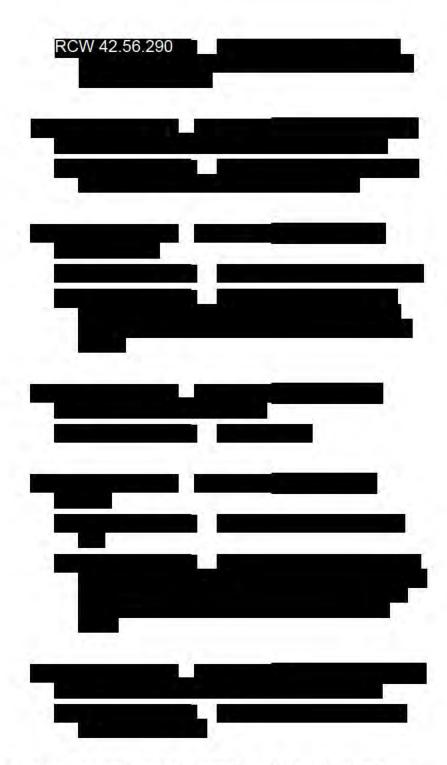
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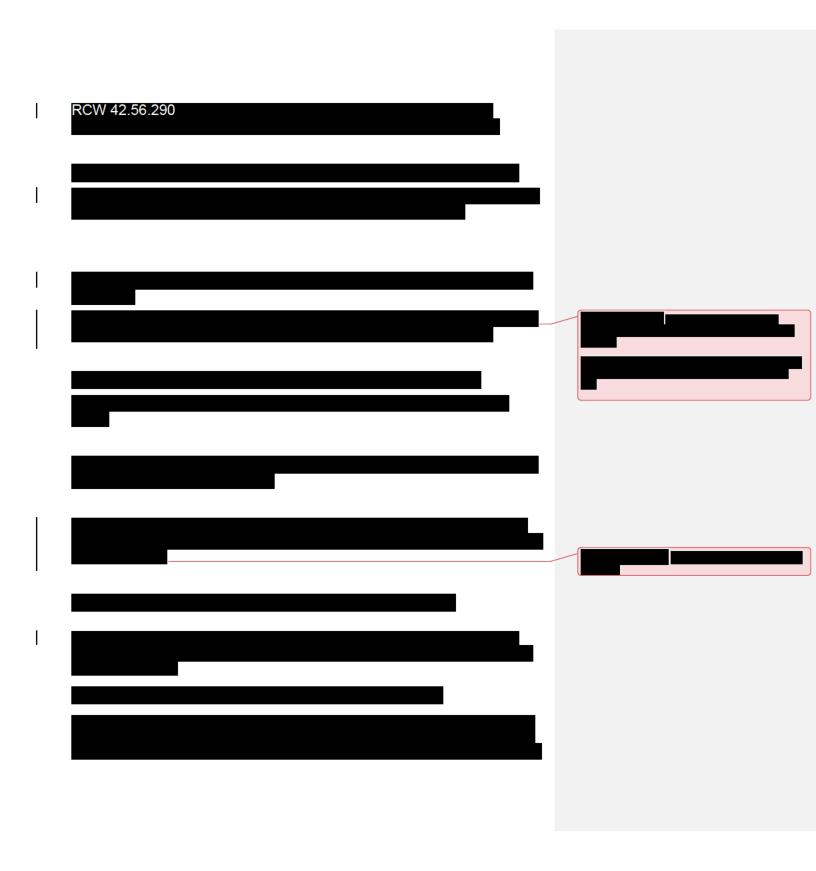
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# Mountain View Pool Questions and Answers August 10, 2022, DRAFT\_3









From: <u>HGreenwood@cityofpt.us</u>

To: <u>JMauro@cityofpt.us</u>; <u>smudgett@feareygroup.com</u>

 Cc:
 sking@cityofpt.us; tolson@cityofpt.us

 Subject:
 RE: Mountain View Pool - Q&A

Date: Wednesday, August 10, 2022 2:12:51 PM

Attachments: <u>image001.png</u>

Port Townsend YMCA QA 081022 Rev. 3.docx

Here are a few more comments on the Q&A.

Heidi

From: John Mauro < JMauro@cityofpt.us>
Sent: Wednesday, August 10, 2022 2:09 PM

**To:** Stephanie Mudgett <smudgett@feareygroup.com>

**Cc:** Heidi Greenwood <HGreenwood@cityofpt.us>; Steve King <sking@cityofpt.us>; Thomas Olson

<tolson@cityofpt.us>

Subject: RE: Mountain View Pool - Q&A

Yes, let's do so. Let's try for 230 so I can call wendy again and RCW 42.56.290

Also, I know Heidi is working through some comments/edits

too. Best jOhn

# John Mauro | City Manager

City of Port Townsend | <u>www.cityofpt.us</u> 250 Madison Street, Suite 2 | Port Townsend, WA 98368

P: 360.379.5043 | M: 360.531.2916

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From: Stephanie Mudgett < smudgett@feareygroup.com >

**Sent:** Wednesday, August 10, 2022 2:04 PM **To:** John Mauro < <u>JMauro@citvofpt.us</u>>

**Cc:** Heidi Greenwood < HGreenwood@cityofpt.us >; Steve King < sking@cityofpt.us >; Thomas Olson

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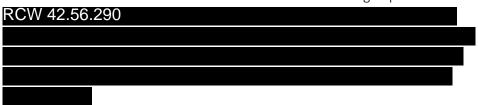
Do we want to hop on a call right now to go through this together? I'm not sure what I should do at this point before 3 pm to help?

Stephanie 206-484-4409 On Aug 10, 2022, at 1:35 PM, John Mauro < <a href="mailto:JMauro@cityofpt.us">JMauro@cityofpt.us</a>> wrote:

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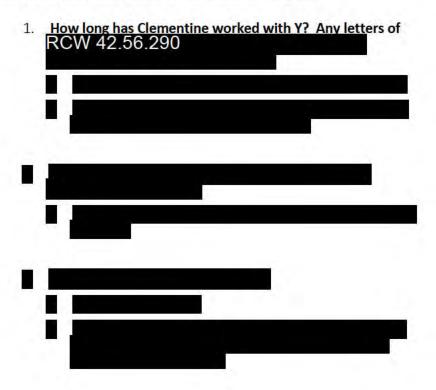
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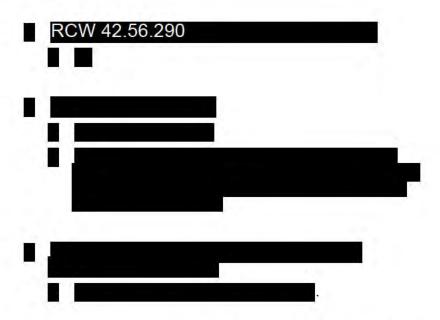
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Attachments: <u>image001.png</u>

Wendy's answer: RCW 42.56.290

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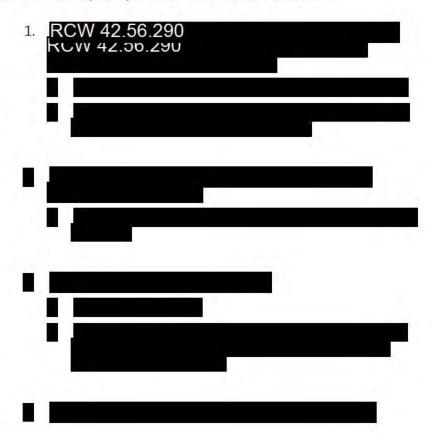
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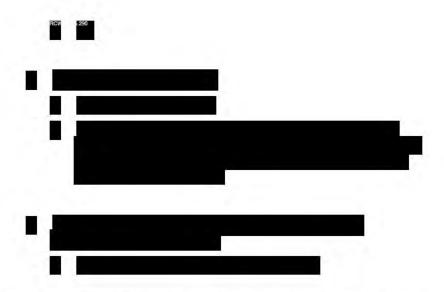
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Date: Wednesday, August 10, 2022 2:17:05 PM

Attachments: <u>image001.png</u>

Outlook-A picture .png

The issue is on Dori Monson right now on KIRO news radio - sounds like Julie might be on soon. S

.....

## **STEPHANIE MUDGETT** | Senior Consultant

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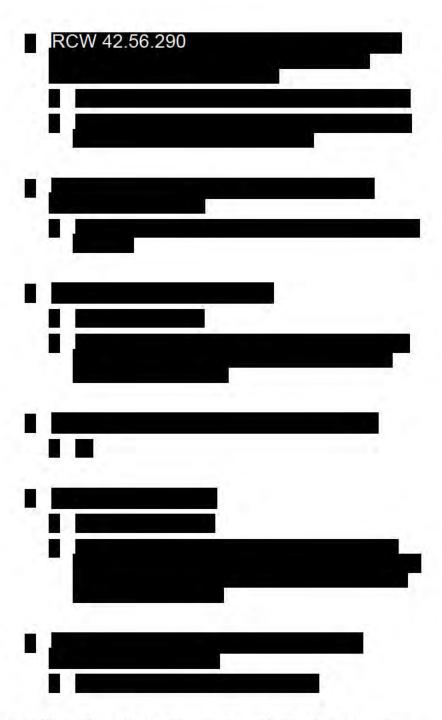
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To: John Mauro

Cc: <u>Heidi Greenwood; Steve King; Thomas Olson</u>

Subject: Re: Mountain View Pool - Q&A

Date: Wednesday, August 10, 2022 2:17:05 PM

Attachments: <u>image001.png</u>

Outlook-A picture .png

The issue is on Dori Monson right now on KIRO news radio - sounds like Julie might be on soon. S

.....

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M: 206.484.4409

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Subject: RE: Mountain View Pool - Q&A

Wendy's answer: RCW 42.56.290

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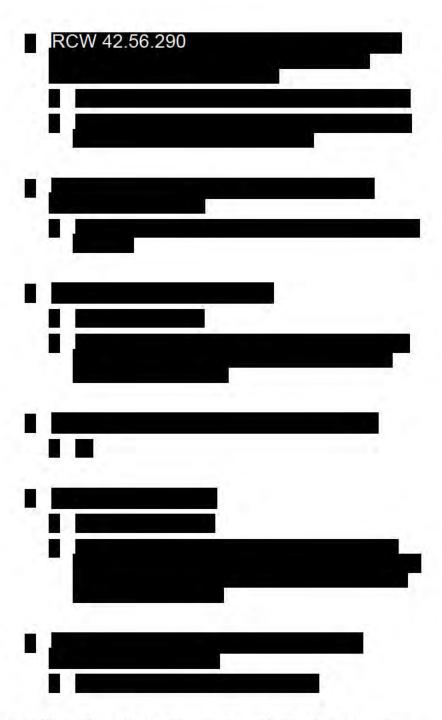
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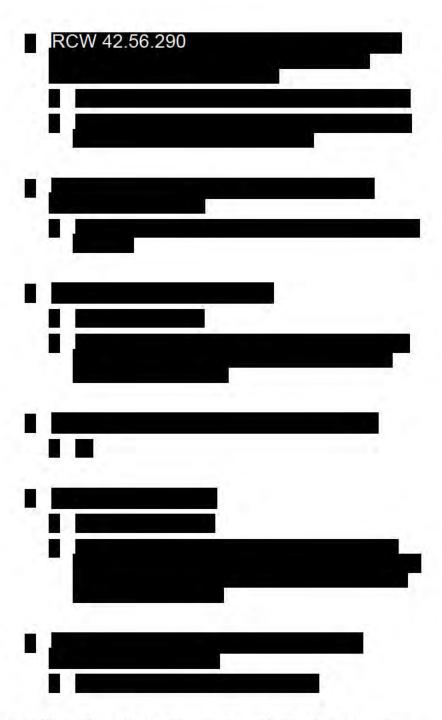
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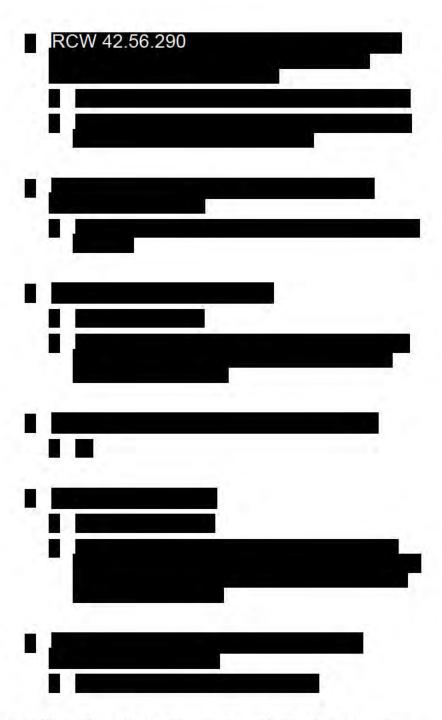
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smudgett@feareygroup.com

M: 206.484.4409

FEAREY AGENCY | LINKEDIN

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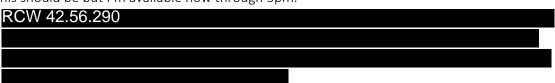
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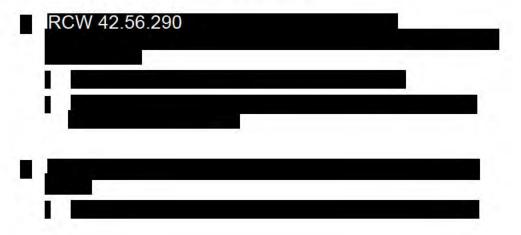
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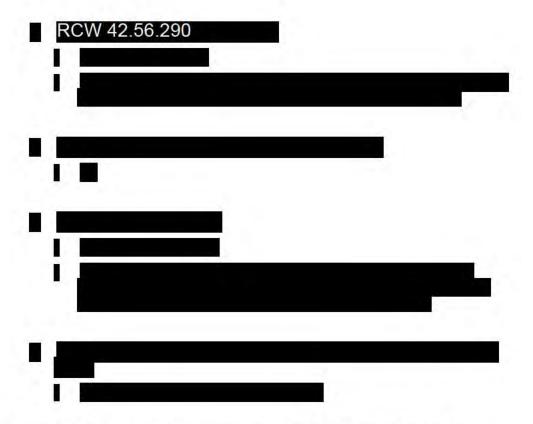
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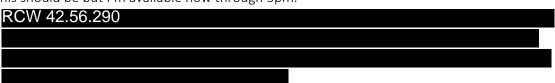
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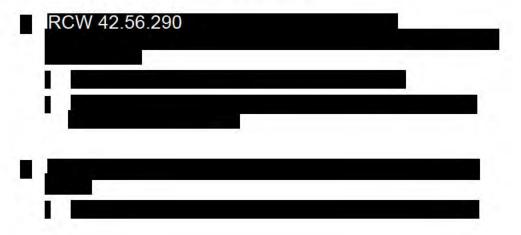
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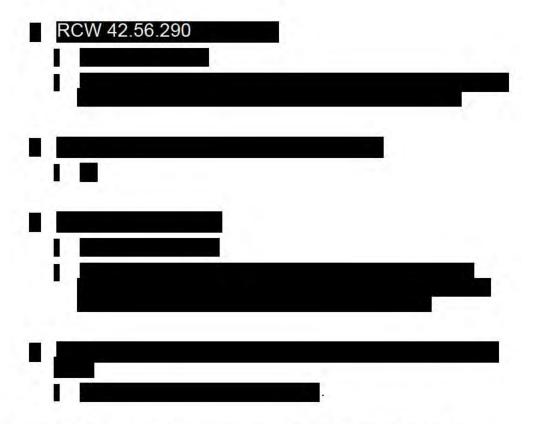
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Heidi

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. Also, I know Heidi is working through some comments/edits

too.

Best

jOhn

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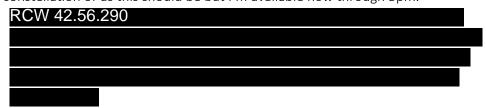
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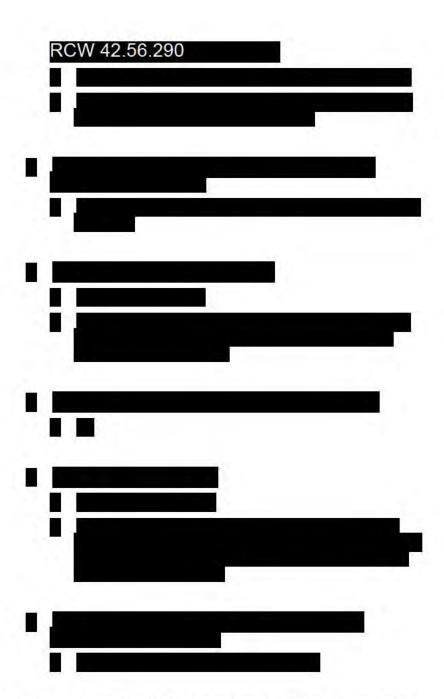
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To: <u>smudgett@feareygroup.com</u>
Subject: RE: Mountain View Pool - Q&A

Date: Wednesday, August 10, 2022 2:28:43 PM

Attachments: image001.pnq

image002.png

We'll send you a gotomeeting invite link to chat in 2-3....

#### John Mauro | City Manager

City of Port Townsend | www.cityofpt.us 250 Madison Street, Suite 2 | Port Townsend, WA 98368 P: 360.379.5043 | M: 360.531.2916

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## RCW 42.56.290

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Stephanie 206-484-4409

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Oops – sorry for double-send. Police notes now attached.

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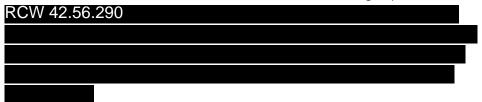
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I will now talk with other councilmembers before 3pm.

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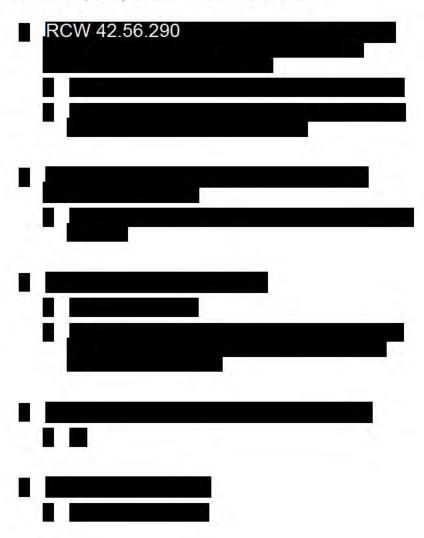
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Subject: Re: Mountain View Pool - Q&A

Date: Wednesday, August 10, 2022 2:29:55 PM

Attachments: image001.png

image002.png Outlook-A picture .png

I am listening to Julie though right now on KIRO - I want to hear what she is saying - I will join as soon as she ends.

......

#### **STEPHANIE MUDGETT** | Senior Consultant

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RCW 42.56.290

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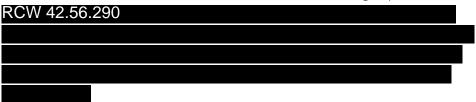
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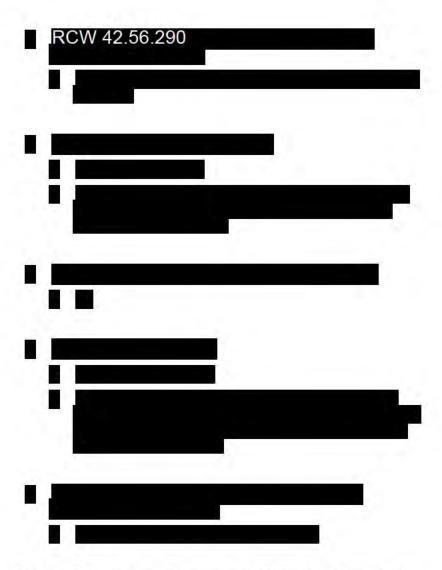
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Attachments: <u>image001.png</u>

image002.png Outlook-A picture .png

YMCA called 911 for assistance - officers were enroute then were redirected and delayed due to a priority call - and as we all heard now was a hostage situation.

.....

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Stephanie

206-484-4409

On Aug 10, 2022, at 1:36 PM, John Mauro < <a href="mailto:JMauro@cityofpt.us">JMauro@cityofpt.us</a>> wrote:

Oops – sorry for double-send. Police notes now attached.

#### John Mauro | City Manager

City of Port Townsend | <a href="www.cityofpt.us">www.cityofpt.us</a>
250 Madison Street, Suite 2 | Port Townsend, WA 98368
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From: John Mauro

Sent: Wednesday, August 10, 2022 1:35 PM

**To:** Stephanie Mudgett < smudgett@feareygroup.com >; Heidi Greenwood

<<u>HGreenwood@cityofpt.us</u>>

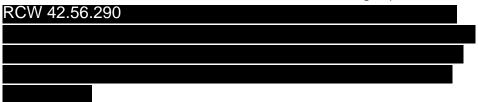
**Cc:** Steve King <<u>sking@cityofpt.us</u>>; Thomas Olson <<u>tolson@cityofpt.us</u>>

**Subject:** RE: Mountain View Pool - Q&A

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- 1. Steve, Heidi, Tom, John met with other Department Directors to give status report, share information, and to work through logistics of 3pm meeting today.
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- 3. I spoke with Owen Rowe (chair of meeting at 3pm) and he is prepared and we are coordinated based on our department director conversation an hour ago.
- 4. I spoke with Wendy and updated the FAQ based on our conversation. RCW 42.56.290

I will now talk with other councilmembers before 3pm.

Thanks for all your coordinated work!

#### John Mauro | City Manager

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From: Stephanie Mudgett < <a href="mailto:smudgett@feareygroup.com">smudgett@feareygroup.com</a>>

**Sent:** Wednesday, August 10, 2022 11:46 AM **To:** Heidi Greenwood < HGreenwood@cityofpt.us>

**Cc:** John Mauro < <u>JMauro@cityofpt.us</u>>; Steve King < <u>sking@cityofpt.us</u>>; Thomas Olson

<tolson@cityofpt.us>

Subject: Re: Mountain View Pool - Q&A

#### RCW 42.56.290

Stephanie 206-484-4409

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Yes!

Get Outlook for iOS

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<<u>JMauro@cityofpt.us</u>>; Steve King <<u>sking@cityofpt.us</u>>; Thomas Olson

<<u>tolson@cityofpt.us</u>>

Subject: Re: Mountain View Pool - Q&A

#### **CAUTION: External Email**

Heidi - sending you the Q&A directly/only for Attorney/Client

Privilege in a moment. Will you then share with the team?

It is a draft and John a few places for you to fill out - looking forward to feedback. Thank you - Stephanie

\*\*\*\*\*\*\*

#### STEPHANIE MUDGETT | Senior Consultant

smudgett@feareygroup.com

M: 206.484.4409

FEAREY.AGENCY | LINKEDIN

From: Heidi Greenwood < HGreenwood@cityofpt.us >

Sent: Wednesday, August 10, 2022 10:55 AM

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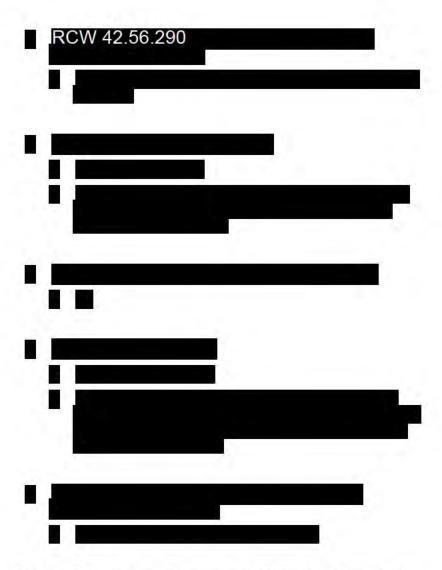
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Hi all

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I've asked Wendy to get back with urgency on #1, #2 and will send info when I get it.

Thanks, Stephanie! Glad you're with us on this one!

John

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I just verified with our facilities staff what is in the locker rooms. The showers have curtains and there are also changing rooms within the locker rooms with curtains.

The Y has brought this all up to speed since they took over operations of the pool.

Thanks,

Steve

-----Original Appointment-----

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John Mauro; Thomas Olson; Steve King

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When: Wednesday, August 10, 2022 9:00 AM-10:00 AM (UTC-08:00)

Pacific Time (US & Canada).

Where: City Hall 2nd Floor Admin Conference Room

This is a meeting with the PR firm to help us with the YMCA.

Meeting with Fearey Group

Wed, Aug 10, 2022 9:00 AM - 10:00 AM (PDT)

Please join my meeting from your computer, tablet or smartphone.

https://meet.goto.com/158912413

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (872) 240-3212

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From: <u>sking@cityofpt.us</u>

To: <u>HGreenwood@cityofpt.us</u>; <u>JMauro@cityofpt.us</u>; <u>smudgett@feareygroup.com</u>

Cc: tolson@cityofpt.us

Subject: RE: Mountain View Pool - Q&A

Date: Wednesday, August 10, 2022 3:16:00 PM

Attachments: <u>image001.png</u>

All,

The comments look good... for whatever reason, I missed these emails. My apologies...

From: Heidi Greenwood <HGreenwood@cityofpt.us>

Sent: Wednesday, August 10, 2022 2:13 PM

To: John Mauro <JMauro@cityofpt.us>; Stephanie Mudgett <smudgett@feareygroup.com>

**Cc:** Steve King <sking@cityofpt.us>; Thomas Olson <tolson@cityofpt.us>

Subject: RE: Mountain View Pool - Q&A

Here are a few more comments on the Q&A.

Heidi

From: John Mauro < <u>JMauro@cityofpt.us</u>>
Sent: Wednesday, August 10, 2022 2:09 PM

**To:** Stephanie Mudgett < smudgett@feareygroup.com >

**Cc:** Heidi Greenwood < <u>HGreenwood@cityofpt.us</u>>; Steve King < <u>sking@cityofpt.us</u>>; Thomas Olson

<<u>tolson@cityofpt.us</u>>

Subject: RE: Mountain View Pool - Q&A

Yes, let's do so. Let's try for 230 so I can call wendy again and RCW 42.56.290

Also, I know Heidi is working through some comments/edits

too. Best jOhn

#### John Mauro | City Manager

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**Cc:** Heidi Greenwood < <u>HGreenwood@cityofpt.us</u>>; Steve King < <u>sking@cityofpt.us</u>>; Thomas Olson < <u>tolson@cityofpt.us</u>>

**Subject:** Re: Mountain View Pool - Q&A

Do we want to hop on a call right now to go through this together? I'm not sure what I should do at this point before 3 pm to help?

Stephanie 206-484-4409

On Aug 10, 2022, at 1:35 PM, John Mauro < <a href="mailto:JMauro@cityofpt.us">JMauro@cityofpt.us</a>> wrote:

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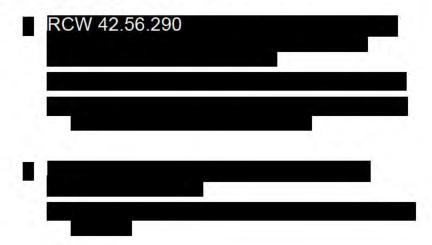
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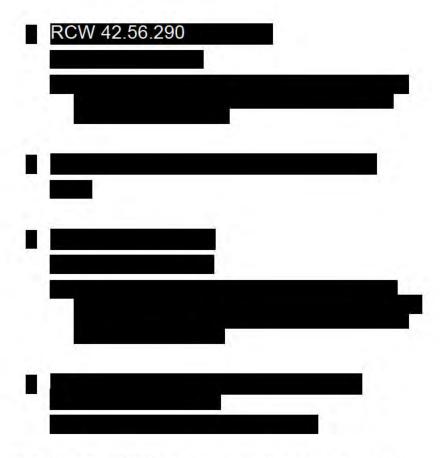
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From: <u>HGreenwood@cityofpt.us</u>
To: <u>smudgett@feareygroup.com</u>

Subject: FW: just read this to C&S meeting - not final yet but will attempt that after this meeting

Date: Wednesday, August 10, 2022 5:15:05 PM

Attachments: <u>image001.png</u>

Port Townsend YMCA QA 081022 Rev. 4.docx

See attached.

Heidi

From: John Mauro < JMauro@cityofpt.us>
Sent: Wednesday, August 10, 2022 3:17 PM

To: Leadership Team < Leadership Team @ City of PT.us>

Subject: just read this to C&S meeting - not final yet but will attempt that after this meeting

#### John Mauro | City Manager

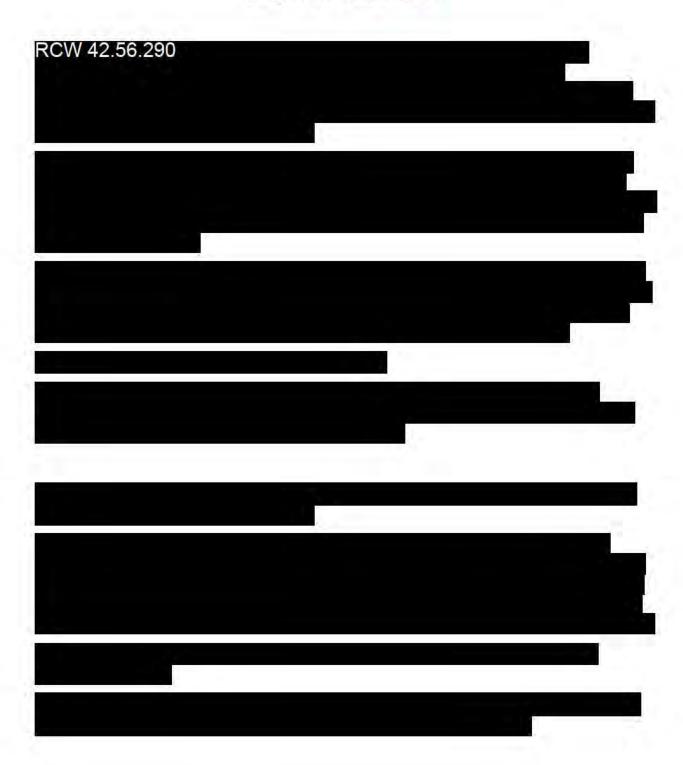
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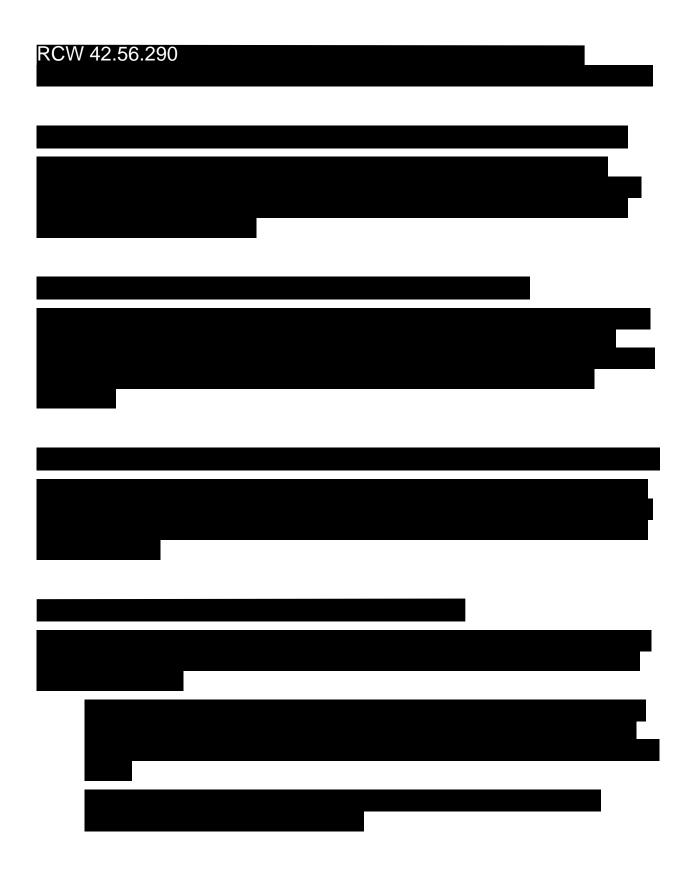
Follow us on Facebook: fb.me/CityofPT

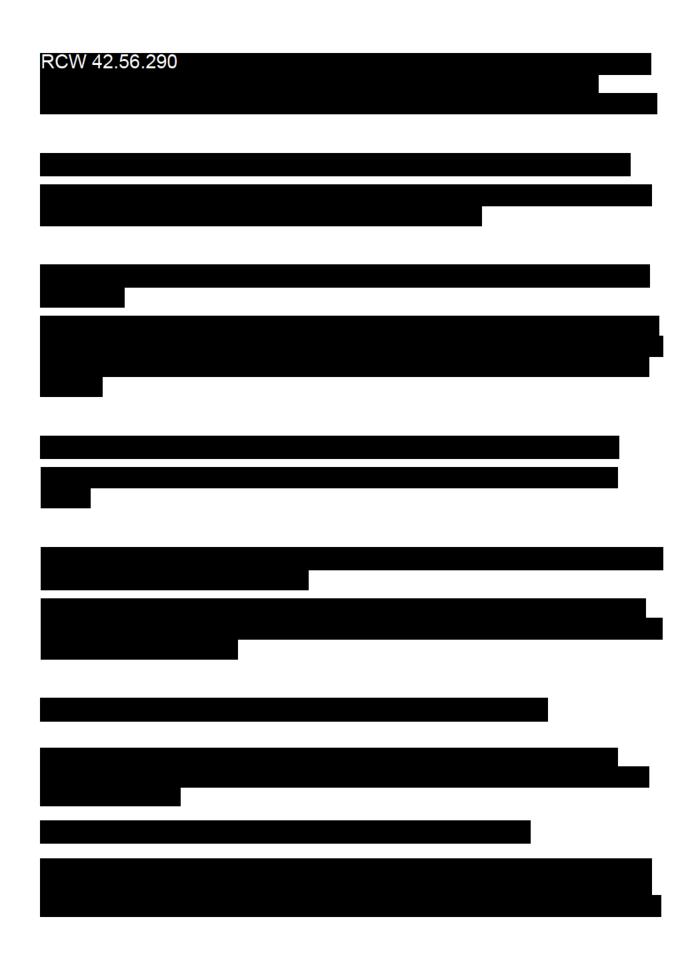
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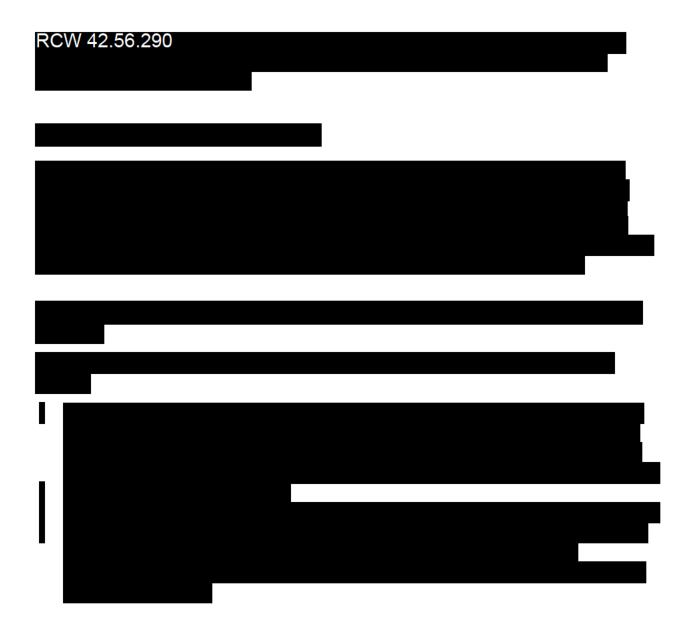
## Mountain View Pool Questions and Answers

August 10, 2022, DRAFT 4









From: JMauro@cityofpt.us

HGreenwood@cityofpt.us; smudgett@feareygroup.com To:

Subject: Fw: draft Q&A

Date: Thursday, August 11, 2022 7:44:46 AM

Attachments: image001.png

Port Townsend YMCA QA 081022 - YMCA notes.docx

Hello - feedback from the YMCA. I can incorporate later but so you have this before our chat today.

john

From: Wendy Bart < wendy@olympicpeninsulaymca.org>

**Sent:** Thursday, August 11, 2022 7:36 AM To: John Mauro <JMauro@cityofpt.us>

Subject: Re: draft Q&A

#### CAUTION: External Email

Attached are suggested edits/additions - in red type.

Let me know if you have any questions.

Thanks. Wendy

On Wed, Aug 10, 2022 at 3:51 PM John Mauro < <u>JMauro@cityofpt.us</u>> wrote:

Hi Wendy

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Best John

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**I** Follow us on Facebook: <u>fb.me/CityofPT</u>

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From: John Mauro

Sent: Wednesday, August 10, 2022 3:02 PM

To: Wendy Bart < wendy@olympicpeninsulaymca.org >

#### Subject: draft Q&A

This is what we're going with today....

#### John Mauro | City Manager

City of Port Townsend | www.cityofpt.us 250 Madison Street, Suite 2 | Port Townsend, WA 98368 P: 360.379.5043 | M: 360.531.2916



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#### **Wendy Bart Chief Executive Officer**

Olympic Peninsula YMCA

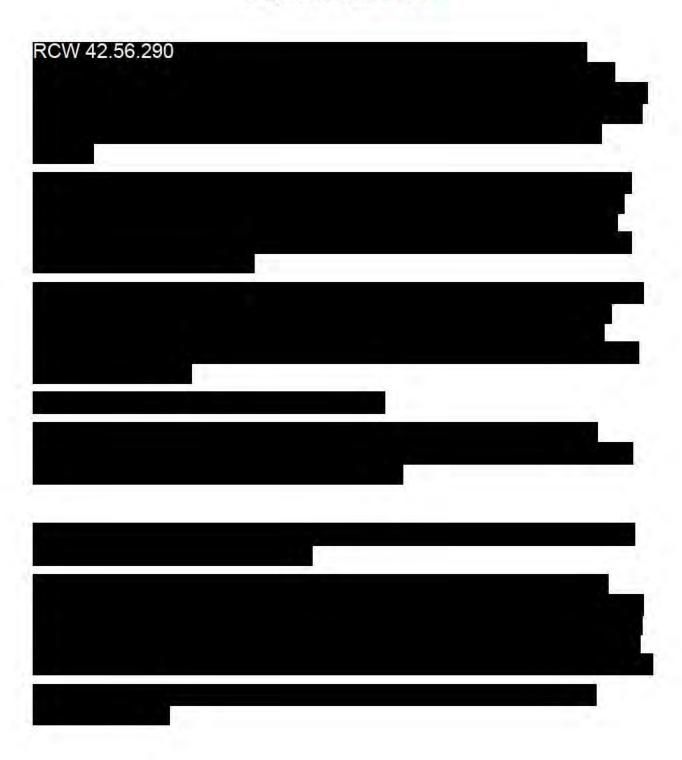
675 N. 5th Avenue, Suite 3A, Seguim, WA 98382

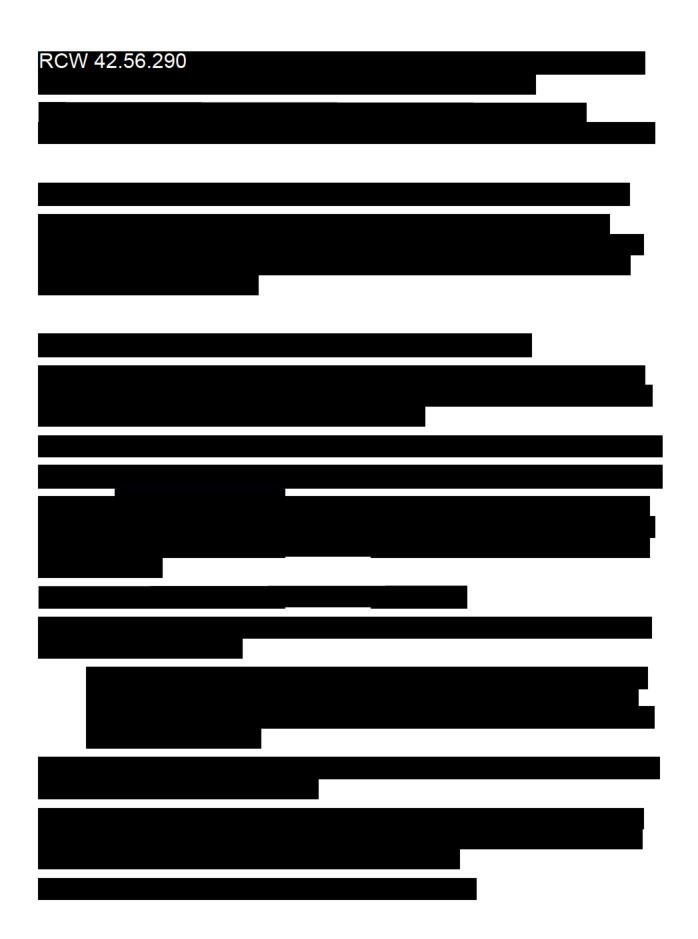
- (P) 360 504 0526 (F) 360 452 5559
- (E) wendy@olympicpeninsulaymca.org (W) www.olympicpeninsulaymca.org
- (O) YMCA of Port Angeles | YMCA of Sequim | YMCA of Jefferson County

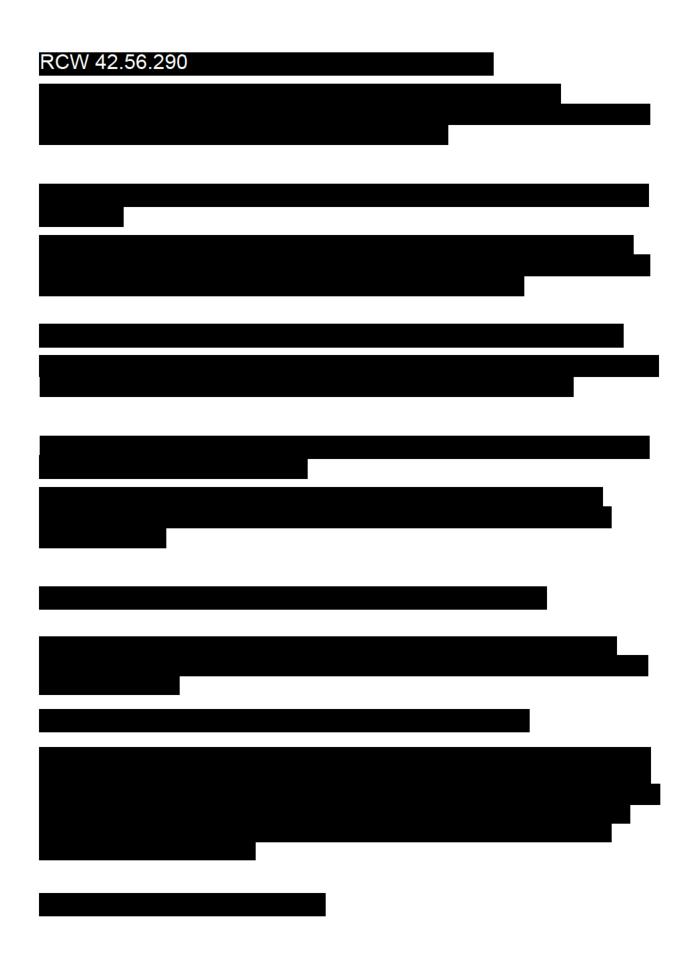
The Y: We're for youth development, healthy living and social responsibility

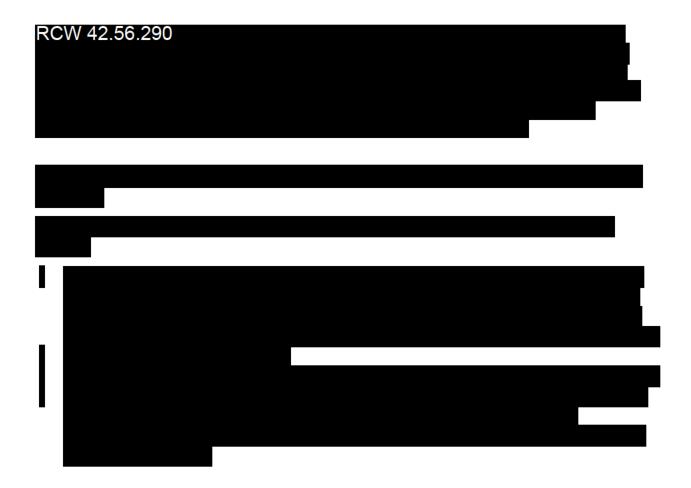
# Mountain View Pool Questions and Answers

August 10, 2022, DRAFT 4









###

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To: smudgett@feareygroup.com
Cc: HGreenwood@cityofpt.us

Subject: RE: draft Q&A

**Date:** Thursday, August 11, 2022 8:24:28 AM

Attachments: <u>image001.png</u>

image002.png

Port Townsend YMCA QA 081122 Rev. 6.docx

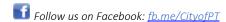
#### Hi Stephanie

We can share screen, but so you have the doc we're working off of (with some Y changes/notes in margins), it's attached.

See you soon! John

#### John Mauro | City Manager

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**From:** Stephanie Mudgett <smudgett@feareygroup.com>

Sent: Thursday, August 11, 2022 8:02 AM

To: John Mauro <JMauro@cityofpt.us>; Heidi Greenwood <HGreenwood@cityofpt.us>

Subject: Re: draft Q&A

Hi - let's talk about how we pivot to this being a state rule - you are part of the state - so is the rest of the state - this is NOT a Port Townsend issue. Let's get some pressure off you... S

-----

#### STEPHANIE MUDGETT | Senior Consultant

smudgett@feareygroup.com

M: 206.484.4409

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YOU, AMPLIFIED.

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#### **Chief Executive Officer**

Olympic Peninsula YMCA 675 N. 5th Avenue, Suite 3A, Sequim, WA 98382 (P) 360 504 0526 (F) 360 452 5559

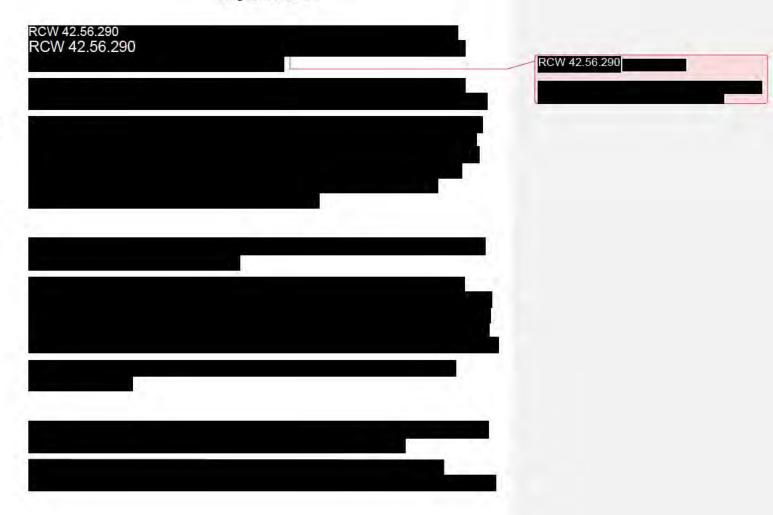
- (E) wendy@olympicpeninsulaymca.org (W) www.olympicpeninsulaymca.org
- (O) YMCA of Port Angeles | YMCA of Sequim | YMCA of Jefferson County

The Y: We're for youth development, healthy living and social responsibility

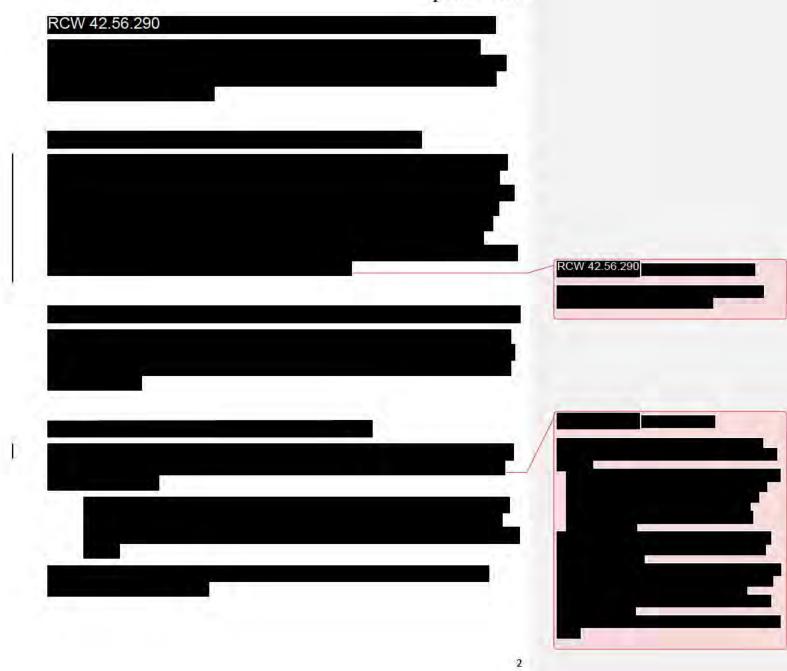


## Mountain View Pool Questions and Answers

August 11, 2022



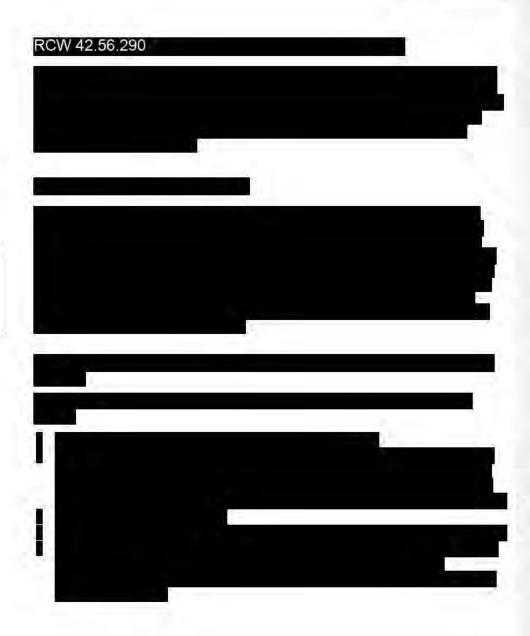






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## **EXHIBIT D**



#### Post



## David J. Faber ( 33 ) @David J. Faber

Watch the August 1 council meeting. We listened quietly and patiently through an hour of public comment, much of it from TERF and other anti-trans speakers. Same with the one TERF speaker who spoke at council last night.

6:40 AM - Aug 16, 2022



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## **EXHIBIT E**

#### YMCA of Jefferson County's Post





# #forall



16 comments 53 snarrn









YMCA of Jefferson County limited who can comment on this post.

Most relevant .



#### Libby Wennstrom

The trans-haters are planning to show up at the Mountain View pool picketing again today (Tuesday 8/2) from 11-1.

If you feel that hate has no place at our public pool, and want to support the Y in creating a safe welcoming place for EVERYONE, show up today!

(Alex Ty

Most Relevant is selected, so some teplies may have been filtered out.





#### YMCA of Jefferson County

Libby Urner Wennstrom Thank you again for coming and showing your support!

And thank you for being an advocate for all people's right to be who they are.



## **EXHIBIT F**

From: <u>JMauro@cityofpt.us</u>

To: <u>LeadershipTeam@CityofPT.us</u>

**Subject:** note to staff re: last night"s council meeting (draft)

**Date:** Tuesday, August 2, 2022 8:29:08 AM

Hi All. This is just a starter. I feel compelled to inform our teams. Have a read and we can discuss at 11.

best John

#### Hi Team

I don't often report out to you after City Council meetings. I used to do so when I first started, then realized we all get too many emails and there was more interest in key topics and issues more than a summary of the meeting. I keep my all-staff mainly to Fridays.

That said, I'd like to recap something that happened at the very start of last night's City Council meeting and try to illustrate how and why it matters to me and perhaps to you. At the very least, it's important to me that we all have the same information.

Late last week, a pool patron was asked by the YMCA to leave the facility for verbally abusive behavior toward a YMCA staff member. The staff member is a transgender woman, and, according to the YMCA's CEO who I spoke with, the staff member endured a barrage of unfair, disrespectful and offensive attacks. The Y was within their right as operator of the facility and as per our agreement with them to make the decision to ask the patron to leave and not to return.

The pool patron attended last night's City Council meeting and a made public comment, claiming herself to be the victim of an unfair decision. At least 20 people were also in attendance to support her and many of them spoke. I will not try to summarize what they said, but the misinformation was many-fold. For one, Washington State Law (decided in 2015) protects transgender rights to use locker rooms or restrooms of a person's gender identity. It is up to any male or female who is uncomfortable with that to use an alternative room or wait and allow the transgender individual to rightly use the facility. In this case, the staff member was very inappropriately ordered to leave by the patron.

Second, the YMCA has made family changing rooms available to help us comply with state law and to give people like the patron in question an option to change privately. The patron did not choose that option and, very disappointingly and inappropriately, instead chose to confront the staff member and ask her to leave.

Third, the City of Port Townsend, by Council resolution in 2017, is a sanctuary city, welcoming all residents and our diversity. That mirrors what I believe to be part of our organizational culture of equity, inclusivity and diversity. We are stronger and smarter because of it as a team. I want those LGBTQ+ members of our team to know that we value you. I want our LGBTQ+ community members to know the same. For those of us who don't identify as LGBTQ+, our support, friendship and camaraderie are very important, especially as we respectfully ask members of our community who seem concerned or threatened by our diversity to keep learning and growing. As I did last night, I challenge myself as well to be tolerant and kind - with appropriate boundaries - to those who are intolerant and unkind. It's a tough road sometimes I will readily admit, but it's far better and more productive than being dragged into an unproductive battle fueled by fear, anger and hate.

Please join me in being proud and supportive of our diverse team. If you have questions or want to discuss, I'd be more than happy to find a time to do so.

Thank you for your service and our strong sense of team,

John

John Mauro | City Manager

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## **EXHIBIT G**





August 25, 2022

Dear Ms. Jaman,

This letter serves as official notice that your participation with the Olympic Peninsula YMCA has been permanently revoked for repeated violation of our values of creating a safe, welcoming environment where people of all races, genders, backgrounds, religions, abilities and identities belong.

This decision is supported by the conditions of membership and participation, which specifically states:

At the Y, we strive to provide an atmosphere free from: discrimination, hatred, derogatory or unwelcome comments, intimidation, conduct or actions of sexual nature, or actions based on an individual's sex, age, race, ethnicity, religion, disability, sexual orientation, or any other legal protected status.

Since your participation has been revoked due to a pattern of code of conduct violations, you no longer have a right to enter any facility owned or operated by the Olympic Peninsula YMCA. If you attempt to enter any of our facilities or if you bring anyone with you in an attempt to enter any of our facilities, it will be considered trespassing.

Sincerely,

Wendy Bart

Chief Executive Officer

Wendy But