

Corrections Policy Committee Minutes February 10, 2015

The Corrections Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on Tuesday February 10, 2015, in the Governor Victor G. Atiyeh Boardroom at the Department of Public Safety Standards and Training located in Salem, Oregon. Chair Lisa Settell called the meeting to order at 1:32 p.m.

Attendees:

Committee Members:

Lisa Settell, Parole and Probation Officer, Chair
Brian Burger, Department of Corrections AFSCME Representative
Michael Gower, Designee for Director of Department of Corrections
Jeff Hernandez, Non-Management DOC
Jeanine Hohn, Department of Corrections Training Division
Tami Jackson, Non-Management DOC – Coffee Creek
Jason Myers, Oregon State Sheriff's Association
Joseph Pishioneri, Non-Management Law Enforcement
Kristen Hanthorn, Community Corrections Directors
Jeff Wheeler, Oregon Sheriff's Jail Command Council

Committee Members Absent:

Andy Long, Oregon State Sheriff's Association
Rick Angelozzi, Department of Corrections Superintendent
Donna Pettit, Non-Management Corrections Officer
Barbara Shipley, Oregon Sheriff's Jail Command Council

DPSST Staff:

Eriks Gabliks, Director
Todd Anderson, Training Division Director
Leon Colas, Professional Standards Coordinator/Investigator
Linsay Hale, Professional Standards Division Director
Theresa King, Audit Program Coordinator
Kristin Hibberds, Professional Standards Coordinator/Investigator
Mona Riesterer, Professional Standards Assistant



- 1. *Reyes Romayor – DPSST #35861 (Executive Session)**
Presented by Department of Justice

The committee went into executive session to consider confidential information.

- ***Brian Burger moved that the committee administratively close Mr. Reyes Romayor's case. Tami Jackson seconded the motion. The motion carried unanimously.***

2. *Minutes of November 4, 2014 Meeting

Approve the minutes of the November 4, 2014 Corrections Policy Committee meeting.

To see a complete record of the February 10, 2015 Corrections Policy Committee minutes, please go to:

<http://www.oregon.gov/dpsst/BD/pages/correctionspolicycommitteemeetingminutes.aspx>

- ***Jason Myers moved that the committee approve the minutes of the November 4, 2014 Corrections Policy Committee meeting. Jeff Hernandez seconded the motion. The motion carried unanimously.***

3. *Police to Corrections Curriculum Changes

Presented by Lt. James Webb

The Police-to-Corrections (POLCOR) curriculum currently exists with an undeveloped block of an instruction (Temporary Detention Facilities). The proposal is to be able to drop two blocks of instructions for the POLCOR curriculum (Temporary Detention Facilities) and (Standards for Local Correctional Facilities) and replace them with a four hour block from BCL that full covers the material (Operational Statutes & Standards).

- ***Jeff Hernandez moved that the committee recommend approval of the proposed changes to the POLCOR curriculum. Joseph Pishioneri seconded the motion. The motion carried unanimously***

4. Quarterly Review of DOC BCC by DPSST Audit and Compliance Unit

Presented by Theresa King

Theresa reported to the committee that based on the findings by the Audit Unit, BCC it appears DOC BCC meets the minimum training approved by the Board for the corrections officers employed by DOC.

5. *Matthew Tiller – DPSST #53939 (Possible Executive Session)

Medical Wavier – Presented by Debbie Anderson

On January 12, 2015, DPSST received a letter from Union County Sheriff's office requesting a waiver of the visual acuity and depth perception. The case brought before the committee is to determine whether or not to recommend approval of the waiver.

- *Joseph Pishioneri moved that the committee recommend approval of the proposed waiver as presented to the committee. Jeff Hernandez seconded the motion. The motion carried unanimously.*

6. ***Brent Peterson – DPSST #49647**

Presented by Kristen Hibberds

The committee noticed that some documents reported on the exhibit list were inadvertently excluded from the packet for Committee consideration.

- *Michael Gower moved to table the case until next meeting. Jeff Hernandez seconded the motion. The motion carried unanimously.*

7. ***John Headrick – DPSST #18996**

Presented by Leon Colas

This case involves John Headrick's repeated failure to conduct jail tier checks, his falsification of the documentation of tier checks, and his untruthfulness during the investigation into those violations. The issue in this case is whether Headrick's conduct as described above should result in the revocation of his corrections certifications for failure to meet the minimum standards for public safety certification.

- *Joseph Pishioneri moved to adopt the staff report. Tami Jackson seconded the motion. The motion carried unanimously.*
- *By discussion and consensus, the committee determined that John HEADRICK'S behavior did not involve Insubordination.*
- *By discussion and consensus, the committee identified John HEADRICK'S behavior did involve Misconduct as defined in Administrative Rule when he failed to do the tier checks and falsified documents.*
- *Jeff Hernandez moved that the Corrections Policy Committee finds that HEADRICK'S Misconduct does rise to the level to warrant revocation when considered alone. Jason Myers seconded the motion. The motion carried unanimously.*
- *By discussion and consensus, the committee determined that HEADRICK'S behavior did involve Gross Misconduct as defined in Administrative Rule due to failure to do the tier checks creates a risk to the inmates and staff in the building.*

- *Michael Gower moved that the Corrections Policy Committee finds that HEADRICK'S Gross Misconduct does rise to the level to warrant revocation when considered alone. Joseph Pishioneri seconded the motion. The motion carried unanimously.*
- *By discussion and consensus, the committee determined that HEADRICK'S did not involve Misuse of Authority.*
- *By discussion and consensus, the committee determined that HEADRICK'S behavior did involve Disregard for the Rights of Others as defined in the Administrative Rule as HEADRICK'S failure to conduct tier checks failed to protect others and the potential for an escape.*
- *Michael Gower moved that the Corrections Policy Committee finds that HEADRICK'S Disregard for the Right of Others does rise to the level to warrant revocation when considered alone.*
- *By discussion and consensus, the committee identified HEADRICK'S behavior did involve Dishonesty as defined in Administrative Rule when he falsified the documents regarding the tier check.*
- *Brian Burger moved that the Corrections Policy Committee find that HEADRICK'S Dishonesty does rise to the level to warrant revocation when considered along. Tami Jackson seconded the motion. The motion carried unanimously.*
- *By discussion and consensus, the committee identified HEADRICK'S behavior did involve Aggravating Circumstances by being a tenured employee and using someone else's login to log tier checks put that officer at risk.*
- *By discussion and consensus, the committee identified no Mitigating Circumstances.*
- *After considering the totality of the circumstances, Jason Myers moved that the Committee recommends to the Board the HEADRICK'S certification be revoked. Michael Gower seconded the motion. The motion carried unanimously.*
- *Brian Burger moved that the committee recommends to the Board that HEADRICK'S Misconduct warrants for an ineligibility period to reapply for certification of seven years. Jeff Hernandez seconded the motion. The motion carried unanimously.*

- *Michael Gower moved that the committee recommends to the Board that HEADRICK'S Gross Misconduct warrants for an ineligibility period to reapply for certification of ten years. Jeff Wheeler seconded the motion. The motion carried unanimously.*
- *Jeff Hernandez moved that the committee recommends to the Board that HEADRICK'S Disregard for the Rights of Others warrants an ineligibly period to reapply for certification of fifteen years. Brian Burger seconded the motion. The motion carried unanimously.*
- *Joseph Pishioneri moved that the committee recommends to the Board that HEADRICK'S Dishonesty warrants an ineligibility period to reapply for certification of lifetime. Tami Jackson seconded the motion. The motion carried unanimously.*

8. Staff Updates

Linsay Hale welcomed Mona Riesterer as the coordinator for the committee.

Linsay stated to please let DPSST know if you have not receive a meeting book and it is close to the meeting date to please let us know.

The current medical standards required as a condition of pre-employment have been looked at by a medical expert and recommendations were made to update some of the standards. DPSST is exploring procedural updates regarding the reporting of medical information as well.

There was a question asked by Jeff Hernandez about the maintenance standards for corrections and parole & probation. Jeff Hernandez requested that a workgroup be established by consensus of the committee it was agreed to start a sub-committee.

Todd Anderson reported that in both the Parole and Probation and the basics corrections local the need for classes has been going up.

A basic corrections local class was added in December to meet the high demand A BCL course will start on the 15th of this month.

Eriks Gabliks reported on revocation and denial stats. He will send the report out to the group for informational purposes.

Steve Winegar has been asked to testify in 21st Century presidential commission in Phoenix regarding what Oregon is doing. We are asking for a research analysis to come in as part of the team to do research on communities with less than a hundred thousand.

A bill that has been introduced by Oregon AFSCME that would prohibit DPSST from taking any action against an officer that is seeking counseling. DPSST does not currently open investigations in situations like this. DPSST is actively working with AFSCME.

Tami Jackson asked if DOC officers will be classified as peace officers with the same authorities as police officer. Linsay Hale explained that for this change to occur, this would have to be proposed at the legislative level. Linsay has not seen any bills introduced this session that would make the change.

9. Next Corrections Policy Committee Meeting – May 12, 2015 at 1:30 p.m.

** All documents reviewed and discussed in this meeting are subject to Oregon Public Records Law (ORS 192.410 to ORS 192.505). These documents can be requested by contacting DPSST at dpsst.records@state.or.us.*