

Telecommunications Policy Committee

Minutes

May 3, 2017

The Telecommunications Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on May 3, 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
Mike Moran, Oregon Association of Chiefs of Police (phone)
Candace Pozdolski, Line Level Telecommunicator (phone)
Randy Wood, Oregon Fire Chiefs Association (phone)
Sharyl Dresser, Association of Public Safety Communications Officials (phone)
Lindy Labunski, Line-Level Communicator (phone)
George Long, Willamette Valley Communications Center (phone)
Gary Bettencourt, Oregon State Sheriff's Association (phone)

Committee Members Absent:

Bob Rector, Oregon State Police

Guests:

Leslie Taylor, Lake Oswego Police
Chief, Don Johnson, Lake Oswego Police

DPSST Staff:

Eriks Gabliks, Director
Lindsay Hale, Professional Standards Division Director
Mike Leloff, Training Division Director
Mona Riesterer, Professional Standards Assistant
Katrina Robson, Professional Standards Coordinator/Investigator
Jennifer Howald, Administrative Rules Coordinator



1. Introductions

Introductions of members, guest and staff were presented

2. *Minutes of March 6, 2017 Meeting

Approve meeting minutes from March 6, 2017

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

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

- *Sherry Bensema moved to approve the minutes from the March 6, 2017 Telecommunications Policy Committee meeting. Mike Moran seconded the motion. The motion carried unanimously.*

3. ***Review of Public Comments Received for Proposed Rule Change for OARs 259-008-0005, 259-008-0010, 259-008-0011, 259-008-0070 and 259-008-0080 – Recommended Changes to the Criminal Justice Denial/Revocation Standards and Process**

Presented by Jennifer Howald

Jennifer Howald presented that the Oregon Administrative Rule 259-008-0070 (Denial/Revocation) establishes the Board on Public Safety Standards and Training's moral fitness standards for the criminal justice disciplines. The current standards were reviewed extensively by the Criminal Justice Denial/Revocation Workgroup which met throughout 2016. The workgroup's recommendations were presented to the Telecommunications, Corrections, and Police Policy Committee and the Board for review and consideration.

The recommendations for this proposed rule change were discussed at length during the Telecommunication Policy Committee (November 2, 2016), Corrections Policy Committee (November 8, 2016), the Police Policy Committee (November 17, 2016). Each of these groups unanimously recommended the Board approve the language as proposed with minor housekeeping changes. The Board of Public Safety Standards and Training unanimously affirmed the recommendations at their meeting on January 26, 2017 along with one additional housekeeping change.

Three comments were received. DPSST staff reviewed the comments and determined that only one of the comments received included comments related to the rule's substantive goals. All three comments were presented to the Telecommunication Policy Committee for review.

- *After considering the comments received regarding the proposed rule changes Sherry Bensema moved to recommend filing the draft rule language for OARs 259-008-0005, 259-008-0010, 259-008-0011, 259-008-0070 and 259-008-0080 as a permanent rule without any changes to the proposed language, thereby maintaining the intent of the recommendation of the Criminal Justice Denial/Revocation Workgroup. Mike Moran seconded the motion. The motion carried unanimously.*

4. ***McKenzie, Caitlin DPSST #56986 – Lake Oswego Police Department; Application for Training and Subsequent Certifications**

Presented by Katrina Robson

The case presented to the Telecommunication Policy Committee is whether Caitlin McKenzie's conduct leading to her DUII arrest/conviction and whether her Application for Training and subsequent certifications should be denied.

Gary Bettencourt moved that the Telecommunications Policy Committee adopts the staff report as the record upon which its recommendations are based. George Long seconded the motion. The motion carried unanimously.

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

By discussion and consensus, the committee determined that Caitlin McKenzie's behavior did involve **Misconduct** as defined in Administrative Rule based upon the act of driving under the influence and the conviction itself.

Mike Moran moved that the Telecommunication Policy Committee find that Caitlin McKenzie's **Misconduct**, when considered alone, **does not rise** to the level to deny McKenzie's Application for Training and Subsequent Certification. George Long seconded the motion. The motion carried unanimously.

By discussion and consensus, the committee determined that Caitlin McKenzie's behavior did involve **Gross Misconduct** as defined in Administrative Rule based upon the arrest and the conviction of the DUII.

Mike Moran moved that the Telecommunication Policy Committee find that Caitlin McKenzie's **Gross Misconduct**, when considered alone, **does not rise** to the level to deny McKenzie's Application for Training and Subsequent Certification. Gary Bettencourt seconded the motion. The motion carried unanimously.

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

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

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

By discussion and consensus, the committee determined that Caitlin McKenzie's behavior did not involve any **Aggravating Circumstances**.

By discussion and consensus, the committee determined that Caitlin McKenzie's behavior did involve **Mitigating Circumstances** based upon the amount of time that has lapsed between McKenzie's arrest as well as the letters of recommendation that were presented on McKenzie's behalf. Caitlin McKenzie was cooperative with the officer during the time of the arrest.

After considering the totality of the circumstances, George Long moved that the committee recommends to the Board that Caitlin McKenzie's Application for Training and Subsequent Certification **not be denied**. Justin Hardwick seconded the motion. The motion carried unanimously.

5. Department Update:

Lindsay Hale reported:

- Lindsay introduced Marsha Morin as the newly hired Criminal Justice Certification Program Manager.

- *Legislative Session*

Lindsay reported that all three Board-approved bills are expected to have their third reading soon and then will be passed to the Governor for signature.

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-approve housekeeping bill clarifying DPSST's fingerprinting authorities

- There are several new OARS' that could potentially impact the Telecommunication/EMD dispatch disciplines. The Criminal Justice Denial Revocation Standard will have an impact on the reviewing of applications and subsequent training certifications as well as how public safety professional misconduct is handled in the future.
- The Tele/EMD Maintenance update was approved by the Board and will be opening for public comment in June. If comments are received they will be introduced to the Telecommunication Policy Committee for consideration.
- The adjustment requirement for Supervisory Certification has been filed permanently with an effective date of July 1st which will remove the education requirement when applying for certification.

- Effective May 1st all Personnel Action Forms must be signed by either a Department Head or Certified DPSST individual. This will ensure that the separations of public safety professionals are being reported to DPSST appropriately.
- Effective April 1st, the requirement will be in effect to have all certified individuals report to DPSST any arrest or criminal citation. This requirement replaces a previous requirement when an individual was required to report a conviction to their employer and then the employer would report it to DPSST.
- The Professional Standards Workshop conference has been scheduled for June 7th. The intent of the conference is to share all of the changes that take place at the agency and DPSST's regulatory side in regards to forms, rule updates, and different requirements. The Conference is geared towards administrative staff, training officers and others that deal with DPSST on a regular basis.
- The Information Request Inquiry System (IRIS) which is the online system that provides training records for individuals has been expanded to provide certification information as well. This will allow an individual to review the status of their certification and applications for certification. This information will be updated on a daily basis and will also be provide a resource for individuals to whose application is incomplete.

Eriks reported:

- The Basic Telecommunications course that was approved at the last Telecommunications Policy Committee was approved by the Board, which gives staff the ability to make implementations to the course when it has been developed. The process will include building the framework as well as DPSST will be working with the Oregon Emergency Management. The projected time frame for completion is approximately one year.
- Eriks thanked Kelly Dutra for speaking at the last Basic Telecommunications graduation. She presented an informative message to the class and did a wonderful job.
- DPSST has not seen a slowdown in the amount of hirings and retirement for Telecommunications. We are very fortunate to be able to work with OEM which has allowed the academy to add more Telecommunications classes. The next biennium will reflect the new class size which has been increased to 32.

- Mental Health workgroup completed their assessment that included the Chiefs and Sheriff's as well as 911 was part of the discussion. The partnership with APCO NENA will continue which includes grant fund to delivering specific mental health/crisis intervention classes to 911 operators. There are three classes scheduled within the next two months around the state.
- With regard to the Active Shooter Curriculum, one of the areas that has been modified based on the feedback from 911 individuals coming out of training, is that a new training has been implemented that involves the fifth or ninth responding officer will be establish as command. This would involve all ranks and could potentially include other agencies at one given time.
- Eriks reported that Mike Leloff has done a great job since taking over as the Division Training Director. He has individually met with the training divisions and personnel as well as meeting with our stake holders. One area that Mike will be focusing on is determining where the Academy needs to be currently and for the future. As well as how we manage the students, and recognizing that the students do not work for DPSST rather they are here for training. We are making some changes related to the structure and we will keep our constituents updated.
- Career day was hosted here at DPSST last month. The numbers were lower than the previous year but the overall response caliber was significantly up from previously.
- The Fallen Officer Memorial was held May 2, 2017 here at the Academy for 183 men and women that have lost their lives in the line of duty. Sergeant Jason Gooding from Seaside Police Department was honored at yesterday's ceremony.
- Eriks reported that this meeting will be Justin Hardwick's last meeting. Justin has brought a lot of enthusiasm to the Telecommunication Policy Committee and has brought much insight from the State EMS office. Eriks thanked Justin for volunteering his time and hard work.

Mike Leloff presented:

- Mike Leloff presented that the Training Division is seeking two managers to come on board. One will be for Academy Operations Manager which will assist in the specifics of the Academy and the other Manager will be a Tactical/Skills Manager. The positions are open until Thursday May 4, 2017.

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.