

Fire Policy Committee Minutes

February 26, 2025

The Fire Policy Committee (FPC) of the Board on Public Safety Standards and Training (Board) held a regular meeting on February 26, 2025, at 9:00 a.m. in the Boardroom at the Oregon Public Safety Academy located at 4190 Aumsville Hwy SE, Salem, Oregon. The meeting was called to order at 09:02 a.m.

Committee Members:

Chris Heppel, Oregon Fire Chiefs Association
Ryan Gillespie (Designee Andy Ponce), Portland Fire & Rescue
Jack Carriger, Oregon Volunteer Firefighters Association
Gary Denney, Community College Fire Programs
Joseph Morneau, Oregon Fire District Director's Association
Shawn Olson, Oregon Fire Marshals Association
Rose Douglass, Oregon Fire Training Association
Andre Lindauer, Public Member
Isaac McLennan, Non-Management Firefighter

Absent Members:

Mariana Ruiz-Temple (Designee Claire McGrew), Oregon State Fire Marshal
Jim Adams, Oregon State Fire Fighters Council
Vacant, Forest Protection Agencies

DPSST Staff:

Phil Castle, Director
Jennifer Howald, Administrative Rules Coordinator
Kayla Ballrot, Fire Program Manager
Brooke Bell-Urbe, Fire Certification Coordinator
Madison Hockett, Fire Program Support Specialist



1. Introductions

Introductions of members were presented.

2. *Meeting Minutes

Approve the November 20, 2024, Meeting Minutes.

- *The committee came to a consensus to approve the minutes of the November 20, 2024, FPC meeting.*

3. Discretionary Case Review Quick Sheet

Presented by Fire Certification Coordinator Brooke Bell-Urbe

4. * Jesse D. McFarland; DPSST No. 44129

Presented by Fire Certification Coordinator Brooke Bell-Urbe

DPSST staff received an application for certification for Jesse D. McFarland on August 19th, 2024. During their routine background check on applications for certification, DPSST found that McFarland has a criminal conviction in his history. On October 24, 2019, McFarland pleaded guilty to and was convicted of Assault in the Fourth Degree-Domestic Violence Revised Code of Washington (RCW) 9A.36.041(1)/9A36.041(2), a misdemeanor in the state of Washington and a crime for which a sentence of not more than 364 days may be imposed.

This case requires review by the FPC because the conviction occurred within the last five years of application receipt, and the conviction involves violence against a person.

February 26, 2025 FPC Discussion

<i>Fire Policy Committee Discussion/Consensus and Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
The FPC came to consensus to adopt the staff report as the basis for its recommendations.			
The FPC identified the following aggravating circumstances , including the violence against his domestic partner, the description of the altercation in the police reports, his outstanding court fines, behavior that does not align with the standards of a fire service professional, his dishonesty during the investigation, and his attempt to prevent police access to his partner.			
The FPC identified the following mitigating circumstances , including McFarland's expression of genuine humility, the steps he has taken to address the issue, his payment plan for the court fees, and letters of support from his partner, his department, his employer, and customers. Additionally, they included the passage of time without further issues, his efforts to give back to the community, the verbal mitigation he presented, his acceptance of accountability for his actions, and his completion of anger management and substance abuse programs as further mitigating circumstances.			
The FPC came to consensus that staff captured the identified aggravating and mitigating circumstances of this case.			
Rose Douglass moved that the FPC take NO ACTION against McFarland's application for certification.	Jack Carriger	9 ayes	Motion Passed Unanimously

5. ***John C. Cota; DPSST No. 44136**

Presented by Fire Certification Coordinator Brooke Bell-Urbe

DPSST staff received an application for certification for John C. Cota on July 15th, 2024. During their routine background check on applications for certification, DPSST staff found that Cota has a criminal conviction history. On October 17, 2022, Cota pleaded guilty to and was convicted of Destruction of Property Virginia Code Section (VCS) 18.2-137 and Assault and Battery VCS 18.2-57, both Class I misdemeanors, for which a sentence of up to 12 months imprisonment may be imposed.

This case requires review by the FPC because the conviction occurred within the last five years of application receipt, and the conviction involves violence against a person and destruction of property.

February 26, 2025 FPC Discussion

<i>Fire Policy Committee Discussion/Consensus and Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
The FPC came to consensus to adopt the staff report as the basis for its recommendations.			
The FPC identified the following aggravating circumstances , including the short time since Cota's conviction, the destruction of property, violence against another person, and the use of theft and violence to resolve a conflict.			
The FPC identified the following mitigating circumstances , including Cota's commitment to personal growth by attending school, efforts to better manage his mental health and personal challenges, a well-thought-out written mitigation letter, in-person mitigation, and letters of support from his Chief and members of the community. The FPC identified additional mitigating circumstances , including his demonstrated remorse, completion of therapy, recognition of his mistake during the incident, and the immediate steps he took to correct it.			
The FPC came to consensus that staff captured the identified aggravating and mitigating circumstances of this case.			
Andre Lindauer moved that the FPC take NO ACTION against Cota's application for certification.	Shawn Olson	9 ayes	Motion Passed Unanimously

6. ***Rhett T. Sunia; DPSST No. 41600**

Presented by Fire Certification Coordinator Brooke Bell-Urbe

The FPC initially reviewed the case for Rhett Sunia on November 30, 2022, and recommended the Board take ACTION against Sunia's Fire Certifications, the Board affirmed this recommendation on January 26, 2023, and Sunia's applications for DPSST Fire Certifications were denied. Sunia was ineligible to apply for DPSST Fire Certifications until January 26, 2024. DPSST received new applications for certification from Coburg RFPD in April of 2024 and an E-1 Application for Certification Eligibility from Corvallis Fire Department in September of 2024.

Due to the initial misdemeanor conviction of Reckless Driving that still falls within the last five years and the underlying conduct that involved dishonesty and property damage, this case requires re-review by the FPC.

February 26, 2025 FPC Discussion

<i>Fire Policy Committee Discussion/Consensus and Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
The FPC came to consensus to adopt the staff report as the basis for its recommendations.			
The FPC identified the original aggravating circumstances from the initial FPC review were still applicable, these included Sunia's prior and concurrent arrest for alcohol related charges. The committee did not identify any new aggravating circumstances during their second review of this case.			
The FPC identified the following mitigating circumstances , including the initial denial of certifications as a form of punishment, no subsequent convictions, his completion of a diversion program for the related DUII charge, the passage of time since the incident and conviction occurred, his work and commitment to the fire service which reflect his efforts to demonstrate personal growth and responsibility.			
The FPC came to consensus that staff captured the identified aggravating and mitigating circumstances of this case.			
Jack Carriger moved that the FPC take NO ACTION against Sunia's application for certification.	Rose Douglas	9 ayes	Motion Passed Unanimously

7. *Purposed Rule Change for OAR 259-009-0005, OAR 259-009-0062, and OAR 259-009-0065

Presented by Brooke Bell-Urbe and Jennifer Howald

Background:

On October 1st, 2024, the NFPA Firefighter Task Force convened at DPSST to review and discuss the National Fire Protection Association (NFPA) 1010 Standard for Professional Qualifications for Firefighters, 2024 Edition. At present, the Oregon Administrative Rule (OAR) for fire related to NFPA Firefighter refers to the 2019 Edition of the NFPA 1001 standard. The NFPA, to consolidate, has combined several NFPA standards into the NFPA 1010 standard which now includes Firefighter (NFPA 1001), Apparatus Operator series (NFPA 1002), Airport Firefighter (NFPA 1003), and Land-Based Marine Firefighter (NFPA 1005). To simplify the update process and give each level of certification the attention it deserves, DPSST staff determined to host separate Task Forces related to each of these topics. It was the intent of the NFPA Firefighter Task Force to evaluate the currently adopted standard and compare it against the 2024 Edition of NFPA 1010. As a result of their work, the Task Force established the importance of the Oregon fire service maintaining the most current standards available from NFPA and made the recommendation to adopt the 2024 Edition of NFPA 1010 into OAR.

Recommendations:

The Task Force made the determination to adopt the 2024 Edition of NFPA 1010 into OAR to maintain consistency with other standards and to continue with the professionalism of having national standards for the Oregon fire service to attain and uphold.

The Task Force discussion for the updated standard focused on three main points. The first was the determination to add the level of NFPA Support Person as a level of certification as defined in chapter 5 of NFPA 1010. The Task Force's intent behind adding the "Support Person" role is to formalize a position that provides essential non-hazardous support during emergency responses and training. This role allows personnel who may not be certified as NFPA Firefighter I to assist with logistical, administrative, and/or operational tasks. By defining the role within certification standards, the Task Force aims to create a clear structure that includes valuable support roles, ensuring all team members' contributions are recognized and standardized within regulatory guidelines. The NFPA Support Person level is not intended for direct firefighting duties such as entering hazardous zones or performing high-risk emergency response functions. The certification is intended solely for those newly entering the fire service as a Support Person, possibly through a cadet or apprentice program or for individuals who choose not to maintain their NFPA Firefighter I or II certifications but still wish to serve in a support capacity. This certification is not meant to serve as an additional level for those already certified as NFPA Firefighter I who plan to maintain that certification. The Task Force determined that the use of nationally recognized or DPSST approved curriculum would be appropriate to meet the training requirements for NFPA Support Person as there is not published curriculum for this level. The Task Force also determined that a DPSST task book or task performance evaluation would be appropriate for this level of certification, that they would include the same Emergency Medical Services (EMS) language from the NFPA Firefighter I and NFPA Firefighter II levels of certification, and that it would also include a 3-month experience as determined by the Authority Having Jurisdiction (AHJ) as an appropriate requirement.

The second topic of consideration was the language used in the bullet point requirements on the application for certification. The Task Force discussed the definition of 6-months to one year experience requirement as determined by the AHJ, what this means for the Oregon fire service, and if what qualifies as experience should be more strictly defined to provide more guidance. The Task Force ultimately decided that the language as it is written allows for flexibility in determining that time period, whether it is from the hire date, after the individual has completed an academy, or some other probationary period determined by the Fire Service Agency.

The EMS requirement bullet point language for NFPA Firefighter I was also discussed and the Task Force determined to leave it as it is currently written except for updating the correct chapter reference for NFPA 1010. This requirement refers to the level of EMS training required based on the level of medical services that the AHJ has determined they will provide.

The Task Force discussed and approved including the new Job Performance Requirement (JPR) 7.3.3 related to thermal imaging technology and tasks to the application and task book for NFPA Firefighter II.

The remainder of the changes to the 2024 standard are semantical and would not have a major effect on the Oregon fire service.

- *Rose Douglas moved to recommend that the Board adopt the recommendations provided by the NFPA Firefighter Task Force. Jack Carriger seconded the motion. The motion passed unanimously.*
- *The FPC came to consensus to affirm the fiscal impact statement presented by staff.*
- *Shawn Olson moved to recommend the board approve the proposed rule changes for OAR 259-009-0005, OAR 259-009-0062, and OAR 259-009-0065. Jack Carriger seconded the motion. The motion passed unanimously.*

8. *Firefighter Benjamin Charles Sapper – U.S. Department of Agriculture, Forest Service, Fallen Fire Fighters Memorial Wall Nomination

Presented by Fire Certification Coordinator Brooke Bell-Urbe

On August 4, 2023, Benjamin Charles Sapper, a member of the U.S. Department of Agriculture, Forest Service, Gold Beach Hand Crew, was transporting firefighting equipment from Gold Beach to the Powers Ranger District when he was involved in a vehicle accident while on duty. Benjamin Sapper suffered fatal injuries and passed away on August 4, 2023.

Historically, only individuals who lived and worked in Oregon have been eligible for inclusion on the Memorial Wall. Benjamin Sapper's supervisor confirmed that he was living and working in Oregon both prior to and at the time of his death.

- *Jack Carriger moved that the committee approve adding Benjamin Charles Sapper to the Oregon Fallen Fire Fighter Memorial Wall. Andre Lindauer seconded the motion. The motion passed*

unanimously.

9. *Retired Captain Larry D. Dean (DPSST #26630) – City of Salem Fire Department, Fallen Fire Fighters Memorial Wall Nomination

Presented by Fire Certification Coordinator Brooke Bell-Urbe

According to the National Fallen Firefighters Foundation, which determines eligibility for placement on the National Fallen Firefighters Memorial (National Memorial), the criteria for inclusion regarding cancer-related deaths refers to the decedent's home state occupational exposure presumption laws.

- *Isaac McLennan moved that the committee approve adding Captain Larry D. Dean to the Oregon Fallen Fire Fighter Memorial Wall. Rose Douglass seconded the motion. The motion passed unanimously.*

10. Agency Updates

Presented by Fire Program Manager Kayla Ballrot

- The Fallen Fire Fighter Memorial will be on June 17th, 2025 at 1 P.M. at DPSST.
- Winter Fire School had about 200 firefighters attend from various agency's all around Oregon. 2025 Winter Fire School offered eight National Fire Academy classes as well as two hands-on classes.
- 2026 Winter Fire School planning is starting in March with National Fire Academy Course Call.
- More National Fire Academy classes are being offered in Oregon such as Command and Control of Fire Department Operations at Target Hazards on April 7th – 12th, 2025 as well as the Leadership in Supervision series in both Hermiston and Klamath, Oregon in March and April.
- DPSST Firefighter I Academy is coming up in April – July. DPSST will likely cancel this due to low registration.
- Driver Task Force meeting was held at DPSST on February 11th, 2025. This information will be reviewed in a future FPC meeting.
- There is a bill moving through the House of Representatives and the Senate in correlation with the FPC to add a permanent Committee Member nominated by Oregon Fire Training Association.

11. Next Fire Policy Committee Meeting – May 28, 2025, at 9:00 a.m.

Meeting is adjourned at 10:41 a.m.