

OREGON DPSST
ETHICS BULLETIN
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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 **April 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.

April Statistics

Cases Opened	26	Of the 10 Cases Closed:	
Cases Closed	10	Revoked	04
Cases Pending	234	Denied	00
Reinstated	0	No Action	06

Officer A was convicted of Harassment involving Domestic Violence. Officer A was issued a Notice of Intent to Revoke Certification. She did not make a timely request for a hearing. Officer A's certifications were revoked by default. Officer A's misconduct ended her 5-year career.

Officer A's Basic Corrections Certification is Revoked.

Officer B retired during an internal investigation into an improper personal relationship with a subordinate employee. Just after the investigation was initiated, Officer B chose to sign a Stipulation Voluntarily Relinquishing Certifications, which permanently revoked his certifications, and the matter was closed. Officer B's misconduct ended his 43-year career.

Officer B's Basic, Intermediate, Advanced, Management and Executive Police Certifications and his Basic, Intermediate and Advanced Corrections certifications are Revoked.

Officer C resigned during an internal investigation into an improper personal relationship with a subordinate employee. After the investigation concluded, Officer C chose to sign a Stipulation Voluntarily Relinquishing Certifications, which permanently revoked his certifications, and the matter was closed. Officer C's misconduct ended his 16-year career.

Officer C's Basic, Intermediate, Advanced, Supervisory and Management Police Certifications are Revoked.

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Officer D was convicted of four counts of Contempt of Court in an out-of-state jurisdiction, based on a family-law court case. DPSST notified Officer D that his case would be reviewed by the Corrections Policy Committee (CPC) and gave him the opportunity to provide mitigating circumstances for the committee's consideration, which he did. The CPC determined that Officer D's conduct involved Misconduct, based on the criminal conviction, but that it did not rise to the level to warrant revocation of his certifications. The Board affirmed the CPC's recommendation.

Officer D's Basic, Intermediate and Advanced Corrections certifications remain in good standing.

Officer E was convicted of Acting as a Vehicle Dealer Without a Certificate in a case in which he sold a travel trailer that he had refurbished to an individual. DPSST notified Officer E that his case 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 E's conduct involved Misconduct, based on the criminal conviction, but that it did not rise to the level to warrant revocation of his certifications. The Board affirmed the PPC's recommendation.

Officer E's Basic, Intermediate, Advanced, Supervisory, Management and Executive Police certifications, although lapsed, remain in good standing.

Officer F was convicted out-of-state for Disturbing the Peace, a reduced charge based on a vehicle hit-and-run collision. The Oregon equivalent crime is Disorderly Conduct in the Second Degree, a discretionary disqualifying conviction. DPSST notified Officer F that his conduct would be reviewed by the Corrections Policy Committee and gave him the opportunity to provide mitigating circumstances for the committee's consideration, which he did. The CPC determined that Officer F's conduct involved Disregard for the Rights of Others, Gross Misconduct and Misconduct. The CPC took into consideration the aggravating circumstance that this was Officer F's second conviction for Disturbing the Peace and that both cases involved his excessive consumption of alcohol. The first case came before the committee some years prior, and Officer F's certifications were not revoked in that case. The committee determined that Officer F's misconduct rose to the level to warrant revocation of his certifications, with a five-year period of ineligibility for Disregard for the Rights of Others and a three-year period for Misconduct. DPSST served Officer F with a Notice of Intent to Revoke Certifications, and he made a timely request for a hearing. Prior to the hearing, DPSST submitted a Motion for Ruling on Legal Issues (Summary Determination) asserting there were no material issues relevant to the resolution of the legal issue and that, as a matter of law, DPSST was entitled to a ruling in its favor. The Administrative Law Judge (ALJ) ruled in favor of DPSST and granted the Motion, issuing a Proposed Order revoking Officer F's certifications. Officer F did not submit legal exceptions to the Proposed Order, and DPSST issued a Final Order revoking Officer F's certifications. Officer F's misconduct ended his 14-year career.

Officer F's Basic and Intermediate Corrections certifications are Revoked.

Officer G resigned during an internal investigation regarding an improper personal relationship with an inmate. DPSST notified Officer G that her conduct would be reviewed by the Corrections Policy Committee (CPC) and gave her the opportunity to provide mitigating circumstances for the committee's review, which she did. The CPC determined that Officer

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G's conduct involved Dishonesty, Disregard for the Rights of Others, Misuse of Authority, Gross Misconduct, Misconduct and Insubordination. The committee determined that Officer G's misconduct rose to the level to warrant revocation of her certifications, with a lifetime ban for Dishonesty. DPSST served Officer G with a Notice of Intent to Revoke Certification and she timely requested a hearing. Prior to the hearing, Officer G withdrew her request, and her certification was revoked by default. Officer G's misconduct ended her 4-year career.

Officer G's Basic Corrections certification is Revoked.

Officer H resigned pursuant to a Settlement Agreement after an internal investigation sustained violations of agency policies related to inmate headcounts, security checks, and proper documentation of those activities. DPSST notified Officer H that his conduct would be reviewed by the Correction Policy Committee (CPC) and gave him the opportunity to provide mitigating circumstances for the committee's consideration. He did not respond. The CPC determined that Officer H's conduct involved Disregard for the Rights of Others, Gross Misconduct, Misconduct and Insubordination. Even though he had been properly trained, he failed to conduct inmate welfare checks and failed to properly document some that he did. The CPC determined that Officer H's misconduct rose to the level to warrant revocation of his certifications, with a five-year period of ineligibility to reapply for certification. DPSST served Officer H with a Notice of Intent to Revoke Certifications. He did not request a hearing and his certifications were revoked by default. Officer H's misconduct ended his 17-year career.

Officer H's Basic, Intermediate and Advanced Corrections certifications are Revoked.

Officer I resigned during an internal investigation for violations of agency policies regarding relationships with former inmates. DPSST notified Officer I that his conduct would be reviewed by the Corrections Policy Committee (CPC) and gave him the opportunity to provide mitigating circumstances for the committee's review. He did not respond. The CPC determined that Officer I's conduct involved Dishonesty, Misuse of Authority, Gross Misconduct, Misconduct and Insubordination. Officer I had developed an improper personal relationship with a former inmate who was under post-prison supervision with whom he had contact while in his official capacity, and he had been previously counseled about similar situations. He also called in sick when he clearly was not, having been seen in public by associates while on sick leave. The CPC determined that Officer I's misconduct rose to the level to warrant revocation of his certification, with a lifetime ban for dishonesty. DPSST served Officer I with a Notice of Intent to Revoke Certification. He did not request a hearing, and his certification was revoked by default. Officer I's misconduct ended his four-year career.

Officer I's Basic Corrections certification is Revoked.

Officer J, no longer employed in a certified public safety position in Oregon, was convicted of DUII. DPSST notified Officer J 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 respond. The PPC determined that Officer J's conduct involved Gross Misconduct and Misconduct for the criminal conviction and found as aggravating circumstances that Officer J was uncooperative during the arrest and failed to take the breath test, and that he had two previous DUII arrests. The committee determined that Officer J's conduct rose to the level to warrant revocation of his certifications with a ten-year period of ineligibility for reapplication for certification. DPSST served Officer J with a Notice of Intent to Revoke Certifications, and he did not request a hearing.

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

Officer K retired during an internal investigation that sustained violations of agency policies related to inmate headcounts and security checks, institution logs and truthfulness. DPSST notified Officer K that his conduct would be reviewed by the Corrections Policy Committee (CPC) and gave him the opportunity to provide mitigating circumstances for the committee's consideration, which he did. The CPC determined that Officer K's conduct involved Dishonesty, Disregard for the Rights of Others, Gross Misconduct, Misconduct and Insubordination for failing to do a security check and falsifying log entries about it, and that this was a matter on which he had been previously disciplined. The CPC determined that Officer K's misconduct rose to the level to warrant revocation of his certifications, with a lifetime disqualifier for dishonesty. DPSST served Officer K with a Notice of Intent to Revoke Certifications, and he did not request a hearing. The Board affirmed the committee's recommendation, and Officer K's certifications were revoked by default. Officer K's misconduct ended his 23-year career.

Officer K's Basic, Intermediate and Advanced Corrections certifications are Revoked.

Officer L resigned pursuant to a Settlement Agreement after an internal investigation concerning his fitness for duty. DPSST notified Officer L 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 L's conduct involved Dishonesty, Disregard for the Rights of Others, Gross Misconduct and Misconduct for a series of events involving excessive alcohol consumption, some of which occurred while on duty, and some that involved domestic disturbances and led to a Restraining Order being filed against him. He was also found to have violated the restraining order, and found to be untruthful during the internal investigation and in his explanation to the PPC. The PPC determined that Officer L's misconduct rose to the level to warrant revocation of his certification, with a lifetime disqualifier for dishonesty. DPSST served Officer L with a Notice of Intent to Revoke Certification, and he did not request a hearing. The Board affirmed the committee's recommendation, and Officer L's certification was revoked by default. Office L's misconduct ended his seven-year career.

Officer L's Basic Police certification is Revoked.

Officer M resigned during a criminal investigation for allegations of an improper personal relationship with a corrections client, and after an internal investigation that sustained policy violations stemming from the same circumstances. DPSST notified Officer M that his conduct would be reviewed by the Corrections Policy Committee (CPC) and gave him the opportunity to provide mitigating circumstances for the committee's consideration. He did not respond. The CPC determined that Officer M's conduct involved Dishonesty, Disregard for the Rights of Others, Misuse of Authority, Gross Misconduct, Misconduct and Insubordination. Officer M met the woman through his employment, engaged in a continuing personal and sexual relationship with her, knowing it was against policy, and used agency resources to communicate with her while he was on duty. He had been instructed to not use agency resources for personal reasons and did so anyway. He also failed to notify his supervisors of the relationship, which constituted dishonesty by omission. The CPC determined that Officer M's misconduct rose to the level to warrant revocation of his certification, with a lifetime ban for dishonesty. DPSST served Officer M with a Notice of Intent to Revoke Certification, and he did not request a hearing. The Board affirmed the

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committee's recommendation, and Officer M's certification was revoked by default. Officer M's misconduct ended his four-year career.

Officer M's Basic Corrections certification is Revoked.

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