

OREGON DPSST
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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 **February 2010**.

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.

February Statistics

Cases Opened	27	Of the 14 Cases Closed:	
Cases Closed	14	Revoked	3
Cases Pending	195	Denied	0
		No Action	11
		Reinstated	0

Officer A was convicted of False Swearing and then resigned from his agency. In this case Officer A was disciplined after an internal investigation sustained agency policy violations. Officer A grieved the discipline he received and during the arbitration hearing he lied under oath. Officer A was criminally prosecuted for his conduct. Officer A was served with a Notice of Intent to Revoke. Officer A made a timely request for a hearing. DPSST sought a Motion for Summary Determination asserting there was no material fact at issue before the Office of Administrative Hearings. Administrative Law Judge Gutman granted DPSST's Motion and issued a Proposed Order. Officer A did not file legal exceptions to the Proposed Order. DPSST filed a Final Order.

Officer A's misconduct ended his 9-year career.

Officer A's Basic Corrections Certification was Revoked

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Officer B, an agency head, was convicted of Second Degree Official Misconduct on February 3, 2010. As part of a plea agreement with the Department of Justice Officer B agreed to sign a Stipulated Order revoking his certifications. In this case Officer B engaged in conduct constituting an unauthorized exercise of official duties. Officer B's misconduct ended his 29-year career.

Officer B's Basic, Intermediate, Advanced, Supervisory Corrections and Basic, Intermediate, Advanced, Supervisory, Management and Executive Police Certifications were Revoked

Officer C resigned during an investigation and was later convicted of Assault in the Fourth Degree, a crime which involved domestic violence. This is a mandatory disqualifying crime. Officer A was served with a Notice of Intent to Revoke Certifications. Officer C did not make a timely request for a hearing. Officer C was served with a Default Final Order. Officer C's misconduct ended her 2-year career.

Officer C's Basic Corrections Certification was Revoked.



Revocation & Denial: A Public Policy Challenge for Public Safety

By Eriks Gabliks, DPSST Director

The Board on Police Standards and Training (the Board) was established in 1961 by the Oregon Legislative Assembly at the request of Oregon's police chiefs and sheriffs. The purpose of the Board was to establish minimum standards for the employment, certification, and training for Oregon's law enforcement community. Over the next 40 years, the scope and mission of BPST would grow to include corrections and parole and probation officers, as well as public safety telecommunicators and emergency medical dispatchers. In 1991, the name of the Board was changed to reflect the expanded scope and mission - the new name of the agency became the Board on Public Safety Standards and Training (BPSST). In 1993, the Fire Standards Accreditation Board (FSAB) was transferred from the Office of State Fire Marshal and merged with BPSST. Later additions would include private security officers, private investigators, and polygraph examiners. Today the Board consists of 24 members who represent the various organizations served by DPSST.

In 1997, Governor Kitzhaber and the Oregon Legislative Assembly reorganized the BPSST. As a result of this reorganization, the Department of Public Safety Standards and Training (DPSST or the Department) was established as a cabinet-level agency answering directly to the Governor. By statute, the Board is responsible for establishing standards for training and certification. Five discipline-specific advisory committees (police, corrections, telecommunications, fire, and private security) are used to provide input and direction to the Board regarding training and certification standards. The Department administers the standards set by the Board. Legislation introduced during the 2001 legislative session strengthened the role of these committees and codified their responsibilities in Oregon law. Over the years the statutes may have changed but BPSST and DPSST continue to establish

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and uphold minimum standards for employment, training and certification in partnership with our customers. In the past year, career and volunteer fire service professionals have also joined the ranks of those who subscribe to the professional standards program.

Professional standards are an essential element of any profession. Law enforcement officers and fire fighters are always included with doctors, dentists, and teachers on any list that discusses the most trusted and ethical professionals. When members of these professions get in trouble they often generate front page headlines.

Across the nation each state has adopted professional standards for law enforcement professionals. Oregon, because of the work of the Board and its stakeholders, also has adopted professional standards for all of the other public safety disciplines which are under the BPSST umbrella. DPSST staff provides this monthly Ethics Bulletin as a both a training and awareness tool for our customers. Over the past three years the number of public safety professionals who have lost their certification has risen from 57 in 2007 to 103 in 2009. DPSST and Oregon's public safety professionals value the certification standards that hold those accountable who bring discredit to the profession and image of those who protect and serve.

You may be interested to learn that DPSST enters all law enforcement officers whose certifications are revoked into the national Peace Officer Certification Information System (POCIS). POCIS was established in the late 1990s to reduce the interstate rehiring of law enforcement officers decertified for misconduct by Peace Officer Standards and Training (POST) Boards and Commissions in the United States. Participating states enter decertified criminal justice officers into a national database that is used as a pointer system that directs employing agencies and/or certification bodies to the agency that made the entry. As of February 2010, POCIS contains the names of more than 11,339 decertified officers from 29 states.

The following illustrates the benefit of the IADLEST POCIS database. DPSST revoked the police certification of an Oregon officer on July 19, 2005. This officer was convicted of two counts of harassment. As part of his sentencing, the officer was ordered to surrender his DPSST police certification and never work in any capacity as a law enforcement officer. DPSST entered this person's name in POCIS as an officer whose certification had been revoked. Since that time this officer has attempted to gain employment as a police officer in other states. Three months after his conviction in Oregon, this person applied to be a police officer in Alaska on August 12, 2005. On his application he indicated that he had never been convicted of a crime nor had his police certification been revoked in any state. Later that month he applied to be a police officer in Kansas. On his application he again marked that he never been convicted of any crimes. This person was hired and served as police chief in Kansas until May 12, 2006 when Kansas POST became aware of his revoked status and began an investigation. Kansas is also looking into allegations that this person may have engaged in unlawful conduct with a child while serving as a police officer. POCIS was used as a vehicle to alert both states to the Oregon revocation and take the appropriate action. DPSST staff query the POCIS database on all new officers being hired by law enforcement agencies in Oregon.

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We appreciate your ongoing assistance in our professional standards program. If you have questions or we can be of assistance please do not hesitate to call.

Director Gabliks began his public safety career in 1980. Eriks has been with the agency since 1990 beginning as the 9-1-1 Training and Certification Program Coordinator. Over the years he has held a number of positions at DPSST including Regional Criminal Justice Training Section Lead, Assistant Training Division Director for Regional and Fire Training, Training Division Director and Deputy Director. He currently serves as the Director for the Oregon Department of Public Safety Standards and Training (DPSST) and the Oregon Public Safety Academy.

Eriks has a Bachelor of Science degree from Western Oregon University and an Executive Masters degree in Public Administration from Portland State University. He is a graduate of both the National Fire Academy Executive Fire Officer Program and the State & Local Leaders Program at the Mark O. Hatfield School of Government at Portland State University.

Eriks is a member of a number of organizations including the International Association of Directors of Law Enforcement Standards and Training (IADLEST), North American Fire Training Directors Association (NAFTD), Oregon Fire Chiefs Association (OFCA), Oregon Association of Police Chiefs (OACP), and Oregon APCO/NENA.

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