

Board on Public Safety Standards and Training
Minutes
April 22, 2010

The Board on Public Safety Standards and Training held a regular meeting on April 22, 2010 at the Oregon Public Safety Academy in Salem, Oregon. Chair Bentz called the meeting to order at 9:00 a.m.

Board Members Present:

Andrew Bentz, Chair, Oregon State Sheriffs' Association
Mark Prince, Vice-Chair, Oregon Fire Chiefs Association (by teleconference)
Kelly Bach, Oregon State Fire Fighters Council
Arthur Balizan, Federal Bureau of Investigation
Richard Brown, Public Citizen Member
Shawn Cardwell, Private Security Industry
Chris Eppley, League of Oregon Cities
Larry Goff, Oregon Fire District Directors Association
Mike Healy, Oregon Association Chiefs of Police
John Klum, Chief, Portland Fire & Rescue
Jeff Martin, Private Security Industry
Tim McLain, Superintendent, Oregon State Police
Steven Piper, Non-Management Law Enforcement (by teleconference)
Rob Poirier, Public Safety Telecommunicators
Stuart Roberts, Oregon Association Chiefs of Police (by teleconference)
David Schutt, Oregon District Attorneys Association
Glenn Scruggs, Non-Management Law Enforcement
Lisa Settell, Non-Management Parole and Probation
Randy Simpson, Oregon State Fire Marshal
Rosie Sizer, Chief, Portland Police Bureau
James Whelan, Oregon Volunteer Firefighters Association
Max Williams, Director, Department of Corrections
Thomas Wright, Department of Corrections Bargaining Unit Representative

Board Members Absent:

Todd Anderson, Oregon State Sheriffs' Association

DPSST Staff:

Eriks Gabliks, Director
Marilyn Lorance, Standards and Certification Program Manager
Charlene Barber, Executive Assistant to the Director
Teresa Naugle, Private Security/Private Investigators Supervisor
Julie Olsen-Fink, Fire Certification Supervisor
Theresa King, DOC Audit Unit Coordinator
Kristen Turley, Certification and Compliance Coordinator
Mindy Tucker, Professional Standards Coordinator
Chris Brodniak, Private Investigator Compliance Investigator
Tammera Hinshaw, Executive Support Specialist

Guests:

Paul Havel, Lake County Sheriff's Office



1. Chair's Report and Administrative Announcements

“This is a public meeting, subject to the public meeting law and it will be tape recorded.”

Item S was pulled from the consent agenda for discussion.

2. CONSENT AGENDA (The following items to be ratified by one vote)

A. Approval of the Minutes

Approve minutes from the January 28, 2010 Board meeting.

To see complete text of the meeting minutes, please go to the Board meeting minutes of January 28, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/BPSST_Minutes/Boardminutes1.28.10.pdf

B. OAR 259-008-0005(18) – Proposed Administrative Rule Change

Definition(s) – “Leave”

To see complete text of the meeting minutes, please go to the Corrections Policy Committee meeting minutes of February 16, 2010, Police Policy Committee meeting minutes of February 18, 2010 and the Telecommunications Policy Committee meeting minutes of February 4, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC021610.pdf
http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf
http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/TPC_Minutes/TPC020410.pdf

C. OAR 259-008-0020 – Proposed Administrative Rule Change

Personnel Action Reports related to “Leave”

To see complete text of the meeting minutes, please go to the Corrections Policy Committee meeting minutes of February 16, 2010, Police Policy Committee meeting minutes of February 18, 2010 and the Telecommunications Policy Committee meeting minutes of February 4, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC021610.pdf
http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf
http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/TPC_Minutes/TPC020410.pdf

D. OAR 259-008-0030 – Proposed Administrative Rule Change

Extension of Time Limit related to “Leave”

To see complete text of the meeting minutes, please go to the Corrections Policy Committee meeting minutes of February 16, 2010, Police Policy Committee meeting minutes of February 18, 2010 and the Telecommunications Policy Committee meeting minutes of February 4, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC021610.pdf
http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf
http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/TPC_Minutes/TPC020410.pdf

E. OAR 259-008-0060 – Proposed Administrative Rule Change

Public Safety Officer Certification related to “Leave”

To see complete text of the meeting minutes, please go to the Corrections Policy Committee meeting minutes of February 16, 2010, Police Policy Committee meeting minutes of February 18, 2010 and the Telecommunications Policy Committee meeting minutes of February 4, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC021610.pdf

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/TPC_Minutes/TPC020410.pdf

F. OAR 259-008-0064 – Proposed Administrative Rule Change

Maintenance of Certification related to “Leave”

To see complete text of the meeting minutes, please go to the Telecommunications Policy Committee meeting minutes of February 4, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/TPC_Minutes/TPC020410.pdf

G. OAR 259-008-0065 – Proposed Administrative Rule Change

Maintenance of Certification related to “Leave” – Police

To see complete text of the meeting minutes, please go to the Police Policy Committee meeting minutes of February 18, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf

H. OAR 259-008-0067 – Proposed Administrative Rule Change

Lapsed Certification related to “Leave

To see complete text of the meeting minutes, please go to the Corrections Policy Committee meeting minutes of February 16, 2010, Police Policy Committee meeting minutes of February 18, 2010 and the Telecommunications Policy Committee meeting minutes of February 4, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC021610.pdf

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/TPC_Minutes/TPC020410.pdf

I. OAR 259-008-0076 – Proposed Administrative Rule Change

Eligibility Requirements related to “Leave” – Police Chiefs

To see complete text of the meeting minutes, please go to the Police Policy Committee meeting minutes of February 18, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf

J. Adelina Garcia, DPSST #48093 - Revocation

Unanimous vote by CPC on February 16, 2010 to recommend to the Board that certification **be revoked.**

To see complete text of the meeting minutes, please go to the Corrections Policy Committee minutes of February 16, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC021610.pdf

K. Richie Goss, DPSST #17319 – Revocation

Unanimous vote by CPC on February 16, 2010 to recommend to the Board that certification **be revoked.**

To see complete text of the meeting minutes, please go the Corrections Policy Committee minutes of February 16, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC021610.pdf

L. Tina Holbrook, DPSST #34808 - Revocation

Unanimous vote by CPC on February 16, 2010 to recommend to the Board that certification **be revoked.**

To see complete text of the meeting minutes, please go the Corrections Policy Committee minutes of February 16, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC021610.pdf

M. Christopher Maestas, DPSST #40074 - Revocation

Unanimous vote by CPC on February 16, 2010 to recommend to the Board that certification **be revoked.**

To see complete text of the meeting minutes, please go the Corrections Policy Committee minutes of February 16, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC021610.pdf

N. Richard Mitchell, DPSST #41867 - Revocation

Unanimous vote with one abstention by CPC on February 16, 2010 to recommend to the Board that certification **be revoked.**

To see complete text of meeting minutes, please go the Corrections Policy Committee minutes of February 16, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC021610.pdf

O. Lisa Phillips, DPSST #35703 - Revocation

Unanimous vote by CPC on February 16, 2010 to recommend to the Board that certification **be revoked.**

To see complete text of the meeting minutes, please go the Corrections Policy Committee minutes of February 16, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC021610.pdf

P. Shane Scarborough, DPSST #49815 - Revocation

Unanimous vote by CPC on February 16, 2010 to recommend to the Board that certification **be revoked.**

To see complete text of the meeting minutes, please go the Corrections Policy Committee minutes of February 16, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC021610.pdf

Q. Greg Schuster, DPSST #42457 - Revocation

Unanimous vote by PPC on February 18, 2010 to recommend to the Board that certification **be revoked**.

To see complete text of the meeting minutes, please go the Police Policy Committee minutes of February 18, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf

R. Loren Gochenour, DPSST #45266 - Revocation

Unanimous vote with one abstention by PPC on February 18, 2010 to recommend to the Board that certification **be revoked**.

To see complete text of the meeting minutes, please go the Police Policy Committee minutes of February 18, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf

T. Gregory Kroepelin, DPSST #13209 - Revocation

Unanimous vote by PPC on February 18, 2010 to recommend to the Board that certification **be revoked**.

To see complete text of the meeting minutes, please go the Police Policy Committee minutes of February 18, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf

U. Renee McClintock, DPSST #20978

6 to 4 vote by PPC on February 18, 2010 to recommend to the Board that certification **NOT be revoked**.

To see complete text of the meeting minutes, please go the Police Policy Committee minutes of February 18, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf

V. Christina Nelson, DPSST #28000 - Revocation

Unanimous vote by PPC on February 18, 2010 to recommend to the Board that certification **be revoked**.

To see complete text of the meeting minutes, please go the Police Policy Committee minutes of February 18, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf

W. Jamie Rogers, DPSST #36661

6 to 4 vote by PPC on February 18, 2010 to recommend to the Board that certification **be revoked**.

To see complete text of the meeting minutes, please go the Police Policy Committee minutes of February 18, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf

X. OAR 259-009-0070 – Proposed Administrative Rule Change

Adding Attempt, Conspiracy and Solicitation to Discretionary Disqualifying

To see complete text of the meeting minutes, please go to the Fire Policy Committee meeting minutes of February 19, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/FPC_Minutes/FPCMinutes2-19-10Draft.pdf

Y. OAR 259-009-0062(2)(1) – Proposed Administrative Rule

Fire Officer

To see complete text of the meeting minutes, please go to the Fire Policy Committee meeting minutes of February 19, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/FPC_Minutes/FPCMinutes2-19-10Draft.pdf

Z. OAR 259-009-0062(2)(1) – Proposed Administrative Rule

Wildland Interface Standard

To see complete text of the meeting minutes, please go to the Fire Policy Committee meeting minutes of February 19, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/FPC_Minutes/FPCMinutes2-19-10Draft.pdf

AA. OAR 259-009-0005 – Proposed Administrative Rule

Definitions

To see complete text of the meeting minutes, please go to the Fire Policy Committee meeting minutes of February 19, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/FPC_Minutes/FPCMinutes2-19-10Draft.pdf

BB. Corrections Policy Committee New Member – To Be Approved

Mike Gower – Designee for the Director of the Department of Corrections

CC. Corrections Policy Committee New Member – To Be Approved

Nancy Howton – Department of Corrections Security Manager Representative

DD. Corrections Policy Committee New Member – To Be Approved

Tom Cramer – Department of Corrections Training Division Representative

Jeff Martin moved to approve the items on the Consent Agenda with the exception of item S that was pulled for discussion. Tim McLain seconded the motion. The motion carried in a unanimous vote.

S. Charles Irving, DPSST #41622

Unanimous vote by PPC on February 18, 2010 to recommend to the Board that certification **NOT be revoked.**

To see complete text of the policy committee meeting minutes, please go the Police Policy Committee minutes of February 18, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC021810.pdf

The Board discussed the reasoning behind the policy committee decision. The request was made of staff to add the Board discussion to the Ethics Bulletin. Rob Poirier moved to follow the recommendation of the PPC regarding Charles Irving with the understanding that Superintendent McLain will take the discussion of the Board back to the PPC. Kelly Bach seconded the motion. The motion carried with a vote of 21 to 2.

3. Edith Hernandez, DPSST #48079 - Revocation

With one opposed the TPC on February 4, 2010 recommend to the Board that certifications be revoked.

To see complete text of the policy committee meeting minutes, please go the Telecommunications Policy Committee minutes of February 4, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/TPC_Minutes/TPC020410.pdf

Mike Healy and Rob Poirier declared a possible conflict of interest. After the Board discussed this case at length, a request was made of staff to research past DUII cases that have gone through the committees and give the Board members some case history. Richard Brown and Max Williams agreed to meet at a later time to discuss the creation of an outreach program that would be a separate entity to provide assistance for public safety professionals with drug, alcohol, and stress problems.

David Schutt moved to send the case back to the Telecommunication Policy Committee to reexamine with no recommendation from the Board. Randy Simpson seconded the motion. The motion carried in a unanimous vote with two abstentions.

4. OAR 259-060-0500 – Proposed Temporary and Permanent Rule

License Fees

To see complete text of the policy committee meeting minutes, please go the Private Security/Investigators Policy Committee minutes of March 30, 2010 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PSIPC_Minutes/PSIPCMinutes03.30.10.pdf

The PSIPC Chair and staff presented the history on licensing fees. Rob Poirier moved to accept the policy committee's recommendation to file the proposed language for OAR 250-060-0500 with the Secretary of State as a temporary rule with a projected effective date of July 1, 2010. Mike Healy seconded the motion. The motion passed with a unanimous vote.

Rob Poirier moved to accept the policy committee's recommendation to file the proposed language for OAR 250-060-0500 with the Secretary of State as a proposed rule. Mike Healy seconded the motion. The motion passed with a unanimous vote.

Rob Poirier moved to accept the policy committee's recommendation to file the proposed language for OAR 250-060-0500 with the Secretary of State as a permanent rule if no comments are received. Mike Healy seconded the motion. The motion passed with a unanimous vote.

5. Legislative Concept 25900-01

Presented by Marilyn Lorange

DPSST regulates polygraph licensing for the state. The Department of Justice affirmed that the current language does not allow rule making to include General Educational Development as a high school graduation. The Polygraph Licensing Advisory Committee unanimously requested that this legislative concept be proposed to amend the polygraph licensing statute to include a General Educational Development as an equivalency to a high school diploma for individuals that meet the other qualifications.

Max Williams moved to adopt the recommended Legislative Concept 25900-01. Jim Whelan seconded the motion. The motion carried in a unanimous vote.

6. Director's Report

Presented by Director Eriks Gabliks

Take Your Kid to Work Day: Today is “Take Your Kid to Work Day” and we have about twenty five kids participating.

Budget: Each state agency has to submit a reduction as a part of their budget package. This year the reduction percentage is 25% for general fund agencies (which includes DPSST’s criminal justice funds). The reductions, which are out of the criminal justice funded programs, will be in 5% increments. The number we are looking for is 7.5 million dollars which follows up on last session reductions where we lost 20% CFAA and 29 FTE. We held a stakeholders conference call last week, which included the executive committee of the Board, and discussed where staff should look at making the reductions. The overall consensus was not to reduce the quality of the training, so what it may result in is less basic police classes being offered or less basic corrections classes. The other funded programs are being asked to look at 10% reduction packages in 5% increments. We will share this before it gets submitted downtown. During the special session we received funding for two additional basic police classes and an additional reduction in CFAA of 1.8 million dollars in current revenue, which we took by renegotiating some of our contracts internally.

Legislature: We received notification from the Oregon university system that they will be introducing legislation to make their campus public safety officers commissioned peace officers, giving them full police powers. There will be a fiscal impact attached to this bill and we have made them aware of this. This bill, in draft form, is different than the OHSU bill that was passed last session where they can’t be armed on campus, but they can be armed off duty.

Media Day: We worked with our partners (OSP, the Chiefs, the Sheriffs and DOJ) to host a “Use of Force Media Day” at the academy. This training let about a dozen media reporters experience use of force situations in live scenario training and receive information to understand what the law is.

DOC: Teresa King is the DOC Audit Team Coordinator. Mindy Tucker is the new Professional Standards Coordinator. At the next CPC meeting you will receive an update on these programs.

Richard Brown has been tracking another basic police class. We appreciate the feedback that he gives our staff and instructors.

Board Members: Kelly Bach, Tom Wright, Jim Whelan and Steve Piper are termed out at the end of June. We are working with all of your organizations to find replacements. Mike Healy is retiring so the OACP is looking for someone to take his place. Lisa Settell and Glenn Scruggs are the two new non-management members on the Board. Glenn took the position of Robert King who moved on into a management position and couldn't continue his services. Lisa is an addition as a result of HB 2790. She is the new non-management representative for P&P that took the place of Oregon Department of Forestry which was Bill Lafferty. Bill's position still exists but it is just on the FPC.

Board and Committee Orientation: We have created a two hour orientation session for all of the new Board and policy committee members. It covers the revocation and denial process, rule making and how the organization works. We will continue to do this training on a quarterly basis. One suggestion was to create a separate module for people that are going to be on both a policy committee and the Board.

7. Committee Reports

Corrections Policy Committee – Todd Anderson, Chair

No new updates.

Fire Policy Committee – Jim Whelan, Chair

We are continuing to struggle with revocation and denial issues. We have three to deal with in our next meeting. We have a couple of task forces that have finished work and some that are starting to form up to look at the new NFPA standards to see how they conform to what we are doing now.

Police Policy Committee – Andrew Bentz, Chair

No new updates. Next meeting is on May 11, 2010.

Private Security Policy Committee – Jeff Martin, Chair

What the agency is doing with PSPI, instead of going to on line forms, they are going to make an enhancement to the current data system to allow private security organizations to see the people that our licensed on line. It is very similar to the snapshot used for police and fire. Private Security has several sub committees that are very active right now.

- The Armed Sub Committee continues to review their curriculum, their training, and the aspects that affect that discipline.
- The Curriculum Committee is reviewing overall curriculum for the private security industry.
- The Moral Fitness Sub-Committee is new. Private security has decided it is time to expand the moral fitness standard. We are looking at the police and fire moral fitness standards and some of the other disciplines to see if there are things we can use so we won't have to reinvent the wheel. It is going to be a long process.

Telecommunications Policy Committee – Rob Poirier, Chair

Telecommunications Consolidation Task Force has clearly moved from APCO driven to Oregon Emergency Management driven so we have a little bit of a recess and nothing has really changed.

8. For The Good Of The Order

Tim Mclain let Kelly Bach know how much he appreciated his service on this Board.

Randy Simpson wanted to let the Board know that last week the Fire Defense Board Chiefs voted, with one against out of all the counties represented, that all fire fighters that respond to a state mobilization must be certified by DPSST.

9. Next Meeting Date is July 22, 2010