

Applicant Review Committee Meeting Minutes - DRAFT

January 24, 2024

The Applicant Review Committee of the Board on Public Safety Standards and Training held a regular meeting on January 24, 2024, at the Oregon Public Safety Academy in Salem, Oregon. Kathy McAlpine called the meeting to order at 10:00 a.m.

Committee Members:

Alex Gardner, OSP Command Staff Representative; Police Policy Committee
Chelsea LaBar, APCO; Telecommunications Policy Committee (Teams)
Ted Langley, Oregon Sheriff's Jail Command Council; Corrections Policy Committee (Teams)
Erin Reyes, Superintendent, Department of Corrections, Corrections Policy Committee

Committee Members Absent:

Chris Skinner, Chair, OACP, Police Policy Committee
Raeann Thurber, Telecommunicator, Telecommunications Policy Committee

Guests:

Derek Ohlhausen
Shawn Perdue
Christopher Railey

DPSST Staff:

Kathy McAlpine, Professional Standards Division Director
Cindy Park, Professional Standards Compliance Coordinator
Melissa Lang Bacho, Professional Standards Compliance Coordinator
Jennifer Levario, Professional Standards Compliance Coordinator
Erica Riddell, Criminal Justice Specialist
Samantha Kossa, Executive Support Specialist
Shelby Wright, Executive Assistant



1. Introductions

Introductions of members, guests and staff.

2. Approve October 25, 2023 Meeting Minutes

Alex Gardner moved to approve the minutes from the October 25, 2023, Applicant Review Committee meeting. Erin Reyes seconded the motion. The motion passed unanimously.

3. Ohlhausen, Derek (64760) Application Review: Police

Presented by Cindy Park, Professional Standards Compliance Coordinator

Reason for Discretionary Review

The DPSST received an Application for Training (F5) and a Criminal History Reporting Form (F28) for Derek Ohlhausen where he disclosed 2016, criminal dispositions for Reckless Driving and Reckless Endangering.

Ohlhausen was initially charged on February 25, 2016, with one (1) count of Reckless Driving and five (5) counts of Reckless Endangering. Ultimately, Ohlhausen pled “no contest” to Reckless Driving and one (1) count of Reckless Endangering, and the other charges were dismissed.

Derek Ohlhausen provided verbal mitigation for committee consideration.

<i>Applicant Review Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Alex Gardner moved that the Applicant Review Committee adopt the staff report.	Erin Reyes	4 ayes; 0 nays	Motion Passed Unanimously
<p>The Applicant Review Committee found the following moral fitness violations and factors:</p> <p><i>Moral Fitness Violations:</i></p> <ul style="list-style-type: none"> • Dishonesty: The committee did not identify elements of dishonesty. • Gross Misconduct: Ohlhausen engaged in misconduct by recklessly driving and crashing into a house which created a substantial risk of serious physical injury to himself and his passengers and caused damage to the property of another. <p><i>Aggravating Factors:</i></p> <ul style="list-style-type: none"> • Ohlhausen states he accepts responsibility but entered a plea of no contest. • Alcohol consumption was involved in the accident. • Ohlhausen attempted to hide beer in the trunk after the accident. <p><i>Mitigating Factors:</i></p> <ul style="list-style-type: none"> • The incident occurred almost eight (8) years ago. • Ohlhausen remained on scene after the accident. • Ohlhausen was not in a certifiable position at the time of the conduct. • Ohlhausen was hired by Oregon State University Public Safety, who is aware of the criminal background. 			
Alex Gardner moved, after considering the identified violations of the Board’s pre-employment moral fitness standards and weighing the aggravating and mitigating circumstances unique to this case, that no action should be taken against Ohlhausen’s application for training and subsequent certification.	Chelsea LaBar	4 ayes; 0 nays	Motion Passed Unanimously

4. **Perdue, Shawn (64228) Application Review: Corrections**

Presented by Cindy Park, Professional Standards Compliance Coordinator

Reason for Discretionary Review

The DPSST received an Application for Training (F5) and a Criminal History Reporting Form (F28) for Shawn Perdue, in which he disclosed a 2019, criminal disposition for Unlawful Entry, a misdemeanor in Payette County, Idaho.

Shawn Perdue provided verbal mitigation for committee consideration.

<i>Applicant Review Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Alex Gardner moved that the Applicant Review Committee adopt the staff report.	Erin Reyes	4 ayes; 0 nays	Motion Passed Unanimously
<p>The Applicant Review Committee found the following moral fitness violations and factors:</p> <p><i>Moral Fitness Violations:</i></p> <ul style="list-style-type: none">• Dishonesty: Perdue repeatedly entered the home of a family member without permission, after being told specifically he was not to be in the home alone and took money not belonging to him.• Gross Misconduct: The committee did not identify elements of gross misconduct. <p><i>Aggravating Factors:</i></p> <ul style="list-style-type: none">• Perdue repeatedly entered a residence and admitted to doing so which shows intent to commit a crime.• Perdue's conduct amounts to a series of Burglary I's in Oregon which are class A felonies.• Perdue eventually owned his behavior but lied initially.• Perdue was not truthful with the Fruitland, Idaho police officer which goes against the Oregon Department of Corrections code of conduct. <p><i>Mitigating Factors:</i></p> <ul style="list-style-type: none">• Perdue was not in a certifiable position at the time of the conduct.• Perdue was hired by the Oregon Department of Corrections/ Snake River Correctional Institution, who is aware of the criminal background.			
Alex Gardner moved, after considering the identified violations of the Board's pre-employment moral fitness standards and weighing the aggravating and mitigating circumstances unique to this case, that action should be taken against Perdue's application for training and subsequent certification.	Erin Reyes	4 ayes; 0 nays	Motion Passed Unanimously

Alex Gardner moved, after considering the totality of the case, that Perdue be ineligible to apply public safety training and subsequent certification for 5 years.	Chelsea LaBar	4 ayes; 0 nays	Motion Passed Unanimously
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5. Railey, Christopher (64738) Application Review: Police

Presented by Cindy Park, Professional Standards Compliance Coordinator

Reason for Discretionary Review

The DPSST received an Application for Training (F5) and a Criminal History Reporting Form (F28) for Christopher Railey, where he disclosed a 2022, criminal disposition for Driving While Impaired (DWI).

Christopher Railey provided verbal mitigation for committee consideration.

<i>Applicant Review Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Erin Reyes moved that the Applicant Review Committee adopt the staff report.	Alex Gardner	4 ayes; 0 nays	Motion Passed Unanimously
<p>The Applicant Review Committee found the following moral fitness violations and factors:</p> <p><i>Moral Fitness Violations:</i></p> <ul style="list-style-type: none"> • Dishonesty: Dishonesty: Railey initially stated to the North Carolina Highway Patrol trooper that he had not consumed any alcohol but had fallen asleep at the wheel resulting in a single-vehicle accident. Railey later admitted to consuming two beers and admitted he should not have been driving. • Gross Misconduct: Railey's reckless conduct of driving while under the influence of alcohol caused harm to his vehicle and could have caused significant harm to others traveling on the public roadway. <p><i>Aggravating Factors:</i></p> <ul style="list-style-type: none"> • The criminal disposition occurred just over three years ago. <p><i>Mitigating Factors:</i></p> <ul style="list-style-type: none"> • Railey voluntarily completed an alcohol and drug assessment. • Railey complied with court orders. • Railey was not in a certifiable position at the time of the conduct. • Railey was hired by the Klamath County Sheriff's Office who is aware of the criminal background. 			
Erin Reyes moved, after considering the identified violations of the Board's pre-employment	Alex Gardner	4 ayes; 0 nays	Motion Passed Unanimously

moral fitness standards and weighing the aggravating and mitigating circumstances unique to this case, that no action should be taken against Railey's application for training and subsequent certification.			
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6. Inquiry Closure – Information Only

Presented by Cindy Park, Professional Standards Compliance Coordinator

DPSST presented the list of applicants for public safety training/certification who had engaged in pre-employment criminal conduct that was determined to not require committee review. This information was presented as information only and required no action by the committee.

7. Next Applicant Review Committee Meeting: February 28, 2024 at 10:00 a.m.

Administrative Notes:

These minutes reflect the order of the discussion/voting items as they appear on the official meeting agenda. The actual order in which they were discussed may vary.

All documents reviewed and discussed in this meeting are subject to Oregon Public Records Law (ORS 192.410 to ORS 192.505). These documents can be requested by contacting DPSST at dpsst.records@dpsst.oregon.gov.