

OREGON DPSST
ETHICS BULLETIN
Volume No. 115



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 **May 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.

May Statistics

Cases Opened	28	Of the 37 Cases Closed:	
Cases Closed	37	Revoked	011
Cases Pending	202	Denied	000
Reinstated	0	No Action	026

DPSST investigated misconduct allegations against **Officer A** which resulted in his case being heard before the Police Policy Committee. At issue was the legitimacy of K-9 certificates he possessed and presented to his employer which allowed him to use his dog while on duty. Officer A was notified 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, which he did. The PPC determined that Officer A's conduct involved Dishonesty and Gross Misconduct. The committee determined that Officer A's misconduct rose to the level to warrant revocation of his certifications, with a lifetime ban for dishonesty. DPSST served Officer A with a Notice of Intent to Revoke Certification based on the PPC determination and he made a timely request for a hearing. Subsequent to this, the employer initiated and concluded an investigation which resulted in the discharge of Officer A. DPSST served Officer A with a Notice of Intent to Revoke Certification based on the employer's discharge and he made a timely request for a hearing. Officer A grieved the discharge and the matter was heard before an employment arbitrator who determined the employer had cause to discharge and that it was the proper remedy. Following this Officer A withdrew his request for a hearing to contest the revocation proceedings. Officer A's misconduct ended his 11-year career.

Officer A's Basic Police Certification was revoked.

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Officer B was discharged after a series of events including alcohol interfered with his ability to perform his duties. DPSST served Officer B with a Notice of Intent to Revoke Certification he made a timely request for a hearing. A hearing was held and the Administrative Law Judge upheld DPSST's revocation determination. Officer A's misconduct ended his 3-year career.

Officer B's Basic Police Certification was revoked.

Officer C was discharged for cause for violating agency policies related to core values, code of ethics and code of conduct. DPSST served Officer C with a Notice of Intent to Revoke Certifications. Officer C made a timely request for a hearing, and grieved the discharge. DPSST stayed its action pending resolution of the grievance. Prior to arbitration of the discharge, Officer C entered into a Settlement Agreement with the agency in which he resigned from the agency and terminated the grievance. DPSST withdrew the Notice of Intent to Revoke based on the discharge, and notified Officer C 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 C failed to properly train students in his training session even after being properly instructed in the training, and then was untruthful during the audit review. The committee determined that Officer C's conduct involved Dishonesty, Disregard for the Rights of Others, Misuse of Authority, Gross Misconduct, Misconduct and Insubordination, and that his misconduct rose to the level to warrant revocation of his certifications, with a lifetime ban for dishonesty. DPSST served Officer C with a Notice of Intent to Revoke Certifications, and he made a timely request for a hearing. Prior to the hearing, Officer C withdrew his request for a hearing, and his certifications were revoked by default Final Order. Officer C's misconduct ended his 15-year career.

Officer C's Basic Corrections Certification and Instructor Certifications are Revoked.

Officer D was discharged for cause after an internal investigation revealed that she violated policies including truthfulness, insubordination and unsatisfactory performance. DPSST served Officer D with a Notice of Intent to Revoke Certifications, and she made a timely request for a hearing. Prior to the hearing, Officer D withdrew her request for a hearing, and her certifications were revoked by default Final Order. Officer D's misconduct ended her 10-year career.

Officer D's Basic Corrections and Basic and Intermediate Police Certifications are Revoked.

Firefighter E was discharged for cause after an internal investigation revealed that he failed to follow proper agency medical protocol on a call for service and then engaged in dishonesty and falsification to cover his actions. DPSST served Firefighter E with a Notice of Intent to Revoke Certifications, and he made a timely request for a hearing. Prior to the hearing DPSST filed a Motion for Summary Determination, asserting there were no material facts at issue. Administrative Law Judge Gutman affirmed DPSST's the agency's Motion. Firefighter E's misconduct ended his 6-year career.

Officer E's NFPA Driver, NFPA Pumper Operator, NFPA Fire Fighter 1 and 2, NFPA Fire Instructor 1 and 2 and First Responder Operations Certifications are Revoked.

Firefighter F was convicted of four counts of Official Misconduct in the First Degree. These convictions stemmed from various incidents in which he consumed alcohol and contacted a

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telecommunicator to determine if the police were in the area or on duty before he drove home. For fire service professionals these are discretionary disqualifying crimes and require review by the Fire Policy Committee (FPC). Firefighter F was notified this matter would be heard by the FPC and allowed an opportunity to provide mitigating circumstances, which he did. The FPC voted to revoke Firefighter F's certifications because he had violated their core value of Honesty, Professionalism and Justice. DPSST served Firefighter F with a Notice of Intent to Revoke Certifications, he did not make a timely request for a hearing, therefore his certifications were revoked by Default. Firefighter F's misconduct ended his 11-year career. **Firefighter F's NFPA Fire Apparatus Driver/Operator, NFPA Apparatus Equipped with Fire Pump, NFPA Wildland Fire Apparatus and NFPA Fire Fighter 1 certifications are Revoked.**

Officer G resigned during an internal investigation into an improper personal relationship with an inmate, sexual misconduct relating to prisoners, use of personal communication devices and related policy violations. DPSST notified Officer G 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. Officer G chose instead to sign a Stipulation Voluntarily Relinquishing Certifications, which permanently revoked his certifications. Officer G's misconduct ended his 19-year career.

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

Officer F pled guilty to a charge of First Degree Official Misconduct and submitted a signed Stipulation Voluntarily Relinquishing Certification in conjunction with the conviction. Officer F's misconduct ended his six-year career.

Officer F's Basic Police certification is Revoked.

Officer G was discharged for cause after an investigation into an improper sexual relationship with an informant. Prior to DPSST receiving the investigation, Officer G submitted a Stipulation Voluntarily Relinquishing Certifications. Officer G's misconduct ended his 34-year career.

Officer G's Basic, Intermediate and Advanced Police certifications are Revoked.

Officer H pled guilty to a reduced charge of Theft in the Third Degree as a violation after he was arrested for shoplifting. DPSST notified Officer H that his case would be heard 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 H's conduct involved Dishonesty and Misconduct and that his misconduct rose to the level to warrant revocation of his certifications, with a lifetime ban for dishonesty. DPSST served Officer H with a Notice of Intent to Revoke Certifications and he made a timely request for a hearing. The Administrative Law Judge ruled in favor of DPSST and issued a Proposed Order upholding the revocation of Officer H's certifications. Officer H filed no exceptions to the Proposed Order, and DPSST issued a Final Order revoking Officer H's certifications. Officer H's misconduct ended his 27-year career.

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

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Officer I retired and was later convicted of Public Indecency. DPSST notified Officer I 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 I instead chose to sign a Stipulation Voluntarily Relinquishing Certifications, which permanently revoked his certifications. Officer I's misconduct tarnished his 31-year career.

Officer I's Basic Corrections certification and Basic, Intermediate and Advanced Police certifications are Revoked.

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