

Joint Police, Corrections and Telecommunications Policy Committee

Meeting Minutes

February 16, 2023

The Police, Corrections and Telecommunications Policy Committees of the Board on Public Safety Standards and Training held a joint meeting on February 16, 2023, at the Oregon Public Safety Academy in Salem, Oregon. Jennifer Howald called the meeting to order at 10:00a.m.

Committee Members:

Police Policy Committee:

John Teague, Chair, Oregon Association Chiefs of Police
Chris Skinner, Oregon Association Chiefs of Police
Angela Brandenburg, Oregon State Sheriff's Association
Casey Coddling, Superintendent, Oregon State Police
Kevin Dresser, Non-Management Law Enforcement
Alex Gardner, Oregon State Police Command Staff Representative
Mark Garton, Oregon State Sheriff's Association (Webex)
Brad King, Non-Management Law Enforcement
Mike Frome, Portland Police Bureau (Designee for Chief Charles Lovell)
Kathy McAlpine, Oregon Association of Chiefs of Police (Webex)
Scotty Nowning, Non-Management Law Enforcement
Rob Wood, Public Member
Terry Rowan, Oregon State Sheriff's Association (Webex)
Jill Thissel, Non-Management Law Enforcement (Webex)

Corrections Policy Committee:

Matt English, Chair, Oregon State Sheriff's Association
Carol Dishion, Vice Chair, Non-Management DOC, Coffee Creek
Jay Bergman, Oregon Association of Community Corrections Directors
Mark Boren, Public Member (Webex)
Marguex Bowden, Non-Management Corrections
Jennifer Cameron, Non-Management Parole and Probation
Lee Eby, Oregon Sheriff's Jail Command Council
Brian Pixley, Oregon State Sheriff's Association (Webex)
Michael Yoder, Oregon Dept. of Corrections (Designee for Heidi Steward, Acting Director)
Cody Smith, Non-Management Corrections Officer
Taj Shivers, Non-Management Department of Corrections
John Frost, DOC Non-Management Corrections (Webex)

Telecommunications Policy Committee:

Michael Fletcher, Chair, APCO-NENA
Travis Ash, Oregon State Sheriff's Association (Webex)
Ronda Griffin, APCO-NENA EMS Section (Webex)
Stephen King, APCO (Webex)

Chelsea LaBar, APCO (Webex)
Rebecca Long, Emergency Medical Services & Trauma Rep (Webex)
Joshua Bowerman, Public Member (Webex)
Raeann Thurber, Telecommunicator (Webex)
Ray Rau, Oregon Association of Chiefs of Police

Committee Members Absent:

Police Policy Committee

DaNeshia Barret, Non-Management Law Enforcement
Ashliegh Ramirez, Public Member
Kieran Ramsey, Federal Bureau of Investigation

Corrections Policy Committee:

Ted Langley, Oregon Sheriff's Jail Command Council
Gary Ninman, Department of Corrections Training Division
Erin Reyes, DOC Superintendent

Telecommunications Policy Committee:

Les Thomas, Oregon Fire Chiefs Association

Guests:

None

DPSST Staff:

Suzy Herring, Professional Standards Administrator
Marsha Morin, Standards and Certification Manager
Jennifer Howald, Administrative Rules Coordinator
Melissa Lang-Bacho, Professional Standards Case Manager
Erica Riddell, Criminal Justice Office Specialist
Shelby Alexander, Executive Support Specialist
Chris Enguist, Skills Training Manager
Heidi Van Middlesworth, Training and Development
Hassan Hassan, Training Division Director
Michael Anderson, Facilities Manager



1. Introductions

Introductions of members, guests and staff.

2. Review of Public Comment and Policy Discussion for the Proposed Rule Changes for Oregon Administrative Rule (OAR) 259-008-0010, 259-008-0011, 259-008-0015, 259-008-0080 (Background Investigations and House Bill 2936)

Presented by Jennifer Howald, Administrative Rules Coordinator

Issue:

Should the proposed rule changes for Oregon Administrative Rule (OAR) 259-008-0010, 259-008-0011, 259-008-0015, 259-008-0080 (Background Investigations and House Bill 2936) move forward in the rule making process or be modified based on the public comment and Department of Justice determinations.

Joint Committee Review of Public Comment:

The proposed rule changes presented to the policy committees in November 2022 were developed based on the Department's interpretation that the checklist and questionnaire would become the minimum standard for all law enforcement units when hiring public safety officers. As a minimum standard for hiring a public safety officer, the checklist's requirement to include information about a psychiatric or psychological evaluation of the applicant would then extend to all criminal justice public safety officer disciplines. To ensure the standards applied to all disciplines equally, the proposed rules included public and private safety agencies in addition to law enforcement units.

The Department received 17 comments in response to the proposed rule changes related to:

- **The significant impacts relating to the requirement for licensed psychologists and psychiatrists to conduct the psychiatric or psychological evaluations.** This component of the rule change was intended to recognize the language in the bill ("a psychiatric or psychological evaluation"). However, the bill does not prescribe the qualifications for an evaluator. Based on these comments and re-review of the bill, the Department recommended that if the proposed rule changes move forward, they be revised to continue to allow licensed mental health professionals to conduct psychological evaluations.
- **Applying the same background and psychological requirements to telecommunicators and emergency medical dispatchers.** The Telecommunications Policy Committee discussion of the proposed rule changes and the contents of the questionnaire in November and the public comments received from constituents clearly identified that these standards should be reconsidered as a requirement for the telecommunications and emergency medical dispatcher disciplines.
- **Diversity, Equity, and Inclusion.** The Department also found that the public comments addressing the content of the questionnaire were significant and that the questionnaire should have further evaluation using a diversity, equity and inclusion lens before moving forward with the questionnaire as a requirement or a resource.

These significant and substantive comments prompted the Department to return to DOJ for additional guidance. As a result, it was determined that the Department meets the legal requirements of HB 2936 by creating and providing the checklist and the questionnaire forms.

Determination and Voting

Police Policy Committee

Brad King moved that the proposed rule changes for Oregon Administrative Rules (OAR) 259-008-0010 be updated to allow a mental health professional to conduct the psychological evaluation and moved that the proposed rule changes for OAR 259-008-0010 move forward

as recommended (Requiring checklist, requiring use of the personal history question list as previously approved) Angela Brandenburg seconded the motion. The motion passed unanimously.

Corrections Policy Committee

Lee Eby moved that the proposed rule changes for Oregon Administrative Rules (OAR) 259-008-0010 be updated to allow a mental health professional to conduct the psychological evaluation and moved that the proposed rule changes for OAR 259-008-0010 move forward as recommended. (Requiring checklist, requiring use of the personal history question list as previously approved). Michael Yoder seconded the motion. The motion passed unanimously.

Telecommunications Policy Committee

Mike Fletcher moved to return the proposed rule changes for Oregon Administrative Rule (OAR) 259-008-0011 and 259-008-0015 back to the Telecommunications Policy Committee for further discussion. Ray Rau seconded the motion. The motion passed unanimously.

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.