

This is KPTZ 91.9 FM in Port Townsend, Washington. I'm Jim Burke, with a special, extended local news and commentary for Tuesday, August 16, 2022.

The weekly COVID-19 report from Dr. Allison Berry and the weekly Department of Emergency report from Willie Bence at the County Board of County Commissioners meeting yesterday is available on our website at <https://kptz.org/2022/08/15/county-public-health-report-8-15-22/>. We are not going into the COVID-19 numbers today.

Last evening the Port Townsend City Council met and Mayor David Faber read a proclamation supporting the rights of transgender persons in Port Townsend. Outside City Hall, Steve Evans, our news director, and I witnessed hundreds of people who were out in a show of solidarity with the LGBTQ+ community. Many were trying to drown out a speech that was being given by Julie Jamon in Pope Marine Park, across the street from City Hall, the woman at the center of this controversy who has been seized by some rather biased media locally, nationally and internationally as an example of "An 80 woman who is having her rights infringed."

Her story is just that: her story. It is a one-sided accounting of what happened in the women's locker room at the Mountain View Pool in July and it casts the YMCA staff member in a very bad light which has brought out a lot of anger, confusion, mistrust, and hatred online in relation to these inaccurate accounts.

If you go to the cityofpt.us, and follow the links for City Council, you can see the video of last night's meeting (https://cityofpt.granicus.com/player/clip/2471?view_id=4&redirect=true) and watch the comments made by members of the public at that meeting. It also puts her, a transgender employee and other transgender people here and around the world at risk of harassment and physical harm.

What follows is a statement from the City of Port Townsend about the recent controversy surrounding the YMCA/Mountain View Pool: It has been edited for brevity, and you can read the entire thing by going to the city website: cityofpt.us and follow the links under Engage PT and Hot Topics:

"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. 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. 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: How does the agreement you have with the YMCA address discrimination?

A: Section 5e says: 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 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 this patron on July 26. When the conversation 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 to the restroom in accordance with YMCA "rule of 3" protocol.

Q: Was the employee wearing 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 that 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 that member that contributed to her membership being terminated?

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

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 reopen 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.

At this point, it seems that the Mountain View Pool is still closed.

KPTZ 91.9 FM brings you local news at noon and five Monday through Thursday and at noon on Saturday. You can contact us through news@kptz.org. This is Jim Burke. Thanks for listening.