

OREGON DPSST
ETHICS BULLETIN

Volume No. 37



The Board on Public Safety Standards and Training (BPSST) has the legislative mandate to establish and enforce the physical, mental, and moral fitness standards for all law enforcement officers, telecommunicators and emergency medical dispatchers in the state. This requirement also defines the procedure for the Department and Board to use when denying or revoking certification of an officer, telecommunicator or emergency medical dispatcher who has fallen below the moral fitness standards.

The Ethics Bulletin is published to provide insight into the types of misconduct that could result in revocation or denial of certification. The following cases of misconduct resulted in **revocation** of certifications by DPSST in **September 2006**.

The Department continues to ensure that certified public safety officers and those seeking certification who abuse the public's trust will be held accountable for their actions.

Reminder: The International Association of Directors of Law Enforcement Standards and Training (IADLEST) is an international organization of training managers and executives dedicated to the improvement of public safety personnel. IADLEST staffs a voluntary national database which tracks final revocation action of officers. An increasing number of states are participating in the database. If an employer has a candidate from another state and seeks this information as a part of the background check, please contact (503) 378-2318.

Case 1

Officer A was discharged for cause after an internal investigation revealed that he had been dishonest during the investigation, insubordinate, and lacked credibility. Officer A had an inappropriate relationship with a minor female and was untruthful during the investigation. The District Attorney advised the agency head that Officer A had a poor reputation for truthfulness in the community. Later, Officer A was convicted of Contempt of Court, Theft in the First Degree, three counts of Theft in the Second Degree, and Official Misconduct in the First Degree. Officer A was issued a Notice of Intent to Revoke. He made a timely request for a hearing. DPSST filed a Motion for Ruling on Legal Issues (Summary Judgment) with the Administrative Law Judge (ALJ), asserting that there was no genuine issue as to any material fact that is relevant to resolution of the legal issue for which a decision is sought. The ALJ issued a Proposed Order revoking Officer A's Police certifications. Officer A did not file exceptions to the Judge's Order. DPSST adopted the Judge's Proposed Order in its entirety and filed a Final Order. Officer A's conduct ended his 13-year career.

Officer A's Basic and Intermediate Police Certifications were Revoked

Case 2

Officer B was discharged for cause after an internal investigation revealed that he initiated a traffic stop while he was off duty, and engaged in a physical confrontation with the driver. During the stop, Officer B used profane and abusive language toward the driver in the presence of a child. Officer B was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing. DPSST filed a Final Order. Officer B's conduct ended his 25-year career.

Officer B's Basic, Intermediate and Advanced Police Certifications were Revoked.

PLEASE DISSEMINATE THIS INFORMATION TO ALL PUBLIC SAFETY OFFICERS

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Case 3

Officer C resigned after an internal investigation revealed that he was untruthful during an inquiry into a use of force event. At the onset of the inquiry into Officer C's use of a Taser, it appeared that the inappropriate use of force may have been a training issue. As the inquiry progressed however, Officer C's rendition of the events and his justification for the use of force was in contrast to all of the other officer's renditions. A subsequent internal investigation revealed that Officer C was untruthful with investigators. Officer C was notified that his case would be heard before the Police Policy Committee and that he could provide in writing any mitigating circumstances he wished to have considered. Officer C voluntarily signed a Stipulated Order Revoking Certification. Officer C's conduct ended his 8-year career.

Officer C's Basic Police Certification was Revoked.

Case 4

Officer D was discharged for cause after an internal investigation revealed that he violated several agency policies, engaged in ongoing misconduct and was untruthful during the investigations. Officer D was issued a Notice of Intent to Revoke. He made a timely request for a hearing. DPSST filed a Motion for Ruling on Legal Issues (Summary Judgment) with the Administrative Law Judge (ALJ), asserting that there was no genuine issue as to any material fact that is relevant to resolution of the legal issue for which a decision is sought. The ALJ issued a Proposed Order revoking Officer D's Police certifications. Officer D did not file exceptions to the Judge's Order. DPSST adopted the Judge's Proposed Order in its entirety and filed a Final Order. Officer D's conduct ended his 21-year career.

Officer D's Basic Police Certification was Revoked

Case 5

The employer of **Officer E** notified DPSST of his criminal convictions, per OAR 259-008-0010(5). Officer E was convicted of Stalking, a mandatory disqualifying event for purposes of certification, and three counts of Criminal Mischief, each one a discretionary disqualifying event for purposes of certification. Officer E, a telecommunicator, began to monitor the activities of a female friend and her new boyfriend through the LEDS system. Officer E's behavior escalated into showing up uninvited to a family-related event and then vandalizing the victim's home on three separate incidents by shooting out her bedroom window, a sliding glass door, and a window in the back of her residence. Officer E was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing. Officer E's conduct ended his 21-year career.

Officer E's Basic Telecommunicator and Emergency Medical Dispatcher Certifications were Revoked

Case 6

Officer F resigned and was subsequently convicted of two counts of Sexual Abuse in the Third Degree. Officer F was also convicted of Possession of Child Pornography, a felony and a mandatory disqualifying event for purposes of certification. Officer F "met" a male child on the internet and communicated with him for a period of months before meeting with the male child in person and having sexual contact with him. The male child, a special education student, told his school counselor about the incident. During the investigation, hundreds of pornographic images of children were discovered on Officer F's computer. Officer F voluntarily signed a Stipulated Order Revoking Certification. Officer F's conduct ended his 5-year career.

Officer F's Basic Police Certification was Revoked.