

# **Board on Public Safety Standards and Training Minutes**

**January 28, 2021**

The Board on Public Safety Standards and Training held a regular meeting at 9:00 a.m. on Thursday, January 28, 2021 in the Boardroom at the Oregon Public Safety Academy in Salem. Chair Darren Bucich called the meeting to order at 9:00 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  
Nadine Purington, Non-Management Parole and Probation  
James Oeder, Oregon Volunteer Firefighters Association  
Mark Kreutzer, Oregon Fire District Directors Association  
John Teague, Oregon Association of Chiefs of Police  
Elizabeth Lawrence, Non-Management Law Enforcement  
Thomas Thomas, Private Security Industry  
Terri Davie, Superintendent, Oregon State Police  
Matt English, Oregon State Sheriff's Association  
Sara Boone, Chief, Portland Fire & Rescue  
Colette Peters, Director, Department of Corrections  
Ben McNulty, Private Security Industry  
Chuck Lovell, Chief, Portland Police Bureau  
Mariana Ruiz-Temple, State Fire Marshal

## **Board Members Absent**

James Adams, Oregon Fire Fighter's Council  
Scott Derickson, League of Oregon Cities

## **DPSST Staff:**

Les Hallman, Interim Director  
Linsay Hale, Professional Standards Division Director/Interim Academy Training Division Director  
Theresa Janda, Executive Assistant  
Mona Riesterer, Executive Support Specialist

## **1. Introductions**

Chair Darren Bucich introduced new Board members, Terri Davie and Mariana Ruiz-Temple.

Discussion - vacant Board positions: A discussion was held regarding six vacancies remaining on the Board. Linsay Hale listed for Board members four candidates for vacant positions that are waiting for Senate confirmation which will take place in February to fill those vacancies. Recruitment for two remaining open positions is ongoing, and a new FBI SAC, Kieran Ramsey, will be replacing outgoing Renn Cannon this month.

Director Recruitment Discussion: Colette Peters briefly updated the Board, stating that she represented the Board on the interview panel for the DPSST Director applicants and that there were many impressive candidates and a great interview panel.

## **2. \*Minutes**

*Approve minutes from the October 22, 2020 Meeting.*

**John Teague motioned to approve the Minutes from October 22, 2020. Mark Kreutzer seconded the motion. A vote was taken by roll call of members present and the motion carried unanimously.**

## **3. Fire Policy Committee**

### **a. Fire Policy Committee Update – James Oeder, Chair**

Jim Oeder briefly updated the Board members on the activities of the Fire Policy Committee (FPC), stating that there was no meeting in November and there will be a meeting this quarter, in February, with several items on the Agenda. On behalf of Chair Oeder, Linsay Hale asked to add the name of Tim Holschbach, an applicant to fill the position on the FPC representing the Oregon Department of Forestry to the Agenda today for consideration. His application was received after the agenda was distributed and therefore not included on the original agenda.

### **b. \*Committee Appointment added to the agenda at the request of FPC Chair, Jim Oeder.**

- Tim Holschbach; appointment to the FPC, representing the Oregon Department of Forestry; First term beginning 1/28/21.

**Thomas Thomas motioned to approve the appointment of Tim Holschbach to the Fire Policy Committee. DaNeshia Barrett seconded the motion. A vote was taken by roll call of members present and the motion carried unanimously.**

## **4. Criminal Justice Policy Committees**

### **a. Police Policy Committee Update – John Teague, Chair**

John Teague briefly updated the Board on the Police Policy Committee activities stating there was a long meeting on November 19, 2020. There are three new Committee members on the PPC. The case for David Sytsma was reconsidered at the meeting, which is on the agenda today.

### **b. Telecommunications Policy Committee Update – Linsay Hale**

Linsay presented the Telecommunications Policy Committee (TPC) update since the Chair position is currently vacant. The TPC met in November, considering two cases, which are on the agenda today and also recognized two TPC members appointments to the Applicant Review Committee (ARC), Erica Stohlhand and Andre Lindauer. Linsay also asked the Chair's permission to add the name of Raeanne Thurber to the consent agenda for consideration to fill the position on the TPC replacing Candace Polzdolski who is terming out this month.

### **c. Corrections Policy Committee Update – Nadine Purington, Chair**

Nadine Purington briefly updated the Board on the Corrections Policy Committee activities, stating November's meeting was very long. Two members were appointed to the Applicant Review Committee (ARC). The upcoming meeting in February looks to have a large agenda again and there will be a long meeting again. The Committee meeting has been changed to 10 o'clock instead of 1:30, to accommodate the larger agendas going forward.

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

**A. \*Michael Boyd DPSST#55287 (Multnomah County Sheriff's Office) – Revoke**

*Unanimous vote to recommend to the Board by the CPC on November 10, 2020.*

**B. \*Chance Chastain DPSST#35785 (Douglas County Sheriff's Office) – No Action**

*8/5 Vote to recommend to the Board by the CPC on November 10, 2020.*

**C. \*Daniel Domingue DPSST#56759 (Josephine County Sheriff's Office) - Revoke**

*Unanimous vote to recommend to the Board by the CPC on November 10, 2020.*

**D. \*Jason Ellis DPSST#58333 (Douglas County Sheriff's Office) - Revoke**

*Unanimous vote to recommend to the Board by the CPC on November 10, 2020.*

**E. \*Clifford Ingram DPSST#50213 (Washington County Sheriff's Office) - No Action**

*Unanimous vote to recommend to the Board by the CPC on November 10, 2020.*

**F. \*Franklin Kendall DPSST#49118 (Umatilla County Sheriff's Office) – Revoke**

*Unanimous vote to recommend to the Board by the CPC on November 10, 2020*

**G. \*Aaron McGehee DPSST#57858 (Department of Corrections) – Withdraw NOI to Deny**

*Unanimous vote to recommend to the Board by the CPC on November 10, 2020.*

**H. \*Christian Montero DPSST#44687 (Department of Corrections/Columbia River Correctional Institution) - Revoke**

*Unanimous vote to recommend to the Board by the CPC on November 10, 2020.*

**I. \*Brendon Rogers DPSST#57572 (Department of Corrections/Coffee Creek Correctional Institution) - Revoke**

*Unanimous vote to recommend to the Board by the CPC on November 10, 2020.*

**J. \*Antonio Sanguinetti DPSST#48276 (Department of Corrections/Snake river Correctional Institution) – No Action**

*Unanimous vote to recommend to the Board by the CPC on November 10, 2020.*

**K. \*Japheth Adams DPSST#49285 (Lebanon Police Department) - Revoke**

*Unanimous vote to recommend to the Board by the PPC on November 19, 2020.*

**L. \*Justin Brester DPSST#45588 (Yamhill County Sheriff's Office) – No Action**

*Unanimous vote to recommend to the Board by the PPC on November 19, 2020.*

**M. \*Brandon Ellis DPSST#56618 (Klamath County Sheriff's Office) - Revoke**

*11/2 vote to recommend to the Board by the PPC on November 19, 2020.*

**N. \*Daniel Miller DPSST#40862 (Junction City Police Department) - No Action**

*10/3 vote to recommend to the Board by the PPC on November 19, 2020.*

**O. \*Alex Noli DPSST#53367 (Gresham Police Department) – No Action**

*Unanimous vote to recommend to the Board by the PPC on November 19, 2020.*

**P. \*Wilson Sherman-Burton DPSST#60378 (Portland Police Bureau) – Deny Application for Training**

*Unanimous vote with one abstention to recommend to the Board by the PPC on November 19, 2020.*

**Q. \*Zachary Zelinka DPSST#49984 (Portland Police Bureau) – Revoke**

*Unanimous vote to recommend to the Board by the PPC on November 19, 2020.*

**R. \*Lindsay Rupel DPSST#56987 (Baker County Sheriff's Office) – Revoke**

*Unanimous vote to recommend to the Board by the TPC on November 4, 2020.*

**S. \*Jason Smith DPSST#42666 (Junction City Police Department) – Revoke**

*Unanimous vote to recommend to the Board by the TPC on November 4, 2020.*

**T. \*Committee Appointments**

Corrections Policy Committee Appointments

- Jamie Hepner – Reappointment to the CPC; 2<sup>nd</sup> term effective 1/28/21

Telecommunications Policy Committee Appointments

- April Benedetti – Appointment to the TPC; 1<sup>st</sup> term effective 1/28/21
- Rebecca Carney-Interiano – Reappointment to the TPC; 2<sup>nd</sup> term effective 1/28/21

**U. \*Proposed Changes to the Basic Telecommunications Curriculum – Approve**

*Unanimous vote to recommend to the Board by the TPC on November 4, 2020*

**DaNeshia Barrett motioned to approve the Criminal Justice consent agenda, with the addition of Raeanne Thurber to be appointed to the Telecommunications Policy Committee, first term begins 1/28/21. Terri Davie seconded the motion. A vote was taken by roll call of members present and the motion carried unanimously.**

**e. \*David Sytsma DPSST #503489 (Lakeview Police Department) Reconsideration – No Action**

*7/6 vote to recommend to the Board by the PPC on November 19, 2020.*

Linsay Hale explained that Mr. Sytsma was terminated from the town of Lakeview in 2019 after reporting to work under the influence of alcohol. This case was originally considered by the PPC last year and in a relatively tight vote recommended no action be taken. The Board in October felt the case should have additional consideration and was sent back to the PPC with instructions that the Committee reconsider the weight applied to each of the mitigating factors. The PPC again recommended no Action be taken against Mr. Sytsma's certification on their second consideration.

By rule, the Board can affirm the recommendation of the PPC by a simple majority of Board members present. In order to overturn the recommendation from the PPC, by statute, the Board would need a 2/3 vote by all Board members (16 members) to overturn. Failure to overturn would result in automatic affirmation. Since there is not 16 Board members available for a vote today, it is appropriate to discuss whether to affirm the recommendation and take no action or to table this discussion until 2/3 of the members are present.

PPC Chair Teague explained that the discussions and processes by which the Police Policy Committee reached its decision both times stating discussions were very nuanced by many factors. Additional discussion was had by various members and questions asked of Chair Teague after which a motion

was made to affirm the PPC's recommendation. All details of this case were provided to Board members in their packet.

**John Teague motioned to affirm the PPC's recommendation to take no Action against David Sytsma's certifications. Terri Davie seconded the motion. A vote was taken by roll call of members present and the motion carried unanimously.**

**f. Constituent Correspondence from Stephen Craig DPSST #37427**

Linsay Hale explained that correspondence was received from a currently employed police officer who wanted to address the Board and provide correspondence for the Board's consideration because he was required to complete the full Basic Training again, due to the length of his absence from Law Enforcement, prior to becoming re-employed. She explained that the waiver process does not have an appeal process in place for the Board to reconsider a waiver denial. So though Mr. Craig explains his individual circumstances in the correspondence, he was made aware that Board review of his correspondence would be simply focused on the current standards and whether they are still appropriate.

Currently if an individual leaves law enforcement for any time between one day and two and a half years, they are allowed to come back into law enforcement with no additional training requirements. If they are separated from between 2 ½ years and 5 years, they are allowed to come back with the completion of a two-week Career Officer Development course, which is essentially focused on Oregon law. Any amount of time after five years, that person would generally be required to complete the full Basic course. This standard is established by the Board and recognizes that skills are perishable and must be practiced and kept up to date or it is reasonable to assume those skills would diminish.

The last time the Board was asked to review those time lines and recommend changes was in 2015. The question before you would be to either reaffirm that the current timelines are still appropriate or to establish a workgroup to look at them and make recommendations, as appropriate. It was acknowledged that the correspondent who sent this memo, is in the Academy currently, so this will not affect his status.

It was suggested to table this discussion until after the July meeting due to the the legislative session and potential changes to the the training standards in general. Linsay concurred and explained that this will be discussed again at the upcoming Police Policy Committee also, which will fit into this timeline for discussion. All agreed by consensus to visit this discussion later, after the PPC has a chance to talk about it and the 2021 Legislative Session has ended.

**5. Private Security/Investigator Policy Committee**

**a. Private Security Investigator Policy Committee Update – Thomas Thomas, Chair**  
Thomas Thomas briefly updated the Board on the activities of the Private Security and Investigator Policy Committee. Moral fitness rules were updated and effective 1/1/2021. Staff worked during the month of December prepping changes for the website curriculum menu, forms, email notices and internal processes. He ended by requesting to remove Av Phal from the Agenda due to his moving out of State, making him ineligible for this position.

Linsay requested in addition to the removal of Av Phal from the agenda that Les Youngbar, who is at the end of his first term, be added for approval of a second term, as the public member representative to the PSIPC.

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

**A. \*Committee Appointments**

Private Security Investigator Policy Committee

- ~~Av Phal; Appointment to the PSIPC to fill vacancy for Manufacturing Industry Representative; 1<sup>st</sup> term effective 1/28/21~~
- Al McGee; Appointment to the PSIPC to fill vacancy for Retail Industry Representative; 1<sup>st</sup> term effective 1/28/21

**Terri Davie motioned to approve the committee appointments on the consent agenda, with the removal of Av Phal, and the addition of Les Youngbar, as requested. Benjamin McNulty seconded the motion. A vote was taken by roll call of members present and the motion carried unanimously.**

**7. Director's Report – Interim Director, Les Hallman**

Les Hallman, the Interim Director of DPSST introduced himself to the Board. He explained that he is on executive loan from Tualatin Valley Fire and Rescue Emergency Services because the Governor's office chose to bring someone in from outside of the agency for the interim, while searching for a new Director.

Interim Director Hallman gave a report to Board members to update information already shared in their written update, which was included in the Board Book packet sent out in advance of the meeting.

Director Recruitment Update

Les spoke to the members about the search for a new Director, and assured the Board that the focus was to include a variety of constituent groups, which included Colette Peters as a representative of the Board, in order to achieve a good representation on the panel and stated that it appears that they achieved that. He continued to explain that as it was pointed out previously there were over 50 very good applicants and have vetted it down to eight. They are looking for three or four finalists to go in front of the Governor in the next couple of weeks, hopefully making her ultimate decision soon. Hopefully the new Director will begin in early March and the Interim Director has asked to remain at DPSST to shadow the incoming Director to help orient the new Director for a time. He explained that he is building an in-brief document to help with this.

Budget Update

- Reimbursements which were mentioned in the written Director's update have been received:
  - National Guard Wildfire Training and Santiam Canyon Wildfire operation support.
  - FEMA Public Assistance Grant for \$360,000.00
  - CARES Act assistance for \$740,000 for COVID 19 response and related expenses

- Governor's Recommended Budget update – DPSST will lose 3 Basic Police classes (from 16 to 13), 2 Basic Correction classes (from 9 to 7). This will result in a net loss of one Full Time Employee.
- Monday, February 1, 2021 DPSST will present to the Ways and Means Public Safety Committee, presenting the budget on Wednesday, February 3, 2021. Les stated that overall he feels that the Agency did well in that many Agencies took bigger losses than DPSST, and that the Governor understands the important role of DPSST in the State and is supportive.

### Legislative Session Update

Les reported that there are approximately 150 Bills being tracked that would impact DPSST and the Board's mission in some way. One of the bills seeks to add 13 public members to the Board. We will continue to keep the Board apprised of the status and progress of these bills throughout the session and may elicit Board members' input and individual testimonies who feel they may have a stake in any of these Bills' outcome.

### Criminal Justice Workgroups

- There is a multi-disciplined group being convened to review the effect of arbitration on certifications.
- Another group will be convened to review DPSST's and the Board's role in Field Training delivery.
- The Governor's Task Force on Police Training and Accountability – Continues to meet. No final recommendations have been made. There has been a placeholder bill filed on behalf of the Governor's Office to encompass these recommendations, once the Task Force completes its work.

### Other

The Public Safety Memorial Fund Board will meet immediately following the board meeting in room A234.

### **8. Next Meeting Date: April 22, 2021**

The meeting adjourned at 9:53 A.M.