



DPSST Newsletter

March 2014

Department of Public Safety Standards & Training, 4190 Aumsville Hwy SE
Salem, OR 97317

Update from the Academy Training Director

This is a very exciting time here at the Oregon Public Safety Academy. With strong support from our partners in the legislative process, we received funding for the Leadership and Regional training program. At last, we have all four positions filled and both groups in Leadership and Regional are busy at work.

Through the work of the Center for Policing Excellence, curriculum was developed for both the Supervision and Management level courses. The first course for Supervision has been completed and the second is currently underway. We will hold our first Management level course the last week of March which will be completed in May. As the curriculum was developed for these leadership courses, it was necessary to develop a core group of leadership instructors to deliver the training. DPSST was able to locate a number of leaders from public safety agencies who bring a wide variety of experience and knowledge to deliver training to supervisors and managers.

The Leadership training class has a great mix of Police, Corrections, Community Corrections, Dispatch and Oregon Youth Authority supervisors and managers. With such a diverse group in a single class, it allows future leaders from throughout Oregon to view community based problems with multiple perspectives. The leadership courses focus on how to analyze and utilize crime data and to implement solutions to reduce criminal activity in Oregon cities and counties.

DPSST recently hosted a group of five Nigerian police officials and diplomats. They selected DPSST as a model to better train police officers in their country. The group came from Lagos, Nigeria which is the fastest growing mega-city in the world. Lagos' population has grown in the last five years from 11 million to an estimated 22 to 30 million residents. As you can imagine with this incredible growth spurt, crime and traffic issues have also dramatically increased. Our visitors from Nigeria were given a wide variety of training from the Academy Training, Skills and Tactical sections. The Nigerian officials also had the opportunity to ride with Portland Police Bureau and Salem Police Department to see how our training is utilized in actual policing in the community. The feedback from our Nigerian friends is that not only is our training

facility and staff topnotch but our policing practices should be a model for all. Many of the Nigerian official's comments really made me appreciate the work that all of you do every day. It was mentioned that it is evident our staff obviously enjoyed their work and it was always done with a smile. They were so impressed with the level of professionalism from all of our staff and referred to DPSST as their new family. Thanks to all of you who made such a lasting impression on our Nigerian visitors. They expressed that they will never forget their experience here at the Oregon Public Safety Academy.



Legal Corner

By Lorraine Anglemier

For my inaugural contribution to the newsletter, I have chosen to focus on a trio of cases issued by the Oregon Supreme Court on November 21, 2013. The cases address the fundamental question of when a police-citizen “encounter” becomes a “stop.” The first case is *State v. Backstrand*. The ruling was very significant, in that it reversed what had been a trend in Oregon case law since the 2005 Oregon Supreme Court ruling in *State v. Hall*. Since *Hall*, the Oregon Court of Appeals has been moving toward a finding that when an officer requests identification from a person, the person is “stopped.” Mr. Backstrand had been contacted by an officer in an adult store, and the officer initially believed, though not to the level of reasonable suspicion, that Backstrand might have been underage. The officer asked Backstrand for his name and identification, verified his information through dispatch and sent him on his way. However, after Backstrand drove away, dispatch came back and advised he had a revoked license, so the officer followed, stopped him and cited him.

Backstrand predictably argued that the fact of his revoked status should be suppressed, claiming the officer learned that fact during the improper “stop.”

The issue in Backstrand was whether the request for and verification of the defendant’s identification, *by itself*, constituted a “stop.” The court ultimately held there must be something **more** to constitute a “stop” for constitutional purposes. “What is required is a show of authority by which, through words or action, the officer’s conduct reasonably conveys that the officer is exercising his or her authority to significantly restrain the citizen’s liberty or freedom of movement.” The Court found the officer’s request for and verification of Backstrand’s identification was “not conduct that *per se* would convey to a reasonable person that the person is being forcibly or authoritatively detained.” However, the Court made clear that a request for identification in circumstances indicating a person is indeed being detained would still be a stop.

The next case in the trio is *State v. Anderson*. This case also involved a request for identification, as well as discussion about the other circumstances present. It identified factors such as multiple officers, uniforms, and contact where illegal activity is occurring (officers were serving a warrant at a location near where Anderson and others were sitting in a parked car). The Court emphasized these factors in and of themselves do not constitute a stop. The Court focused on the type of questions and the manner of questioning as more significant in determining if an encounter had become a stop. For example, seeking information from people, in a non-coercive, conversational manner, regarding a location that is being searched, should be an encounter. But if you accuse someone of being involved with illegal activity at the location where you are present, that will likely be a stop.

The last case in the trio is *State v. Highley*. The Court again rejected the notion that a request for, and verification of identification is necessarily a “stop,” rather than a “request for information and cooperation.” Turning to the other circumstances surrounding the encounter, the Court affirmed it will use the totality of the circumstances to determine if there was a stop. In *State v. Hall*, mentioned above, after a request for identification and running a warrant check in Hall’s presence, the officer did nothing to dispel Hall’s belief that he had to remain until the warrant check was completed. The officer then immediately asked about weapons and illegal drugs before seeking consent to search. The Court held those circumstances converted the encounter into a stop, which was not supported by reasonable suspicion. Therefore, the Court suppressed the evidence the consent search yielded. In *Highley*, after requesting identification, the officer wrote down the information, returned the identification, walked away and ran the check at his car. Meanwhile, *Highley* was able to walk around freely until such time as the officer re-approached and sought consent to search. The Court specifically observed that the circumstances

surrounding this encounter (records check, talk about probation, searching others at the scene) did not create a stop. In fact, those factors established Highley was unrestrained until such time as the officer sought consent to search. Therefore, no stop occurred prior to the otherwise lawful consent, and the evidence comes in.

Moral of the story: If your words or actions make the person you contact believe he is not free to leave AND you do nothing to dispel that belief, it is a stop.

*I would like to thank Marion County Deputy District Attorney Kurt Miller, who also is a part time legal instructor for DPSST, for his generous permission to draw from his previously prepared summaries of these cases. This saved me considerable time to be sure, but all will benefit from his sharp analytical contribution as well. Thank you Kurt!

Academy Training Section

By Captain Teresa Plummer

In the last newsletter, I stated that we had to say good-bye to two basic class coordinators and were in the process of completing hiring assessments to fill those vacancies. I am happy to report that we have filled both positions with some outstanding candidates.

The Basic Corrections Local Coordinator position was filled by Sgt. James Webb. Sgt. Webb comes to us from the Orange County Sheriff's Office in Florida. He spent 10+ years as a correctional officer and corporal and will bring a wide variety of experience and knowledge to our students. He also currently serves in the military, has served two tours in Afghanistan and has previous experience as a military police officer. Sgt. Webb served as the primary class coordinator for Basic Corrections Local Class #14 and is the co-coordinator for Basic Police Class #343.

The Basic Police Coordinator position was filled by Sgt. Lisa Trimble. Sgt. Trimble comes to us from the Independence Police Department where she worked as a patrol officer. Prior to that, she worked for the Corvallis Police Department and focused her work in the criminal investigations section. Sgt. Trimble has 13 years of law enforcement experience and has a wealth of knowledge in many subject areas. She is currently serving as the primary class coordinator for Basic Police Class #342

The following activities took place during the winter quarter:

- January 6, 2014 - The first supervisor leadership class was held
- January 13, 2014 - Emergency Medical Dispatch 48 began with Lt. Tami Atkinson as the primary coordinator
- January 20, 2014 - Basic Corrections - Local 14 began with Sgt. James Webb as the primary coordinator
- January 24, 2014 - Basic Police 340 graduated

- January 27, 2014 - Parole and Probation Firearms 20 began
- January 27, 2014 - Basic Police 342 began with Sgt. Lisa Trimble as the primary coordinator
- February 21, 2014 - Basic Police 341 graduated
- February 24, 2014 - Basic Police 343 began with Lt. Lee Farmer as the primary class coordinator
- February 28, 2014 - Basic Corrections - Local 14 graduated

The following activities will take place in the spring quarter:

- March 10, 2014 - Basic Telecommunications 89 begins with Lt. Atkinson as the primary class coordinator
- March 10, 2014 - The second supervisor leadership class will be held
- March 15, 2014 - OSP Pre-Academy begins
- March 21, 2014 - BT89 will graduate
- March 24, 2014 - Emergency Medical Dispatch 49 will begin with Lt. Atkinson as the primary class coordinator
- March 31, 2014 - Basic Parole & Probation 67 will begin with Coordinator Staci Yutzie as the primary class coordinator
- April 21, 2014 - Basic Police 344 begins with Lt. Don Sedlacek as the primary class coordinator
- April 25, 2014 - Basic Parole & Probation 67 will graduate
- April 28, 2014 - Parole and Probation Firearms 21 begins
- May 12, 2014 - Basic Corrections - Local 15 begins with Sgt. James Webb as the primary class coordinator
- May 16, 2014 - Basic Police 342 will graduate
- May 19, 2014 - Basic Police 345 begins with Sgt. Lisa Trimble as the primary class coordinator
- May 28, 2014 - Emergency Medical Dispatch 51 begins regionally in Lakeview with Lt. Tami Atkinson as the coordinator

We invite any of our instructors and role players to provide feedback and ideas for our newsletter so that we may tailor this information to what you need or want to know. Please feel free to call me at 503-378-2191 or email me at teresa.plummer@state.or.us if you have any suggestions.

***Winter Quarter Trivia Question:**

How many pounds of food, on average, does Aramark prepare weekly to feed all of our students, staff and instructors?

Answer: **2,692.5 pounds per average week**

Aramark prepares 1.25 pounds per person per meal on average and we serve 2,150 average meals per week.

Spring Quarter Trivia Question:

What is the circumference distance of the EVOC track and what is it made of?

Tactical & Regional Training Section

By Captain Gary Ninman

The Tactical Training Section, along with over two dozen part time instructors celebrated Patrol Week #50 with Basic Police Class #341 on February 18, 2014. The first Patrol Week took place on April 24, 2007 with Basic Police Class #291.

Since then, just fewer than 2000 students have used this block of training as one last preparation opportunity prior to hitting the streets. Over the past seven years, the Patrol Week concept has been continually refined and improved upon. This effort has been led by Lt. Steve Westerberg since day one with continued support by his fellow Tactical Team members, part time staff and the training division as a whole. This milestone was celebrated with the Academy Director, Eriks Gabliks and the Training Division Director, Todd Anderson who provided a cake to commemorate the occasion.

As with most of the Training Division, there are plans to continue improving an already outstanding block of training. Within the next 18 months, we will be implementing more technology into Patrol Week to increase efficiencies and ability to track student performance. This will come by way of hand held iPads, databases and evaluating rubrics. I and the entire Tactical Training section, thank each and every one of you who have participated in making Patrol Week an outstanding success. We hope to see you all for the next 50!



Brandon Herring, Steve Westerberg, Jolayne Sprenger-Fulmer, Terry Snyder, Ralph Show, Morrison Hantze, Dale Tonagel, Doug Nofziger, Nick Pallis, Steven Salle, Larry Allen, Charles Bennett, Daniel Bilyeu, Russell Brewster, Jerry Burchfiel, Wendell Coombs, George Dominy, Starr Garland, Larry Henry, Philip Howrey, Jim Lookabaugh, Steven Manley, Royanne Mathiesen, Loius Meza, Richard Miller, Brad Telyea, William Wood, Doug Wright, Rick Benson, Mark Stoddard, Amber Miller, Kim Ledda, Jess Plummer

After several years of uncertainty and various levels of cuts, the Regional Training Section has doubled its staffing from two coordinators to four. The ability to offer this increased service to our constituency came by way of legislative funding, beginning early 2014. We are very fortunate to welcome onboard, Sgt. Jeff Waite and Sgt. Corbin Lantz. Corbin has been assigned to cover the northwest region of the state while Jeff is assigned to the southwest region.

Corbin comes to DPSST by way of the Stayton Police Department where he spent the last ten years working patrol and various special assignments including providing a substantial amount to training. Corbin had also been a long time APT here at DPSST prior to accepting this position. Jeff comes to us by way of the Salem Police Department where he spent over ten years working patrol, special assignments and leading others as a graveyard sergeant. Jeff has also been a long time APT at DPSST working primarily as an EVOG and Scenario Instructor.

Lt. Mike Herbes and Lt. Greg Peterson will continue to serve as Regional Coordinators on the east side of the state, with Mike assigned in northeast and Greg in the southeast regions. I commend both Greg and Mike for continuing to provide excellent training to our constituents on both sides of the state during our financial downturns.

Jennifer Otterlee continues to support the regional programs with many administrative functions. Jennifer is continuing to find efficiencies in supporting the program, one of which took place on March 1, 2014. As of that date, the Regional Training Section will no longer be accepting paper/faxed applications. This change will assist in registration efficiencies, reduction of paper waste and refined electronic record keeping. All registrations can be forwarded to this address dpsstregional@state.or.us

With these changes, Gary Ninman has been afforded the opportunity to supervise the Regional Training Section. Our section goal is to provide the most relevant, up to date training to as many constituent agencies as possible. We look forward to a very successful 2014 in Regional Training.

Survival Skills Section

By Captain Roger Eaton

This quarter we implemented our new sound system in the range with BCL014. Our instructor staff was trained over the Christmas break and this corrections class was the first to utilize the new system. This system utilizes hand held radios worn on the student's duty belt exactly as though they were on duty to receive the range instructions from the tower.

Confrontational simulation training has been utilizing videotaping of confrontation evolutions that can be replayed for student improvement. The large screen monitors

have helped in that regard. Additionally, as tours come through we can show folks the manner and intensity of our training, even if the training is not ongoing at the time.

In Defensive Tactics we have offered our new one week DT IDC in December, 2013, and one in January, 2014. We have another scheduled March 31 - April 4, 2014, and one more scheduled for November of this year. Additionally, we are offering two day DT training modules in In Fight Weapons Access (IFWA), Use of Force Law, Ground Fighting, Striking, Tactical Athlete, and Arrest/Control throughout the remainder of this year. Certified DT instructors must take one of these classes to remain certified.

Fire Training Section Update

By Captain Mark Ayers

OPSA and Regional Information

- Upcoming retirement of Steve Roehl and Era Horton - Both will be retiring from the Fire Training Section in July. Steve is a Regional Fire Training Coordinator based at the Eugene-Springfield Public Safety Training Center and Era is one of our instructors assigned to the Skid Truck Program. We will open recruitments for both positions in the near future and involve constituents in the selection process. Both have done a great job representing DPSST and providing quality training to career and volunteer fire-rescue personnel around the state.
- Winter Fire School was held a few weeks ago on February 22 & 23 and more than 300 career and volunteer fire-rescue personnel from around the state attended the training opportunities offered. This is the largest, free, two-day fire service training class on the west coast.
- FEMA "L" classes are moving right along and all courses are reaching maximum capacity
 - a. L-962 (All Hazards Planning Section Chief: 4/7/14)
 - b. L-964 (All Hazards Situation Unit Leader: 5/12/14)
 - c. L-967 (All Hazards Logistics Section Chief: 6/16/14)
- *Beyond Helmet & Hoses* - DPSST is pleased to host the IAFC-Volunteer and Combination Officer Section (VCOS) class *Beyond Hoses and Helmets* on May 12 & 13, 2014 at the Oregon Public Safety Academy. The training is free of charge and lunch will be provided. Additional information on registration has been sent on the DPSST Fire Bulleting ListServe. Questions: Thelma Denney / Fire Service Support Specialist / DPSST (503) 378-2408 or thelma.denney@state.or.us
- *NFA: Politics and The White Helmet* - DPSST is pleased to host the National Fire Academy class *Politics and the White Helmet*. The class will be held at the Oregon Public Safety Academy in Salem on June 3 & 4, 2014. The training is free of charge and meals will be provided. Questions: Thelma Denney / Fire Service Support Specialist/DPSST (503) 378-2408 or thelma.denney@state.or.us

- *NFA: Youth Firesetting Prevention and Intervention: Level II* - DPSST is pleased to host this National Fire Academy class at the Oregon Public Safety Academy on June 5 & 6. The training is free of charge and meals will be provided. Questions: Thelma Denney / Fire Service Support Specialist / DPSST (503) 378-2408 or thelma.denney@state.or.us
- Bend Fire & Rescue is hosting the National Fallen Firefighter Foundation's *Stress First Aid for Fire and EMS Personnel* class on March 14, 2014 from 0800-1700 hours. The class is free of charge and will be held at the Bend Fire Training Center. Class is limited to 32 participants. Register by contacting Peggy Kirkpatrick at Bend Fire (541) 322-6306. This class is being offered through a grant from DPSST.
- DPSST has submitted Assistance to Firefighters Grant (AFG) for two mobile ventilation props. If approved, these trailers will be deployed through our regional delivery network and available to career, combination and volunteer fire-rescue agencies around the state. Grants were scored in the middle of February and we are waiting to hear the results.
- DPSST has tentatively scheduled the skid truck hands-on training classes for a number of regional locations this year including Redmond, North Bend, Pendleton, Mid-Columbia and Salem.
- DPSST is doing some maintenance and upgrade work on the Tactical Training Tower at the Oregon Public Safety Academy. Completion of Burn Tower Project is expected to be completed by early summer (expected timeframe of late May to early June). The tower will still be available for use but the burn props will not be in service until the contractors are done with their work.
- Funds generated through the sale of the special license plates at DMV that honor fallen law enforcement and fire-rescue personnel are used to assist the families and co-workers of those killed in the line of duty. The Fund Committee approved a 5K donation to the Oregon Fire Service Honor Guard and 3K to the Oregon Fire Chiefs Foundation to help support the 2014 Oregon Fallen Firefighter Memorial ceremony. Funds have also been approved to assist with travel expenses for the families whose loved ones are being added to the National Fallen Firefighter Memorial ceremony in Emmitsburg, Maryland in 2014. Funds have also been approved for honor guard personnel escorting the families to the memorial.
- NFPA's "[An Analysis of Volunteer Firefighter Injuries, 2010-2012](#)" - An analysis of volunteer firefighter injuries was undertaken by NFPA to compare their experience to all firefighter injuries. "All firefighter injuries" refers to the firefighter injuries that are estimated based on the NFPA National Fire Experience Survey and reported in the [NFPA Annual Firefighter Injury Report](#). The injury statistics in that report combine career and volunteer firefighters. Volunteer fire departments are highly related to the size of community protected. Departments that protect communities of less than 10,000

population are comprised mostly of volunteer firefighters. Three years of data were used in this analysis because the estimates for some of the breakdown categories are small and can vary considerably from year to year.

- For more information

<http://www.nfpa.org/~media/Files/Research/NFPA%20reports/Fire%20service%20statistics/osvolunteerfirefighterinjuries.pdf>