

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

April 28, 2022

The Board on Public Safety Standards and Training held a regular meeting at 9:30 a.m. on Thursday, April 28, 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 9:30 a.m.

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

Darren Bucich, Chair, Oregon Fire Chief's 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
Sara Boone, Chief, Portland Fire & Rescue - WebEx
Terri Davie, Superintendent, Oregon State Police
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 - WebEx
Thomas Thomas, Private Security Industry - WebEx
Matthew English, Oregon State Sheriff's Association
Chuck Lovell, Chief, Portland Police Bureau - WebEx
Michael Fletcher, APCO-NENA
Chris Skinner, Oregon Association of Chiefs of Police

Board Members Absent:

Benjamin McNulty, Private Security Industry
Kieran Ramsey, Federal Bureau of Investigation
Colette Peters, Director, Department of Corrections
Mariana Ruiz-Temple, Oregon State Fire Marshal - WebEx

Guests: No guests attended this meeting

DPSST Staff:

Brian Henson, Acting DPSST Director
Suzy Herring, Professional Standards Division Director
Julie Olsen, Fire Program Manager
Hassan Hassan, Training Division Director
Michael Anderson, Facilities, Fleet & Interim Procurement Manager
Kayla Ballrot, Fire Certification Supervisor
Brooke Bell-Urbe, Fire Program Compliance Specialist

DPSST Staff continued:

Marsha Morin, Criminal Justice Standards & Certification Program Manager

Shelby Alexander, Executive Assistant

Carissa White, Private Security/Investigator Compliance Investigator

Jeff Henderson, Private Security/Investigator/Polygraph Program Manager

Jennifer Howald, DPSST Rules/Legislative Coordinator

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 January 27, 2022 meeting

- *Matt English motioned to approve the meeting minutes of the January 27, 2022 meeting. DaNeshia Barrett 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

- *Chair, James Oeder, addressed the Board, noting that at the last Fire Policy Committee (FPC) meeting the committee reviewed several cases as well as one rule change and new committee appointments. Chair Oeder explained that there was lots of good discussion at the committee meeting which brought forth the number of items that the Board will consider at the meeting today.*

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

A. *Proposed Rule Changes for Oregon Administrative Rule (OAR) 259-009-0059: Minimum Standards for Certification

Unanimous vote to recommend to the Board by the FPC on February 23, 2022.

B. *William Eddy DPSST #25304 (Gresham Fire & EMS) – Revoke

Seven (7) to three (3) vote, with one member abstaining, to recommend to the Board by the FPC on February 23, 2022.

C. *Jesse West DPSST #18744 (Lane Fire Authority) – No Action

Ten (10) to one (1) vote to recommend to the Board by the FPC on February 23, 2022.

D. *Committee Appointments

- Gert Zoutendijk- Oregon Fire Marshals Association, Re-appointment to the FPC; 2nd term effective August 20, 2022.
- *Mark Kreuzter motioned to approve the Fire Consent Agenda Items A-D. Terri Davie 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, addressed the Board, explaining that the Police Policy Committee met on February 17, 2022, to review several cases that the Board will ultimately be voting on at the meeting today.*
- *Chair Teague told the Board that the Police Policy Committee membership is filled and does not have any current vacancies aside from upcoming expirations of members. Chair Teague concluded his update by mentioning the four new Police Policy Committee members that were appointed at the January 2022 Board meeting, James Cleavenger, Angela Brandenburg, Ashliegh Ramirez and Kevin Dresser.*

b. Telecommunications Policy Committee Update – Michael Fletcher, Chair

- *Chair, Michael Fletcher, addressed the Board, stating the Telecommunications Policy Committee (TPC) met most recently on February 2, 2022, where the committee reviewed and voted on two cases. Chair Fletcher noted that the TPC voted to take action on one of the cases and voted to take no action on the other.*
- *Chair Fletcher explained to the Board, that as chair of the TPC, he was able to assist Board Chair, Darren Bucich with the vetting process for a new public member representative for the TPC. The public member recommendation for the TPC is being presented on item (e.) of today's Board agenda.*
- *Chair Fletcher ended his update to the Board by noting that the next TPC meeting is scheduled for May 4, 2022.*

c. Corrections Policy Committee Update – Matthew English, Chair

- *Chair, Matthew English, addressed the Board, mentioning that the Corrections Policy Committee (CPC) last met on February 8, 2022, and welcomed three new policy committee members to the committee.*
- *On February 8, 2022, the CPC reviewed and voted on five administrative closures and four cases.*
- *The next CPC meeting is scheduled for May 10, 2022. Chair English explained that he was able to help vet several policy committee candidates with Chair Bucich, and the CPC will be welcoming a new member after the final decision at today's Board meeting.*

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

A. *Damien Chakwin DPSST #45087 (DOC/Columbia River Correctional Institution) – Revoke

Eight (8) to one (1) vote, with once refusal, to recommend to the Board by the CPC on February 8, 2022.

B. *Mitchell Coussens DPSST #50465 (Yamhill County Sheriff's Office) – No Action

Unanimous vote, with two recusals, to recommend to the Board by the PPC on February 17, 2022.

C. *Jennifer Foster DPSST #50183 (Harney County Sheriff's Office) – Revoke

Unanimous vote to recommend to the Board by the TPC on February 2, 2022.

D. *Rachel Girard DPSST #55285 (Wallowa County Sheriff's Office) – No Action

Unanimous vote to recommend to the Board by the TPC on February 2, 2022.

E. *Kasey Hughes DPSST #40208 (Sunriver Police Department) – Revoke

Twelve (12) to one (1) vote to recommend to the Board by the PPC on February 17, 2022.

F. *Jake Jensen DPSST #56154 (Clackamas County Sheriff's Office) – Revoke

Unanimous vote, with one refusal, to recommend to the Board by the PPC on February 17, 2022.

G. *Brian Lister DPSST #36594 (Clackamas County Sheriff's Office) – Adopt Amended Proposed Order

Unanimous vote, with one refusal, to recommend to the Board by the PPC on February 17, 2022.

H. *Michael Palmer, Sr. DPSST #39580 (DOC/ Snake River Correctional Institution) – Revoke

Unanimous vote to recommend to the Board by the CPC on February 8, 2022.

I. *Andrew Pastore DPSST #40175 (Tigard Police Department) – Revoke

Unanimous vote, with two recusals, to recommend to the Board by the PPC on February 17, 2022.

J. *Joseph Patnode DPSST #34407 (Sunriver Police Department) – No Action

Twelve (12) to one (1) vote to recommend to the Board by the PPC on February 17, 2022.

K. *Kimberly Way DPSST #41941 (DOC/Warner Creek Correctional Facility) – No Action

Unanimous vote to recommend to the Board by the CPC on February 8, 2022.

L. *Cameron Williamson DPSST #56428 – Revoke

Unanimous vote to recommend to the Board by the CPC on February 8, 2022.

- *John Teague made a motion to approve the Criminal Justice Consent Agenda Items A-L. DaNeshia Barrett seconded the motion. A vote was taken by roll-call and the motion passed unanimously with one member abstaining.*

e. *Committee Appointments

Police Policy Committee Appointments

- Jill Thissell – Non-Management Law Enforcement, Re-appointment to the PPC; 2nd term effective 4/28/2022
- Rob Wood – Public Member, Appointment to the PPC; 1st term effective 7/26/2022

Corrections Policy Committee Appointments

- Lee Eby – Oregon Sheriff's Jail Command Council, Re-appointment to the CPC; 2nd term effective 4/28/2022
- John Frost – Non-Management Corrections employed by DOC, Appointment to the CPC; 1st term effective 4/28/2022
- Taj Shivers- Non-Management Department of Corrections, Re-appointment to the CPC; 2nd term effective 7/23/2022

Telecommunications Policy Committee Appointments

- Greg Armenta – Public Member, Appointment to the TPC; 1st term effective 4/28/2022
- *It is important to note that the BPSST 4-28-2022 agenda stated that Greg Armenta was to be appointed to his first term on the Corrections Policy Committee on 4-28-2022. The meeting minutes have revised this error to reflect that Greg Armenta was approved to be appointed to the Telecommunication Policy Committee on 4-28-2022.*
- *John Teague asked for staff to list the names and positions of each member that was recommended for an appointment. Professional Standards Division Director, Suzy Herring read the names, positions, and term dates of each candidate to the Board as reflected in the agenda item above. (Item e.)*
- *James Oeder motioned to approve the presented Policy Committee Appointments. Michael Fletcher seconded the motion. A vote was taken by roll-call and the motion passed unanimously by the Board.*
- *After the vote, John Teague addressed the Board, noting how appreciative he is of Chair Bucich incorporating the Chairs of each policy committee in the decision making process of policy committee appointment recommendations. Chair Bucich stated to the Board that he appreciates the feedback of the Chairs in his recommendation process.*

5. Private Security/Investigator Policy Committee

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

- Thomas Thomas addressed the Board, explaining that the Private Security/Investigator (PS/PI) staffing update included staff changes and promotions. The program welcomed two new employees in March. Juanita Birdsong joined the program as the new Office Specialist and Juli Ann Lindemann joined as the new Training & Development Specialist. Juanita comes to DPSST with public safety experience from the Department of Corrections and Juli Ann brings 18 years of educator experience, most recently with the Woodburn School District.
- Coy Alexander, the program's Technology Training & Development Specialist, is finalizing the work of making the New Manager course available as an online, self-directed training. The program expects to have the online training option available for applicants in May 2022.
- The program has started review of the House Bill 2527 provisions to identify areas in need of an administrative rule. The provisions take effect January 1, 2024 and will require the licensure of private security entities.

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

A. *Proposed Rule Changes for Oregon Administrative Rule (OAR) 259-060-0500

and 259-061-0010: Resubmission of the Private Security Program and Private Investigator Program Fee Increases

Unanimous vote to recommend to the Board by the PSIPC on March 8, 2022.

B. *William McKnight, Sr. PSID #001899 – Assessing Civil Penalty of \$3,000

Eight (8) to one (1) vote to recommend to the Board by the PSIPC on March 8, 2022.

- Matthew English motioned to approve the Private Security Consent Agenda Items A and B. Scott Derickson 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) 259-060-0012 and 259-060-0450: Rules for Implementation of Senate Bill 116

Unanimous vote to recommend to the Board by the PSIPC on March 8, 2022.

Presented by Jennifer Howald

Background:

Senate Bill 116, from the 2021 Legislative Session, amended Oregon Revised Statute (ORS) 181A.893 making 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.

Senate Bill 116 was introduced on behalf of the Board on Public Safety Standards and Training (BPSST). The bill was the result of a legislative concept drafted by DPSST as a follow-up to Kaylee's Law (Senate Bill 576, 2019), which established uniform and vehicle requirements for campus private security. Like Kaylee's Law, Senate Bill 116 is

intended to address situations where the appearance of private security uniforms and vehicles make it difficult to differentiate between members of law enforcement and providers of private security services. DPSST recognizes that this issue applies to a minority of the currently certified private security providers and the business entities that employ private security providers.

Senate Bill 116 became effective January 1, 2022. Because the bill's language is very broad, DPSST recommends adopting an administrative rule to codify the intent and the primary application of the law. The following administrative rule, OAR 259-060-0012, was written in consultation with the Private Security and Investigator Policy Committee (PSIPC) and includes consideration of the comments received during the proposed rule change public comment period.

Private Security and Investigator Policy Recommendation:

On March 8, 2022, the Private Security and Investigator Policy Committee (PSIPC) reviewed the comments received for the proposed rule changes to adopt OAR 259-060-0012 and amend OAR 259-060-0450 and DPSST's recommendations on revision of the proposed rule language. The PSIPC review resulted in an additional change to the revised proposed rule language. The PSIPC voted unanimously to recommend that the BPSST approve the adoption of OAR 259-060-0012 and the amendment of OAR 259-060-0450 as permanent rule changes.

- *James Oeder motioned to approve the adoption of OAR 259-060-0012 and proposed changes to OAR 259-060-0450. Matthew English seconded the motion. A vote was taken by roll-call and the motion passed unanimously by the Board.*

6. *Policy Option Packages: Overview – Acting Director Brian Henson

- *Acting Director, Brian Henson, addressed the Board, explaining DPSST is currently building its budget for the 2023-2025 biennium, and with any additional program costs, trainings, etc. the agency is looking to enhance or add, DPSST must account for it in its Policy Option Package (POP). Acting Director Henson went onto explain that before DPSST is allowed to present the POPs to the legislature, the Board must review and approve the budget that DPSST has created. Lastly, Acting Director Henson added that many of the items that are seen in the POP were driven and recommended by the findings of the 2021 Secretary of State's audit as well as the 2021 Governor's Public Safety Training and Standards Taskforce.*
- *John Teague asked if these POPs were being presented to the Board earlier than usual, to which Acting Director Henson explained that to have enough time for the Board to approve the POPs and present it to the legislature, DPSST could not have waited any longer to present the POPs to the Board.*
- *John Teague motioned to approve the presented Policy Option Packages. Scott Derickson seconded the motion. A vote was taken by roll-call and the motion passed unanimously by the Board.*

7. Executive Board – Acting Director Brian Henson

- *Acting Director Brian Henson explained to the Board that the Executive Board allows DPSST to make changes to the current budget of the 2021-2023 biennium with approval from the Board. He went on to explain that these Executive Board sessions take place in-between legislative sessions to manage budgetary needs on a flexible timeline.*
- *Currently, DPSST is requesting to release limitations for the Memorial Fund as well as other DPSST operating areas from the allotted budget for these programs to continue operating at full capacity until the next biennium.*
- *Terri Davie made a motion to approve the proposed budgetary requests of DPSST to move forward to the Executive Board. Scott Derickson seconded the motion. A vote was taken by roll-call and the motion passed unanimously by the Board.*

8. Agency Updates

- *Professional Standards Division Director, Suzy Herring, addressed the Board asking for each member to please communicate with DPSST staff if they no longer would like to receive a hard copy of the Board or Policy Committee meeting materials for future meetings. Suzy Herring also provided an update regarding Board appointments, explaining that seven recommendations have been moved forward to the Senate for approval in June of 2022. If all seven recommendations are approved, then the Board will have a full roster comprised of 26 members.*
- *The recommended Board candidates are as follows:*
 - *Matt English – Recommended by and representing the Oregon State Sheriff's Association (re-appointment)*
 - *DaNeshia Barrett- Non-Management Law Enforcement (re-appointment)*
 - *Gary Cobb- Public Member*
 - *Jennifer Cameron- Non-Management Parole & Probation*
 - *Jennifer Parrish Taylor- Public Member*
 - *Scott Nowning- Non-Management Law Enforcement*
 - *Maria Caballero Rubio- Public Member*
- *Professional Standards Division Director, Suzy Herring shared that on April 11, 2022, the Honor Guard was present at DPSST to engrave three names onto the Law Enforcement Memorial Wall that will be recognized at the Law Enforcement Memorial on May 3, 2022, at 1:00 p.m.*
- *The names of the fallen law enforcement officers are as follows:*
 - *Carl L. Frazier – Lane County Sheriff's Office*
 - *Stanley A. Burdic – Douglas County Sheriff's Office*
 - *John Burright – Oregon State Police*
- *Suzy Herring concluded her update by noting that Department of Administrative Services (DAS) will be communicating with each Board member regarding their required Workday trainings that are due by December 31, 2022.*
- *Acting Director, Brian Henson, addressed the Board, and noted that the state will be re-opening on May 1, 2022, and DPSST will be taking a soft-open approach to*

- combat the spread of COVID-19 cases on campus. He went onto explain that three of DPSST's police courses currently have cases of COVID-19 as well as staff members. Each COVID-19 positive individual must quarantine for five days and test negative before returning to the campus.*
- *The Law Enforcement Memorial will take place on DPSST's campus on May 3, 2022 at 1:00 p.m. but access to the event will be closed to the public and limited to only those invited to attend. Law enforcement agencies of the fallen officers as well as family members and Board members are invited to attend the event.*
 - *The Fire Fighters Memorial has been permanently moved to June of each year and will take place this year on June 9, 2022, at DPSST's campus.*
 - *DPSST is currently looking at adding more basic police courses to the 2022 calendar, as the 16th allotted course for the 2021-2023 biennium was recently placed in April 2022. DPSST would like to include more basic police as well as basic corrections courses throughout the rest of the year if possible in order to decrease the backlog of recruits and increase recruitments. Acting Director Henson noted that the potential addition of these courses may require emergency Board action in order to release limitations in order to fund the classes.*
 - *John Teague asked if there is a possibility of moving the scheduled September courses and applying it to the July slots due to backlog. Acting Director Brian Henson stated that the agency is looking at every available window in order to begin conducting courses as quickly as possible. The agency is looking to add additional courses rather than moving courses forward. Acting Director Henson concluded his statement by expressing that DPSST will be sure to notify every one of the additional courses if they are to be approved and finalized.*
 - *With the opening of the state on May 1, 2022, the first public graduation will be held at DPSST on May 6, 2022. This graduation will be held for a Corrections class and will respect the slow-opening approach by only inviting a select number of visitors for the event.*
 - *Julie Olsen, Fire Program Manager, is currently involved in the Commission on Fire Fighter Capacity legislative workgroup regarding retention and recruitment to the force. Julie Olsen is also chairing one of the sub-committees of this workgroup and may be reaching out to Board members in the future as she continues on this legislative path. Julie Olsen will also be bringing National Fire Academy courses to the legislature in hopes of placing these courses around to areas that need them. The Fire Program is also currently closing a number of Assistance to Fire Fighter grants which usually grants access to attaining fire equipment so that it can be used for training throughout the state. Lastly, Julie Olsen is working with the Oregon Volunteer Fire Fighters Association on their annual conference.*

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

- *Board Chair, Darren Bucich, noted that Director's Evaluation that was previously on the Board agenda had been removed because the previous director had resigned.*
- *Board Chair, Darren Bucich explained that the next BPSST meeting is scheduled for July 28, 2022, and adjourned the meeting at approximately 10:16 a.m.*