

Telecommunications Policy Committee

Minutes

March 6, 2017

The Telecommunications Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on March 6, 2017 at the Oregon Public Safety Academy in Salem, Oregon. Chair, Kelly Dutra called the meeting to order at 9:00 AM.

Committee Members:

Kelly Dutra, Chair, Oregon APCO-NENA
Sherry Bensema, Oregon Fire Chief's Association
Justin Hardwick, Emergency Medical Services and Trauma Systems (phone)
Mike Moran, Oregon Association of Chiefs of Police (phone)
Candace Pozdolski, Line Level Telecommunicator
Bob Rector, Oregon State Police (left the meeting @ 10:20 a.m.)
Randy Wood, Oregon Fire Chiefs Association (phone)
Sharyl Dresser, Association of Public Safety Communications Officials (phone)
Lindy Labunski, Line-Level Communicator

Committee Members Absent:

George Long, Willamette Valley Communications Center
Gary Bettencourt, Oregon State Sheriff's Association

Guests:

Andrea Tobin, Willamette Valley Communications Center

DPSST Staff:

Eriks Gabliks, Director
Linsay Hale, Professional Standards Division Director
Mike Leloff, Training Division Director
Mona Riesterer, Professional Standards Assistant
Tami Atkinson, Training Class Coordinator
Ryan Keck, Center for Policing Excellence Coordinator
Katrina Robson, Professional Standards Coordinator/Investigator
Jennifer Howald, Administrative Rules Coordinator
Sara Stewart, CPE Training and Development Specialist



1. **Introductions**

Introductions of members, guest and staff were presented

2. ***Minutes of November 2, 2016**

Approve meeting minutes from November 2, 2016

To see a complete record of the Telecommunications Policy Committee minutes, please go to:

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

- *Bob Rector moved to approve the minutes from the November 2, 2016 Telecommunications Policy Committee meeting. Sherry Bensema seconded the motion. The motion carried unanimously.*

3. ***Basic Curriculum Update**

Presented by Tami Atkinson

Tami presented the new 3-Week Basic Telecommunication curriculum to the Telecommunication Policy Committee. The 3-Week Basic Telecommunications curriculum is designed to address the needs and help new Telecommunicators acquire essential knowledge, as well as develop job specific skills that will be utilized throughout their careers. The Telecommunication Policy Committee discussed in detail the changes made to the curriculum which includes a one week addition. The 3-Week Basic Telecommunications Curriculum is aimed at ensuring student comprehension, increasing student retention, enhancing job performance, and developing career confidence. Tami Atkinson wanted to extend her appreciation to the individuals who shared their time and expertise to make this project a success.

- *Sheryl Bensema moved to recommended to the Board the proposed revisions of the Basic Curriculum and allow DPSST staff to develop the training courses contained within the recommendation. Sheryl Dresser seconded the motion. The motion carried unanimously.*

4. ***OAR 259-008-0064 – Proposed Rule Change; The Telecommunications/EMD Maintenance Training Workshop Recommendations for Maintenance Training Requirements**

Presented by Jennifer Howald

Jennifer Howald presented to the Telecommunications Policy Committee (TPC) the recommendations developed by the Telecommunications/EMD Maintenance Training Workgroup that met in November 2016 and January 2017. The information presented to the TPC outlined the discussion of the current requirements for maintaining certification as a telecommunicator or an emergency medical dispatcher (EMD). The recommendations include the addition of clarified language as well as shifting the

maintenance cycle from the current July 1 through June 30 tracking year to a January through December calendar year. The proposal also includes adjusting the training hour requirements to 12 hours specific to telecommunications for certified telecommunicators; 8 hours specific to EMD who are certified as EMD only, and 16 hours comprised of 12 hours specific to telecommunications and 4 hours specific to EMD, for those with both telecommunications and EMD certifications.

- *Bob Rector moved to recommend to the Board filing the proposed language for OAR 259-008-0064 with the Secretary of State as a proposed rule and as a permanent rule if no comments are received. Sherry Bensema seconded the motion. The motion carried unanimously.*

By consensus the committee found not fiscal impact to small businesses.

5. *OAR 259-008-0020 – Proposed Rule change; Review of Public Comment

Amends language to require the signature of a department head or a currently certified public safety professional authorized by the department head on the F-4 Personnel Action Report Form.

Presented by Jennifer Howald

In 2016, the Criminal Justice Denial/Revocation Workgroup submitted a recommendation to require the signature of the department head or a currently certified public safety professional as a designee, on the DPSST Form F-4 (Personnel Action Report Form). The draft rule language incorporating the Workgroup's recommendation was reviewed and approved as recommended for filing with the Secretary of State as a proposed rule and as a permanent rule, if no comments are received, by the Telecommunications Policy Committee (August 3, 2016), the Corrections Policy Committee (August 9, 2016), the Police Policy Committee (August 18, 2016) and the Board on Public Safety Standards and Training (October 27, 2016). The official public comment period ended on December 21, 2016. One public comment was received and was presented to the Telecommunications Policy Committee for review.

- *Sherry Bensema moved to recommend to the Board filing the draft rule language for OAR 259-008-0020 as a permanent rule without any changes to the proposed language and as a permanent rule with the Secretary of State without any changes to the proposed requirements for signing the F-4 Personnel Action Report, as recommended by the Criminal Justice Denial/Revocation Workgroup. Mike Moran seconded the motion. The motion carried unanimously.*

6. *OAR 259-008-0060 – Proposed Rule Change; Review of Public Comment

Amends language regarding supervisory certification; removes old language regarding the now expired "All Disciplines" chart (referred to as the old chart) for

Intermediate/Advanced certifications; and includes minor housekeeping.
Presented by Jennifer Howald

Jennifer presented on April 19, 2016, the Criminal Justice Certification Workgroup reviewed the existing requirements for supervisory certification. Workgroup members proposed that the current, single and sequential path through the levels of certification be separated into two certification paths, one for line level public safety officers and one for supervisory and management level public safety officers.

The workgroup agreed through consensus to make a recommendation that intermediate and advanced certifications be separated from the supervisory, management and executive certifications. The draft rule language incorporating the Workgroup's recommendation was reviewed and approved as recommended for filing with the Secretary of State as a proposed rule and as a permanent rule, if no comments are received, by the Telecommunications Policy Committee (August 3, 2016) the Corrections Policy Committee (August 9, 2016), the Police Policy Committee (August 18, 2016) and the Board on Public Safety Standards and Training (October 27, 2016). The official comment period ended on December 21, 2016. Two public comments were received and were presented to the Telecommunication Policy Committee for review.

- *Sheryl Dresser moved to recommend to the Board filing the draft rule language for OAR 259-008-0060 as a permanent rule without any changes to the proposed language and as permanent rule with the Secretary of State without any changes to the proposed requirements for supervisory certification, as recommended by the Criminal Justice Certification Workgroup, but with the identified staff changes to the effective implementation and expiration dates. Randy Wood seconded the motion. The motion carried unanimously.*

7. ***Alecia Zefakay DPSST #18241 – Bureau of Emergency Communications; Basic Telecommunicator Certifications and Basic EMD Certification**

Presented by Katrina Robson

The case presented to the Telecommunication Policy Committee is whether Zefakay's conduct leading to her DUII arrest/conviction and whether her Basic Telecommunicator and Basic Emergency Medical Dispatcher certifications should be revoked.

Bob Rector moved that the Telecommunications Policy Committee adopts the staff report as the record upon which its recommendations are based. Justin Hardwick seconded the motion. The motion carried unanimously.

By discussion and consensus, the committee determined that Alecia Zefakay's behavior did not involve **Insubordination** as defined in Administrative Rule.

By discussion and consensus, the committee determined that Alecia Zefakay's behavior did involve **Misconduct** as defined in Administrative Rule based on the conviction of the DUII and Zefakay's negative and hostile demeanor toward law enforcement.

Bob Rector moved that the Telecommunication Policy Committee find that Alecia Zefakay's **Misconduct**, when considered alone, **does rise** to the level to warrant revocation of Zefakay's Basic Telecommunicator and Basic EMD Certifications. Mike Moran seconded the motion. The motion carried unanimously.

By discussion and consensus, the committee determined that Alecia Zefakay's behavior did involve **Gross Misconduct** as defined in Administrative Rule based upon Zefakay refused to perform field sobriety exercises. Zefakay held a position as a Public Safety Professional and was held at a higher standard.

Sherry Bensema moved that the Telecommunication Policy Committee find that Alecia Zefakay's **Gross Misconduct**, when considered alone, **does rise** to the level to warrant revocation of Zefakay's Basic Telecommunicator and Basic EMD Certifications. Justin Hardwick seconded the motion. The motion carried unanimously.

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

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

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

By discussion and consensus, the committee determined that Alecia Zefakay's behavior did involve **Aggravating Circumstances** based upon Zefakay was under the impression that she would be eligible for diversion but because she refused to perform the field sobriety test, she was not eligible for diversion. The members of the Telecommunications Policy Committee also felt as an aggravating circumstance that it was unclear whether she reported the incident to her agency lends to her forthrightness.

By discussion and consensus, the committee determined that Alecia Zefakay's behavior did involve **Mitigating Circumstances** as Zefakay continued to serve before she retired from her agency.

After considering the totality of the circumstances, Sherry Bensema moved that the committee recommends to the Board that Alicia Zefakay's Basic Telecommunicator

and Basic EMD Certifications **be revoked**. Sheryl Dresser seconded the motion. The motion carried unanimously.

Sherry Bensema moved that the committee recommends to the Board that Alicia Zefakay's **Misconduct** warrants ineligibility period to reapply for seven years. Mike Moran seconded the motion. The motion carried unanimously.

Mike Moran moved that the committee recommends to the Board that Alicia Zefakay's **Gross Misconduct** warrants ineligibility period to reapply for seven years. Randy Wood seconded the motion. The motion carried unanimously.

8. Department Update:

Linsay Hale reported:

- *Legislative Session*

Linsay reported that all three Board-approved bills are moving forward unanimously with a due pass recommendation and will proceed forward to a hearing on the other side of the legislature.

The bills include:

- Granting the Board the authority to immediately suspend the certification of armed private security provider for a failure to complete annual training; which includes the marksmanship training.
 - Addition of a public member to all of the policy committees
 - The Board-approved housekeeping bill clarifying DPSST's fingerprinting authorities
- With regards to rule changes, the first rule that will have an impact to the Telecommunication discipline is the Telecommunication/EMD Maintenance as outlined previously. The other rule that will have a potential impact on the Telecommunication discipline are the recommendations made by the Revocation/Denial Workgroup. The recommendations provide a streamlined approach to the revocation and denial cases. The rule is currently open for public comment. DPSST has put a revocation/denial training video on YouTube that will highlight the difference between the current standards vs. the proposed standard. Links to the training video are available on DPSST's website on the main page.
 - The Professional Standards Division is looking at the idea of having a Professional Standards Workshop. This would include individuals that deal with DPSST on a daily basis. The intent would be to provide a workshop that would provide information related to how DPSST works in relation to forms, revocation/denial and the Memorial Fund just to name a few. The department is looking at a target date around spring.

- There was discussion at the last Board meeting in regards to the printing of the policy books. It was presented to DPSST if there could be the possibility of putting together the option to distribute the books electronically. We are aware of individuals that would like to continue to receive the books, so we will continue to offer that as an option as well. We will also be exploring better ways to present information to the Board.

Eriks Gabliks reported:

- Eriks introduced Mike Leloff as the new Training Division Director at DPSST. Mike has an extensive law enforcement career that spans more than 30 years. Mike started as a police officer with the City of Cornelius, and then he joined the Tualatin Police Department, and finished the bulk of his career with the Portland Police Bureau where he retired as Assistant Chief last month. Mike was selected after an intensive, four round, selection process that involved various stakeholders. Eriks thanked all who helped in the selection process.
- DPSST was the first agency to appear at the Joint Public Safety Ways and Means Committee to share its 2017-2019 Agency Request Budget. DPSST has great discussion with members of the Committee. The key discussion that took place was how many basic classes, including Telecommunications/EMD, will be needed to address the number of seasoned employees that are eligible to retire over the next two years. The additional Telecommunications/EMD classes, funded by Oregon Emergency Management, continue into the next biennium.
- Because of the on-going hiring efforts of agencies statewide, DPSST will host another public safety career fair at the Oregon Public Safety Academy this year on March 30 and April 1. Last year's event was attended by more than 2,000 people of whom more than 500 were women. This event is open to 9-1-1 centers as well as other public safety partners.
- The OACP-OSSA Mental Health Work Group has completed its work of developing recommendations for a statewide response framework and training for public safety first responders. The work group met for a number of months and included more than 40 participants from various agencies. The work group included law enforcement, fire-rescue, EMS, 9-1-1, and public and non-profit providers of behavior health services.
- DPSST hosted a school safety summit on February 22, 2017 at the Academy that focused on an update of the School Safety Task Force including the newly announced Tip Line and the legislative proposal to create regional threat assessment teams. DPSST has been working to connect Tip Line staff with Oregon APCO-NENA to ensure public safety telecommunicators are aware of the system and how it works.
- Active Shooter Training Management - DPSST continues to address this important issue with public safety agencies around the state. This work group

- continues its work to develop a management training course (table top) and quick action guides that can be used to help manage an incident for the initial 72 hours. The work group lost some momentum during hunting season but is back on track and should finish its work in a few months.
- In closing Eriks shared the recent story that appeared in The Oregonian over the weekend regarding work group meetings held by DPSST. A recent court case identified that work groups such as the one that DPSST formed to give suggestions regarding the standards and certification standards should be consider a public meeting. Eriks informed The Oregonian that based on the feedback it received from the Oregon Department of Justice regarding this recent case the meetings of the work group should have been given public notice. The feedback from the work group was formally considered by various policy committees of the Board and the Board itself. All of these meetings were open and transparent.

9. Next Telecommunications Policy Committee Meeting - May 3, 2017@ 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.*