

Corrections Policy Committee Minutes February 9, 2016

The Corrections Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on Tuesday, February 9, 2016, in the Governor Victor G. Atiyeh Boardroom at the Department of Public Safety Standards and Training located in Salem, Oregon. Vice Chair Jason Myers called the meeting to order at 1:30 p.m.

Attendees:

Committee Members:

Jason Myers, Vice Chair, Oregon State Sheriff's Association
Rick Angelozzi, Department of Corrections Superintendent
Michael Gower, Designee for Director of Department of Corrections
Jeff Hernandez, Non-Management DOC – Oregon State Penitentiary
Jeanine Hohn, Department of Corrections Training Division
Tami Jackson, Non-Management DOC – Coffee Creek
Donna Pettit, Non-Management Corrections Officer
Jeff Wheeler, Oregon Sheriff's Jail Command Council
Nadine Purington, Non-Management Parole & Probation-DCJ
Kristen Hanthorn, OACCD Rep – Clatsop County Sheriff's Office (phone)

Committee Members Absent:

Brian Burger, Chair, AFSCME Rep/DOC
Andy Long, Oregon State Sheriff's Association

DPSST Staff:

Todd Anderson, Training Division Director
Linsay Hale, Professional Standards Division Director
Theresa King, JTA and Training Compliance Program Coordinator
Mona Riesterer, Professional Standards Assistant
Leon Colas, Professional Standards Coordinator/Investigator
Staci Yutzi, Academy Training, Class Coordinator
Kristin Hibberds, Professional Standards Investigator
Debbie Anderson, Certification & Compliance Specialist



1. Minutes of November 10, 2015 Meeting

Approve the minutes of the November 10, 2015 Corrections Policy Committee meeting.

To see a complete record of the November 10, 2015 Corrections Policy Committee minutes, please go to:

<http://www.oregon.gov/dpsst/BD/pages/correctionspolicycommitteemeetingminutes.aspx>

- Rick Angelozzi moved that the committee approve the minutes of the November 10, 2015 Corrections Policy Committee meeting. Jeff Hernandez seconded the motion. The motion carried unanimously.

2. Quarterly Review of ODC BCC by DPSST Audit and Compliance Program

Presented by Theresa King

In 2009, the Legislature approved the Oregon Department of Corrections (DOC) to provide its own training as an alternative to the DPSST Basic Corrections Course, provided DPSST audited the program to ensure the program meets minimum training standards established by the Board. The Audit Unit provides the Corrections Policy Committee with quarterly updates of the DOC BCC. This reporting period: October through December 2015 shows that DOC BCC meets the minimum training standards approved by the Board for corrections officers employed by DOC.

3. *2015 Parole & Probation Job Task Analysis

Presented by Theresa King

The 2015 Parole and Probation Job Task Analysis (JTA) was presented to the Policy Committee for review, which replaces the 2011 JTA. Some of the updates include the addition of 40 new critical and essential tasks, the addition of 15 new competencies, making a total of 109, linking the primary competencies to Critical and Essential Tasks. An overview and analysis was performed to determine to what extent the competencies should be learned.

Jeff Hernandez moved that the 2015 Parole and Probation Job Task Analysis be recommended to the Board for approval. Nadine Purington seconded the motion. The motion carried unanimously.

4. *Jason Holton DPSST # 458099 – Department of Corrections

Presented by Leon Colas

The case presented to the Corrections Policy is whether Jason Holton's conduct in 2015 and conviction for Driving Under the Influence of Intoxicants, a discretionary disqualifying crime under OAR 259-008-0070 (4) (c), and whether his corrections certification should be revoked as a result.

Mike Gower moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based. Jeanine Hohn seconded the motion. The motion carried unanimously.

By discussion and consensus, the committee determined the Jason Holton's behavior did not involve **Insubordination**.

By discussion and consensus, the committee identified Jason Holton's behavior did involve **Misconduct** as defined in the Administrative Rule based on the Conviction of driving under the influence

Jeff Hernandez moved that the Corrections Policy Committee find that Jason Holton's **Misconduct** does rise to the level to warrant revocation when considered alone. Jeff Wheeler seconded the motion. The motion carried unanimously.

By discussion and consensus, the committee identified that Jason Holton's behavior did involve **Gross Misconduct** as defined in the Administrative Rule based on the elements of the crime he was convicted of.

Jeff Wheeler moved that the Corrections Policy find that Jason Holton's **Gross Misconduct** does rise to the level to warrant revocation when considered alone. Jeanine Hohn seconded the motion. The motion carried unanimously.

By discussion and consensus, the committee determined that Jason Holton's behavior did not involve **Misuse of Authority** as defined in the Administrative Rule.

By discussion and consensus, the committee determined that Jason Holton's behavior did not involve **Disregard for the Rights of Others** as defined in the Administrative Rule.

By discussion and consensus, the committee determined that Jason Holton's behavior did not involve **Dishonesty** as defined in the Administrative Rule.

By discussion and consensus, the committee determined that Jason Holton's behavior did involve **Aggravating Circumstances** specifically the fact that he completed a diversion program for a 2013 arrest for DUII and his being involved in an accident in the case presented.

By discussion and consensus, the committee determined that Jason Holton's behavior did involve **Mitigating Circumstances**. Jason Holton took responsibility and was cooperative during the investigation. Also, he was enrolled in an outpatient treatment and sought help for his alcohol issues and has successfully completed the diversion as requested. He has since reached out to speak to individuals about the effects of drinking and driving.

After considering the totality of the circumstances, Jeff Hernandez moved that the committee recommends to the Board that Jason Holton's certification **not be revoked**. Donna Pettit seconded the motion. The motion carried unanimously.

5. Staff Updates

Linsay Hale reported:

The Agency would like to recognize Barbara Shipley and Joseph Pishioneri for their service on the Corrections Policy Committee. Both Barbara and Joseph's term has expired since the last meeting, and the Agency would like to extend its appreciation for their time they have served on this committee.

The F-2 pre-employment medical standards for law enforcement have been updated and have been in effect since January 1, 2016. DPSST is now no longer receiving sensitive medical information for all the officers in the state. The medical waiver process has been adjusted as well; waivers will no longer be brought to the policy committees. If a doctor attests that an officer is able to perform the critical and essential tasks, staff can administratively grant the waiver.

The agency is working on a capability method that would allow F-6 training rosters to be electronically sent to the agency. Once received and uploaded into our system the process will be instantaneously so there would not be a wait time to get the information entered into officer training records.

The Corrections/Parole and Probation Maintenance Training Workgroup has not met recently. The group is awaiting a decision from the Oregon Community Corrections Director Association (OACCD) on this matter. Once more information has been presented; it will be relayed to the Workgroup.

The Criminal Justice Denial/Revocation workgroup has been actively meeting. There are a number of members that are on the Policy Committee that are actively participating. There has been great discussion thus far. Any recommendations from the workgroup, they will be presented to the Policy Committee by way of a rule change.

The legislature is in session. There is only one bill that would directly affect DPSST. This is a bill dealing with private security providers presenting themselves as law enforcement. DPSST has been participating in the discussion, since DPSST is the agency that regulates Private Security.

The concepts for the 2017 Legislative Session need to be submitted to DAS and the Governor's office by April. We have received permission from the Board to file three concepts on behalf of DPSST and the Board. The first concept relates to the fingerprint authorities. The second is would allow DPSST to suspend the certification of Armed Private Security providers who do not complete the annual requalification training. The final concept involves adding a voting public member to the Corrections, Police and Telecommunications Policy Committees.

There is an emergency Public Safety Memorial Fund Board meeting scheduled to discuss the tragedy that occurred in Seaside involving Sergeant Gooding. Nadine Purington serves on the Board and will be in attendance.

Todd Anderson reported:

DPSST had an approval of 2.8 million from the Ways and Means Public Safety Sub Committee to approve a recommendation to add four additional 16-week Basic Police and 2 additional 6-week Basic Corrections classes during the 2015-2017 biennium. Currently we are budgeted for 13 basic polices and five basic corrections local. This would grant the agency 17 Basic Police and 7 Basic Corrections classes. The classes have already been loaded into the calendar. We are hoping this will catch up on the back log for basic police. Currently, May is the first availability if you are a Police Officer coming to the academy. The first availability for Corrections Local is July. The plan is to have two Parole and Probation classes this coming year. As the current hiring trends and potential retirees, the numbers for increased classes could be more which would require a potential evaluation of an increase in hiring additional staff here at the academy.

6. Next Regularly Scheduled Meeting – May 10, 2016 at 1:30 p.m.

** 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@state.or.us.*