

Corrections Policy Committee Minutes

May 10, 2022

The Corrections Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on May 10, 2022, at the Oregon Public Safety Academy in Salem, Oregon. Chair, Matt English called the meeting to order at 10:00am.

Committee Members:

Matt English, Chair, Oregon State Sheriff's Association
Carol Dishion, Vice Chair, Non-Management DOC Coffee Creek
Lee Eby, Oregon Sheriff's Jail Command Council
Jaime Hepner, Oregon Association of Community Corrections Directors (Webex)
Colette Peters, Director, Oregon Dept. of Corrections (Designee – Michael Yoder) (Webex)
Brian Pixley, Oregon State Sheriff's Association (Webex)
James Ristoff, Non-Management Corrections Officer (Webex)
Mark Boren, Public Member
Ted Langley, Oregon Sheriff's Jail Command Council
Erin Reyes, DOC Superintendent (Webex)
John Frost, Non-Management Corrections Officer (Webex)

Committee Members Absent:

Gary Ninman, Professional Development Unit, DOC
Cody Smith, Non-Management Corrections Officer
Taj Shivvers, Non-Management Department of Corrections

Guests:

Anson Alfonso (Webex)
Eric Dietz

DPSST Staff:

Suzy Herring, Professional Standards Administrator
Marsha Morin, Standards and Certification Manager
Melissa Lang-Bacho, Professional Standards Case Manager
Jordan James-Largent, Professional Standards Case Manager
Jennifer Howald, Administrative Rules Coordinator
Erica Riddell, Criminal Justice Office Specialist
Shelby Alexander, Executive Support Specialist
Hassan Hassan, Training Director



1. Introductions

Introductions of members, guests, and staff.

2. Approve February 8, 2022 Meeting Minutes

Lee Eby *moved to approve the minutes from the February 8, 2022, Corrections Policy Committee meeting.* Carol Dishion *seconded the motion. The motion passed unanimously.*

3. Loos, Steven (53826) Certification Review: Corrections

A Department report was prepared to review Steven Loos' 2015 separation from the Lane County Sheriff's Office. At the time of his separation in 2015, Loos was not certified, and the Department deferred its review until he was rehired in a certifiable role. On November 1, 2021, Loos was hired by the Department of Corrections (DOC). As part of the review process the Department notified Loos and DOC of the intent to have the committee review his 2015 separation.

On March 23, 2022, Loos resigned from his position with the DOC. At the time of his separation from DOC, Loos had not obtained DPSST certification. The Department report of his separation was provided to the committee for review, but because Loos is not certified and no longer employed in a certifiable position, the Department is required to defer the review until he is rehired in a certifiable role under OAR 259-008-0310(3).

4. Alfonso, Anson (60285) Certification Review: Corrections

Presented by Melissa Lang-Bacho, Professional Standards Case Manager

Reason for Discretionary Review

On June 13, 2021, Anson Alfonso was arrested for *Assault IV- Domestic Violence-Felony, Menacing – Domestic Violence, Unlawful use of a Weapon, Interfering with Peace Officer and Resisting Arrest*.

Anson Alfonso provided verbal mitigation for committee consideration.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Brian Pixley moved that the Corrections Policy Committee adopt the staff report.	Ted Langley	11 ayes; 0 nays	Motion Passed Unanimously
<p>The Corrections Policy Committee found the following moral fitness violations and factors:</p> <p><i>Moral Fitness Violations:</i></p> <ul style="list-style-type: none">• Dishonesty: The committee did not identify elements of dishonesty.• Misuse of Authority: The committee did not identify elements of misuse of authority.• Misconduct: Alfonso threatened to harm law enforcement officers by resisting arrest. <p><i>Aggravating Factors:</i></p> <ul style="list-style-type: none">• Regardless of the validity of the other charges, Alfonso fought against law enforcement officers and had to be tased;• Alfonso's verbal mitigation statement was aggravating because he took no accountability for his actions in which law enforcement responded to a report of criminal activity and ultimately tased him because of his conduct. <p><i>Mitigating Factors:</i></p> <ul style="list-style-type: none">• The criminal charges and no-contact orders against Alfonso were dismissed.			

Brian Pixley moved, after considering the identified violations of the Board's moral fitness standards and weighing the aggravating and mitigating circumstances unique to this case, that Board action should be taken against Alfonso's certification.	Jamie Hepner	11 ayes; 0 nays	Motion Passed Unanimously
Brian Pixley moved, after considering the totality of the case, that Alfonso be ineligible to hold public safety certification for 3 years.	Lee Eby	11 ayes; 0 nays	Motion Passed Unanimously

5. **Deitz, Eric (44402) Certification Review: Corrections**

Presented by Melissa Lang-Bacho, Professional Standards Case Manager

Reason for Discretionary Review

On May 25, 2021, Eric Deitz was terminated from the Department of Corrections (DOC), Coffee Creek Correctional Facility (CCCCF) after multiple sustained allegations, including falsification of tier logs, throwing items at an Adult in Custody (AIC), placing items in an AIC's cell that are not authorized, taking extended lunch breaks, intentionally making staff wait to take bathroom breaks, being untruthful about watering an endangered plant, and making disrespectful comments to multiple AIC and officers.

Eric Deitz provided verbal mitigation for committee consideration.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Lee Eby moved that the Corrections Policy Committee adopt the staff report.	Michael Yoder	11 ayes; 0 nays	Motion Passed Unanimously
<p>The Corrections Policy Committee found the following moral fitness violations and factors:</p> <p><i>Moral Fitness Violations:</i></p> <ul style="list-style-type: none"> • Dishonesty: Deitz knowingly falsified tier check logs to reflect that he had performed checks when he did not, and Deitz stated that he did not water a plant in the endangered species program when, in fact, he did. • Misuse of Authority: The committee did not identify elements of misuse of authority. • Misconduct: Deitz knowingly and intentionally called an AIC a discriminatory name based on a perceived disability; Deitz threatened the safety of employees and AIC at the institution by placing cleaning supplies that were considered contraband in an AIC cell; Deitz threatened to harm persons when he refused to relieve officers for bathroom breaks; Deitz harmed persons by referring to them as derogatory names; Deitz falsified tier check count logs which threatened the 			

<p>efficient operations of the DOC; and Deitz threatened the safety of staff at DOC when he referred to AIC by discriminatory names.</p> <p><i>Aggravating Factors:</i></p> <ul style="list-style-type: none"> Although Deitz claimed responsibility for his actions in his mitigating statement, he continued to place blame for his actions on others. Deitz exhibited a pattern of disrespectful and dishonest conduct. Deitz falsified tier check logs which threatened the safety of others. Deitz violated multiple DOC policies. Deitz was a corporal officer and should have been a role model for other employees at the institution. Deitz had seventeen years of experience as a corrections officer and should have known that he needed to abide by the ethics he has sworn to abide by and the policies of the DOC. <p><i>Mitigating Factors:</i></p> <ul style="list-style-type: none"> The pattern of problems that resulted in Deitz's separation from the DOC were not identified prior to his separation from the institution. 			
Brian Pixley moved, after considering the identified violations of the Board's moral fitness standards and weighing the aggravating and mitigating circumstances unique to this case, that Board action should be taken against Deitz's certifications.	Jamie Hepner	11 ayes; 0 nays	Motion Passed Unanimously
Lee Eby moved, after considering the totality of the case, that Deitz be ineligible to hold public safety certification for a lifetime.	Brian Pixley	11 ayes; 0 nays	Motion Passed Unanimously

6. Estrada-Herrera, Oscar (55548) Certification Review: Corrections

Presented by Melissa Lang-Bacho, Professional Standards Case Manager

Reason for Discretionary Review

On April 14, 2021, Oscar Estrada-Herrera resigned from his position with the Washington County Community Corrections (WCCC). Estrada-Herrera was accused of making threats to his supervisors.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Ted Langley moved that the Corrections Policy Committee adopt the staff report.	Carol Dishion	11 ayes; 0 nays	Motion Passed Unanimously

The Corrections Policy Committee found the following moral fitness violations and factors:

Moral Fitness Violations:

- Dishonesty: The committee did not identify elements of dishonesty.
- Misuse of Authority: The committee did not identify elements of misuse of authority.
- Misconduct: Estrada-Herrera made statements which were threatening towards his supervisor.

Aggravating Factors:

- Estrada-Herrera's statements were of a magnitude great enough that the person who witnessed them documented them in an email.
- Estrada-Herrera was employed in public safety at the time he made threatening statements.
- Estrada-Herrera's threatening statements are the antithesis of his role as a public safety officer.
- Estrada-Herrera's claims of wrong doing by his supervisor were based on second hand information that he did not witness.
- Estrada-Herrera's claims of wrong doing by his supervisor were not founded.
- Estrada-Herrera was not accepting of the information that was provided to him in response to his complaints.
- Estrada-Herrera did not provide a possible solution to remedy the situation when asked.

Mitigating Factors:

- The committee did not identify any mitigating factors.

James Ristoff moved, after considering the identified violations of the Board's moral fitness standards and weighing the aggravating and mitigating circumstances unique to this case, that Board action should be taken against Estrada-Herrera's certification.	Brian Pixley	11 ayes; 0 nays	Motion Passed Unanimously
Lee Eby moved, after considering the totality of the case, that Estrada-Herrera be ineligible to hold public safety certification for 10 years.	Jamie Hepner	11 ayes; 0 nays	Motion Passed Unanimously

7. Parnell, Jeffrey (45693) Certification Review: Corrections

Presented by Melissa Lang-Bacho, Professional Standards Case Manager

Reason for Discretionary Review

On April 28, 2020, Jeffrey Parnell resigned as a part of an informal settlement agreement with the Department of Corrections (DOC), Oregon State Penitentiary (OSP) after they sustained several policy violations surrounding Parnell knowingly ordering food from the Salem Hospital and not paying for it and allowing an Adult in Custody (AIC) to leave his custody to go on walks with hospital staff, while at the Salem Hospital.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Mark Boren moved that the Corrections Policy Committee adopt the staff report.	Michael Yoder	11 ayes; 0 nays	Motion Passed Unanimously
<p>The Corrections Policy Committee found the following moral fitness violations and factors:</p> <p><i>Moral Fitness Violations:</i></p> <ul style="list-style-type: none"> • Dishonesty: Parnell denied charging meals to the Oregon State Hospital while monitoring an AIC at the Salem Hospital, when in fact he did. • Misuse of Authority: The committee did not identify elements of misuse of authority. • Misconduct: Parnell's failure to supervise an AIC at the Salem Hospital threatened the safety of the staff at the Salem Hospital; and Parnell's conduct at the Salem Hospital impacted the credibility of the DOC which threatened the efficient operation of the DOC. <p><i>Aggravating Factors:</i></p> <ul style="list-style-type: none"> • Parnell was repeatedly dishonest. • Parnell had thirteen years of experience working as a corrections officer and should have known that his conduct was not acceptable. • Parnell read and signed post orders which outlined what was expected of him while monitoring AIC at the Salem Hospital. • Parnell put non-security staff and others at the Salem Hospital at risk of harm when he allowed an AIC to go on walks without a DOC officer accompanying them. • Parnell's repeated dishonesty was shocking. • Parnell attempted to intimidate and was argumentative with the investigator during his administrative interview. • Parnell's conduct does not belong in the corrections profession. • Allowing an AIC to go unaccompanied on walks was an egregious violation of a DOC policy. <p><i>Mitigating Factors:</i></p> <ul style="list-style-type: none"> • The committee did not identify any mitigating factors. 			
Brian Pixley moved, after considering the identified violations of the Board's moral fitness standards and weighing the	Carol Dishion	11 ayes; 0 nays	Motion Passed Unanimously

aggravating and mitigating circumstances unique to this case, that Board action should be taken against Parnell's certification.			
Carol Dishion moved, after considering the totality of the case, that Parnell be ineligible to hold public safety certification for a lifetime.	Lee Eby	11 ayes; 0 nays	Motion Passed Unanimously

8. **Workday Training Update**

Presented by Suzy Herring, Professional Standards Administrator

The committee will be receiving an email reminder regarding the annual Harassment and Information Technology Security Training required to be completed by December 31, 2022.

9. **Program Manager Update**

Presented by Marsha Morin, Standards and Certification Manager

- Current Cases
 - 77 total Corrections/Parole and Probation Cases
 - 21 are ready to begin the review process or are in some stage of the review process.
 - 56 are pending criminal/employment matters or waiting on records to be provided to DPSST.
 - 22 new cases have been added since the last policy committee meeting.
 - 17 cases were closed since the last policy committee meeting.
 - 4 cases were deferred since the last policy committee meeting.
 - 3 Pre-employment cases were opened since last committee meeting.
 - 2 Pre-employment cases were closed since the last policy committee meeting.
- DPSST received an email from an agency head praising the work of the Department and the Board in their continued efforts in serving the public safety profession and community in their "gate keeper" role.
- Staff have been reviewing the Oregon Administrative Rules (OAR) against current processes. In situations where the processes and OAR do not coincide, and DPSST is unable to identify that the intent of the rule supports the process, staff will follow rule language.
- The Secretary of State Audit recommended DPSST review field training manual (FTM) completion by randomly selecting and assessing a small sample of submitted FTM's on an annual basis. Beginning in July, staff will request at least one recently completed FTM from each agency as part of the Agency Compliance Review Process.
- Staff are in the process of sending Notices of Intent to Suspend for officers/dispatchers who have not met the requirement to maintain First Aid and Adult/Child CPR certification.

10. **Agency Updates**

Presented by Suzy Herring, Professional Standards Administrator

- Monday April 11, 2022, the Honor Guard was present at DPSST to stand watch as the Law Enforcement Memorial Wall was engraved with three additional Fallen Officers.
 - S. Allen Burdic; Douglas County Sheriff's Office; End of Watch 3/11/21
 - John R. Burrigh; Oregon State Police; End of Watch 5/4/21
 - Carl L. Frazier; Lane County Sherriff's Office; End of Watch 10/9/79
- On May 3, 2022, DPSST held a Law Enforcement Memorial for a limited number of guests due to the soft opening of the DPSST campus.
- On June 9th, DPSST will hold the Fallen Firefighter Memorial for a limited number of guests at the DPSST campus.
- DAS has posted the Director position to the state webpage, the deadline to apply for the position is June 6th.

11. Next Corrections Policy Committee Meeting: August 9, 2022 at 10:00am.

Administrative Notes:

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

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