

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 **October 2011**.

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.

October Statistics

Cases Opened	027	Of the 18 Cases Closed:	
Cases Closed	018	Revoked	015
Cases Pending	230	Denied	001
Reinstated	000	No Action	002

Fire Service Professional A submitted an application for Professional Fire Instructor Certification. After a routine background check, it was identified that Fire Service Professional A had been convicted of a Mandatory Disqualifying Crime. Fire Service Professional A voluntarily signed a Stipulated Order Denying his application.

Fire Service Professional A's Professional Fire Instructor Certificate was Denied.

Telecommunicator B resigned her employment through abandonment of her job. DPSST notified Telecommunicator B that her case would be reviewed by the Telecommunications Policy Committee (TPC) and allowed her an opportunity to provide mitigating circumstances for the committee's consideration. She did not do so. The TPC reviewed the matter and determined that Telecommunicator B's certifications should be revoked, with a five-year initial minimum period of ineligibility to apply for recertification. Telecommunicator B was served with a Notice of Intent to Revoke Certifications. She failed to make a timely request for a hearing.

Telecommunicator B's misconduct ended her 13-year career.

Telecommunicator B's Basic Telecommunications, Basic Emergency Medical Dispatcher and Basic Police certifications were Revoked.

Fire Service Professional C submitted an application for NFPA 472 Responders to Hazardous Materials/Weapons of Mass Destruction Certification. After a routine background

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check, it was identified that Fire Service Professional C had been convicted of a Fourth Degree Assault, Constituting Domestic Violence, a discretionary disqualifying crime. DPSST notified Fire Service Professional C that his case would be reviewed by the Fire Policy Committee (FPC) and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. The FPC reviewed the matter and found that Fire Service Professional C's misconduct violated the core values of Professionalism and Justice based upon his conviction. The FPC found mitigating circumstances and determined that Fire Service Professional C's misconduct did not rise to the level to warrant revocation and denial of his certifications. The Board affirmed the FPC's recommendation not to deny and revoke his certifications and this matter was closed administratively. **Fire Service Professional C retains his Fire Certifications.**

Officer D resigned during an internal investigation that revealed that he had repeatedly urinated in undesignated areas of the facility, putting fellow officers, inmates, and the public at risk for exposure to biohazards. He was untruthful during the investigation, including denying the misconduct, and telling the investigator he was not going to be truthful about his involvement. DPSST notified Corrections Officer D that his case would be reviewed by the Corrections Policy Committee (CPC) and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. The CPC determined that Corrections Officer D had engaged in Dishonesty, Disregard for the Rights of Others, Gross Misconduct, Misconduct, and Insubordination. The CPC found as aggravating circumstances that Corrections Officer D had engaged in a pattern of misconduct over a period of years, exposing others to the risk of biohazards, that he was dishonest in his letter to the CPC, minimized his behavior, and was untruthful about other staff. The CPC determined that Corrections Officer D's misconduct rose to the level to warrant revocation and that the misconduct was a lifetime disqualifier. Corrections Officer D was served with a Notice of Intent to Revoke Certification. He failed to make a timely request for a hearing. Corrections Officer D's misconduct ended his 4-year career.

Corrections Officer D's Basic Corrections Certificate was Revoked.

Officer E previously employed as a deputy sheriff, had not been employed as a public safety officer in Oregon since 2000, and his basic corrections certification had lapsed that year. In 2010 Corrections Officer E was arrested on charges involving domestic violence. The charges were later dismissed based on a civil compromise. DPSST notified Corrections Officer E that his conduct would be reviewed by the Corrections Policy Committee (CPC) and allowed him the opportunity to provide mitigating circumstances for the committee's consideration. He did not submit any information to the CPC. The CPC determined that Corrections Officer E engaged in Disregard for the Rights of Others, and Misconduct, for assaulting and menacing his wife in the presence of their children. The CPC found as aggravating that Corrections Officer E's children were in extreme fear of him, and that there was actual pain and injury to his wife. An additional aggravating factor was his failure to provide a response to the CPC. The CPC determined that Corrections Officer E's misconduct rose to the level to warrant revocation, with a 15-year initial minimum period of ineligibility to apply for recertification, the maximum time frame for the involved categories. DPSST served Corrections Officer E with a Notice of Intent to Revoke Certification. He failed to make a timely request for a hearing.

Corrections Officer E's Basic Corrections Certificate was Revoked.

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Telecommunicator F resigned in lieu of termination after an internal investigation revealed that she had failed to provide appropriate pre-arrival instructions, violated policies regarding protocols, feigned ignorance to a caller as to who was in charge at the time, and was dishonest with the caller and with her supervisor. DPSST notified Telecommunicator F that her conduct would be reviewed by the Telecommunications Policy Committee (TPC) and allowed her the opportunity to provide mitigating circumstances for the committee's consideration. She did not provide a response. The TPC determined that Telecommunicator F engaged in Dishonesty, Disregard for the Rights of Others, Misuse of Authority, Gross Misconduct, and Misconduct by her actions, and determined that her misconduct rose to the level to warrant revocation. The committee determined that her misconduct warranted a lifetime disqualifier – she may never re-apply to the TPC seeking certification. DPSST served Telecommunicator F with a Notice of Intent to Revoke Certification. She failed to make a timely request for a hearing.

Telecommunicator F's misconduct ended her 14-year career.

Telecommunicator F's Basic Telecommunications and Basic Emergency Medical Dispatcher certifications were revoked.

Officer G was discharged for cause after an internal investigation revealed that she had violated agency policies and procedures. Officer G falsified her agency's electronic in/out system and her time records, and failed to follow directives issued by her superiors. Officer G was served with a Notice of Intent to Revoke Certification. She failed to make a timely request for a hearing.

Officer G's misconduct ended her 10-year career.

Officer G's Basic Parole and Probation Certification was Revoked.

Telecommunicator H was discharged for cause after an internal investigation revealed she had violated agency policy and procedures when she called into work ill and was later seen working out at the gym. When asked about the incident by her supervisor she was untruthful. Telecommunicator H was served with a Notice of Intent to Revoke Certifications. She failed to make a timely request for a hearing.

Telecommunicator H's misconduct ended her 6-year career.

Telecommunicator H's Basic Telecommunicator and Emergency Medical Dispatcher Certifications were Revoked.

Officer I was discharged for cause for failing to meet minimum performance standards over the last several years. Officer I was given several opportunities to make improvements and failed to improve. Officer I was served with a Notice of Intent to Revoke Certifications. He failed to make a timely request for a hearing.

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

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

Officer J was discharged for cause after an internal investigation revealed he had developed an inappropriate relationship with a subordinate female in his immediate chain of command. Additionally Officer J used his county owned vehicle for personal business, and engaged in excessive personal use of his county owned cellular telephone and email system. When Officer J was asked about the nature and extent of his relationship with the subordinate female he was less than truthful.

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Officer J's misconduct ended his 21-year career.

Officer J's Basic, Intermediate, Advanced, Supervisory, Management and Executive Police Certifications were Revoked.

Telecommunicator K was discharged for cause for failing to meet minimum performance standards. Telecommunicator K was given several opportunities to address her performance deficiencies and failed to improve. Telecommunicator K was served with a Notice of Intent to Revoke Certifications. She failed to make a timely request for a hearing.

Telecommunicator K's misconduct ended her 8-year career.

Telecommunicator K's Basic Telecommunicator and Emergency Medical Dispatcher Certifications were Revoked.

Officer L was discharged for cause after an internal investigation revealed he had violated agency policy and procedures when he used excessive force resulting in injury to an inmate and in violation of his last chance agreement. Officer L was served with a Notice of Intent to Revoke Certifications. He failed to make a timely request for a hearing.

Officer L's misconduct ended his 18-year career.

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

Officer M was convicted of DUII. DPSST notified him that his conduct would be reviewed by the Corrections Policy Committee (CPC) and allowed him the opportunity to provide mitigating circumstances for the committee's consideration. He did provide a response. The CPC determined that Officer M had engaged in Disregard for the Rights of Others when he drove while under the influence of intoxicants. The CPC found as mitigating circumstances that Officer M was polite and cooperative during his arrest, that he properly notified his agency of the event, that he acknowledged the embarrassment he caused his agency, and that he would have been eligible for diversion if he had not had a commercial driver's license. The CPC determined that Officer M's conduct did not rise to the level to warrant revocation, and the Board confirmed the committee's recommendation.

Officer M was allowed to retain his Basic Corrections certification.

Officer N, previously employed as a corrections officer, had not been employed as a public safety officer in Oregon since 2000, and his certifications had lapsed that year. In 2003 and 2010, Officer N was arrested for DUII. The 2003 case resulted in a diversion. He was convicted in the 2010 case, and this conviction revoked the 2003 diversion, leading to a conviction in that case as well. DPSST notified Officer N that his conduct would be reviewed by the Corrections Policy Committee (CPC) and allowed him an opportunity to provide mitigating circumstances for the committee's consideration. The CPC found that Officer N engaged in Dishonesty for being untruthful to the arresting officer about how many beers he drank and later claiming he does not drink beer. The committee also found that Officer N engaged in Disregard for the Rights of Others for putting the public at risk for twice driving under the influence, and that he had engaged in Misconduct for the two DUII's and for not appearing in court on the first DUII. The CPC found as mitigating that Officer N did provide the response, that he had been experiencing family medical issues and had just gotten a divorce. The committee found as aggravating circumstances that Officer N had twice been convicted of DUII, had failed to appear in court on one of the cases, and that he told the committee that he had been 'letting off steam' and had been 'ready to snap' during his second DUII incident. The CPC determined that Officer N's misconduct rose to the level to

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warrant revocation, with a minimum 10-year period of ineligibility to re-apply for certification. DPSST served Officer N with a Notice of Intent to Revoke Certifications. He failed to make a timely request for a hearing.

Officer N's Basic, Intermediate and Advanced certifications were Revoked.

Officer O resigned during an internal investigation after he was arrested and charged with two counts of theft by shoplifting, from two different events. He eventually resolved the criminal charges by civil compromise. DPSST notified Officer O that his conduct would be reviewed by the Corrections Policy Committee and allowed him an opportunity to provide mitigating circumstances for the committee's consideration. He did not provide a response. The CPC determined that Officer O engaged in Dishonesty, Disregard for the Rights of Others, Misuse of Authority, Gross Misconduct, and Misconduct. The CPC found as aggravating circumstances that Officer O had committed the thefts while wearing the agency uniform and had taken prescription medication that morning prior to work. The committee determined that Officer O's misconduct rose to the level to warrant revocation and that it warranted a lifetime disqualifier – he may never re-apply to the CPC for certification. DPSST served Officer O with a Notice of Intent to Revoke Certifications. He failed to make a timely request for a hearing.

Officer O's misconduct ended his 14-year career.

Officer O's Basic, Intermediate and Advanced certifications were Revoked.

Officer P resigned during an internal investigation that revealed he had been bringing contraband into the facility in which he was employed, that he was untruthful about it when questioned, and that he had engaged in threatening and aggressive conduct toward a fellow employee. He also was in custody in another state for felony drug charges, had tried to use his public safety officer status to avoid the arrest, and failed to inform his supervisors about the arrest and custody status. DPSST notified Officer P that his conduct would be reviewed by the Corrections Policy Committee (CPC) and allowed him an opportunity to provide mitigating circumstances for the committee's consideration. He did not provide a response. The CPC determined that Officer P engaged in Dishonesty, Disregard for the Rights of Others, Misuse of Authority, Gross Misconduct, Misconduct and Insubordination. The committee found as aggravating circumstances the sheer volume of Officer P's acts of bringing contraband into the facility, and his arrogance during the investigative interview. The CPC determined that Officer P's misconduct rose to the level to warrant revocation, with a lifetime disqualifier – he may never re-apply to the CPC for certification. DPSST served Officer P with a Notice of Intent to Revoke Certifications. He failed to make a timely request for a hearing.

Officer P's misconduct ended his 7-year career.

Officer P's Basic Corrections certification was Revoked.

Officer Q resigned in lieu of termination and was subsequently charged with five counts of First Degree Official Misconduct, five counts of Second Degree Official Misconduct and one count of Third Degree Theft. Officer Q voluntarily signed a stipulated order agreeing to the revocations of his certifications.

Officer Q's misconduct ended his 10-year career.

Officer Q's Basic Police Certification was Revoked.

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