

OREGON DPSST  
***ETHICS BULLETIN***  
Volume No. 74



The Board on Public Safety Standards and Training (BPSST) has the legislative mandate to establish and enforce minimum standards for all law enforcement officers, fire service professionals, 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 individual who has fallen below the minimum 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 have resulted in consideration of **revocation or denial** of certifications by DPSST in **November 2009**.

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.

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**November Statistics**

<b>Cases Opened</b>	<b>25</b>	<b>Of the 38 Cases Closed:</b>	
<b>Cases Closed</b>	<b>38</b>	<b>Revoked</b>	<b>17</b>
<b>Cases Pending</b>	<b>182</b>	<b>Denied</b>	<b>00</b>
<b>Reinstated</b>	<b>00</b>	<b>No Action</b>	<b>21</b>

**Officer A** was discharged for cause after an internal investigation revealed that she had violated several agency policies. The violations included borrowing money from members of the unit she supervised. DPSST issued a Notice of Intent to Revoke Certifications based on the discharge. Officer A made a timely request for a hearing. DPSST filed a Motion for Summary Determination, asserting there were no material facts at issue. An administrative law judge granted DPSST's Motion and issued a Proposed Order Revoking Certifications. Officer A filed exceptions to the Proposed Order; after the Department of Justice reviewed them it was determined that no changes would be made to the Proposed Order. A Final Order was issued. Officer A's conduct ended her 17-year career.

**Officer A's Basic, Intermediate and Advanced Corrections Certifications were Revoked.**

**Officer B** resigned while under investigation. In this case, Officer B engaged in a series of inappropriate and unwanted personal contacts and activities. These occurred both on and off-duty. Officer B was also found to be misleading during the investigation of this matter. Officer B was contacted by DPSST and advised that his case would be reviewed by the Police Policy Committee. Officer B was allowed an opportunity to provide mitigating circumstances on his behalf and was also offered a Stipulated Order Revoking Certifications.

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After the Policy Committee reviewed the case, they unanimously voted to recommend that Officer B's certifications be revoked and that this be a lifetime disqualifier; he may never reapply. The Board affirmed the Committee's recommendation. Officer B was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Officer B's misconduct ended his 16-year career.

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

**Officer C** resigned while under investigation. In this case, Officer C engaged in disorderly and verbally abusive behavior at a local store. When law enforcement arrived to investigate the disturbance Officer C was untruthful about the incident. Officer C was contacted by DPSST and advised that his case would be reviewed by the Police Policy Committee. Officer C was allowed an opportunity to provide mitigating circumstances on his behalf and was also offered a Stipulated Order Revoking Certifications. After the Policy Committee reviewed the case, they unanimously voted to recommend that Officer C's certifications be revoked and that this be a lifetime disqualifier; he may never reapply. The Board affirmed the Committee's recommendation. Officer C was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Officer C's misconduct ended his 6-year career.

**Officer C's Basic Police, Basic Telecommunicator and Basic Emergency Medical Dispatcher Certifications were Revoked.**

**Officer D** resigned while under investigation. In this case, Officer D engaged in physically threatening behavior towards an inmate without justification. Officer D also attempted to prevent the inmate from exercising his grievance rights. Officer D was contacted by DPSST and advised that his case would be reviewed by the Corrections Policy Committee. Officer D was allowed an opportunity to provide mitigating circumstances on his behalf and was also offered a Stipulated Order Revoking Certifications. After the Policy Committee reviewed the case, they unanimously voted to recommend that Officer D's certifications be revoked with a minimum period of ineligibility of ten years to reapply if he sought certification in the future. The Board affirmed the Committee's recommendation. Officer D was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Officer D's misconduct ended his 3-year career.

**Officer D's Basic and Intermediate Corrections Certifications were Revoked.**

**Officer E** resigned in lieu of termination. In this case, Officer E was untruthful during an investigation regarding sexual involvement with an inmate. Officer E was contacted by DPSST and advised that his case would be reviewed by the Corrections Policy Committee. Officer E was allowed an opportunity to provide mitigating circumstances on his behalf and was also offered a Stipulated Order Revoking Certifications. After the Policy Committee reviewed the case, they unanimously voted to recommend that Officer E's certifications be revoked and that this be a lifetime disqualifier; he may never reapply. The Board affirmed the Committee's recommendation. Officer E was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Officer E's misconduct ended his 2-year career.

**Officer E's Basic Corrections Certification was Revoked.**

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**Officer F** resigned from public safety. A number of years later, he was arrested for Theft 1 and Conspiracy to Commit Theft 1. In this case, Officer F entered into a civil compromise with the victim. Officer F was notified that his case would be presented to the Corrections Policy Committee. Officer F was invited to provide mitigating circumstances for the Committee's consideration. After the Committee reviewed the case, they unanimously voted to recommend that Officer F's certifications be revoked and that this be a lifetime disqualifier; he may never reapply. The Board affirmed the Committee's recommendation. Officer F was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Officer F's misconduct tarnished his 14-year career.

**Officer F's Basic, Intermediate and Advanced Corrections Certifications were Revoked.**

**Officer G** resigned while under investigation. In this case, Officer G fell asleep at his post on several occasions, conduct about which he had been counseled previously. When he was questioned by his supervisor about the incident, Officer G was untruthful and attempted to deny the behavior. Officer G was contacted by DPSST and advised that his case would be reviewed by the Corrections Policy Committee. Officer G was allowed an opportunity to provide mitigating circumstances on his behalf and was also offered a Stipulated Order Revoking Certifications. After the Policy Committee reviewed the case, they unanimously voted to recommend that Officer G's certifications be revoked and that this be a lifetime disqualifier; he may never reapply. The Board affirmed the Committee's recommendation. Officer G was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Officer G's misconduct ended his 5-year career.

**Officer G's Basic Corrections Certifications was Revoked.**

**Officer H** resigned in lieu of termination. In this case, Officer H reported that he attended and participated in training for which he received pay, when he had not attended the identified training. Officer H was also paid for writing the departments K-9 policy, which he then refused to transfer to the agency when he resigned. Officer H was contacted by DPSST and advised that his case would be reviewed by the Police Policy Committee. Officer H was allowed an opportunity to provide mitigating circumstances on his behalf and was also offered a Stipulated Order Revoking Certifications. After the Policy Committee reviewed the case, they unanimously voted to recommend that Officer H's certifications be revoked and that this be a lifetime disqualifier; he may never reapply. The Board affirmed the Committee's recommendation. Officer H was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Officer H's misconduct ended his 3-year career.

**Officer H's Basic Police Certification was Revoked.**

**Officer I** resigned in lieu of termination. In this case, Officer I reported that he was sick and was unable to come to work, but then attended a basketball game. Officer I also improperly served a large number of Grand Jury Subpoenas. When Officer I was questioned about these events, he was untruthful with his supervisor. Officer I was contacted by DPSST and advised that his case would be reviewed by the Police Policy Committee. Officer I was

allowed an opportunity to provide mitigating circumstances on his behalf and was also offered a Stipulated Order Revoking Certifications. After the Policy Committee reviewed the case, they unanimously voted to recommend that Officer I's certifications be revoked and that this be a lifetime disqualifier; he may never reapply. The Board affirmed the Committee's recommendation. Officer I was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Officer I's misconduct ended his 13-year career.

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

**Officer J** resigned from public safety. A number of years later, he was arrested and convicted of Driving Under the Influence of Intoxicants four (4) times in a period of 12 years. Officer J was notified that his case would be presented to the Police Policy Committee. Officer J was invited to provide mitigating circumstances for the Committee's consideration. After the Committee reviewed the case, they unanimously voted to recommend that Officer J's certification be revoked and that this be a lifetime disqualifier; he may never reapply. The Board affirmed the Committee's recommendation. Officer J was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Officer J's misconduct ended his 2-year career.

**Officer J's Basic Police Certification was Revoked.**

**Officer K** resigned while under investigation. In this case, Officer K engaged in sexual conduct on-duty, was untruthful during the investigation and deceived members of his agency during a search for a potentially suicidal co-worker (the subordinate with whom he was sexually involved). Officer K was contacted by DPSST and advised that his case would be reviewed by the Police Policy Committee. Officer K was allowed an opportunity to provide mitigating circumstances on his behalf and was also offered a Stipulated Order Revoking Certifications. After the Policy Committee reviewed the case, they unanimously voted to recommend that Officer K's certifications be revoked and that this be a lifetime disqualifier; he may never reapply. The Board affirmed the Committee's recommendation. Officer K was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Officer K's misconduct ended his 5-year career.

**Officer K's Basic Police Certification was Revoked.**

**Officer L** resigned in lieu of termination. In this case, Officer L engaged in sexual conduct on-duty and was untruthful during the investigation of several different sexual relationships. Officer L was contacted by DPSST and advised that his case would be reviewed by the Police Policy Committee. Officer L was allowed an opportunity to provide mitigating circumstances on his behalf and was also offered a Stipulated Order Revoking Certifications. After the Policy Committee reviewed the case, they unanimously voted to recommend that Officer L's certifications be revoked and that this be a lifetime disqualifier; he may never reapply. The Board affirmed the Committee's recommendation. Officer L was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Officer L's misconduct ended his 12-year career.

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

**Officer M** resigned in lieu of termination. In this case, Officer M falsified a report and was deceptive in the handling of evidence. Officer M was contacted by DPSST and advised that his case would be reviewed by the Police Policy Committee. Officer M was allowed an opportunity to provide mitigating circumstances on his behalf and was also offered a Stipulated Order Revoking Certifications. After the Policy Committee reviewed the case, they unanimously voted to recommend that Officer M's certifications be revoked and that this be a lifetime disqualifier; he may never reapply. The Board affirmed the Committee's recommendation. Officer M was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Officer M's misconduct ended his 6-year career.

**Officer M's Basic Police Certification was Revoked.**

**Telecommunicator N** was discharged from public safety as a civilian employee. During a period of six years, she was arrested and convicted of Driving Under the Influence of Intoxicants three (3) times. Several of Telecommunicator N's arrests involved other crimes including Assault 4, Recklessly Endangering Another and Driving While Suspended. Telecommunicator N was contacted by DPSST and advised that her case would be reviewed by the Telecommunications Policy Committee. Telecommunicator N was allowed an opportunity to provide mitigating circumstances on her behalf and was also offered a Stipulated Order Revoking Certifications. After the Policy Committee reviewed the case, they unanimously voted to recommend that Telecommunicator N's certifications be revoked and that this be a lifetime disqualifier; she may never reapply. The Board affirmed the Committee's recommendation. Telecommunicator N was mailed a Notice of Intent to Revoke. She did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Telecommunicator N's misconduct ended her 9-year career.

**Officer N's Basic Telecommunication and Basic Emergency Medical Dispatcher Certifications were Revoked.**

**Officer O** was discharged while on probation. In this case, Officer O attempted to socially contact a corrections client, causing fear of retaliation, and was untruthful both during the investigation and in his information to the police committee. Officer O was contacted by DPSST and advised that his case would be reviewed by the Corrections Policy Committee. Officer O was allowed an opportunity to provide mitigating circumstances on his behalf and was also offered a Stipulated Order Revoking Certifications. After the Policy Committee reviewed the case, they unanimously voted to recommend that Officer O's certifications be revoked and that this be a lifetime disqualifier; he may never reapply. The Board affirmed the Committee's recommendation. Officer O was mailed a Notice of Intent to Revoke. He did not make a timely request for a hearing and was subsequently issued a Default Final Order Revoking Certification. Officer O's misconduct ended his 1-year career.

**Officer O's Basic Corrections Certification was Revoked.**

**Officer P** resigned during an internal investigation that revealed he engaged in sexual conduct while on duty. Officer P was contacted by DPSST and advised that his case would be reviewed by the Police Policy Committee. Officer P was allowed an opportunity to provide mitigating circumstances on his behalf and was also offered a Stipulated Order Revoking

Certifications. Officer P voluntarily signed the Stipulated Order. Officer P's misconduct ended his 12-year career.

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

**Officer Q** was arrested and convicted of Driving Under the Influence of Intoxicants and Assault 4. Officer Q was issued a Notice of Intent to Revoke Certification and responded with a timely request for hearing. DPSST filed a Motion for Ruling on Legal Issues (Summary Determination) with the Administrative Law Judge (ALJ) asserting there was no genuine issue as to any material fact that is relevant to resolution of the legal issues for which a decision is sought. The ALJ agreed with Officer Q and his attorneys and set the matter for a hearing. Officer Q subsequently retired from public safety and his union represented attorney withdrew from the case. Officer Q submitted a signed request to withdraw his request for hearing. DPSST issued a default Final Order Revoking Certification. Officer Q's misconduct ended his 21 year career.

**Officer Q's Basic, Intermediate and Advanced Corrections Certifications were Revoked.**

DPSST congratulates Central Point Police Department, which is the first law enforcement agency in the nation to be awarded the "Certificate of Excellence in Integrity," given by the National Institute of Ethics.

Two major requirements Central Point Police Department had to fulfill to receive this Certificate:

- The Institute confirmed that the Central Point Police Department attained 86% compliance with the applicable 221 standards and mandates, clearly exceeding the 70% compliance rate for the certificate.
- A minimum of 80% of its formal leaders have received at least 8 hours of ethics/anti-corruption training.

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