

OREGON DPSST
ETHICS BULLETIN
Volume No. 111



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 **January 2013**.

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.

January Statistics

Cases Opened	19	Of the 15 Cases Closed:	
Cases Closed	15	Revoked	09
Cases Pending	206	Denied	00
Reinstated	0	No Action	06

Officer A resigned pursuant to a settlement agreement after an internal investigation found that he had been untruthful during a previous internal investigation. Officer A had also admitted to the untruthfulness. DPSST notified Officer A that his conduct would be reviewed by the Police Policy Committee and gave him the opportunity to provide mitigating circumstances for the committee's consideration. Officer A chose instead to sign a Stipulation Voluntarily Relinquishing Certifications, which permanently revoked his certifications. Officer A's misconduct ended his 8-year career.

Officer A's Basic, Intermediate and Advanced Certifications are Revoked.

Officer B resigned during an internal investigation into allegations that he had used a department camera to photograph himself in various stages of undress in the department restroom while on duty, including pictures of his genitalia. He also used agency equipment to access and browse adult web-sites and to transmit the photos to adult dating web-sites and to a woman he met while on duty. He was also alleged to have met the woman and had sex with her while in uniform and in an agency vehicle. DPSST notified Officer B that his conduct would be reviewed by the Police Policy Committee (PPC) and gave him the opportunity to provide mitigating circumstances for the committee's consideration, which he did. The committee determined that Officer B's conduct involved Dishonesty, Misuse of Authority, Gross Misconduct and Misconduct, and that his misconduct rose to the level to warrant revocation of his certification. DPSST served Officer B with a Notice of Intent to Revoke Certification, and he made a timely request for a hearing. Prior to the hearing, Officer B

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signed a Stipulation Voluntarily Relinquishing Certification. Officer B's misconduct ended his 12-year career.

Officer B's Basic Police Certification is Revoked.

Officer C was convicted of Driving Under the Influence of Intoxicants. DPSST notified Officer C that his conduct would be reviewed by the Police Policy Committee (PPC) and gave him the opportunity to provide mitigating circumstances for the committee's consideration, which he did. The PPC determined that Officer C's conduct involved Gross Misconduct and Misconduct, but that the misconduct did not rise to the level to warrant revocation of his certifications. The Board affirmed the PPC's recommendation.

Officer C's Basic, Intermediate and Advanced Police Certifications remain in good standing.

Officer D resigned pursuant to a settlement agreement entered into to settle a previous discharge for cause that Officer D had grieved. The allegations involved numerous instances of improper searches, violations of agency policies and departmental standards, citizen complaints, professional conduct and truthfulness. DPSST notified Officer D that his conduct would be reviewed by the Police Policy Committee (PPC) and gave him the opportunity to provide mitigating circumstances for the committee's consideration, which he did. The PPC did not come to a consensus that Officer D's conduct involved Dishonesty or Disregard for the Rights of Others, and found that his conduct did not violate any other of DPSST's categories of misconduct. The committee was troubled by the convoluted manner in which the agency conducted its investigation so it was unclear as to what actually occurred. While there appeared to be some questionable behavior on the part of Office D, the conduct did not rise to the level to warrant revocation of his certification. The Board affirmed the PPC's recommendation.

Officer D's Basic, Intermediate and Advance Police Certifications, although lapsed, are otherwise in good standing.

Officer E resigned while under investigation for violations of department policies involving performance, enforcement, documentation of activities, and allegations of dishonesty during the investigation. DPSST notified Officer E that his conduct would be reviewed by the Police Policy Committee (PPC) and gave him the opportunity to provide mitigating circumstances for the committee's consideration. He did not provide a response. The PPC did not reach a consensus on Dishonesty, but determined that Officer E's conduct involved Misconduct and Insubordination. The PPC determined that Officer E's conduct rose to the level to warrant revocation of his certification for seven years for each category of misconduct. Officer E did not file a request for a hearing, and the Board affirmed the committee's recommendation. Officer E's misconduct ended his four-year career.

Officer E's Basic Police Certification was Revoked.

Officer F's Basic, Intermediate and Advanced Parole & Probation certifications and his Polygraph Examiner Trainee License were revoked in 2002 after the advisory committees and Board determined he had falsified the number of polygraph examinations he had administered. The case went to a hearing and the ALJ found that DPSST properly revoked Officer F's certifications. In 2012, Officer F requested that his eligibility to reapply for public safety certification be reinstated. DPSST notified him that his case would be reviewed by the Corrections Policy Committee (CPC) and gave him the opportunity to provide mitigating

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circumstances for the committee's review, which he did. The CPC determined that Officer F's conduct involved Dishonesty, Gross Misconduct and Misconduct and that his eligibility to reapply for public safety certification should not be reinstated. The Board affirmed the committee's recommendation.

Officer F's Basic, Intermediate and Advanced Parole & Probation certifications and his Polygraph Examiner Trainee License remain Revoked.

Officer G was discharged for cause after an internal investigation revealed that she consumed a prescription drug that negatively affected her work as a dispatcher and created a danger or risk to person, property and the efficient operation of the agency. Officer G was issued a Notice of Intent to Revoke Certification. She did not make a timely request for a hearing. Officer G's certifications were revoked by default. Officer G's misconduct ended her 29-year career.

Officer G's Emergency Medical Dispatcher and Basic and Intermediate Telecommunicator certifications were Revoked.

Officer H resigned and was subsequently convicted of Domestic Violence Assault in the Fourth Degree. Officer H was issued a Notice of Intent to Revoke Certification. He did not make a timely request for a hearing. Officer H's certification was revoked by default. Officer H's misconduct ended his 7-year career.

Officer H's Basic Corrections Certification was Revoked.

Officer I was discharged for cause after an internal investigation revealed that he failed to accurately conduct inmate counts; this allowed an inmate to escape undetected for a period of time. Officer I was then untruthful about his actions. Officer I was issued a Notice of Intent to Revoke Certification. He did not make a timely request for a hearing. Officer I's certification was revoked by default. Officer I's misconduct ended his 4-year career.

Officer I's Basic Corrections Certification was Revoked.

Officer J was discharged for cause and subsequently convicted of the following felony crimes: Custodial Sexual Misconduct in the First Degree, two counts of Custodial Sexual Misconduct in the Second Degree, Sexual Abuse in the Second Degree and a misdemeanor crime of Sexual Abuse in the Third Degree. These crimes involved Officer J's unlawful contact with an inmate. Officer J was issued a Notice of Intent to Revoke Certification. He did not make a timely request for a hearing. Officer J's certification was revoked by default. Officer J's misconduct ended his 10-year career.

Officer J's Basic Corrections Certification was Revoked.

Officer K resigned and was later convicted of Resisting Arrest. This incident stemmed from failure to pay a restaurant bill. Officer K was issued a Notice of Intent to Revoke Certification. She did not make a timely request for a hearing. Officer K's certifications were revoked by default. Officer K's misconduct ended her 4-year career.

Officer K's Basic and Intermediate Police Certification were Revoked.

Officer L resigned and was subsequently convicted of Forgery in the Second Degree. In this case Officer L stole and attempted to pass a check belonging to a family friend. Officer L voluntarily signed a Stipulated Order Revoking Certifications. Officer L's misconduct ended her 4-year career. **Officer L's Basic Corrections Certification was Revoked.**

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