

# **Corrections Policy Committee**

## **Minutes**

### **May 13, 2014**

The Corrections Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on May 13, 2014, 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  
Rick Angelozzi, Department of Corrections Superintendent  
Brian Burger, Department of Corrections AFSCME Representative  
Jeff Hernandez, Non-Management DOC  
Jeanine Hohn, Department of Corrections Training Division  
Jason Myers, Oregon State Sheriff's Association  
Donna Pettit, Non-Management Corrections Officer  
Joseph Pishioneri, Non-Management Law Enforcement  
Barbara Shipley, Oregon Sheriff's Jail Command Council  
Jeff Wheeler, Oregon Sheriff's Jail Command Counsel

##### **Committee Members Absent:**

Michael Gower, Designee for Director of Department of Corrections  
Tami Jackson, Non-Management DOC  
Andy Long, Oregon State Sheriff's Association  
Jeff Wood, Oregon Association of Community Corrections Directors

##### **DPSST Staff:**

Eriks Gabliks, Director  
Todd Anderson, Training Division Director  
Leon Colas, Professional Standards Coordinator/Investigator  
Linsay Hale, Professional Standards Division Director  
Theresa King, DOC-BCC Audit Program Coordinator  
Debbie Graves, Administrative Operations Supervisor  
Tia Turnipseed, Professional Standards Assistant  
Staci Heintzman-Yutzie, Class Coordinator  
Ryan Keck, Leadership Training Coordinator

##### **Guests:**

Steve Beck, Oregon Council of Police Association



#### **1. Minutes of February 11, 2014 Meeting**

Approve the minutes of the February 11, 2014 Corrections Policy Committee meeting.

*To see a complete record of the February 11, 2014 Corrections Policy Committee minutes, please go to:*

[http://www.oregon.gov/dpsst/BD/Policy\\_Committee\\_Minutes/CPC\\_Minutes/CPCminutes021114.pdf](http://www.oregon.gov/dpsst/BD/Policy_Committee_Minutes/CPC_Minutes/CPCminutes021114.pdf)

***Rick Angelozzi moved that the committee approve the minutes of the February 11, 2014 Corrections Policy Committee meeting. Joseph Pishioneri seconded the motion. The motion carried unanimously.***

## **2. Basic Parole and Probation Academy Expansion Overview**

Staci Heintzman-Yutzie, Class Coordinator – Parole and Probation and Ryan Keck, Leadership Training Coordinator

Staci presented the proposed curriculum for the new five – week Parole and Probation academy. The staff reviewed the new parole and probation academy curriculum for adult learning, the integration of iPad usage and mock caseloads for more reality-based scenario training to practice skills in a safe learning environment.

Jeff Hernandez inquired about the timeline of the curriculum and the amount of days the material is covered, as well as whether the Lead Instructor would be able to modify the curriculum based on the needs of the class, or if it is structured.

Staci explained the learning outcomes for case planning could be covered over several days, but that there would be fluidity. Staci stated that there is going to be more of a facilitation approach when it comes to instructors modifying the curriculum. She explained that the instructors will be provided a lesson plan, but the instructors will need to gauge and assess whether the students are grasping the material, and move on from there.

Lisa Settell explained how she takes calls in the middle of the night, and would like to see students get to experience these types of cases so they have to think on their toes when law enforcement is waiting on them. She explained that a call could be placed to the student about a possible scenario with their client that could be processed later. Lisa also inquired whether the six-week optional firearms training would immediately follow the course. Staci explained that it depends on the availability of the firearms range, and at times they can be one-two weeks out.

***Jason Myers moved that the Corrections Policy Committee recommends to the Board implementation of the Basic Parole and Probation Academy expansion. Brian Burger seconded the motion. The motion carried unanimously.***

## **3. DOC BBC Proposed Course Updates**

Presented by Jeanine Hohn, DOC Professional Development Unit

Jeanine reported that DOC will move to a two year adoption cycle for the Basic Corrections Course curriculum. DOC has been working with staff, the audit team and academy training staff to review their materials for policy and rule updates and information to be able to maintain current training and all documentation in an up-to-date format. An overview memorandum that outlines some of the changes that DOC has made to their curriculum this year was provided. She explained that DOC has submitted initial documentation for review.

**4. Quarterly Review of DOC Basic Corrections Course by the DPSST Audit Team**

Presented by Theresa King

Theresa reported that January through March of this year is the reporting period for the audit unit to conduct audits on the DOC BCC. She explained that the audit team has moved to a performance based audit process, rather than sitting in the classroom reviewing the instructor capabilities. DPSST audit team is now looking that the classes where students can demonstrate prior learning through scenarios, reality-based training, and confrontational simulation. Theresa explained they are looking at the student's ability to apply what they're learning, and whether there are deficiencies that need to be evaluated.

**5. Jack Catto – Clackamas County Sheriff's Office - DPSST # 24679**

Presented by Leon Colas

*Jeff Hernandez moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based. Joseph Pishioneri seconded the motion. The motion carried unanimously.*

By discussion and consensus, the committee identified CATTO's dishonesty and his conduct surrounding the active omission and neglect to report accurate work hours, the misuse of publicly owned property, and neglecting to provide evaluations that are essential for promotional opportunities and special assignments as the behaviors being considered in this case.

By discussion and consensus, the committee determined that CATTO's behavior did not involve Insubordination.

By discussion and consensus, the committee identified CATTO's behavior did involve Misconduct as defined in Administrative Rule when he violated county policy on several occasions; theft of time as well as the practices of standards of being on shift, being on time, recording time properly, attending trainings as scheduled including CERT team training and the use of a county vehicle for personal use.

***Barbara Shipley moved that the Corrections Policy Committee find that CATTO'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 CATTO's behavior did involve Gross Misconduct as defined in Administrative Rule by not being at work when scheduled, as well as the financial burden put on the agency, and his failure to train, potentially putting his co-workers at risk.

***Joe Pishioneri moved that the Corrections Policy Committee find that CATTO's Gross Misconduct does rise to the level to warrant revocation when considered alone. Rick Angelozzi seconded the motion. The motion carried unanimously.***

By discussion and consensus, the committee determined that CATTO's behavior did involve Misuse of Authority as defined in Administrative Rule when he was paid for a significant amount of time not accounted for, abusing public trust, and using a county owned vehicle for personal use.

***Joe Pishioneri moved that the Corrections Policy Committee find that CATTO's Misuse of Authority does rise to the level to warrant revocation when considered alone. Jeff Hernandez seconded the motion. The motion carried unanimously.***

By discussion and consensus, the committee determined that CATTO's behavior did involve Disregard for the Rights of Others as defined in Administrative Rule when he did not do the evaluations he was responsible for doing for his staff members and the people under them, and failed in his fundamental duty to protect and serve the public by not being at work when he was expected to be.

***Joe Pishioneri moved that the Corrections Policy Committee find that CATTO's Disregard for the Rights of Others does rise to the level to warrant revocation when considered alone. Jeff Wheeler seconded the motion. The motion carried 8-1 with Settell, Angelozzi, Hohn, Myers, Pettit, Pishioneri, Shipley and Wheeler voting aye; and Hernandez voting nay.***

By discussion and consensus, the committee determined that CATTO's behavior did involve Dishonesty as defined in Administrative Rule when he misrepresented/omitted his recorded time for the work hours he was compensated for and saying he was at certain trainings, volunteering, or assisting at trainings when it was verified that he was not.

***Barbara Shipley moved that the Corrections Policy Committee find that CATTO's Dishonesty does rise to the level to warrant revocation when considered alone. Joe Pishioneri seconded the motion. The motion carried unanimously.***

By discussion and consensus, the committee identified the following Aggravating Circumstances:

- Failed to hold himself to a higher standard as a leader.
- Lack of leadership in the position he held within the agency.
- His theft of time was widely known by staff.
- He was required to spend 25% of his time on the floor to overcome perception of staff, but failed to do so.
- CERT team members were getting ready to quit because of his lack of participation on the team.

By discussion and consensus, the committee did not identify any Mitigating Circumstances.

*After considering the totality of the circumstances, Jeff Hernandez moved that the Committee recommends to the Board that CATTO's certification be revoked. Jason Myers seconded the motion. The motion carried unanimously.*

*Jason Myers moved that the Committee recommends to the Board that CATTO's Misconduct warrants an ineligibility period to reapply for certification of seven years. Jeff Hernandez seconded the motion. The motion carried unanimously.*

*Jason Myers moved that the Committee recommends to the Board that CATTO's Gross Misconduct warrants an ineligibility period to reapply for certification of ten years. Jeff Wheeler seconded the motion. The motion carried unanimously.*

*Jason Myers moved that the Committee recommends to the Board that CATTO's Misuse of Authority warrants an ineligibility period to reapply for certification of ten years. Barbara Shipley seconded the motion. The motion carried unanimously.*

*Jason Myers moved that the Committee recommends to the Board that CATTO's Disregard for the Rights of Others warrants an ineligibility period to reapply for certification of fifteen years. Jeff Wheeler seconded the motion. The motion carried 8-1 with Settell, Angelozzi, Hohn, Myers, Pettit, Pishioneri, Shipley, and Wheeler voting aye; Hernandez voting nay.*

*Jason Myers moved that the Committee recommends to the Board that CATTO's Dishonesty warrants an ineligibility period to reapply for certification of lifetime. Rick Angelozzi seconded the motion. The motion carried unanimously.*

## 6. Staff Update

Todd Anderson reported there is one Basic Corrections class in session at this time.

Todd expressed excitement about a new Parole and Probation class that was added in April, with the help of the directors at Oregon Association Community Corrections Directors. Todd expressed with the House Bill 3194 reinvestment, he hopes to see more Parole and Probation Officers that would be using the curriculum discussed at this meeting. Todd explained there

is one Basic Corrections course on the schedule for October, and due to the need the 2015 course was moved to January.

Applications are being built for Defense Tactics and Concept Building which will be data driven, and give the ability to objectively evaluate the students on certain criteria. The applications will also serve as a way to evaluate the student and instructor and make necessary adjustments per their needs.

Linsay Hale reminded everyone that the Academic Proficiency standard is coming that was reviewed by the Corrections Policy Committee and ultimately approved by the Board with a January 1, 2015 implementation date. After January 1, 2015, all Parole and Probation officers and Corrections officers will have to have had some Academic Proficiency before applying to attend the basic course. A list serve was sent out to OSSA and OACCD to remind them of the upcoming requirements.

A CPR workgroup convened on May 12, 2014, at the request of the Corrections Policy Committee to renew the possibility of having a CPR maintenance standard for Corrections Officers and Parole and Probation Officers. The workgroup members were able to come to a conclusion that changing the rule to match current DPSST practices would sufficiently address concern at the time of application for certification. An officer must record CPR training on the Form F-7. DPPST will update the rule to make sure the change process is clear. Linsay stated if everyone on the CPC approves the change, DPSST will initiate a rule change and bring it back to the August CPC meeting.

Lisa Settell asked if the process change will keep DPSST from having to track every officer and when their one, two, or three year CPR card expires and which CPR cards lapsed. Linsay said there would have been a tremendous workload for DPSST, but also liability for each of the agencies. She explained that this is an agreeable solution for everyone at the table and the rule change will be initiated.

A workgroup for minimum training standards met to look at the training standards which require previously certified people to come back through some level of training if they leave a certified position. That group decided that a change in that standard was not necessary, however, they did decide to look at limited-duration administrative positions and what training requirement would be required. Linsay explained that the intent of the group was to allow individuals to serve in a limited-duration administrative function, without having to fill out the paperwork for 12 months. DPSST is in the process of working on narrowly crafted rule language that meets the intent of the workgroup and will continue to work with the members of that group.

Intermediate and Advanced charts; the expiration of the old chart was extended by one year by the Board at their last meeting. The chart will not expire until October 31, 2015. Ultimately, DPSST developed an instruction book for people to help them fill out the application.

DPSST filed two Legislative concepts prior to the April 31 deadline. One of them deals with the ability of the department to compel agencies to provide personnel records in Professional Standards investigations. The second is a placeholder that was filed at the request of the Board to deal with background investigations for reserve officers as the department doesn't have the authority to regulate reserve officers who are not certified.

Aside from the Legislative placeholder, the Board wanted to form a workgroup to look at what the background investigations standards are, specifically if DPSST should define what is required during a pre-employment background investigation.

Professional Standards continues to hone the denial/revocation process to provide stronger records and legal defense when it comes time for DOJ to defend decisions to revoke or deny.

Eriks Gabliks welcomed Jeff Wheeler of the Multnomah County Sheriff's Office to the committee in the place of Linda Yankee.

Eriks expressed that the Law Enforcement Memorial Ceremony was held at DPSST on May 6 to honor fallen law enforcement officers. Officer Libke and Deputy Basse were added to the memorial wall. Eriks thanked all the organizations for their support and assistance with this annual event.

DPSST continues to work with their partners on the Stress First Aid for Law Enforcement outreach.

**7. Next Regularly Scheduled Meeting – August 12, 2014 at 1:30 p.m.**

Meeting adjourned at 3:05 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](mailto:dpsst.records@state.or.us).*