

Board on Public Safety Standards and Training
Minutes
July 28, 2016

The Board on Public Safety Standards and Training (Board) held a regular meeting on Thursday, July 28, 2016 in the Boardroom at the Oregon Public Safety Academy in Salem. Vice Chair Patricia Patrick-Joling called the meeting to order at 9:00 a.m.

Board members present:

Patricia Patrick-Joling, Vice Chair, Public Citizen Member
Daina Vitols, Oregon District Attorneys' Association (Teleconference)
Bill Geiger, Private Security Industry (Teleconference)
David Jones, Oregon Fire District Directors' Association
Greg Marlar, Oregon Fire Chiefs Association
Nadine Purington, Non-Management Parole and Probation
James Walker, Oregon State Fire Marshal
Mathew Workman, Oregon Association Chiefs of Police (teleconference)
Patricia Connolly, Oregon State Fire Fighters Council
Kelly Dutra, Public Safety Telecommunicators
Brian Burger, AFSCME Representative, DOC
Greg Bretzing, FBI Special Agent in Charge
Colette Peters, Director, Department of Corrections
Brian Wolfe, Oregon State Sheriffs' Association
John Teague, Oregon Association of Chiefs of Police
Kacey Duncan, League of Oregon Cities

Board Members Absent:

Jason Myers, Chair, Oregon State Sheriffs' Association
Jeff Hering, Non-Management Law Enforcement
Mike Araiza, Non-Management Law Enforcement
Paul Castleberry, Private Security Industry

DPSST Staff:

Eriks Gabliks, Director
Linsay Hale, Professional Standards Division Director
Debbie Anderson, Standards & Certifications
Jennifer Howald, Acting Rules & Compliance Coordinator
Kristen Hibberds, Professional Standards Investigator and Coordinator
Kristina Follis-Mwepu, Acting Professional Standards Assistant
Rob Meeks, Training and Development Specialist
Marsha Morin, Standards & Certifications
Denver Peterson, Business Services Division Director
Brandi Pitt, Private Security & Investigators Office Specialist
Suzy Hering, Private Security & Investigators Manager
Theresa Janda, Executive Assistant to the Director

Guests:

Alonzo Rowell
Ryan Heubeurger
Travis Hampton, Oregon State Police
John Casey, Lebanon Fire Department

*Requires a vote by the Board.

Administrative Announcement

“This is a public meeting, subject to the public meeting law and it will be tape recorded.”

1. Welcome and Introductions

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

A. *Minutes

Approve minutes from the April 28, 2016 meeting

B. *Examination for Private and Provisional Investigator Applicants – Approve

Adopt new bank of exam test questions and permission to alter questions slightly in the future for purposes of clarification or updates to OAR or ORS.

Vote to recommend to the Board by the PSIPC on May 17, 2016.

C. *OAR 259-009-0087 – Proposed Rule Change - Approve

Amend language for requirements for accreditation of fire service agency training programs.

Unanimous vote to recommend to the Board by the FPC on May 25, 2016.

D. *OAR 259-009-0070 – Proposed Rule Change - Approve

Amend language to clarify denial/revocation review process for fire service professionals & housekeeping.

Unanimous vote to recommend to the Board by the FPC on May 25, 2016.

E. *OARs 259-009-0010 et al – Proposed Rule Change - Approve

Amend language regarding fire service affiliation and Personnel/Agency Form (PAF) submission requirements.

Unanimous vote to recommend to the Board by the FPC on May 25, 2016.

F. *OARs 259-060-0025, 259-0060-0600, 259-061-0020 – Proposed Rule Change - Approve

Amends language to update fingerprint submission process.

Unanimous vote to recommend to the Board by the PSIPC on May 17, 2016.

G. *OARs 259-060-0015 et al – Proposed Rule Change and Adoption – Approve

Amends and adopts responsibilities and compliance regarding use of prohibited business name.

Unanimous vote to recommend to the Board by the PSIPC on May 17, 2016.

H. *2016 Corrections Job Task Analysis - Approve

Unanimous vote to recommend to the Board by the CPC on May 10, 2016.

I. *Aaron Bentley DPSST#F22508 (Bay City Fire Dept.) – Revocation; Not allow re-certification in two years

Unanimous vote to recommend revocation and 6 - 1 vote to not allow application for re-certification in two years to the Board by the FPC on May 25, 2016.

J. *Jamus Quintana DPSST#F28458 (Jackson Co Fire Dist. #1) – Restore eligibility to apply for re-certification

Unanimous vote to recommend to the Board by the FPC on May 25, 2016.

K. *Colby McCormick DPSST#F08057 - Revocation

Unanimous vote to recommend to the Board by the FPC on May 25, 2016.

L. *Ryan Heuberger DPSST#46266 (Mill Creek Correctional Inst.) – Not Revoke; Not deny application for Intermediate Corrections Certification

Unanimous vote, with one recusal, to recommend to the Board by the CPC on May 10, 2016.

M. *Whitney Durham DPSST#53595 (Coffee Creek Correctional Inst.) – Revocation

Unanimous vote to recommend to the Board by the CPC on May 10, 2016.

N. *Alonzo Rowell DPSST#36386 (Oregon State Penitentiary) - Not Revoke

Unanimous vote, with one recusal to recommend to the Board by the CPC on May 10, 2016.

O. *Marvin Hoover DPSST#16862 (Clatskanie Police Dept.) – Revocation

Unanimous vote, with two recusals, to recommend to the Board by the PPC on May 19, 2016.

P. *Thomas Ammon DPSST#56067 (Salem Police Dept.) – Not deny application for training and certification

Unanimous vote, with one recusal, to recommend to the Board by the PPC on May 19, 2016.

Q. *Shane Beamish DPSST#49072 (Jefferson Co. Sheriff's Office) – Revocation

Unanimous vote to recommend to the Board by the PPC on May 19, 2016.

R. *Henry Filipponi DPSST#49765 (Ontario Police Department) – Revocation

Unanimous vote to recommend to the Board by the PPC on May 19, 2016.

S. *Brian Schmid DPSST#28724 (Washington County Sheriff's Office) – Revocation

Unanimous vote, with three recusals, to recommend to the Board by the PPC on May 19, 2016.

T. * Executive Committee Minutes

Approve Minutes from June 9, 2016.

U. * Committee Appointments

Corrections Policy Committee

- Carol Dishion– Appointment to replace Tami Jackson on the CPC; 1st term effective 7/23/16

Eriks Gabliks informed the Board and Vice Chair that Item R had been removed from the agenda, as Henry Philliponi had been de-certified through a stipulated order signed prior to the Board meeting, and revocation was moot at this time.

Kelly Dutra requested that items I. & K. be removed from the consent agenda for further discussion by the Board.

Prior to voting on the Consent Agenda Matthew Workman recused himself from voting on Item O. and Kacey Duncan recused himself from voting on Item P. Greg Marlar motioned to approve the consent agenda with the exceptions noted above. David Jones seconded the motion. The motion carried with a unanimous vote.

3. Discussion on Items I & K removed from Consent Agenda as requested by Board member, Kelly Dutra.

Discussion on Item I.: Ms. Dutra explained that she had concerns that the penalty assessed in this case was not stringent enough.

In response to Ms. Dutra's comments, DPSST Professional Standards Director, Linsay Hale explained that the fire service in general, due to its voluntary certification system has a different standard than criminal justice and does not have the same moral fitness standard for their personnel. Greg Marlar further assured Ms. Dutra that the standard only allows for re-application, and whether to actually reinstate certifications would have to be re-visited only if the fire service professional re-applies for certifications, when eligible.

Discussion on Item K: Ms. Dutra explained that she also had concerns in this case that the repercussions were not severe enough for K. and in fact, felt that the actions by the fire service Professional in this case were even more egregious.

Linsay Hale explained that the same standards within the fire certification standards held true for this case and that the 7-year waiting period for this person to re-apply is the maximum that can be levied.

Among hearing concerns from some Board members regarding these penalties, Linsay further explained that there has recently been a major re-write of the Fire Denial/Revocation rules, working with members of the fire service and Fire Policy Committee who got the rules through DOJ and were filed effective January 1, 2016. She stated that these cases before the Board today are reflective of the older rules, however many of these concerns were addressed in the re-write of the rules and should be reflected in future cases.

After discussion, Kelly Dutra motioned to approve the Fire Policy Committees's recommendation on items I. & K., as stated. Brian Wolfe seconded the motion. The motion carried with a unanimous vote.

4. *Add Jason Goodding's name to the Memorial Wall at the 2017 Fallen Law Enforcement Memorial ceremony - Approve

Unanimous vote to recommend to the Board by the PPC May 19, 2016

Director Gabliks addressed the Chair explaining that this item comes to the Board from the Police Policy Committee. He gave a brief overview of details surrounding the death of Sgt. Jason Goodding of the Seaside Police department who was killed on February 5th 2016 while serving a felony warrant. The Police Policy Committee voted unanimously to approve placing his name on the Fallen Law Enforcement Memorial Wall and is asking the Board to approve this.

Brian Wolfe motioned to approve adding Jason Goodding's name to the Memorial Wall at the 2017 Fallen Law Enforcement Memorial Ceremony. Brian Burger seconded the motion. The motion carried with a unanimous vote.

5. *Add Mark James Burns' name to the Memorial Wall at 2016 Fallen Fire Fighter Memorial ceremony - Approve

Unanimous vote to recommended to the Board by the FPC May 25, 2016

Director Gabliks addressed the Board explaining that this recommendation comes to the Board from the Fire Policy Committee. This has also been looked at by Public Safety Memorial Fund Board (PSMFB), which is made up of six Board members established to over-see and provide financial assistance to the families of the fallen public safety professionals and those permanently and totally disabled in the line of duty.

This death is connected to an incident occurring years earlier. Battalion Chief Burns, of Medford Fire & Rescue responded to a significant wildland fire in 2010 in Ashland, Oregon where the fire crossed the highway and destroyed a number of homes in a subdivision. The Battalion Chief inhaled embers during

that fire which aggravated his asthma causing him to subsequently take a medical disability from the fire service and which lead to his eventual death. The Fire Policy Committee recommends adding his name to the Fallen Fire Fighters Memorial Wall at the 2016 Fallen Fire Fighter Memorial Ceremony.

Kelly Dutra motioned to approve adding Mark James Burns' name to the Memorial Wall at the 2016 Fallen Fire Fighter Memorial ceremony. David Jones seconded the motion. The motion carried with a unanimous vote.

6. 2017-2019 Agency Request Budget

Director Gabliks explained to the Board that DPSST is an early submittal agency, which means the DPSST budget will be submitted at the end of July to the Office of Budget and Management and also to the Governor. Once it is submitted, the Governor looks at the budget and will release before the end of the year what is called the Governor's Recommended Budget. If a new Governor is elected they will have until February to submit it. After that the Legislature will begin to work on it once they come into session. DPSST will make a number of presentations regarding the budget and we would also do a fiscal impact statement on any legislation introduced that impacts DPSST. A copy of the Agency Request Budget was provided to Board members. Director Gabliks briefly reviewed the handout explaining the Policy Option Package (POP) request items. 1. For the positions at the Center for Policing Excellence provided currently by a Byrne Grant to become part of the permanent budget. 2. For replacing and improving aging and obsolete fire and life safety system equipment on the campus,. 3. Funding to bring several represented and management positions currently under-compensated up to appropriate compensation levels. 4. A request for an "Active Shooter" Coordinator position, due to the current tragic events creating a need for additional training on this subject. We will find out whether these will be funded after the legislature adjourns.

Director Peters asked Director Gabliks why package 106 was struck from the budget, which is regarding mental health crisis intervention training. He explained that package 106 was an internal discussion that had to be moved forward. The Oregon Health Authority and DPSST have developed a great partnership and they have given DPSST dollars to provide additional training at the Academy and regionally. DPSST also works with GOBHI (Greater Oregon Behavioral Health Initiative) to coordinate its efforts. In the interest of continuing that relationship, they will request the funds, instead of DPSST. For this reason DPSST will not need to submit that package and OHA will fill that after July 1st with the additional revenue. The anticipated amount will be equal to or greater than the original amount given previously. Director Peters said that OHA is hiring a person specifically for mental health programs and they are happy with what DPSST is doing and may want to grow what is currently being done and that whatever the Board can do to support this, whenever it appears before the Committee, she would be in support of.

Greg Marlar asked to clarify that the amount coming from OHA will be an amount equal to, or greater than, the amount specifically to first responders in relationship to Mental Health Crisis response. Eriks confirmed that this was the case and both focused classes as well as large classes will be included. We are currently working with seven counties that want to create crisis intervention teams (CIT). This public/private partnership includes mental health providers, public safety responders as well as non-profits and churches. There are a number of outreach efforts going on to support those team developments including in communities with no resources for a CIT, where 8-hour classes for police, fire, corrections, and 9-1-1 are being delivered to

provide training to handle mental health incidents for as many as possible. De-escalation classes are also a part of a broad approach by DPSST to cover as many needs as possible.

James Oeder motioned to approve the Agency Requested Budget without further discussion. Kelly Dutra seconded the motion. The motion carried with a unanimous vote.

7. 2017-2019 5% and 10% Budget Reduction

Director Gabliks explained that it is a requirement to submit a budget reduction package at every legislative session and the leadership team's proposed reductions are before the Board today. Because Basic Police classes are the largest expenditure at DPSST, if necessary we will first reduce police classes and if necessary reductions out of Fire Training will be taken by eliminating a Coordinator and then, additional Basic Police classes, until the needed reductions are taken. The HIDTA Federal Grant funds are also a part of the DPSST budget and are also in the reduction package. A decision was made to not reduce Private Security and Private Investigators because that is a fee-based program and reducing that program reduces revenue, so it does not make sense. We don't know if it will be necessary, however, this is our proposal if we are asked to reduce by 10%.

Greg Marlar asked if this reduction package is eventually implemented and for some reason the rankings change are you allowed within the dollar amount to change the priorities or the ranking? Eriks confirmed that the priorities and ranking could be changed.

Greg Marlar motioned to approve the 2017-2019 5% and 10% budget reduction proposal. Collette Peters seconded the motion. The motion carried with a unanimous vote.

8. Director's Report - Director Gabliks

Director Eriks Gabliks gave an update on various projects and activities that the Department has been involved in since the written report was sent out.

Policy Committee Membership

Eriks began his presentation by requesting the approval of a non-management corrections officer to be added to the Board's Corrections Policy Committee to replace Joe Pishioneri of the Lane County Sheriff's Office who recently completed his second, and final, two-year term. Deputy Gary Bergerson of the Clackamas County Sheriff's Office was selected by CPC Chair Brian Burger.

Brian Burger motioned to approve the appointment of Deputy Gary Bergerson of the Clackamas County Sheriff's Office to the Corrections Policy Committee. David Jones seconded the motion. The motion carried with a unanimous vote.

Professional Standards

- Criminal justice agencies can now submit course rosters (Form F-6) electronically via agreement and DPSST is close to releasing "Phase II" of this, which is an option for a quarterly data dump. The roll-out of these options, and the streamlining of our internal processes, has allowed us to be completely up-to-date with the data entry of training records. DPSST staff recognizes that there are backlogs in other areas in Standards and Certification and are looking at our internal processes to make further improvements.

- The Revocation and Denial Task Force looking at revocation and denial standards has completed its work and will be making its recommendations at upcoming policy committee meetings for review and consideration. The proposed changes are currently at DOJ pending legal review.
- The Maintenance Training Task Force for Corrections and Parole and Probation has also completed its work. Their recommendations will be making its way through the Corrections Policy Committee for review and consideration. This task force is recommending the adoption of a standard that mirrors the maintenance training hours that are currently in place for police officers.
- DPSST has worked with the Secretary of State's (SOS) Office to revise and update the organization's Records Retention Schedule. The proposed changes have been approved by the SOS. DPSST is also migrating to an on-line records archiving system the SOS makes available called ORMS which will allow documents to be archived and managed in an electronic format instead of the current manual process that requires hundreds of thousands of paper records be managed on a daily basis.
- The Private Security Program continues to streamline its processes making regulation easier for our Private Security Constituents. Professional Standards has just purchased a card printer that will replace the paper cards currently used, further professionalizing the industry. We are continuing to work on the implementation of an online application system for both PS and PI.
- DPSST is seeking feedback from constituents as it conducts an annual Customer Service Survey. All constituents are encouraged to provide feedback, both good and bad.

Training

- DPSST will offer its first-ever residential Firefighter I & 2 academy next week at the Oregon Public Safety Academy. This Academy will be six weeks long.
- The additional classes approved by the Legislature are having a positive impact on enrollment. A newly hired police officer will be enrolled in the September class which still has openings. DPSST is getting officers into Academy classes within 90 days, if not sooner. This has had a positive impact across the state. DPSST will be adding a Parole and Probation class in the winter to address the hiring boom that this profession is seeing. DPSST has also added two Basic Telecommunications classes, thanks to funding provided by Oregon Emergency Management.
- DPSST's Training Management Team is looking at the current staffing model used for delivering basic police training. They are looking at addressing consistency issues within the 16-week class and are considering a training team concept through which a core group of instructors will follow the class throughout their time at the Academy. If the proposal is viable, there may be a beta test of the new format in January
- DPSST's Training Division Director, Todd Anderson, retired on July 15, 2016. Eriks explained the organization will select an interim Training Division Director that will fill the position as a professional development opportunity. DPSST will also open the position for recruitment and conduct a comprehensive selection process that involves both DPSST staff and constituents. Eriks stressed the person will need to be a fit both inside and outside of the organization.

General

- Media Interest - With recent events in Dallas, Texas & Baton Rouge, Louisiana, DPSST has received many media inquiries into a number of stories. The Wall Street Journal and USA Today are working on stories regarding professional standards for law enforcement officers. State and local media outlets have focused on the stresses new officers might face, cultural diversity training, and vehicle stops' safety concerns. Eriks said the agency takes every media call as an opportunity to inform reporters on the important work done by DPSST and the Academy and welcomes media on campus at all times. In one scenario, the reporter interested in vehicle stops was placed in a patrol car on campus in the role of the law enforcement officer stopping a vehicle with three role players inside.
- Eriks shared that DPSST continues to work on diversifying its full-time and part-time workforce. While the agency has struggled in the employment arena, a recent partnership with the Criminal Justice Program at Chemeketa Community College is bringing college students of all ages, races and genders to the Academy as role players. Chemeketa students can receive work experience credit for serving as a role player for 30 hours. This has been well received by all and similar discussions will be taking place with other colleges in the Fall.
- DPSST will host the Oregon Fallen Firefighter Memorial on September 15, 2016 at OPSA at 1 PM. The event is open to the public and all are welcomed to attend.
- DPSST is actively working on Mental Health/Crisis Intervention training. DPSST staff have updated Basic training curriculum, are providing regional training classes, hosting the first-ever Oregon CIT networking conference in the Fall, co-sponsoring a NW CIT Conference in Tacoma, WA (offering 20 scholarships of \$500 each) and are working on CIT development in Yamhill, Klamath, Baker, Linn, Benton, Clatsop, and Polk Counties.
- On the legislative front, the three Board-approved concepts have been approved by the Governor's office for drafting. DPSST has been working with the Higher Education Task Force on Safety & Law Enforcement which is considering expansion of ORS 181.610 (allow community colleges and private colleges/universities to have police officers) and also considering expansion of ORS 352.385 (Stop & Frisk). DPSST has also been contacted by the Oregon DOJ HB 2002 Task Force on Preventing Bias-Based Policing/Racial Profiling. The legislative concept this task force will be submitting will require DPSST to offer additional training classes at the Academy and on a regional basis. The proposal, in its current form, would necessitate DPSST to add five FTE and related services and supplies (S&S) with a cost of \$2,537,986. Two of the five FTE are also included within the 2017-2019 Agency Request Budget's Policy Option Package for the Center for Policing Excellence.
- In closing Eriks shared the activities taking place at the Academy today as Basic Police Class 359 hosts Rianna, a juvenile girl who is fighting cancer. Basic Police Class 359 and DPSST have a number of activities scheduled for Rianna that will begin at around 10:00 am and have enlisted the assistance of a number of agencies including Salem Police, Salem Fire, Washington County SO, Multnomah County SO, Cottage Grove PD, Life Flight, and Metro West Ambulance. Eriks shared that each basic class is required to complete a community service project while at the Academy.

9. Policy Committee Update

- Corrections Policy Committee – Brian Burger, Chair – Chair Burger reported to the Board that the number of cases to the CPC are dropping. He also announced that Carol Dishion will replace Tami Jackson whose term has expired.

- Fire Policy Committee – Eriks Gabliks reported that since Joe Seibert was the FPC Chair and his term has expired on the Board and the FPC, the FPC will need to elect a new Chair.
- Police Policy Committee – Eriks Gabliks reported that since Kent Barker retired from the Board and therefore the PPC, the PPC will need to elect a new Chair.
- Private Security Policy Committee – Bill Geiger, Chair – No report
- Telecommunications Policy Committee – Kelly Dutra, Chair - The last TPC meeting was cancelled and there is nothing to report.

Other

Active Shooter Training

Board member, Greg Marlar asked questions regarding the focus of the Active Shooter Training Workgroup. Director Gabliks explained that the DPSST staff has brought in partners such as the FBI, OSP, Clackamas Town Center, Umpqua Community College and Reynolds High School emergency responders to develop a guide that focuses on what to do after the first hour of an active shooter response. A step-by-step guide will be developed for different functions of the incident, such as the commanders coming on the scene and for public affairs, to handle social media outreach and media coverage, etc. They have had four meetings and will be meeting again in two weeks and hope to complete it by the end of the summer.

Career Fair

Board member Kelly Dutra asked whether the Criminal justice Fair will be an annual event, and Director Gabliks confirmed that DPSST intends to make it an annual event due to the already 500 vacancies in various law enforcement positions throughout the state as well as an additional 600 officers that are eligible to retire currently, as well as to invite the public to DPSST to see what the Academy is and does. DOC Director Collette Peters expressed her agency's gratitude for this event and said that great feedback was received in regards to the Career Fair and also stated that 52% of DOC personnel are eligible to retire in the next three years.

It was asked whether follow-up studies had been done to see how many might have been hired because of the career fair, but no one knew of any studies. All agreed, however, any opportunity to increase the number of candidates is worthwhile, since the rate of applicants making it all the way through the process to an employable position is low.

It was suggested that a fire service component to the Career Fair in the future, should possibly be considered, especially in regards to recruiting women,

9. Next Meeting Date: October 27, 2016