

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

October 26, 2023

The Board on Public Safety Standards and Training held a regular meeting at 9:00 a.m. on Thursday, October 26, 2023, in the Governor Victor G. Atiyeh Boardroom at the Department of Public Safety Standards and Training located at 4190 Aumsville Hwy SE, Salem, Oregon. Chair, Matt English called the meeting to order at 9:00 a.m.

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

Matt English, Chair, Oregon State Sheriff's Association
DaNeshia Barrett, Vice-Chair, Non-Management Law Enforcement
Heidi Steward, Acting Director, Department of Corrections
Mark Daniel, Oregon Association of Chiefs of Police
Casey Coddling, Superintendent, Oregon State Police
Dan Lenzen, Private Security Industry
Carol Dishion, Department of Corrections, AFSCME - WebEx
Joseph Morneau, Oregon Fire District Director's Association
Scotty Nowning, Non-Management Law Enforcement
Chris Heppel, Oregon Fire Chief's Association
Terry Rowan, Oregon State Sheriff's Association – WebEx
James Adams, Oregon State Fire Fighters Council – WebEx
Jennifer Cameron, Non-Management Parole & Probation
Jack Carriger, Oregon Volunteer Firefighters Association
Chris Skinner, Oregon Association of Chiefs of Police - WebEx

Board Members Absent:

Mariana Ruiz-Temple, Oregon State Fire Marshal
Robert Day, Chief, Portland Police Bureau
Ryan Gillespie, Interim Chief, Portland Fire & Rescue
Kieran Ramsey, Federal Bureau of Investigation
Maria Caballero Rubio, Public Member
Michael Fletcher, APCO-NENA

Guests:

Rob Wood, PPC Member

DPSST Staff:

Brian Henson, Deputy Director
Staci Yutzie, Deputy Director
Chris Brodniak, Professional Standards Division Director
Julie Olsen, Fire Program Manager
Julie Collinson, CPE Manager
Jennifer Howald, Legislative and Rules Coordinator

DPSST Staff Continued:

Shelby Wright, Executive Assistant to the Director

Melissa Lang-Bacho, Professional Standards Case Manager

Sam Tenney, Communications Coordinator

Brooke Bell-Urbe, Fire Program Compliance Specialist

1. Introductions

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

2. *Meeting Minutes

Approve minutes from the July 27, 2023, Meeting

- *Vice-Chair, DaNeshia Barrett motioned to approve the meeting minutes of the July 27, 2023, meeting. Member Casey Coddling 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 – Brian Henson, Deputy Director

- *Deputy Director Henson noted that the Fire Policy Committee (FPC) met in August 2023 to discuss three cases that are on the Board's agenda, as well as one nomination for the Fallen Fire Fighters Memorial Wall.*
- *In September 2023, three new fire representatives were appointed to the Board and FPC, so Deputy Director Henson welcomed them to their first meeting.*
- *The DPSST Fire Program is working quickly to become fully staffed and has recently completed a number of successful recruitments and is working on filling an additional coordinator position. Deputy Director Henson also noted that some regional fire trainers have redistricted their regions, so some coordinators may be working in different areas than before.*
- *The upcoming November 2023 Fire Policy Committee meeting has been cancelled due to lack of agenda items. The next FPC meeting is scheduled to take place in February 2024.*
- *Fire Program Manager, Julie Olsen, noted that in October 2023 DPSST hosted a weeklong fire academy for Bend Fire while also working with the Oregon National Guard regarding hosting additional training on DPSST's campus. DPSST has also partnered with the Oregon National Guard to offer incident command classes around the state.*
- *DPSST recently wrapped up their ICS 300 class on campus and will continue more ICS training on campus throughout the next few weeks before moving these trainings regionally throughout the state.*
- *Chris Heppel, Board member and Deputy Chief of Eugene Springfield Fire, will be partnering with DPSST to offer fire officer core classes throughout the state.*

- *DPSST will be hosting its Winter Fire School in February 2024 and 175 of the 225 available slots have already been filled. DPSST is also hosting a number of National Fire Academy classes throughout Oregon.*

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

- A. *Dakota Brotherton, DPSST #42387; Junction City Fire Department – Revoke**
Unanimous vote to recommend to the Board by the FPC on August 23, 2023.
- B. *Scott Durocher, DPSST #42128; Lakeview Fire Department – Revoke**
Unanimous vote to recommend to the Board by the FPC on August 23, 2023.
- C. *Andrew Lawrie, DPSST #42329; Cannon Beach Rural Fire Protection District – Revoke**
Unanimous vote to recommend to the Board by the FPC on August 23, 2023.
- *Member Chris Heppel motioned to approve the Fire Consent Agenda. Member Jack Carriger 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 – Scotty Nowning, Chair

- *Chair Nowning addressed the Board and noted that the Police Policy Committee last met in August 2023 and reviewed eight cases, one administrative closure and one Oregon administrative rule. Chair Nowning also mentioned that the committee voted for a new Chair after John Teague had retired, so Scotty Nowning is now the new Chair of the Police Policy Committee.*

b. Telecommunications Policy Committee Update – Michael Fletcher, Chair

- *Chair Fletcher was absent at this meeting and therefore an update was not provided. Shelby Wright noted that the most recent Telecommunications Policy Committee meeting was cancelled due to lack of agenda items.*

c. Corrections Policy Committee Update – Matt English, Chair

- *Chair English addressed the Board and stated that the Corrections Policy Committee (CPC) met in August 2023 to review two administrative closures and three cases. Chair English noted that he made the executive decision as Chair of the CPC to move one of the Board's current cases back to the CPC so that the individual could provide mitigation to the committee, which is why the item was removed from the October 2023 Board agenda. The next CPC meeting is set to take place in November 2023.*

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

- A. *Steven Larsen, DPSST No. 49075; Morrow County Sheriff’s Office – No Action**
Unanimous vote to recommend to the Board by the PPC on August 17, 2023.
- B. *Troy Page, DPSST No. 58639; Linn County Sheriff’s Office – Revoke**
Unanimous vote with 1 (one) recusal, to recommend to the Board by the CPC on August 8, 2023.
- C. *Peter Robinson, DPSST No. 48227; Clackamas County Sheriff’s Office– No Action**
Unanimous vote to recommend to the Board by the PPC on August 17, 2023.
- D. *Maria Sanchez, DPSST No. 26550; DOC/Coffee Creek Correctional Facility – Revoke**
7 (seven) to 3 (three) vote to recommend to the Board by the CPC on August 8, 2023.
- E. *Aaron Smith, DPSST No. 44175; McMinnville Police Department – Revoke**
Unanimous vote to recommend to the Board by the PPC on August 17, 2023.
- F. *Dennis Viereck, DPSST No. 36201; Scappoose Police Department – Revoke**
Unanimous vote to recommend to the Board by the PPC on August 17, 2023.
- G. *Proposed Rule Changes for Oregon Administrative Rule (OAR) 259-008-0085**
Unanimous vote to recommend to the Board by the PPC on August 17, 2023.
- H. *Law Enforcement Memorial Wall Nomination; Joseph W. Johnson, DPSST No. 48952 - Nyssa Police Department**
Determine eligibility for addition to Oregon’s Law Enforcement Memorial Wall
- I. *Committee Appointments**
- Telecommunications Policy Committee
- Gary Bell – Oregon Association Chief’s of Police Representative, Appointment to the TPC, 1st term effective October 28, 2023.
- Police Policy Committee
- Angela Brandenburg– Oregon State Sheriffs Association, Re-appointment to the PPC, 2nd term effective January 27, 2024.
 - Ashleigh Ramirez – Public Member, Re-appointment to the PPC, 2nd term effective January 27, 2024.
- Corrections Policy Committee
- Ted Langley– Oregon Sheriff’s Jail Command Council, Re-appointment to the CPC, 2nd term effective January 28, 2024.
 - Erin Reyes– Oregon Department of Corrections Superintendent, Re-appointment to the CPC, 2nd term effective January 27, 2024.

- *Vice-Chair Barrett motioned to approve the Criminal Justice Consent Agenda. Member Cameron 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 – Dan Lenzen, Chair

- *Dan Lenzen introduced himself to the Board and noted that he was recently appointed to serve on the Board and as the Chair of the Private Security/Investigator Policy Committee (PSIPC).*
- *The policy committee met in August 2023 and reviewed the proposed temporary Oregon Administrative Rules for HB2527. Staff had a good conversation with the committee as Jennifer Howald went line by line through the rules with the group.*
- *DPSST held two administrative hearings on September 19th and October 4th. DPSST had several interested parties attend these hearings, and others provided comments.*
- *Staff are working through changes before the final rules are filed; however, today (October 2023), Jennifer Howald will be talking about the recommendations from the policy committee to move forward with temporary rules in preparation for January 1, 2024, go live date. Program staff have been working tirelessly preparing forms, website, training, exams, licenses...you name it.*

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

A. *Proposed Rule Changes for Oregon Administrative Rule (OAR) 259-060-0025, 259-060-0060, and 259-060-0136

Unanimous vote to recommend to the Board by the PSIPC on August 15, 2023.

B. *Proposed Rule Changes for Oregon Administrative Rule (OAR) 259-061-0005 and 259-061-0240

Unanimous vote to recommend to the Board by the PSIPC on August 15, 2023.

C. *Committee Appointments

Private Security/Investigator Policy Committee

- Ken Berg – Manufacturing Industry Representative, Re-appointment to the PSIPC, 2nd term effective January 27, 2024.
 - Dustin (Alex Stone) – Hospitality Representative, Re-appointment to the PSIPC, 2nd term effective January 27, 2024.
 - James (Scott) Creager - Representing Private Business or a Governmental Entity that Utilizes Private Security Services, Appointment to the PSIPC, 1st term effective October 26, 2023
- *Member Nowning motioned to approve the Private Security Consent Agenda. Vice-Chair Barrett seconded the motion. A vote was taken by roll call and the motion passed unanimously by the Board.*

c. ***Proposed Rule Changes for Oregon Administrative Rule (OAR) Chapter 259 Division 59**

Unanimous vote to recommend to the Board by the PSIPC on August 15, 2023.
Presented by Jennifer Howald

Background:

House Bill 2527 (2021) establishes a licensing requirement for businesses employing private security providers and providing private security services. Beginning January 1, 2024, private security entities must obtain a license from the DPSST to operate as a private security entity. HB 2527 was added to ORS Chapter 181A and the statutes for private security providers.

HB 2527 defines a private security entity in ORS 181A.840 as:

(6)(a) “Private security entity” means a person engaged in the business of providing private security that:

(A) Employs private security providers; or

(B) Contracts or subcontracts with an existing licensed private security entity to provide private security services.

(b) “Private security entity” does not include a special campus security provider commissioned under ORS 352.118 or a private security provider on a campus of an institution of higher education regulated under ORS 181A.972.

DPSST formed a workgroup of constituents to review the provisions of HB 2527. After review and discussion with the workgroup, DPSST created draft rules to implement HB 2527. The draft rules were reviewed by the Department of Justice (DOJ), as DPSST’s legal counsel, to ensure that the rules are legally sufficient.

Proposed and Temporary Rules:

DPSST presented the proposed rules to the Private Security and Investigator Policy Committee (PSIPC) on August 15, 2023, for review and discussion. The proposed rules were submitted to the Secretary of State on August 24, 2023, to engage in the public comment process. In addition to the invitation to submit Temporary Rules for OAR Chapter 259 Division 59 written comments, DPSST scheduled two public rulemaking hearings for verbal comments and questions from constituents. The last day for public comment is October 16, 2023.

DPSST will review the PSIPC feedback and the public comment together. After the review, DPSST will return to the PSIPC with recommendations for any changes to the proposed rules and the next steps for adopting them as permanent rules.

To provide adequate time for public comment on the proposed rules and review of the public comment, DPSST recommends that the rules for OAR Chapter 259 Division 59 be implemented as temporary rules effective November 1, 2023 (or as soon as practicable after that date). The temporary rules will allow DPSST and private security entity applicants to begin the application and licensure process before January 1, 2024. The temporary rules will be in place for up to 180 days, which will allow additional time to review comments and resubmit proposed rule changes if needed.

If the permanent rules are not ready to be submitted to the Board in January, the temporary rules will allow DPSST to continue processing and issuing private security entity licenses while completing any additional steps needed to finalize permanent rules.

Private Security and Investigator Policy Committee Recommendation:

On August 15, 2023, the Private Security and Investigator Policy Committee (PSIPC) reviewed the proposed rules for OAR Chapter 259 Division 59, the Private Security Entity Licensing Program. By consensus, the PSIPC approved the fiscal impact statements for the proposed rules. The PSIPC provided comments and questions that will be incorporated into the proposed rule and public comment evaluation processes.

DPSST recommended filing the proposed rules as temporary rules. The proposed rules are provided in Attachment A. DPSST may amend the proposed rules presented here as needed based on the PSIPC discussion and public comments received before filing the temporary rules.

The PSIPC, in a unanimous vote, recommends that the Board APPROVE filing the proposed rules prepared for OAR Chapter 259 Division 59 as temporary rules to be effective on or after November 1, 2023.

- *Member Daniel motioned to approve the proposed changes to OAR Chapter 259 Division 59. Member Codding seconded the motion. A vote was taken by roll call and the motion passed unanimously by the Board.*

6. Agency Updates – Deputy Director, Brian Henson

- *DPSST spoke before the Joint Ways and Means Committee in September 2023 to provide an update on the new 60-person Basic Police (BP) course model and backlog. The primary person of this presentation was to discuss DPSST's safety plan for the BP course which was received well by the committee.*
- *DPSST will be hosting the Speaker of the House of Representatives, Dan Rayfield, and House Minority Leader, Jeff Helfrich, at DPSST to provide them with an inclusive tour of the academy in January 2024.*
- *Deputy Director Henson clarified for the new Board members, that DPSST is transitioning to a scalable class model that can fluctuate between 40-60 students per class in order to address the backlog of BP students. This new model will be taking effect in November 2023.*
- *As of January 2023, DPSST will be at max capacity which may impact outside constituencies requesting space on campus. DPSST will be taking requests on a case-by-case basis depending on what capacity levels look like at a given time.*
- *Due to the capacity issues DPSST is experiencing, the agency is reaching out to local venues like Corban University and economy hotels for additional housing space.*
- *DPSST's BP course backlog has reduced from seven months to four months, and DPSST expects to see an increase in law enforcement hiring as DPSST continues to diminish the wait time for training.*

- *DPSST sent out a survey to law enforcement leaders throughout the state to gauge the approximate number of officer vacancies and hiring trends at each law enforcement agency.*
- *The DPSST Leadership team will be embarking on a statewide listening tour across Oregon in January 2024 to hear from all public safety constituencies in order to learn where DPSST is doing well, and where the agency can improve. The Leadership team would like to see if there are any areas where DPSST can formulate Policy Option Package's (POPs) for the legislature to see if any improvements can be made in the February 2024 legislative session.*
- *Members of the DPSST Leadership team will be hosting a Fire Chiefs Round Table in Sunriver, Oregon from November 30th-December 1st.*
- *A national law enforcement delegation from Columbia recently visited DPSST to learn about the agency's operations, curriculum and academy.*
- *Deputy Director Henson noted that the Board will be required to complete the annual DPSST Director's Survey in early 2024, so in January the Board can expect to hear more about the survey process as well as review DPSST's annual grant report.*
- *Three additional Telecommunications classes have also recently been added at DPSST.*

7. Next Meeting Date: January 25, 2024, at 9:00 a.m.

- *With no further items to discuss, Chair English adjourned the meeting at approximately 9:36 a.m.*