

OREGON DPSST
ETHICS BULLETIN

Volume No. 16



The Board on Public Safety Standards and Training (BPSST) has the legislative mandate to establish and enforce the physical, mental, and moral fitness standards for all law enforcement officers, 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 officer, telecommunicator or emergency medical dispatcher who has fallen below the moral fitness 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 of misconduct resulted in **revocation and denial** of certifications by DPSST in **August 2004**.

Case 1

Officer A resigned and subsequently pled guilty to two counts of Sexual Abuse in the Second Degree. The indictment reflects that the sexual acts occurred while the victim was asleep or passed out from alcohol consumption, and was under the age of 18. Officer A's conduct ended his 14-year career.

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

Case 2

Officer B resigned and subsequently pled guilty to four counts of Official Misconduct in the First Degree. Officer B engaged in a consensual sexual relationship with a female inmate and then lied about the relationship to investigators. Officer B's conduct ended his 7-year career.

Officer B's Basic and Intermediate Corrections certifications were Revoked.

Case 3

Officer C resigned and was subsequently convicted of Delivery of a Controlled Substance. A search warrant produced a marijuana growing operation and by Officer C's admissions, he had previously resided in the residence, had assisted in the purchase and setting up of the grow operation and had shown the current resident how to grow and cultivate marijuana. Officer C's conduct ended his 8-year career.

Officer C's Basic Corrections certification was Revoked.

Case 4

Officer D resigned and was subsequently convicted of Aggravated Theft in the First Degree and Escape in the Second Degree. Officer D's conduct ended her 2-year career. Officer D signed a Stipulated Order Revoking her certification.

Officer D's Basic Corrections certification was Revoked.

Case 5

Officer E resigned during an internal investigation in which it was alleged that while intoxicated and on duty, he arrested a driver for Driving Under the Influence and Felon in Possession of a Weapon. Officer E later pled guilty to Driving Under the Influence and Official Misconduct in the First Degree. The Official Misconduct conviction stemmed from a separate criminal episode, distinct from the Driving Under the Influence incident, and resulted from writing an arrest report that contained false representations of fact. Officer E's conduct ended his 7-year career. Officer E signed a Stipulated Order revoking his certifications.

Officer E's Basic and Intermediate Police certifications were Revoked.

Case 6

Officer F was discharged for cause after repeatedly violating policies relating to the timely submission of reports. Over the course of two years, Officer F was counseled and received verbal and written reprimands regarding the agency's expectations. Failure to submit one such report resulted in the dismissal of a stalking complaint. Officer F requested a hearing to contest the Department's action. A hearing was held and the Administrative Law Judge issued a Proposed Order to revoke Officer F's certifications. Exceptions were filed and considered and a Final Order Revoking Certification was issued. Officer F's conduct ended his 7-year career.

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

Case 7

Officer G pled guilty to Attempt to Elude Police, Reckless Driving and Driving Under the Influence. Officer G was granted a diversion for the Driving Under the Influence. The other misdemeanors are discretionary disqualifying crimes and the underlying investigation was presented to the Corrections Policy Committee. The Corrections Policy Committee recommended revocation and the Board affirmed their recommendation. Officer G requested a hearing to contest the Board's action. A hearing was held and the Administrative Law Judge issued a Proposed Order to revoke Officer G's certification. Exceptions were filed and considered and a Final Order Revoking Certification was issued. Officer G's conduct ended his 4-year career.

Officer G's Basic Corrections certification was Revoked.

Case 8

Officer H engaged in a pattern of out-of-state criminal behavior against his estranged wife and child, in which abuse of alcohol was a consistent factor. Officer H's entered his estranged wife's home and removing all of her belongings. He pled guilty to Unlawful Entry and Theft and received a "withheld judgment". Officer H then engaged in an argument with his estranged wife that resulted in him ordering her to leave and take their baby, in the middle of the night, but would not allow her to take her purse, or a coat and shoes for she and their baby. He later went to her residence and took her truck. On another occasion, officers responded to a "shots fired" call and when they arrived they located Officer H lying on the ground, extremely intoxicated, wearing only his underwear. Officer H's estranged wife told police that after an argument, he told her he was going to "end it all" and had taken his handguns outside and she then heard a shot. On another occasion, Officer H was found to have been consuming alcohol, while on duty. Co-workers reported smelling alcohol on Officer H and a breathalyzer test confirmed Officer H's intoxication. These incidents were taken before the Corrections Policy Committee to consider whether Officer H had violated the moral fitness standards for public safety officers. The Corrections Policy Committee recommended revocation and the Board affirmed the recommendation. Officer H's conduct ended his 6-year career.

Officer H's Basic and Intermediate Corrections certifications were Revoked.