

Telecommunications Policy Committee Minutes February 3, 2016 (Draft)

The Telecommunications Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on February 3, 2016 at the Oregon Public Safety Academy in Salem, Oregon. Chair, Kelly Dutra called the meeting to order at 9:00 AM.

Attendees:

Committee Members:

Kelly Dutra, Chair, Oregon APCO-NENA
Sherry Bensema, Oregon Fire Chief's Association
George Long, Willamette Valley Communications Center
Sharyl Dresser, Association of Public Safety Communications Officials (phone)
Mike Moran, Oregon Association of Chiefs of Police
Bob Rector, Oregon State Police
Randy Wood, Oregon Fire Chiefs Association (phone)
Gary Bettencourt, Oregon State Sheriffs' Association (phone)

Committee Members Absent:

Justin Hardwick, Emergency Medical Services and Trauma Systems
Brian Oeder, Line-Level Telecommunicator

DPSST Staff:

Eriks Gabliks, Director
Linsay Hale, Professional Standards Division Director
Theresa King, JTA and Training Compliance Program Coordinator
Mona Riesterer, Professional Standards Assistant
Debbie Anderson, Certification & Compliance Specialist
Todd Anderson, Training Division Director
Leon Colas, Professional Standards Investigator
Monica Walker, Criminal Justice Certification Supervisor
Jennifer Howald, Scheduling/Certification Specialist



1. Minutes from November 4, 2015 Meeting

Approve meeting minutes from November 4, 2015

To see a complete record of the November 4, 2015 Telecommunications Policy Committee minutes, please go to:

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

Mike Moran moved to approve the minutes from the November 4, 2015 Telecommunications Policy Committee meeting. George Long seconded the motion. The motion carried unanimously.

2. *2015 Job Task Analysis Public Comment

Presented by Theresa King

On November 4, 2015, the Telecommunications Policy Committee reviewed the 2015 Telecommunications Job Task Analysis. The Policy Committee identified one area to more clearly identify the need for minimum or critical information when calls are transferred from one jurisdiction to another. The subject matter expert panels reviewed the concerns and provided amendments to the 2015 Telecommunication Job Task Analysis.

Bob Rector moved to recommend approval of the amended 2015 Telecommunications Job Task Analysis to the Board for approval. George Long seconded the motion. The motion carried unanimously.

3. *Nicole Aragon, DPSST #55677 – (Frontier Regional 9-1-1) – Application for Training

Presented by Leon Colas

The case presented to the Policy Committee is whether Nicole Aragon's conduct leading to her Washington conviction for DUI, which is equivalent of Oregon's DUII statute, ORS 813.010, and a discretionary disqualifying crime under OAR 259-008-0070(4)(c), should result in the denial of her application or training.

Sheriff Gary Bettencourt asked to be removed due to a potential conflict of interest.

Mike Moran moved that the Telecommunications Policy Committee adopts the staff report as the record upon which its recommendations are based. Sherry Bensema seconded the motion. The motion carried with 7 ayes and Sheriff Bettencourt abstaining.

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

By discussion and consensus, the committee identified Nicole Aragon's behavior did involve **Misconduct** as defined in the Administrative Rule. Being convicted of DUI meets the definition of **Misconduct**.

Mike Moran moved that the Telecommunication Policy Committee find that Nicole Aragon's **Misconduct** does rise to the level to warrant denial of application for training when considered alone. Sherry Bensema seconded the motion. The motion carried with 7 ayes and Sheriff Bettencourt abstaining.

By discussion and consensus, the committee identified that Nicole Aragon's behavior did involve **Gross Misconduct** as defined in the Administrative Rule. The elements of a conviction of DUI meet the definition of **Gross Misconduct**.

Mike Moran moved that the Telecommunication Policy Committee find that Nicole Aragon's **Gross Misconduct** does rise to the level to warrant denial of application for training when considered alone. George Long seconded the motion. The motion carried with 7 ayes and Sheriff Bettencourt abstaining.

By discussion and consensus, the committee determined that Nicole Aragon's behavior did not involve **Misuse of Authority** as defined in the Administrative rule.

By discussion and consensus, the committee determined that Nicole Aragon's behavior did not involve **Disregard for the Rights of Others** as defined in the Administrative Rule.

By discussion and consensus, the committee determined that Nicole Aragon's behavior did not involve **Dishonesty** as defined in the Administrative Rule.

By discussion and consensus, the committee determined that Nicole Aragon's behavior did not involve **Aggravating Circumstance** as defined in the Administrative Rule.

By discussion and consensus, the committee determined that Nicole Aragon's behavior did involve **Mitigating Circumstances** by the efforts shown from Aragon after the situation shows that she made a positive effort to move on. Also, the comments from fellow workers on her behalf would be considered in Aragon's favor. Also mitigating is the fact that the agency had to complete a background investigation before hiring Ms. Aragon was employed despite the old conviction.

After considering the totality of the circumstances, Mike Moran moved that the committee recommend to the Board that Nicole Aragon's application for training not be denied. George Long seconded the motion. The motion carried with 7 ayes and Sheriff Bettencourt abstaining.

4. Department Update

Linsay Hale reported:

The medical examination for process of pre-employment for Telecommunication and EMD was approved by the Board to be filed proposed. It will open up for comment in March, and if no comments are received we are anticipating the rule to be in effect by April 1st. Once this rule is effective, the process for waivers will change, staff can administratively make the determination to administratively grant waivers so there is no delay in waiting for Board approval. The agency implemented new standards and processes for the law enforcement disciplines on January 1, 2016 and the response has been positive.

The fire/denial revocation standard was filled permanent effective January 1, 2016.

The criminal justice denial workgroup revocation is currently meeting. The discussions have been very relevant and the feedback has been positive.

The agency is working on capability method that would allow F-6 training rosters to be electronically sent to the agency. Once received and uploaded into our system the process will be

instantaneously so there would not be a wait time to get the information entered into officer training records.

The agency as part of the State of Oregon, is working on a phone transition. The date for the transition has been scheduled for February 9, 2016 (since cancelled). The department phones will be down during this time as well as the network. Further notice will be sent out once a confirmed date is established for the transition.

Eriks reported:

Academy Enrollment Update and Criminal Justice Agency Hiring Survey

DPSST shared the results of a recent survey that was completed by DPSST on hiring trends. The survey was to gauge current hiring trends and pending retirements. This data is essential for DPSST staff to evaluate if enough training classes are on the schedule for the 2015-2017 and beyond.

The first questions asked was how many employees the agency was currently in the process of filling who are not enrolled in a DPSST basic course?

Law Enforcement/Police	425
Corrections	199
Parole and Probation	55
Telecommunications	113

The second question was how many certified personnel are eligible to retire in 2016?

Law Enforcement/Police	495
Corrections	111
Parole and Probation	45
Telecommunications	66

The results of the survey solidified the informal feedback DPSST has received during discussions with constituents. While the number of personnel eligible to retire in 2016 is yet to be seen, the current hiring trends, and the potential of just as many retirees, clearly illustrate the need for additional Basic Police and Basic Corrections classes to the 2015-2017 training calendar at DPSST. DPSST is adding a Basic Telecommunications and EMD class for June 2016 to address an increase in hiring by public safety communications centers around the state.

2016 Legislative Session

DPSST has four issues during the 2016 Legislative Session that will require that the agency appear in front of the Ways & Means Public Safety Sub Committee. DPSST has requested approximately 2.8 million to fund the addition of 4 additional 16-week Basic Police and 2 additional 6-week Basic Corrections classes during the 2015-2017 bienniums. DPSST will also request retro-active permission to apply for a FEMA Assistance to Firefighters Grant (AFG) grant to replace and bolster its regional training equipment cache. DPSST will also ask for a budget correction regarding HIDTA and ask that

Ways & Means approve acceptance of a \$959,298 Byrne Grant from the Oregon Criminal Justice Commission to support the work underway by its Center for Policing Excellence. DPSST has not requested any legislation be introduced on behalf of the Board or agency during the short session but will actively monitor bills that are introduced that affect the organization and provide feedback as warranted.

2017-2019 Budget Development Discussions

DPSST's leadership team is looking at possible Policy Option Packages (POPs) that it may consider submitting as part of its 2017-2019 Agency Request Budget (ARB). Some of the discussions include Basic Training (Additional Classes), replacement of obsolete Fire & Life Safety equipment at the Oregon Public Safety Academy, study of DPSST Information Systems and Technology needed to support future training at OPSA, Fire Service Fingerprint Assistance Fund, Mental Health/Crisis Intervention, Reserve Officer Training and Certification, and funds to support development and enhancements at local training venues that are used for regional training. Director Gabliks mentioned that this was a very preliminary list and asked if Board members had suggestions or comments to contact him. The proposed 2017-2019 ARB for DPSST will come to the Board for review and formal action before it's submitted.

Butane Honey Oil (BHO) Labs

The Oregon High Intensity Drug Trafficking Area (HIDTA) program is located at DPSST and its Director Chris Gibson expressed interest in working with public safety agencies regarding the uptick of *Butane Honey Oil* (BHO) labs we have been seeing in Oregon. Director Gibson, Captain Terri Davie of the Oregon State Police, and Fire & Arson Investigators with the Portland Police Bureau and Portland Fire & Rescue developed a presentation regarding this issue and the prosecution of these cases. The presentation has already been given to the Oregon Fire Chiefs Association (OFCA) Executive Board, Oregon Association of Chiefs of Police, and Oregon State Sheriff's Association. Presentations are scheduled for the upcoming Oregon Fire Marshals Association (OFMA), International Association of Arson Investigators (IAAI), and OFCA Conferences. The presentation covers the issue, safety concerns, and efforts underway to investigate process and prosecute if possible those involved in these explosions and fires. The presentation takes about 20-30 minutes. On a related note, Captain Davie is forming a work group on this issue that includes representatives of the OFCA, HIDTA, State Fire Marshal's Office, and other members to develop a statewide approach to this issue.

Active Shooter

DPSST continues to offer active shooter training classes on a statewide basis to law enforcement, fire-rescue and 9-1-1 agencies. We are also going to develop an active shooter management class for first arriving supervisors and command staff that will provide tools for leadership of these events for the first 72 hours. DPSST will be working with public safety leaders from law enforcement, fire, and 9-1-1 who were involved in UCC, Clackamas Town Center, and Reynolds HS to assist us. DPSST also plans to include the FBI and ATF on the training class to ensure federal law enforcement resources are included in the training. The work group should begin in March and complete its assignment in a few months.

Oregon Task Force on School Safety

DPSST continues to participate in the legislatively created Task Force on School Safety which is coordinated by Superintendent Rich Evans of the Oregon State and Chaired by Sheriff Craig Roberts of Clackamas County. Chief Ted Kunze serves as the fire service representative on the group. The Task Force released its recommendations to Governor Kate Brown last month at the State Capitol. This report, meeting minutes, rosters, and supporting documents can be found on the group's webpage at: <http://www.oregon.gov/osp/Pages/Task-Force-on-School-Safety.aspx>

OACP/OSSA Mental Health Crisis Work Group

DPSST has been asked to help facilitate the work of the OACP/OSSA Mental Health Crisis Work Group. The group will bring together law enforcement representatives and will expand to include fire, EMS and 9-1-1 representatives as well as mental health and community resources.

Areas to be addressed:

- State wide acknowledgment of current Legal status regarding 9th circuit and Use of Force encounters with Mentally Ill individuals. (i.e. state wide adoption of Enhanced Graham Standards for Use of Force policies and DPSST training). Kenny Montoya can help with this as well as Elmer if needed.
- Look at developing a "Standardized Response Protocol" once there is an understanding of current case law.
- Training for both recruits/ and career LE. What should the recommendation be for DPSST in regard to hours associated with classroom portion of CIT? How many hours dedicated to practical scenarios?
- Recommendation for # of hours for Enhanced CIT
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- "Policy Framing" recommendations for LE agencies with regard to incorporating MH scenarios into Survival Skills training.
- Potential for Legislative goals around funding at a State wide level for Mobile Crisis Response Teams, Crisis Outreach Response Teams, more 24/7 Psychiatric Crisis Centers (Regional for the Coast and Eastern part of the State)

OFCA Reduced Law Enforcement Response

DPSST has been invited, and will, participate in the OFCA Reduced Law Enforcement Response Work Group that will explore safety actions that fire-rescue agencies can take when law enforcement resources are not available. This OFCA work group will continue the work that was done by the Governor's Fire Service Policy Council. DPSST has made it very clear that it will not engage in any discussions that including firefighters carrying firearms unless those personnel will be certified law enforcement officers as defined in Oregon Revised Statute. DPSST's concern is that armed firefighters who are not law enforcement officers would create a number of federal civil rights violations which can be easy avoided by not allowing this practice.

Emergency Medical Dispatch (EMD) Update

DPSST staff will bring together a work group on February 4, 2016 to review and update both the EMD pre-arrival cards and the EMD Field Training Manual. DPSST's 9-1-1 Training Coordinator Tami Atkinson will lead the work group and a report should be ready by the next meeting of the Telecommunication Policy Committee.

5. Next Telecommunications Policy Committee Meeting Date

Wednesday, May 4, 2016 at 9:00 a.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.*