

Board on Public Safety Standards and Training Meeting Minutes

October 28, 2021

The Board on Public Safety Standards and Training held a regular meeting at 9:15 a.m. on Thursday, October 28, 2021 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 9:15 a.m.

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

Darren Buchich, Chair, Oregon Fire Chief's Association
DaNeshia Barrett, Vice-Chair, Non-Management Law Enforcement
Jeff Auxier, Oregon District Attorney's Association
Scott Derickson, League of Oregon Cities
Carol Dishion, Department of Corrections, AFSCME
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
Thomas Thomas, Private Security Industry
Matt English, Oregon State Sheriff's Association
Sara Boone, Chief, Portland Fire & Rescue
Chuck Lovell, Chief, Portland Police Bureau
Michael Fletcher, APCO-NENA
Colette Peters, Director, Department of Corrections
Kieran Ramsey, Federal Bureau of Investigation
Mariana Ruiz-Temple, Oregon State Fire Marshal

Board Members Absent:

James Adams, Oregon State Fire Fighters Council
Terri Davie, Superintendent, Oregon State Police
Benjamin McNulty, Private Security Industry
Chris Skinner, Oregon Association of Chiefs of Police

Guests:

No guests attended this meeting

DPSST Staff:

Jerry Granderson, Director
Brian Henson, Acting Deputy Director
Suzy Herring, Professional Standards Division Administrator
Hassan Hassan, Training Division Administrator
Julie Olsen, Fire Program Manager
Jeff Henderson, Private Security/Investigator/Polygraph Program Manager

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 July 22, 2021 Meeting

- *Thomas Thomas motioned to approve the meeting minutes of the July 22, 2021 meeting. James Oeder seconded the motion where it was then voted on by the Board by roll-call. The motion passed unanimously.*

3. Fire Policy Committee

a. Fire Policy Committee Update – James Oeder, Chair

- *James Oeder noted that the Fire Policy Committee met in August and is bringing two items to the consent agenda for the Board to vote on.*

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

A. *Proposed Rule Changes for OAR 259-009-0120: Amending Discharge for Cause

B. *Kelly R. Vallance DPSST #34182 (McMinnville Fire Department)

Unanimous vote to recommend to the Board by the FPC on August 25, 2021.

- *Thomas Thomas motioned to approve the Fire consent agenda. Mark Kreutzer 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

- *Chair, John Teague, explained that the Police Policy Committee ((PPC)) is looking at six personnel changes at the next PPC meeting. Teague stated that Michael Frome has recently taken over as Charles Lovell's designee for the PPC to replace previous Deputy Chief, Chris Davis.*

b. Telecommunications Policy Committee Update – Michael Fletcher, Chair

- *Michael explained to the Board that the Telecommunications Policy Committee (TPC) has not met since February of 2021 so he did not have any updates to provide. Michael noted that the next TPC meeting is scheduled for November 3, 2021.*

c. Corrections Policy Committee Update – Matthew English, Chair

- *Chair, Matthew English, stated that the last Corrections Policy Committee (CPC) meeting, held on August 10, 2021, was quite lengthy and helped reduce the previous backlog of cases needing review. English also mentioned that it has been helpful to have the Applicant Review Committee review cases. English stated that the next CPC meeting is scheduled for November 9, 2021, and they are preparing for another hefty agenda. Chair, Matthew English, mentioned that he has recently voted into the vacant position of Chair of the CPC, as well as Carol Dishion, who was voted to fill the Vice Chair position of the CPC. English concluded by explaining that Brian Pixley is being recommended for re-appointment and will be voted on in the October 28, 2021 agenda.*

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

A. *Brode Belleque DPSST #56771 (DOC/ Oregon State Penitentiary) – Revoke

Unanimous vote to recommend to the Board by the CPC on August 10, 2021.

B. *Gregory Bergam DPSST #32978 (DOC/ Snake River Correctional Institution) – Revoke

12- 1 vote to recommend to the Board by the CPC on August 10, 2021.

C. *Jacob Buchanan DPSST #58405 (DOC/ Oregon State Correctional Institution) – Revoke

Unanimous vote to recommend to the Board by the CPC on August 10, 2021.

D. *Jesse Kelsch DPSST #51752 (DOC/ Snake River Correctional Institution) – Revoke

Unanimous vote to recommend to the Board by the CPC on August 10, 2021.

E. *Jessica Pemberton DPSST #50369 (DOC/ Oregon State Penitentiary) – Revoke

Unanimous vote to recommend to the Board by the CPC on August 10, 2021.

F. *Mike Saldivar DPSST #56400 (DOC/ Snake River Correctional Institution) – Revoke

Unanimous vote to recommend to the Board by the CPC on August 10, 2021.

G. *Angela Schraeder DPSST #58605 (DOC/ Lincoln County Sheriff's Office) – Revoke

Unanimous vote to recommend to the Board by the CPC on August 10, 2021.

H. *Torin Stack DPSST #57842 (DOC/ Santiam Correctional Institution.) – No Action

Unanimous vote to recommend to the Board by the CPC on August 10, 2021.

I. *Joseph Yeane DPSST #25561 (DOC/ Columbia River Correctional Institution) – Reinstatement

Unanimous vote to recommend to the Board by the CPC on August 10, 2021.

J. *Patricia Lyon, DPSST #57573 (DOC/ Coffee Creek Correctional Facility) - Reinstatement

Unanimous vote to approve to the Board by the CPC on August 10, 2021

K. *Christopher Beem DPSST #58055 (Warrenton Police Department) – No Action

8-3 vote to recommend to the Board by the PPC on August 19, 2021.

L. *Kristin Berreth DPSST #44821 (Oregon Liquor Cannabis Commission) – No Action

Unanimous vote to recommend to the Board by the PPC on August 19, 2021.

M. *James Currey DPSST #26140 (Umatilla Tribal Police Department) – Revoke

Unanimous vote to recommend to the Board by the PPC on August 19, 2021.

N. *Sean DiGregorio DPSST #57783 (Portland Police Bureau) – Revoke

Unanimous vote to recommend to the Board by the PPC on August 19, 2021.

O. *Michael Lacer DPSST #49712 (Oregon State Police) – No Action

Unanimous vote to recommend to the Board by the PPC on August 19, 2021.

P. *Jason Wileman DPSST #46517 (Medford Police Department) – Revoke

Unanimous vote to recommend to the Board by the PPC on August 19, 2021.

Q. *Committee Appointments

Police Policy Committee Appointments

- Mark Garton- Reappointment to the PPC; 2nd term effective 10/28/2021

Corrections Policy Committee Appointments

- Brian Pixley- Reappointment to the CPC; 2nd term effective 1/22/2022

- *Chair, Darren Bucich, explained that Item Q on the consent agenda was to be removed from the consent agenda and voted on independently in a separate vote. Bucich explained that there were two new committee appointments that needed to be added to Item Q.*
- *John Teague motioned to approve all items A-P on the consent agenda excluding item Q. Carol Dishion seconded the motion. The Board voted by roll-call where the motion passed unanimously.*

- *Professional Standards Division Administrator, Suzy Herring, addressed the Board and introduced the two new policy committee candidates that needed to be voted on. Suzy Herring noted that the Board will be voting to approve a new Public Member to the Corrections Policy Committee, Mark Boren, as well as voting to approve a new Telecommunications member representing Oregon Association of Chiefs of Police, Ray Rau.*
- *James Oeder motioned to approve Item Q and appoint the two new Policy Committee members. Matthew English seconded the motion. The Board voted by roll-call where the motion passed unanimously.*

e. * Proposed Rule Adoption of OAR 259-008-0500: DPSST Designation of Law Enforcement Agency Accreditation Bodies per House Bill 2162- Approve

Presented by Jennifer Howald

Unanimous vote to recommend to the Board by the PPC on August 19, 2021.

House Bill 2162, from the 2021 Legislative Session, establishes a requirement for Oregon law enforcement agencies with 35 or more sworn police officers to become accredited by an accrediting body. House Bill 2162 directs the Department of Public Safety Standards and Training (DPSST) to adopt a rule for the purpose of designating which accrediting bodies a law enforcement agency in this state may use to obtain the required accreditation.

Accreditation programs are designed to help law enforcement agencies establish and maintain standards that represent current professional law enforcement practices; to increase the effectiveness and efficiency in the delivery of law enforcement services; and to establish standards that address and reduce liability for the agency and its members.

The Oregon Accreditation Alliance was established in 2001 and provides accreditation to qualified law enforcement and 911 agencies in Oregon and Alaska. The Oregon Accreditation Alliance is also recognized by the U.S. Attorney General's Office as the independent credentialing body for certifying Oregon law enforcement agency compliance with the U.S. Department of Justice standards of certification on safe policing principles.

CALEA provides accreditation to law enforcement and communications agencies, training academies and campus security organizations. CALEA has been accrediting law enforcement agencies since 1979 and is an internationally recognized accreditation body.

POLICE POLICY COMMITTEE RECOMMENDATION:

On August 19, 2021, the Police Policy Committee (PPC) reviewed the proposed rule to adopt OAR 259-008-0500. The PPC voted unanimously to recommend that the Board approve filing the proposed adoption as a permanent rule change if no substantive comments are received. By consensus, the PPC approved the fiscal impact statements.

DEPARTMENT RECOMMENDATION:

DPSST received one comment in response to the proposed rule change.

The Department recommends approval of the rule as originally proposed. House Bill 2162 became effective on September 25, 2021. If approved, the rule would be adopted effective on November 1, 2021.

Implementation of the rule as proposed will provide timely direction to the law enforcement agencies subject to the accreditation requirements of HB 2162.

- *John Teague motioned to adopt proposed rule OAR 259-008-0500. Chuck Lovell seconded the motion where it was then voted on by the Board by roll-call. The motion passed unanimously.*

5. Private Security/Investigator Policy Committee

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

- *Chair, Thomas Thomas, explained that two new DPSST processors were hired last month and have been working hard to get all applications processed so that the program can begin focusing and investigating current applications. Thomas updated the Board, explaining that Senate Bill 116 will be presented to the PSIPC in coming weeks after DPSST review and will address the items presented in the bill, such as proposed changes to uniforms, lights and badges.*

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

A. * Proposed Rule Changes for OAR 259-061-0010: Fee Increase for Private Investigator Licenses

B. *Proposed Rule Changes for OAR 259-060-0500: Fee Increases for the Private Security Provider Certification and Licensure Program

- *Mark Kreutzer motioned to approve the Private Security/Investigator consent agenda. James Oeder seconded the motion. The Board voted by roll-call where the motion passed unanimously.*

6. Director's Report

DPSST Programs Update:

- **Human Resources Section:**
- Human Resources continues to work through the vaccination mandate in collecting and verifying information and communicating the most current reports coming from DAS/CHRO.

- Two required trainings are due at the end of December, Preventing Discrimination, Harassment, and Sexual Harassment in the Workplace and Information Security Training: Foundations. All training is now completed in Workday through the Learning app.
- OPSA bargaining has concluded. Changes will take effect once ratification of the contract takes place.
- **Facilities Section:**
- As part of the 2021-2023 DPSST Budget the agency was granted deferred maintenance funds, (1,122,244.00) with most of these funds to restore two of the campus roofs (Dorm and Admin). The Facilities and Procurement sections are working together to complete the needed procurement steps and contractor selection so that this important work can begin spring/summer of 2022.
- **Fire Program Section:**
- The Fire Program applied for and was recently awarded the Federal Emergency Management Agency's (FEMA) 2020 Assistance to Firefighters Grant. The awarded funds will go toward the following training equipment which will be utilized by DPSST training staff to instruct the Oregon fire service:
 - 2 Thermal Imaging Cameras
 - Wildland Firefighting Tool Cache and Trailer
 - Forcible Entry Training Prop and Trailer
 - Ventilation Training Prop
 - Auto Extrication Equipment and Trailer
- DPSST staff will commence working through the procurement process to purchase the aforementioned training items. Once received, the Regional Fire Training Coordinators and Trainers will go through the proper equipment training so that they can begin using them to safely train the Oregon fire service.
- DPSST hosted the North American Fire Training Directors Annual Conference in Portland September 20-22, 2021. The National Fire Academy (NFA) Superintendent Eriks Gabliks provided an update regarding the Emergency Management Institute, NFA course calls, and availability of national and campus NFA classes. The keynote speaker was retired Chief Patrick J. Kenny who spoke on the subject of mental health awareness. Other highlights included NFPA Technical Committee Reports, International Fire Accreditation Congress (IFSAC) and ProBoard Program National Updates, and Learning Based on Science by Keith Stakes from UL's Fire Safety Research Institute. Due to the DPSST campus closure, the original planned site visit was replaced with a virtual tour of the academy which included demonstrations of the Fire Program's training props and an overview of how the fire program works in Oregon.
- The Fire Program has several new staff who have already been a very welcome part of our team. Michelle Hilt and Julia Budlong have both joined the administrative staff as Support Specialists. We also have two new Regional Fire Trainers with Conner Lane and Aaron Bielemeier. Conner and Aaron are scheduled for their training with SKID Truck USA beginning in January so that they can commence SKID Truck Training with the Oregon fire service in June.

- The National Fire Protection Association (NFPA) has recently updated their standards for Technical Rescuer. Fire Certification assembled a Task Force made up of content experts from the Oregon fire service to assess the standard and potentially adopt it into Oregon Administrative Rule. The Task Force has made great strides in getting the Oregon fire service updated to the most recent edition of this standard and their decisions should be presented for the Board's review in the future.
- Fire Certification is working with talented DPSST staff on interactive brochures for the website as a learning tool for the Oregon fire service on how to successfully fill out Fire Program forms.
- **Criminal Justice Standards and Certification Section:**
- Current Cases
 - 214 total criminal justice professional standards cases
 - 94 are ready to begin the review process or are in some stage of the review process.
 - 94 are pending criminal/employment matters or waiting on records to be provided to DPSST.
 - 39 new cases have been added since the last policy committee meeting.
- DPSST and the Police Policy Committee extended their appreciation to Chris Davis and his work with the committees and in public safety as he moves on to his new role as Chief of Police for Green Bay, Wisconsin.
- In a continued effort to expand DPSST communications and promote transparency, DPSST has created a Workgroups web page which will detail workgroups along with the agenda and minutes for each meeting. There are currently three active workgroups:
 - Background Workgroup: There has been two meetings in which the group is developing a personal history questionnaire and background checklist as required by HB2936.
- Arbitration/Certification Workgroup: This workgroup was formed to discuss DPSST's interpretation of the rule in professional standards cases when an arbitrator opinion reinstates an officers employment. Previous interpretation was that DPSST lost its ability to continue a case review since the separation was reversed. The workgroup determined that since the separation did occur, DPSST staff would conduct a review of the case to determine if there was a moral fitness violation.
- Field Training Officer Workgroup: The Governor's Task Force on Police Accountability recommended agency field training officers, who deliver the Field Training Manual (FTM) as part of basic training and a requirement for certification, have certain standards they must meet in order to deliver the FTM. This workgroup was formed to determine what standards and training should be required to deliver the field training manual portion of the basic curriculum.
- DPSST has updated the HR218 web page to include a best practices for firearms qualifications along with a sample qualification card that may be used to meet the federal requirements.
- Staff provided the Corrections Policy Committee with an overview of the training and certification requirements of HB 2162 and HB 2513 (Equity, Adult/Child CPR, and Airway Circulatory Anatomy) asking the committee if the new police requirements should apply to corrections and parole and probation officers, thereby keeping the maintenance standard a Law Enforcement standard. The committee agreed the standards

should be maintained for all law enforcement. DPSST is incorporating this requirement into rule for review by the November policy committees.

- **Private Security/Investigator Program Section:**

- The Private Security and Private Investigator program welcomed two new employees to the team in September – Mary Lou Vasques and Tiffany Weems. Both individuals bring valuable private sector and other state agency experience with them to DPSST. Mary Lou comes to us from Department of Human Services and Tiffany joins us from the Employment Department. Mary Lou and Tiffany joined the team as Office Specialist 2s and are busy learning the work that we do by starting with the processing of unarmed professional applications.
- The Private Security and Investigator Policy Committee (PSIPC) met on September 16 and voted unanimously to recommend the Board approve program's proposed rule changes to increase fees for the Private Security and Private Investigator programs. If approved by the Board the fee increases will take effect on January 1, 2022. Based on constituent feedback received, the Private Investigator proposal was amended prior to the September PSIPC meeting to remove the increase to the investigator license fee. The amended Private Investigator proposal includes two administrative fee increases; a late renewal application fee increase, and a duplicate license fee increase.
- The Private Security program completed its first ever program participant only 40 Hour Firearms Instructor Development Course on September 10. Congratulations to program's Training and Development Specialist, Andrew Taufa'asau for the vision and the execution – and a huge thank you to the Training Division's firearms staff for the assist.

- **Training and Academy Program Section:**

- Academy Training recently conducted a successful recruitment and assessment process for the position of Student Wellness Liaison/Instructor.
- DPSST's Legal Coordinator will now be a full time position to meet increasing needs of the academy in the arena of legal instruction. A successful recruitment and assessment process for this position has been completed.
- Basic Police Class 410 returned to campus Monday September 27th after being paused on August 30th due to rising COVID cases in the class and across campus. Basic Police Classes 411 and 412 will return in October and November respectively.
- Recruitment will begin soon for part-time instructors in SFST, Corrections and Telecom.
- Academy Training continues to work closely with the Center for Policing Excellence group in rolling out the delivery of Phase III curriculum which will ramp back up again with BP410's return.
- Parole and Probation Coordinator Chris Enquist has been named as the interim Skills and Tactical Manager. Recruitment for a full time permanent hire is in process and we appreciate Chris filling this role in the meantime.
- Behavioral Health Program Coordinators, Linda Maddy and Kevin Rau, presented multiple sessions at the Crisis Intervention Teams (CIT) International conference. Linda and Kevin, alongside agency partners from the Port of Portland Police Department and the Oregon Center for Behavioral Health and Justice Integration, presented multiple

sessions on topics ranging from Law Enforcement Resiliency and Wellness, the CIT Center Of Excellence, and Connecting CIT with a Problem-Oriented Policing Strategy.

- The Behavioral Health program has begun issuing training grants and scholarships for the 21-23 budget. Grants help provide training and support for CIT, advanced CIT, Mental Health First Aid, first-responder resiliency, and other mental health related topics.
- To mitigate COVID exposure for students on campus, the Leadership Program Coordinator, Terry Moss, pivoted to host the Supervisory Leadership Academy (SLA) virtually. Great care was taken to ensure participants received a high-quality interactive training experience.
- The Curriculum and Development Program implemented the final phase of the Basic Police Academy revision. This concluded a multi-year process to develop our new basic police training program. The new academy is now being evaluated through an internal audit as well as an external assessment conducted by Washington State University.
- CPE's collaborative work in developing the new basic police academy was recognized by the International Association of Chiefs of Police (IACP). We had the honor of receiving the 2021 Leadership in Law Enforcement Research Award.
- In a commitment to furthering equity, Curriculum Coordinator, Sara Stewart, participated on the planning committee for the Oregon Diversity, Equity, and Inclusion conference. The conference provided a number of sessions to increase awareness and understanding related to DEI.
- The Regional Training team has collaborated with Klamath Community College to deliver classes through their learning management system. We have had great success with the recent completion of two pursuit management classes for supervisors. Other opportunities to make effective use of this platform are being explored.
- DPSST worked with OACP to transfer six new ORPAT trailers with six older needing to be replaced trailers from around the State.
- Steve Westerberg attended a Ford Police Tour in Pleasanton, California. During the tour, Steve was provided opportunities to see what is new, what has changed and evaluate our current practices against the manufacture recommendations. The good news, DPSST continues to be on the lead edge with vehicle operation.
- Another two week EVOIC was completed. This course was a combination of two classes who started regionally but finished their second week at the academy. This has alleviated some of the strain of sending prospective instructors to a two week class held only at the academy.
- Ben Klecker and Scott Salisbury worked with Terry Moss (CPE's leadership coordinator) and were successful in having Jim Ferraris and Bret Smith come out regionally and teach their 8 hour Internal Affairs class to folks in Eastern and Central Oregon.
- DPSST Regional Staff has been getting FTEP classes out to agencies in Albany, Grants Pass and has participated with the FTO Policy workgroup.
- Ben Klecker and JD Edwards were invited to attend one day of the FBINAA Oregon chapter Conference at Eagle Crest to listen to E.J. O'Malley, the lead PT Coordinator with the FBI Academy in Quantico, VA. They also attended at Tactical Strength and Conditioning Conference.
- David Beatty has been attending and supporting a number of traffic safety related conferences in Oregon. (JOL/LEL/TSRP conf, national DRE Conf, DUII Conf). He has

also has been busy around the state working with agencies offering the intoxilyzer training and SFST Training classes.

Legislative Updates

- **Designating Accrediting Bodies – HB 2162**

DPSST initiated a proposed rule change to adopt a rule designating the Oregon Accreditation Alliance and the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA®) as accrediting bodies for Oregon's law enforcement agencies. [tentative effective date November 1, 2021]

- **Expanding public representation on Police Policy Committee and Board – HB 2162**

DPSST is currently recruiting for an additional public member for the Police Policy Committee. This new additional position is a member from a marginalized or historically underrepresented community.

HB 2162 calls for two additional members on the Board. Positions as follows – one member must be part of a marginalized or historically underrepresented community, one member must be recommended to the Governor by the President of the Senate and one member must be recommended to the Governor by the Speaker of the House. We are awaiting executive appointment to determine who will be filling those positions.

- **Developing an Equity Training Program – HB 2162**

DPSST is contracting an outside entity specializing in cultural intelligence and human development to complete an assessment of the basic police course's current curriculum with the goal of reviewing existing equity training and developing recommendations for additional equity training. The assessment findings will be used to develop a statewide equity training program for police officers and prepare for the report that must be submitted by January 1, 2022, on the amount of additional instruction hours necessary to provide expanded equity training within the basic police course.

- **Airway and Circulatory Anatomy and Physiology Training & Adult/Child CPR Certification – HB 2513**

DPSST is in the process of identifying learning objectives for the development of an airway and circulatory anatomy and physiology training standard for police officer basic training.

Constituent partners OSSA and OACP are working to develop training that may be applied to training requirements that maintain basic police officer certification.

DPSST rules already require a CPR certification to obtain basic certification and to maintain certification – for all of the criminal justice public safety officer disciplines. These rules will be updated to specify that the CPR certification for police officers must be a certification that includes both adult and child CPR.

- **Duty to Report – HB 2929**

Officers reporting alleged misconduct or a violation of Board standards will be able to submit the report using the DPSST complaint form. This form is available on the DPSST website. HB 2929 requires law enforcement agencies to investigate the reported allegations and notify DPSST when the investigation results in a finding that sustains a report of misconduct. DPSST will be

reviewing the Board's moral fitness standards for possible amendments to address how the reports sustaining misconduct impact certification.

- **Uniform Background Checklist and Standardized Personal History Questionnaire – HB 2936**

DPSST formed a workgroup to review the current OAR requirements for conducting background investigations. This workgroup will also assist with the development of a uniform background checklist and a standardized personal history questionnaire.

- **Reporting Police Officer Discipline that Includes an Economic Sanction – HB 3145**

DPSST completed updates to the Professional Standards Database to include the publishing of reports of police officer discipline including economic sanctions. The database houses records for denial and revocation of public safety officer certifications. This database is located on the DPSST website and is available to the public.

- **Regulating Private Security Provider Uniforms and Vehicles - SB 116**

SB 116 makes it unlawful for a private security provider or an entity that employs private security providers to possess or use in the scope of employment equipment, vehicles, uniforms or titles that imply that the provider or entity is affiliated with a public or private safety agency as defined in ORS 181A.355.

DPSST is in the process of drafting administrative rules that will further define what is prohibited. The rules will be reviewed by the Private Security Policy Committee and there will be an opportunity for public comment prior to submitting the rules to the Board for approval and implementation.

- **Private Security Entity Licensure - HB 2527**

DPSST certifies and licenses individual private security providers. Beginning January 1, 2024, DPSST will begin licensing private security entities – the businesses that employ private security providers or contract to provide private security services. DPSST will begin drafting rules to further define the licensure standards and process in early 2022.

HB 2527 granted the department three positions and the funding, for these positions, for two years. We have since filled one position. DPSST will recruit for the additional positions early 2022. DPSST will bring the other two individuals on during the development process of the program, which includes being involved with building of the program, OARs, applications, website, etc.

- **Relating to tribal police officers – SB 731**

Ensures tribal sovereignty by limiting the regulatory jurisdiction of the Board/DPSST to authorized tribal police officers only. Tribal law enforcement units will still be required to ensure a Board-approved pre-employment background investigations and psychological evaluations are completed on authorized tribal police officer prior to hire, that the hire and separation (including the reason for separation) of authorized tribal police officers is report to the DPSST, and that authorized officers commence DPSST training within 90 days from the date of hire as an authorized tribal police officer. The bill has no fiscal or operational impact on the DPSST, and would not in any way alter the manner or methods involved in earning or maintaining a Basic Police Certification from DPSST.

Oregon Administrative Rules Quarterly Update for the BPSST

DPSST facilitated a number of Oregon Administrative Rule (OAR) actions in July, August, and September 2021. The following summaries provide updates to the rule actions completed since the July 22, 2021, BPSST meeting.

Criminal Justice OAR Chapter 259 Division 008

1. Permanent Rule Changes Completed

OAR 259-008-0005 - Updating Definitions Based on Legislative Changes. This rule change updated OAR 259-008-0005 to align the rule with the statutory changes that occurred during the 2021 legislative session. House Bill 2111, Senate Bill 297 and Senate Bill 41. The rule changes also include housekeeping amendments for punctuation, ORS references, and past legislative changes.

- Amending OAR 259-008-0005.
- (7/22/21) BPSST approved the proposed rule change to become a permanent rule if no comments are received.
- Comment period held July 22, 2021 – August 31, 2021. No comments received.
- The permanent rule change was filed effective September 10, 2021.

2. Proposed Rule Filed

OAR 259-008-0500 – Law Enforcement Agency Accreditation. This proposed rule change designates accrediting bodies a law enforcement agency in this state may use to obtain the accreditation required by House Bill 2162 from the 2021 Legislative Session. The proposed rule designates the Oregon Accreditation Alliance and the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA®) as accrediting bodies.

- Adopting OAR 259-008-0500
- PPC reviewed and recommended approval of the proposed rule changes to the BPSST on August 19, 2021.
- Proposed rule filed on August 23, 2021, and open for public comment through September 21, 2021. One comment received.
- The BPSST will review the comment and determine whether to approve the rule changes during the BPSST meeting on October 28, 2021.

Fire OAR Chapter 259 Division 009

3. Proposed Rule Filed

OAR 259-009-0120 – Amending the Definition of Discharge for Cause. This proposed rule change provides clarifying amendments within the definition of a discharge for cause that is used for revocation of fire service professional certifications. The proposed amendments replace the

phrase “under color of office” with plain language and provide punctuation correction within the definition of Neglect of Duty.

- Amending OAR 259-009-0120
- FPC reviewed and recommended approval of the proposed rule changes to the BPSST on August 25, 2021.
- Proposed rule filed on August 27, 2021, and open for public comment through September 21, 2021.
- If no substantive comments are received, then the BPSST will determine whether to approve the rule changes during the BPSST meeting on October 28, 2021.

Private Security and Private Investigator OAR Chapter 259 Divisions 060 and 061

4. Proposed Rule Filed

OAR 259-060-0500 – Proposed Fee Increases for the Private Security Provider Certification and Licensure Program.

- Amending OAR 259-060-0500
- PSIPC reviewed and recommended approval of the proposed rule changes to the BPSST on July 22, 2021.
- Proposed rule filed on July 22, 2021, and open for public comment through August 31, 2021.
- DPSST received 4 public comments in addition to the PSIPC discussion comments.
- PSIPC reviewed comment and DPSST’s recommendations on September 16, 2021. The PSIPC recommended the BPSST approve.
- The BPSST will determine whether to approve the fee increases and rule changes during the BPSST meeting on October 28, 2021.

5. Proposed Rule Filed

OAR 259-061-0010 – Proposed Fee Increases for the Private Investigator Licensure Program.

- Amending OAR 259-061-0010
- PSIPC reviewed and the proposed rule changes on July 22, 2021. The PSIPC voted not to recommend the proposed rule changes to the BPSST.
- Proposed rule filed on July 22, 2021, and open for public comment through August 31, 2021.
- DPSST received 18 public comments in addition to the PSIPC discussion comments.
- PSIPC reviewed comment and DPSST’s recommendations on September 16, 2021. The PSIPC recommended the BPSST approve an amended rule change.
- The BPSST will determine whether to approve the administrative fee increases and amended rule changes during the BPSST meeting on October 28, 2021.

- *Board Chair, Darren Bucich asked if there were any further questions, to which TPC Chair, Michael Fletcher asked for a picture or total budget that has been granted to the agency for Full-Time Employees (FTE), as he understands that most of the state has recently been struggling with staffing issues. Acting Deputy Director, Brian Henson, explained that DPSST is budgeted 160 FTE's and currently employs 160 FTE's as well as approximately 150 Part-Time Employees that are utilized in a variety of fields at the agency.*

6. Next Meeting Date: January 27, 2022 at 9:00 a.m.

- *Board Chair, Darren Bucich noted that the next BPSST meeting is scheduled for January 27, 2021 and adjourned the meeting at approximately 9:24 a.m.*