

# Fire Policy Committee Minutes

## September 24, 2018

The Fire Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on, September 24, 2018 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 9:00 a.m.

### **Committee Members:**

James Oeder, Chair, Oregon Vol. Fire Fighters Association  
Jim Walker, Vice Chair, Oregon State Fire Marshal  
Darren Bucich – Oregon Fire Chiefs Association  
Patricia Connolly, Non-Management Fire Fighter - Telecom  
Ron Graham, Forest Protection Agencies  
Mark Kreutzer, Oregon Fire Dist. Director's Association  
Paula Simone, Community College Fire Programs  
Jim Whelan, Oregon Fire Instructors Association  
Tom Williams representing Chief Mike Myers, Portland Fire & Rescue

### **Absent Members:**

Jeff Hamilton, Oregon State Fire Fighters Council  
John Rinier, Oregon Fire Marshals Association  
Reverend Dr. Deborah Brown, Public Member

### **DPSST Staff:**

Linsay Hale, Professional Standards Division Director  
Mike Leloff, Training Division Director  
Julie Olsen, Fire Program Manager  
Jennifer Howald, Rules Coordinator  
Kayla Ballrot, Fire Certification Lead  
Tina Diehl, Fire Certification Specialist

### **Guests:**

Samantha Morey – Sheridan Fire District



### **1. Introductions**

Introductions of members, guest, and staff were presented.

### **2. \*Minutes**

Approve May 23, 2018 meeting minutes.

*Jim Walker moved that the committee approve the minutes of the May 23, 2018 Fire Policy Committee meeting. Jim Whelan seconded the motion. The motion passes unanimously.*

**3. \*Proposed Rule Changes for OAR 259-009-0010 and OAR 259-009-0059 – Application for Personnel Affiliation and Certification Eligibility (E-1 Form)**

Presented by Kayla Ballrot

DPSST staff has prepared an optional form called the Application for Personnel Affiliation and Certification Eligibility (E-1) which may be used in lieu of the Personnel Agency Form (PAF). The PAF has many uses, one of them being to affiliate fire service professionals with an agency to DPSST. However, if an agency requires a fire service professional to obtain DPSST certifications in order to be affiliated with the fire service agency, that agency may submit an E-1 along with a completed fingerprint card and fingerprint fee payment instead of a PAF.

The Fire Policy Committee (FPC) reviewed the recommendation presented by DPSST staff relating to affiliation, fingerprinting and certification requirements with the supporting proposed rule changes for OARs 259-009-0010 and 259-009-0059.

- *Jim Walker recommended to the Board to approve filing the proposed rule changes for OAR 259-009-0010 and 259-009-0059 with the Secretary of State as a permanent rule if no comments are received. Darren Bucich seconded the motion. The motion passes unanimously.*
- *By consensus the FPC approved the fiscal impact statements prepared by staff.*

**4. \*Proposed Rule Changes for OAR 259-009-0062– Fire Ground Leader**

Presented by Kayla Ballrot

After thoughtful and thorough dialogue by all members present, the Fire Ground Leader Task Force determined it would be in the best interest of the Oregon fire service to sunset the Fire Ground Leader level of certification. The Task Force recognized there may be fire service professionals who have begun the requirements for certification and made the determination to allow those individuals to apply for certification until December 31, 2019. After that point, no new applications for Fire Ground Leader will be accepted and all Fire Ground Leader certifications will lapse during the 2020 Maintenance Recertification cycle.

- *Jim Walker recommended to the Board to approve the recommendations submitted by the Fire Ground Leader Task Force and the supporting proposed rule changes to OAR 259-009-0062. Jim Whelan seconded the motion. The motion passes unanimously.*

*Tom Williams recommended to the Board to approve filing the proposed rule changes for OAR 259-009-0062 with the Secretary of State as a permanent rule if no comments are received. Jim Walker seconded the motion. The motion passes unanimously.*

- *By consensus the FPC approved the fiscal impact statements prepared by staff.*

5. \* **McEwen, Cheyenne DPSST #36822 – Jefferson County Rural Fire Protection District #1; NFPA Operations Level Responder and Firefighter Type 2 (FFT2)**

Presented by Kayla Ballrot

Issue: Whether McEwen’s conduct surrounding her arrest and conviction of Theft in the First Degree should result in the denial of her NFPA Operations Level Responder and Firefighter Type 2 (FFT2) applications for certifications for failure to meet the minimum standards for a Fire Service Professional.

<b>Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Jim Walker moved that the FPC adopts the staff report as the record upon which its recommendations are based.	Ron Graham	9 ayes, 0 nays	Motion passes
Consensus reached that McEwen’s conduct violated the core value of <b>Integrity</b> based on her unethical action of taking a horse that did not belong to her.  The Committee voted unanimously that this misconduct, when considered alone, does rise to the level to warrant the denial of McEwen’s applications for certification.		9 ayes, 0 nays  9 ayes, 0 nays	Motion passes  Motion passes
Consensus reached that McEwen’s conduct violates the core value of <b>Professionalism</b> unbecoming and behavior not expected of a fire service professional.  The Committee voted unanimously that this misconduct, when considered alone, does rise to the level to warrant the denial of McEwen’s applications for certification.		9 ayes, 0 nays  9 ayes, 0 nays	Motion passes  Motion passes
The FPC found as <b>aggravating</b> circumstances that McEwen was sentenced to two days of incarceration for her actions and she still owes money to the court.		9 ayes, 0 nays	Motion passes
The FPC found no <b>mitigating</b> circumstances.		9 ayes, 0 nays	Motion passes

After considering the totality of the case, Tom Williams recommends to the Board that McEwen's applications be <b>denied</b> and she is ineligible to reapply for certifications for two (2) years.	Jim Walker	9 ayes, 0 nays	Motion passes
In a unanimous vote the FPC determined not to change any part of their recommendation to the Board regarding McEwen's certifications.		9 ayes, 0 nays	Motion passes

6. **\*Morey, Samantha E. DPSST #18786 – Application to Instruct an Approved DPSST Course, NFPA Fire Fighter I, NFPA Fire Fighter II, NFPA Driver, NFPA Wildland Fire Operator, NFPA Mobile Water Supply Operator, NFPA Apparatus Equipped with Fire Pump, NFPA Apparatus Equipped with an Aerial Device, First Responder Operations, NFPA Fire Instructor I, NFPA Fire Officer I, NFPA Fire Officer II.**

Presented by Kayla Ballrot

Issue: Whether Morey's conduct surrounding her arrest and conviction of Using a Dog or Bait to Hunt Black Bear or Cougar, ORS 498.164 should result in the denial of her Application to Instruct an Approved DPSST Course and the revocation of her above mentioned certifications for failure to meet the minimum standards for a Fire Service Professional.

Vote/Consensus	Second	Vote	Outcome
Jim Walker moved that the FPC adopts the staff report as the record upon which its recommendations are based.	Tom Williams	9 ayes, 0 nays	Motion passes
Consensus reached that Morey's conduct violated the core value of <b>Integrity</b> based on her untruthfulness when she denied ownership of a bucket containing bait when a police officer initially asked her the contents.		9 ayes, 0 nays	Motion passes
Tom Williams moved that this violation of <b>Integrity</b> when considered alone rises to the level to warrant denial of Morey's Application to Instruct an Approved DPSST Course and the revocation of her certifications.	Mark Kreutzer	9 ayes, 0 nays	Motion Passes
Consensus reached that Morey's conduct violates the core value of <b>Professionalism</b> based on her lack of accountability for not reviewing and knowing the rules and regulations surrounding hunting bear.		9 ayes, 0 nays	Motion passes

Tom Williams moved that this violation of <b>Professionalism</b> when considered alone rises to the level to warrant denial of Morey's Application to Instruct an Approved DPSST Course and the revocation of her certifications.	Jim Walker	9 ayes, 0 nays	Motion passes
The FPC found <b>aggravating</b> circumstances within the letter Morey provided for the FPC's review. There was a lack of truthfulness in the differences within the police report and the letter Morey provided.		9 ayes, 0 nays	Motion passes
The FPC found as <b>mitigating</b> circumstances that Morey submitted a letter for the FPC's review and that in some portions of the letter she did understand the severity of her actions, she attended the FPC meeting, the additional submitted letters of support.		9 ayes, 0 nays	Motion passes
After considering the totality of the case, Jim Walker recommends to the Board that Morey's Application to Instruct an Approved DPSST Course be denied and her certifications be revoked.	Mark Kreutzer	9 ayes, 0 nays	Motion passes
In a unanimous vote the FPC recommends to the Board an ineligibility period of 18 months before reapplying for certifications.		9 ayes, 0 nays	Motion passes

7. \* **Morey, David R. DPSST #13538 – NFPA Fire Fighter I, NFPA Fire Fighter II, NFPA Driver, NFPA Wildland Fire Operator, NFPA Mobile Water Supply Operator, NFPA Pumper Operator, First Responder Operations, On Scene Incident Commander, Wildland Interface Fire Fighter, Wildland Interface Engine Boss, Wildland Interface Strike Team Leader, Hazardous Materials Technician, NFPA Confined Space Rescue, Basic Fire Fighter, and NFPA Fire Instructor I.**  
Presented by Kayla Ballrot

Issue: Whether Morey's conduct surrounding his arrest and conviction of Using a Dog or Bait to Hunt Black Bear or Cougar, ORS 498.164 should result in the revocation of his above mentioned certifications for failure to meet the minimum standards for a Fire Service Professional.

Vote/Consensus	Second	Vote	Outcome
Tom Williams moved that the FPC adopts the staff report as the record upon which its recommendations are based.	Jim Walker	9 ayes, 0 nays	Motion passes

Consensus reached that Morey's conduct violated the core value of <b>Integrity</b> based upon his untruthfulness when he initially denied using the contents of the bucket he was carrying to bait bears.		9 ayes, 0 nays	Motion passes
Jim Walker moved that this violation of <b>Integrity</b> when considered alone rises to the level to warrant the revocation of Morey's certifications.	Jim Whelan	9 ayes, 0 nays	Motion passes
Consensus reached that Morey's conduct violates the core value of <b>Professionalism</b> based on his lack of accountability for not reviewing and knowing the rules and regulations surrounding hunting bear.		9 ayes, 0 nays	Motion passes
Jim Walker moved that this violation of <b>Professionalism</b> when considered alone rises to the level to warrant revocation of Morey's certifications.	Mark Kreutzer	9 ayes, 0 nays	Motion passes
The FPC found as <b>aggravating</b> circumstances Morey's untruthfulness with a police officer when questioned about the bucket being used to bait bear.		9 ayes, 0 nays	Motion passes
The FPC did not find mitigating circumstances.		9 ayes, 0 nays	Motion passes
After considering the totality of the case, Jim Walker recommends to the Board that Morey's certifications <b>be revoked</b> .	Tom Williams	9 ayes, 0 nays	Motion passes
In a unanimous vote the FPC recommends to the Board that Morey's misconduct warrants the revocation of his certifications and he is ineligible to reapply for certifications for 18 months.		9 ayes, 0 nays	Motion passes

## 8. Department Update

### Julie Olsen Presented:

- DPSST was honored to host the 13<sup>th</sup> Annual Oregon Fallen Fire Fighters Memorial ceremony, in partnership with the Oregon Fire Service Honor Guard (OFSHG), on September 20, 2018. No names were added to the State's memorial this year indicating that no Oregon firefighters died in the line of duty last year. DPSST and the OFSHG will be working with state fire service organizations to discuss ways to increase the attendance at this important event.

- DPSST has received a grant from the United States Fire Administration for the delivery of National Fire Academy classes in Oregon. As in year's past, DPSST will make these funds available as micro-grants to the regional fire training associations of the Oregon Fire Instructors Association (OFIA).
- DPSST's partnership with the Oregon Association for the Deaf and DHS, which created the visor and wallet cards, continues to get media attention <http://kval.com/news/local/corvallis-police-to-train-officers-on-communicating-with-hard-of-hearing-community>. DPSST is starting a similar effort with the Oregon Fire Chiefs Association to create a similar tool for fire-rescue personnel when working with those who are deaf or hard of hearing.
- DPSST provided wildland firefighter training to more than 200 members of the Oregon National Guard at the Oregon Public Safety Academy. This training was provided in partnership with the Oregon Military Department and Oregon Department of Forestry. Trained personnel were deployed to fires in the Rogue Valley. Funds for DPSST expenses are being reimbursed by the United States Department of Defense thanks to work done by members of our congressional delegation in Washington, D.C.
- DPSST received notice that we have been awarded a grant from the FEMA Assistance to Firefighters Grant (AFG) in the amount of \$325,955.00. This grant will replace our aging fire tender on campus, provide equipment for same, and purchase a second set of firefighting turnouts (as part of our cancer prevention program), for each of our fire training staff.
- We are pleased to welcome a number of new staff to our Fire Training Team: Robert Farino, Salem Regional Fire Coordinator; Michael Bozeman, Eastern Oregon Regional Fire Trainer; and Justin Holck, Central Oregon Regional Fire Trainer. After failed recruitment processes, both the Eugene and Medford Fire Training Coordinator positions have been reopened.
- DPSST is working with the Special Districts Association of Oregon, which insures the majority of state fire organizations, to identify resources available to provide behavior health assistance to career and volunteer fire service personnel. Many of the larger fire agencies in the state have such resources but this is not the case around the state. While many communities may have a behavior health specialist, few of these individuals under the work done by fire-rescue responders.
- In partnership with the Oregon Fire Chief's Association Safety & Health Section, DPSST recently hosted the American College of Environmental and Occupational Medicine's (ACOEM) course: *Provider's Guide to Public Safety Medicine: Understanding and Using Available Guidelines / Applying Guidelines and Standards Currently Used for Conducting Post-Offer, Return-to-Work, Disability, or Annual Examinations for Public Safety*). This class included the applicable National Fire Protection Association (NFPA) standards as both presenters were involved in the development of same. More than three dozen attended the class including more than 20 medical professionals. The other attendees were public safety leaders, risk managers, and human resources professionals. Appreciation is extended to the Oregon State Police Explosive Devices Unit, Office of State Fire Marshal/City of Salem Fire Department Haz-Mat Team, City of Salem Police Department K-9 Unit, and the Marion County Sheriff's Office SWAT Team who assisted with hands-on awareness and experimental stations on the second day.
- DPSST hosted the first-ever Public Safety Chaplains Academy at the Academy. More than 20 chaplains from around the state attended this week-long training opportunity. Chaplain Steve Brodehl of the Oregon Fire Chiefs Association was instrumental in the development and

delivery of this course that was recognized by both the national law enforcement and fire chaplain's organizations.

Lindsay Hale Presented:

- DPSST is finishing up its 2018 customer service survey. This survey allows more than 41,000 constituents to provide feedback on DPSST's services and responsiveness. Results will be presented at the October, 2018 BPSST meeting.
- DPSST has migrated its email list serves to a new and more user friendly system. Over the last week we have had over 800 new subscribers to the new GovDelivery system. As DPSST staff continues our outreach to ensure all interested parties are aware of this new communication tool, we ask that you help us get the word out.

<https://www.oregon.gov/dpsst/Pages/govdelivery.aspx>

The meeting adjourned at 10:30 a.m.

**9. Next Scheduled FPC meeting – November 28, 2018 at 9:00 a.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](mailto:dpsst.records@state.or.us).