

OREGON DPSST
ETHICS BULLETIN
Volume No. 104



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 **June 2012**.

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.

June Statistics

Cases Opened	026	Of the 36 Cases Closed:	
Cases Closed	036	Revoked	011
Cases Pending	238	Denied	000
Reinstated	000	No Action	025

Officer A was discharged for cause after an investigation revealed he had a relationship with a minor female. Officer A had oral and written communications with the minor encouraging and or enticing her into to sending nude and partially nude photographs of herself to Officer A. Officer A was subsequently convicted of Hindering Prosecution and Tampering with Physical Evidence. Officer A was issued a Notice of Intent to Revoke. He did not make a timely request for a hearing. DPSST filed a Final Order. Officer A's misconduct ended his 6-year career.

Officer A's Basic Police Certification was Revoked.

Telecommunicator B was discharged for cause after an investigation revealed she had stolen private property from a coworker while on duty. Telecommunicator B was subsequently charged with First Degree Burglary, Third Degree Theft and Second Degree Possession of a Controlled Substance. Telecommunicator B was issued a Notice of Intent to Revoke. She did not make a timely request for a hearing. DPSST filed a Final Order. Telecommunicator B's misconduct ended her 11-year career.

Telecommunicator B's Basic, Intermediate and Advanced Telecommunicator and Basic Emergency Medical Dispatcher Certifications were Revoked.

Officer C resigned from his position during a criminal investigation of sexual abuse. Officer C was subsequently convicted of two counts of Attempt – First Degree Rape, two counts of Attempt – First Degree Sodomy, one count of First Degree Sexual Abuse, and one count of

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Incest. Officer C was issued a Notice of Intent to Revoke. He did not make a timely request for a hearing. DPSST filed a Final Order. Officer C's misconduct ended his 8-year career.

Officer C's Basic and Intermediate Police Certifications were Revoked.

Officer D resigned during a criminal investigation that revealed Officer D had stolen weapons and equipment from his agency's armory. Officer D was subsequently convicted of five counts of First Degree Theft, one count of First Degree Forgery and two counts of First Degree Official Misconduct. Officer D was issued a Notice of Intent to Revoke. He did not make a timely request for a hearing. DPSST filed a Final Order. Officer D's misconduct ended his 17-year career.

Officer D's Basic, Intermediate, Advanced, Supervisory, Management, and Executive Police Certifications and DPSST Instructor Certification in Survival Skills and Firearms Skills were Revoked.

Officer E was convicted of Fourth Degree Assault, First Degree Official Misconduct and Harassment after assaulting an inmate while on duty. Officer E was issued a Notice of Intent to Revoke. He did not make a timely request for a hearing. DPSST filed a Final Order. Officer D's misconduct ended his 14-year career.

Officer E's Basic, Intermediate and Advanced Corrections Certifications were Revoked.

Officer F resigned pursuant to a Settlement Agreement after an internal investigation revealed he had used his agency's computer to access pornographic websites and was untruthful during the investigation. Officer F subsequently was hired by another agency and during the hiring process was untruthful about the reason he left his former agency. DPSST notified Officer F that his case would be heard by the Police Policy Committee (PPC) and gave him the opportunity to provide mitigating circumstances. The PPC determined that Officer F engaged in Dishonesty for claiming he did not view pornography at the first agency when the forensic evidence showed he did, for twice failing to disclose to the second employer that he had viewed pornography on the computer at his previous place of employment, for lying to the background investigator about the reason for leaving his previous employment, for telling his second employer that the inquiry from DPSST was a routine matter when it clearly was not, and for attempting to deceive the PPC with his letter to them by attaching a letter of recommendation from the second employer to make it appear that employer knew the reason Officer F left his previous employment when that employer did not. The PPC also determined that Officer F engaged in Gross Misconduct and Misconduct by viewing the pornography on the agency computer while on duty as a high-ranking official in the department. The PPC found as aggravating circumstances that Officer F tried to claim that the Non-Disclosure Agreement prohibited him from acknowledging his misconduct; that he lied about why he was using the computer; that he involved his new employer by including the letter of recommendation, potentially damaging the new employer's credibility; that his letter to the PPC provided him with an opportunity to be honest but he continued to lie; and that he cited previous cases presented to the PPC to minimize and hide his own conduct. The PPC found as mitigating circumstances that Officer F was doing a good job at his new agency. The PPC found that Officer F's misconduct rose to the level to warrant revocation of his certifications, with a lifetime disqualifier. DPSST served Officer F with a Notice of Intent to Revoke Certifications. He made a timely request for a hearing. Prior to the hearing, Officer F

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withdrew his request for a hearing and signed a Stipulated Order Revoking Certifications. Officer F's misconduct ended his 25-year career.

Officer F's Basic, Intermediate, Advanced, Supervisory and Management Police certifications were Revoked.

Officer G was discharged for cause after an internal investigation revealed he had violated his agency's policies and procedures. Officer G was issued a Notice of Intent to Revoke Certification. He made a timely request for a hearing. Prior to the hearing, Officer G withdrew his request for a hearing and signed a Stipulated Order Revoking Certification. Officer G's misconduct ended his 20-year career.

Officer G's Basic Police Certification was Revoked.

Officer H was discharged for cause after an internal investigation revealed that he had a relationship with an inmate/offender after she was paroled. Officer H was issued a Notice of Intent to Revoke. He did not make a timely request for a hearing. DPSST filed a Final Order. Officer H's misconduct ended his 5-year career.

Officer H's Basic Corrections Certification was Revoked.

Officer I was convicted of Second Degree Possession of a Forged Instrument, a mandatory disqualifying misdemeanor. Officer I was issued a Notice of Intent to Revoke. He did not make a timely request for a hearing. DPSST filed a Final Order.

Officer I's Basic Corrections Certification was Revoked.

Telecommunicator J retired in lieu of termination after an internal investigation revealed that he had failed to use the Advanced Medical Priority Dispatch System and failed to properly perform the function and duties of an assigned position. DPSST notified Telecommunicator J that his conduct would be reviewed by the Telecommunications Policy Committee (TPC) and gave him the opportunity to provide mitigating circumstances for the Committee's consideration. Telecommunicator J chose to sign a Stipulated Order Revoking Certifications. Telecommunicator J's misconduct ended his 20-year career.

Telecommunicator J's Basic Emergency Medical Dispatcher and Basic, Intermediate and Advanced Telecommunicator Certifications were Revoked.

Officer K was discharged for cause after an internal investigation had revealed that he had driven a city vehicle while highly intoxicated and crashed it into a ditch, left a city-issued firearm and ammunition in the vehicle, and left sensitive personal information of witnesses at a murder trial in the vehicle. Officer K was issued a Notice of Intent to Revoke and he made a timely request for a hearing. DPSST sought a Motion for Summary Determination before the Office of Administrative Hearings asserting there was no material fact at issue. The ALJ denied DPSST's Motion and an in person hearing was held. After the hearing an ALJ issued a Proposed Order revoking Officer K's certifications. Officer K did not file legal exceptions to the Proposed Order. DPSST filed exceptions and incorporated those exceptions into the Final Order that was subsequently issued.

Officer K's misconduct ended his 12-year career.

Officer K's Basic, Intermediate and Advanced Police Certifications were Revoked.

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