

OREGON DPSST
ETHICS BULLETIN

Volume No. 129



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 **July 2014**.

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.

July Statistics

Cases Opened	027	Of the 028 Cases Closed:	
Cases Closed	025	Revoked	05
Cases Pending	147	Denied	00
Reinstated	0	No Action	18

Officer A was discharged for cause after multiple incidents of reporting to work while under the influence of intoxicants. Between these incidents, while on leave, he was to have stopped drinking and was to report in to the agency each week and affirm he had not been drinking, which he did. After his return he again reported to work smelling of alcohol, and when ordered to take an intoxilyer test, he instead left the facility without permission and without coverage. He later admitted that while on leave he had not, in fact, stopped drinking. DPSST served Officer A with a Notice of Intent to Revoke Certifications based on the discharge for cause. He failed to make a timely request for a hearing, and his certifications were revoked by default. Officer A's misconduct ended his 13-year career.

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

Officer B was discharged for cause after an internal investigation revealed that he had engaged in conduct where he ridiculed, mocked, derided and belittled fellow employees and inmates by making derogatory and offensive comments. Many of the comments were based on sex, sex orientation, race, color and national origin. He demeaned, harassed, intimidated and attempted to intimidate others. He failed to supervise inmates in a fair, just and consistent manner and at times initiated abuse by imposing excessive amounts of time in lockdown. Officer B was also found to be dishonest during the investigation. Officer B was served with a Notice of Intent to Revoke based on his conduct constituting Gross Misconduct, Disregard for the Rights of Others and Dishonesty. Officer B did not request a hearing and

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his Notice of Intent to Revoke was final by default. Officer B's misconduct ended his 10-year career.

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

Fire Service Professional C was discharged for cause after an internal investigation revealed that he was dishonest to his agency about his college course work. Fire Service Professional C was part of his agency's fire fighter internship program and one of the requirements for the program is that you must be enrolled in school to qualify. During the investigation Fire Service Professional C admitted that he lied about his college course work. Fire Service Professional C was issued a Notice of Intent to Revoke and he did not request a hearing.

Fire Service Professional C's NFPA Fire Fighter I certification is Revoked.

Fire Service Professional D, long-ago certified in various aspects of fire service, applied for additional certification. A review by DPSST revealed that Fire Service Professional D had previously had his Corrections certification revoked after a criminal conviction for Official Misconduct several years prior. While that conviction did not affect the fire certifications he held then, it required the Fire Policy Committee (FPC) to review the matter to determine if his new application for certification should be denied. DPSST advised Fire Service Professional D that his case would be reviewed by the FPC and gave him the opportunity to provide mitigating circumstances for the Committee's consideration, which he did. The FPC determined that Fire Service Professional D's conviction should not result in denial of his new application for certification. The Board affirmed the Committee's recommendation.

Fire Service Professional D's application for certification is approved.

Officer E resigned in lieu of termination and pursuant to a settlement agreement after an investigation into his extra-marital affair and his 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 circumstance for the Committee's consideration, which he did. The PPC determined that Officer E's conduct involved Misconduct and Dishonesty. He often met with the woman while he was on duty, and members of the department and the public became very aware of their meetings. One meeting resulted in a minor collision of their vehicles, which Officer E failed to report, claiming he did not know he was required to. He had also denied the affair when first questioned about it by the Chief, but continued it afterwards. The PPC determined that Officer E's conduct rose to the level to warrant revocation of his certifications, with a lifetime period of ineligibility to reapply for certification. DPSST served Officer E with a Notice of Intent to Revoke Certifications, and he failed to make a timely request for a hearing. The Board affirmed the Committee's recommendation, and Officer E's certifications were revoked by default. Officer E's misconduct ended his eight-year career.

Officer E's Basic Police and Basic Corrections certifications are Revoked.

Officer F resigned during an investigation into violations of agency and county policies related to his failure to report to work, failure to remain at work, not performing duties while at work, and not properly documenting his absences from work. DPSST notified Officer F 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

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not provide a response. The CPC determined that Officer F's conduct involved Misconduct, Gross Misconduct, Misuse of Authority, Disregard for the Rights of Others and Dishonesty. Officer F was a high-ranking member of the agency, and his absences were extreme. This resulted in unsupervised subordinates and bottlenecks on their evaluations which hindered training and promotional opportunities. By not being at work when required he failed to supervise those who supervised inmates, so he failed in his duty to protect and serve the public. He also used his agency vehicle for personal use, against policy. He did not account for the time that he did not work, and claimed training and volunteer time the he did not perform. The CPC determined that Officer F's misconduct rose to the level to warrant revocation of his certifications, with a lifetime period of ineligibility to reapply for certification due to the dishonesty. DPSST served Officer F with a Notice of Intent to Revoke Certifications, and he failed to request a hearing. The Board affirmed the Committee's recommendation, and Officer F's certifications were revoked by default. Officer F's misconduct ended his 23-year career.

Officer F's Basic, Intermediate, Advanced, Supervisory, Management and Executive Corrections Certifications are Revoked.

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