

Board on Public Safety Standards and Training (BPSST or the Board) Meeting Minutes

January 27, 2022

The Board on Public Safety Standards and Training held a regular meeting at 9:00 a.m. on Thursday, January 27, 2022 in the Governor Victor G. Atiyeh Boardroom at the Oregon Public Safety Academy located at 4190 Aumsville Hwy SE, Salem, Oregon. Chair, Darren Bucich called the meeting to order at 9:00 a.m.

Board members present in-person and by Video/Teleconference:

Darren Bucich, Chair, Oregon Fire Chiefs Association
DaNeshia Barrett, Vice-Chair, Non-Management Law Enforcement
James Adams, Oregon State Fire Fighters Council - WebEx
Jeff Auxier, Oregon District Attorney's Association – WebEx
Terri Davie, Superintendent, Oregon State Police - WebEx
Scott Derickson, League of Oregon Cities - WebEx
Carol Dishion, Department of Corrections, AFSCME
Benjamin McNulty, Private Security Industry
James Oeder, Oregon Volunteer Firefighters Association
Mark Kreutzer, Oregon Fire District Directors Association
John Teague, Oregon Association of Chiefs of Police
Terry Rowan, Oregon State Sheriff's Association - WebEx
Thomas Thomas, Private Security Industry
Matt English, Oregon State Sheriff's Association
Chuck Lovell, Chief, Portland Police Bureau - WebEx
Michael Fletcher, APCO-NENA
Colette Peters, Director, Department of Corrections - WebEx
Kieran Ramsey, Federal Bureau of Investigation
Mariana Ruiz-Temple, Oregon State Fire Marshal - WebEx

Board Members Absent:

Chris Skinner, Oregon Association of Chiefs of Police
Sara Boone, Chief, Portland Fire & Rescue

Guests:

No guests attended this meeting

DPSST Staff:

Jerry Granderson, Director
Brian Henson, Acting Deputy Director
Suzy Herring, Professional Standards Division Administrator
Julie Olsen, Fire Program Manager

DPSST Staff continued:

Chris Enquist, Skills & Tactical Training Manager
Michael Anderson, Facilities, Fleet & Interim Procurement Manager
Jeff Henderson, Private Security/Investigator/Polygraph Program Manager
Jennifer Howald, DPSST Rules/Legislative Coordinator
Shelby Alexander, Executive Support Specialist

1. Introductions

- *Chair, Darren Bucich introduced himself and invited everyone in attendance to state their name and position for the record.*

2. *Minutes

Approve minutes from the October 28, 2021 meeting

- *Matt English motioned to approve the meeting minutes of the October 28, 2021 meeting. James Oeder seconded the motion. A vote was taken by roll-call and the motion passed unanimously by the Board.*

3. Fire Policy Committee

a. Fire Policy Committee Update – James Oeder, Chair

- *James Oeder noted that the Fire Policy Committee (FPC) had a short agenda at their previous meeting in November 2021. James Oeder explained that the committee reviewed new rule changes regarding National Fire Protection Association (NFPA) Technical Rescue which is included on the Fire consent agenda. James Oeder concluded his update by stating that the committee participated in lively discussion regarding the case on the Fire consent agenda, which ultimately led to the committee's recommendation to revoke certification.*

b. *Consent Agenda (The following items to be ratified by one vote)

A. *Proposed Rule Changes for Oregon Administrative Rule (OAR) 259-009-0005, 259-008-0062 and 259-009-0065: NFPA Technical Rescue

Unanimous vote to recommend to the Board by the FPC on November 17, 2021

B. *William Bennett DPSST #12243 (Eugene Springfield Fire) – Revoke

Unanimous vote, with one member abstaining, to recommend to the Board by the FPC on November 17, 2021.

- *Mark Kreuzter motioned to approve the Fire consent agenda. Thomas Thomas seconded the motion. A vote was taken by roll-call and the motion passed unanimously by the Board.*

4. Criminal Justice Policy Committees

a. Police Policy Committee Update – John Teague, Chair

- *The Police Policy Committee (PPC) still has around 80-100 cases that are needing review and the committee is working diligently to review them in a timely manner.*

b. Telecommunications Policy Committee Update – Michael Fletcher, Chair

- *The Telecommunications Policy Committee (TPC) met on November 4, 2021, where a few new TPC members were introduced.*
- *TPC members Erica Stohlhand and Andre Lindauer, were appointed to serve on the Applicant Review Committee (ARC) to fill two current vacancies on the ARC.*
- *The TPC recently reviewed cases regarding certification and reached a decision on each case, and the TPC also reviewed Arbitration Certification Workgroup recommendations provided by DPSST staff.*
- *DPSST also presented multiple OAR rule changes to the TPC regarding the definition of CPR certifications as well as background investigations and new changes introduced by House Bill 2936.*
- *Next TPC meeting is scheduled for February 2, 2022.*

c. Corrections Policy Committee Update – Matthew English, Chair

- *The Corrections Policy Committee (CPC) meeting held on November 9, 2021, consisted of 11 cases, seven of which were Administrative Closures for committee recommended action.*
- *The CPC unanimously approved the changes of the addition of child CPR to curriculum.*
- *Next CPC meeting is scheduled for February 8, 2022.*

Before moving to the next agenda item, Board Chair, Darren Bucich, addressed the Board. Chair Bucich stated there are new individuals for policy committee appointments on the Criminal Justice Consent Agenda. Chair Bucich explained the process of how the individuals were ultimately chosen to be presented to the Board. Chair Bucich concluded his statement to the Board by explaining that these recommendations were not easy decisions to make and he contributed a lot of time into ensuring that he was making well informed recommendations.

d. *Consent Agenda (The following items to be ratified by one vote)

A. *Brian Haynes DPSST #32994 – Revoke

Unanimous vote to recommend to the Board by the CPC on November 9, 2021.

B. *Kinsey Kaylor DPSST #55001 (Lane County Sheriff's Office) – Revoke

Unanimous vote to recommend to the Board by the CPC on November 9, 2021.

C. *Ryan Perez DPSST #54021 – Revoke

Unanimous vote to recommend to the Board by the CPC on November 9, 2021.

D. *Morse Scott DPSST #25847 – Revoke

Unanimous vote to recommend to the Board by the CPC on November 9, 2021.

E. *Peter Arnautov DPSST #36986 (Oregon State Police) – Revoke

Unanimous vote, with two members abstaining, to recommend to the Board by the PPC on November 18, 2021.

F. *Michael Huber DPSST #28130 (McMinnville Police Department) – Revoke

7-3 vote to recommend to the Board by the PPC on November 18, 2021.

G. *Eric Kozowski #42173 (Deschutes County Sheriff's Office) – No Action

Unanimous vote to recommend to the Board by the PPC on November 18, 2021.

H. *Eric Weaver DPSST #56198 (Warm Springs Police Department) – No Action

Unanimous vote to recommend to the Board by the PPC on November 18, 2021.

I. *Law Enforcement Memorial Wall Nomination; Carl L. Frazier (DPSST #08309) – Lane County Sheriff's Office

Determine eligibility for addition to Oregon's Law Enforcement Memorial Wall

J. *Proposed Rule Changes for OARs 259-008-0060, 259-008-0064, 259-008-0065 and 259-008-0078 – Requiring Adult and Child CPR Certification for All Public Safety Professionals and Changes to Law Enforcement Officer Maintenance Standards (HB2513)

Unanimous vote to recommend to the Board by the PPC, CPC and TPC in November 2021 Policy Committee meetings

K. *Proposed Rule Changes for OAR 259-008-0085 – Legislative Changes Affecting the Basic Police Course

Unanimous vote to recommend to the Board by the PPC, CPC and TPC in November 2021 Policy Committee meetings

L. *Approval for Changes to the Basic Corrections Curriculum

Unanimous vote to recommend to the Board by the CPC on November 9, 2021.

M. *Approval for Changes to the Basic Police Curriculum

Unanimous vote to recommend to the Board by the PPC on November 18, 2021.

N. *Committee Appointments

Police Policy Committee Appointments

- Kevin Dresser- Non-Management Law Enforcement, Appointment to the PPC; 1st term effective 1/27/2022

- James Cleavenger- Non-Management Law Enforcement, Appointment to the PPC; 1st term effective 1/27/2022
- Ashliegh Ramirez- Public Member, Appointment to the PPC; 1st term effective 1/27/2022
- Angela Brandenburg- Recommended by Oregon State Sheriff's Association to replace Craig Zanni, Appointment to the PPC; 1st term effective 1/27/2022

Corrections Policy Committee Appointments

- Ted Langley- Oregon Sheriff's Jail Command Council to replace Jamie Russell, Appointment to the CPC; 1st term effective 1/28/2022
- Erin Reyes- Recommended by the Director of the DOC to replace Rob Persson, Appointment to the CPC; 1st term effective 1/27/2022

- *DaNeshia Barrett made a motion to approve the Criminal Justice Consent Agenda Items A-N. Matt English seconded the motion. A vote was taken by roll-call and the motion passed unanimously by the Board.*

e. *Proposed Rule Change for OAR 259-008-0100, Miscellaneous Activities of the Board or Department

Presented by Jennifer Howald

BACKGROUND:

OAR 259-008-0100 Section (7)

The Governor's Commission on the Law Enforcement Medal of Honor (Commission) was established during the Legislature in 2005. The Commission is responsible for the adoption of rules establishing qualifications for nomination as a recipient of the Law Enforcement Medal of Honor; and considering and nominating candidates for the Law Enforcement Medal of Honor. In 2011, the Legislature established the Law Enforcement Medal of Ultimate Sacrifice and expanded the Commission's duties to include nominations for the Law Enforcement Medal of Ultimate Sacrifice. By statute, the Department of Public Safety Standards and Training (DPSST or the Department) provides the staffing for the Commission. When the Commission's rules were adopted in 2007, they were added to OAR 259-008-0100.

In recognition of the Commission's specific purpose and separate statutory authority, the Department recommends that the Commission's rules be relocated to a new rule. The Department will work with the Commission to transition their existing rules from OAR 259-008-0100 (7) to a new rule number that will be located in a rule division dedicated to the Governor's Commission on the Law Enforcement Medal of Honor.

While the content of section (7) is not subject to Board approval, in recognition that OAR 259-008-0100 is a BPSST/DPSST rule, the Department recommends the Board on Public Safety Standards approve the proposed rule change that deletes section (7) from the rule.

DPSST will coordinate this proposed rule change process to coincide with the Commission's rule change processes. The permanent rule changes to delete section (7) of OAR 259-008-0100 would not become effective until the Commission's rules are ready to be adopted under the new rule division and number.

OAR 259-008-0100 Section (6)

While this rule change is primarily intended to facilitate relocation of the Commission's rules, DPSST identified an opportunity to simplify the rule language found in section (6). Section (6) outlines criteria and processes for the Department's Recognition of Service Award. This award is a certificate that may be provided to a certified public safety officer who has completed a minimum of 20 years of service as a public safety officer in Oregon. Section (6)(a)(C) includes a notwithstanding clause that makes the rule unnecessarily complex. The Department recommends a reorganization of the rule language in (6)(a)(C) and (D) to remove the notwithstanding clause.

DEPARTMENT RECOMMENDATION:

The Department recommends the Board approve the changes to OAR 259-008-0100, amending section (6) and deleting section (7).

The Board's approval will direct DPSST staff to file the amendments to OAR 259-008-0100 as a proposed rule change with the Secretary of State. The proposed rule change will invite public and constituent comment. If no substantive comments are received during the comment period, DPSST staff will proceed with filing the changes as a permanent rule. If substantive comments are received, the comments and rule change will be returned to the Board for further consideration.

- *James Oeder motioned to approve the proposed rule changes for OAR 259-008-0100. Carol Dishion seconded the motion. A vote was taken by roll-call and the motion passed unanimously by the Board.*

5. Private Security/Investigator Policy Committee

a. Private Security Investigator Policy Committee Update – Thomas Thomas, Chair

- *Private Security/Investigator (PS/PI) staffing update included staff changes and promotions.*
- *PSPI program is currently hiring for three Compliance Specialist positions; two new compliance positions provided with the passage of House Bill 2527 (2021 Regular Session) along with the additional vacant Compliance Specialist position temporarily filled by program staff.*
- *Andrew Taufa'asau, accepted a position with the Oregon Department of Human Services effective January 1, 2022. Interviews for that vacant Lead Instructor position are scheduled and program expects to have our new Lead Instructor onboard in February and conducting training courses by March 1st.*

- *Coy Alexander, program's Technology Training & Development Specialist, is working to make the new manager course available online as a self-directed training. The PS/PI program plans to have that training available for applicants in March. The self-directed course will provide new manager applicants with another option for receiving the required training.*
- *Senate Bill 116 (2021 Regular Session) draft rules relating to the unlawful use of private security equipment, vehicles, uniforms and titles, are available for review on the department's website. The public comment period for these draft rules closed January 21, 2022.*
- *The effective date for the private security fee increases as approved by the Board in October has been delayed. The fee increase effective date is pending approval by the Legislature. The PS/PI program anticipates the fee increases to take effect following the Legislature's approval in the upcoming February session.*
- *DPSST staff, Michelle Morrison and Jeff Henderson, participated in the January Public Safety Action Coalition (PSAC) General Meeting. The PS/PI program plans to strengthen that partnership with PSAC in effort to stay connected with public safety issues and concerns in Portland.*

b. *Consent Agenda (The following items to be ratified by one vote)

A. *Committee Appointments

Private Security/Investigator Policy Committee (PSIPC)

- *Dustin (Alex) Stone- Hospitality Representative, Appointment to the PSIPC; 1st term effective 1/27/2022*
- *Ken Burg- Manufacturing Industry, Appointment to the PSIPC; 1st term effective 1/27/2022*
- *John Teague motioned to approve the Private Security Consent Agenda. Thomas Thomas seconded the motion. Board member, Terry Rowan, joined the meeting via WebEx at approximately 9:18 a.m. to participate in the vote. A vote was taken by roll-call and the motion passed unanimously by the Board.*

6. Director's Report

- *The agency has had to temporarily pause DPSST courses for a two week period due to the rise in COVID-19 cases and exposures within the agency caused by the Omicron variant. Director Granderson mentioned that this pause was issued to help reduce and monitor the number of cases and exposures that the agency has experienced and plans to re-open on January 31st, 2022, from this temporary pause.*
- *Director Granderson discussed the recent Secretary of State Audit, explaining that the audit was conducted in regards to DPSST's operations and infrastructure. Director Granderson noted that the audit found three key items that expressed DPSST's need to enhance personnel and instructor resources, enhance technological foundation to manage and deliver instruction packages, and also to enhance and*

diversify representation within the organization. Director Granderson stated that DPSST is actively seeking to insert and correct the findings found in the audit.

- *Director Granderson explained that the Commission on Statewide Law Enforcement Standards of Conduct and Discipline (Commission), a joint commission between DPSST and the Department of Justice (DOJ), has identified an Executive Director, Fredrick Boss, Co-Chair, Michael Slausen, and Co-Chair, Jerry Granderson. Director Granderson continued, explaining that the Commission has been participating in preliminary meetings and has received applications for potential voting members. Director Granderson listed off the specific positions that will make up the Commission. Director Granderson stated that upon review and approval of these applications, the chosen members will be seated with a September preliminary benchmark and October benchmark to create a final report for the Oregon legislation.*
- *The Private Security/Private Investigator (PSPI) fee increases. The PSPI program has submitted a budget note through our legislative officer to the Joint Committee on Ways and Means to request a fee increase intended to cover a projected PSPI program management budget for the shortfall of the 2021-2023 biennium; given the expenses it takes to operate the PSPI program has increased.*
- *On January 4, 2021, the U.S. Department of Homeland Security opened the 2020 Assistance to Firefighter Grant (AFG) program. DPSST applied for and was successful in obtaining a grant for \$232,000. Upon receiving this grant award, DPSST requested an increase in federal fund expenditures. The grant request included the purchase of wildland firefighting cache of tools, a regional ventilation prop, an auto extraction equipment and trailer, a forcible entry trailer and two thermal energy cameras. The agency was officially notified of the grant on August 27, 2021. This grant for the fire program will not require the addition of a full-time employee (FTE) as it will be managed within current program staffing.*
- *DPSST will be submitting three reports to the legislative officer regarding diversity inclusion analysis as well as recommendations regarding the development of DPSST instructor core and DPSST's methodologies as required. Director Granderson stated that these reports were researched and produced by our Center for Policing Excellence (CPE) and Director Granderson plans to testify before the legislation on these documents for the upcoming legislative session.*

Questions?

Board Chair, Darren Bucich, asked the Director what kind of technology DPSST wishes to advance due to the findings of the recent Secretary of State Audit. The Director stated that DPSST wishes to gain the technology for online courses, advance the meeting streaming/recording systems throughout the agency and automation of documents. The Director further explained that the agency is currently drafting Policy Option Packages (POP) to assess what items need to be addressed first in order to best advance the agency in correspondence with the budget. Darren Bucich asked the Director if some of the

technological advancements could be used to teach courses remotely, to which the Director explained that this is no simple task due to the current technology difficulties DPSST faces with having such large meetings/classes all taking place on the same server.

7. Next Meeting Date: April 28, 2022 at 9:00 a.m.

- *Board Chair, Darren Bucich, noted that the next BPSST meeting is scheduled for April 28, 2022 and adjourned the meeting at approximately 9:26 a.m.*

DRAFT