

Police Policy Committee Minutes

August 20, 2020

The Police Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on August 20, 2020, at the Oregon Public Safety Academy in Salem, Oregon. Chair, John Teague called the meeting to order at 10:00 am

Committee Members:

John Teague, Chair, Oregon Association Chiefs of Police
DaNeisha Barrett, Non-Management Law Enforcement
Liz Lawrence, Non-Management Law Enforcement (WebEx)
Andy Heider, Oregon State Police Command Staff Representative
Craig Zanni, Oregon State Sheriff's Association (Phone)
Mark Rauch, Public Member (WebEx)
Dale Cummins, Oregon Association Chiefs of Police (WebEx)
Chris Davis, Portland Police Bureau (Designee for Chief Lovell) (WebEx)
Bradley Robertson, Non-Management Law Enforcement
Jill Thissel, Non-Management Law Enforcement (WebEx)
Mark Garton, Oregon State Sheriff's Association

Committee Members Absent:

Travis Hampton, Superintendent, Oregon State Police
Loren "Renn" Cannon, Federal Bureau of Investigation
Zachary Kenney, Non-Management Law Enforcement

Guests:

Ryan Fauver (WebEx)
David Sytsma
Boyd Rasmussen

DPSST Staff:

Eriks Gabliks, Director
Linsay Hale, Professional Standards/Interim Training Division Director
Marsha Morin, Criminal Justice Certification Program Manager
Jordan James-Largent, Professional Standards Case Manager
Jennifer Howald, Administrative Rules Coordinator



1. Introductions

Introductions of members, guest and staff were presented.

2. Approve June 18, 2020 Meeting Minutes

Mark Rauch moved to approve the minutes from the 6/18/2020 Police Policy Committee meeting. Craig Zanni seconded the motion. The motion passes unanimously.

3. Administrative Closures – Police / Regulatory Specialists

Presented by Linsay Hale

Staff presented the following professional standards cases to the Police Policy Committee for administrative closure.

	Name	DPSST#	Certification(s)	Reason for Closure
a)	Angi Elder	48587	Basic, Intermediate and Advanced Police	Elder resigned while under a Last Chance Agreement and was found to violate employer policies. All instances were indicative of incompetence only.
b)	Garrick Garland	32091	Basic, Intermediate and Advanced Police	Garland was discharged from employment. Arbitrator found that termination of employment was unwarranted and his employment was reinstated.
c)	Brent Larson	31307	Basic, Intermediate and Advanced Police	Larson entered into a Settlement Agreement upon retiring while he was subject to an Employee Performance Improvement Plan. Separation was found to only be related to performance-related only issues.
d)	Richard Sebens	36530	Basic, Intermediate, Advanced, Supervisory, Management and Executive Police	Sebens entered into a Settlement Agreement upon resignation. Documented on-going performance concerns that were related to incompetence and insubordination only.
e)	Christopher Bottoms	61006	Not Certified	Conviction of <i>Furnishing Alcohol to Person Under 21</i> in 2015. Self-reported conviction, occurred five years prior to employment in public safety, only conviction on record, all court obligations have been satisfied and did not involve dishonesty or deceit.

f)	Adam Wetzsteon	61100	Not Certified	Deferred sentence for <i>Disorderly Conduct</i> in 2004. Self-reported conviction, occurred five years prior to employment in public safety, only conviction on record, all court obligations have been satisfied and did not involve dishonesty or deceit.
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Mark Garton moved to approve the recommendations made by staff to administratively close the above listed cases. Bradley Robertson seconded the motion. The motion passes unanimously.

4. Fauver, Ryan (51694) Certification Review: Police

Presented by Linsay Hale

Reason for Discretionary Review

On January 9, 2019, Ryan Fauver was terminated from the Douglas County Sheriff's Office (DCSO) as a result of an investigation. The DCSO investigation that led to the termination details multiple incidents in which Fauver was found to have violated the policies of the DCSO. These incidents include:

- 12/1/18 – A failure to obtain consent to search/misrepresentation
- 12/8/18 – A failure to take a report of a missing person
- 12/16/18 – An illegal search of a vehicle and seizure of property

Staff determined that a number of the violations sustained by the DCSO are indicative of Fauver's incompetence alone, and do not involve intentional misconduct, dishonestly or misrepresentation by a preponderance of the evidence provided. However, Fauver admits to knowingly violating the law by performing an illegal search of a vehicle and subsequently seizing property illegally. The reason for this review has been limited to this behavior as a violation of the Board's moral fitness standard.

Ryan Fauver provided verbal mitigation for committee consideration.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
John Teague recused himself due to a conflict of interest.			
Mark Rauch moved that the Police Policy Committee adopt the staff report.	Chris Davis	10 ayes; 0 nays; 1 recused (Teague)	Motion Passed Unanimously
The committee discussed the moral violation and identified the following aggravating and mitigating factors specific to this case:			
<ul style="list-style-type: none"> • Aggravating 			

<ul style="list-style-type: none"> ○ The committee did not identify any aggravating factors. ● Mitigating <ul style="list-style-type: none"> ○ Fauver did not intentionally commit misconduct when he conducted the search of the vehicle and removal of the license plate. ○ As a law enforcement officer, Fauver had discretion in how to process a vehicle found with the windows broken out. He used his discretion and knowledge of the county to determine more, likely than not, it was a stolen vehicle. ○ The license plate seized by Fauver was later reported as belonging to a stolen vehicle; however, the vehicle was not entered into LEDS stolen by another law enforcement agency due to an administrative error. 			
Bradley Robertson moved, after considering the identified violations of the Board’s moral fitness standard and weighing the aggravating and mitigating circumstances unique to this case that no Board action should be taken against Fauver’s certifications.	Liz Lawrence	7 ayes; 3 nays (Barrett, Garton, Thissel); 1 recused (Teague)	Motion Passed

5. Sytsma, David (50389) Certification Review: Police

Presented by Linsay Hale

Reason for Discretionary Review

On January 9, 2019, David Sytsma was terminated by the Town of Lakeview Police Department (LPD) after an investigation revealed that he reported to work on November 26, 2018 while under the influence of alcohol.

Staff has determined that Sytsma’s conduct on this date violates the Board’s moral fitness standards.

David Sytsma provided verbal mitigation for committee consideration.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
DaNeisha Barrett moved that the Police Policy Committee adopt the staff report.	Andy Heider	11 ayes; 0 nays	Motion Passed Unanimously
The committee discussed the moral fitness violation and identified the following aggravating and mitigating factors specific to this case:			

<ul style="list-style-type: none"> • Aggravating: <ul style="list-style-type: none"> ○ The analysis by the Willamette Valley Forensics Report provided an expert’s review of Sytsma’s intoxication level, which confirmed that Sytsma may have consumed more alcohol than reported. ○ Sytsma’s choice to drive and to report to work while under the influence of alcohol. ○ Sytsma was a risk to his community and himself when reporting to work intoxicated which is a violation of public trust. • Mitigating: <ul style="list-style-type: none"> ○ There has been a documented pattern of the City of Lakeview’s dysfunction and issues with the city manager at the time which created a poor employment environment. ○ Sytsma was not defensive or deceptive during the investigation, his corporation was specifically noted by the investigator. ○ Sytsma took responsibility of this actions. ○ Sytsma has taken action to address his substance abuse issues by seeking treatment and maintaining sobriety. ○ Sytsma’s verbal and written mitigation with the letters of recommendation. 			
Mark Rauch moved, after considering the identified violations of the Board’s moral fitness standard and weighing the aggravating and mitigating circumstances unique to this case, that Board action should be taken against Sytsma’s certification.	DaNeisha Barrett	5 ayes (Cummins, Thissel, Lawrence, Barrett, Rauch); 6 nays	Motion Failed
John Teague moved, after considering the identified violations of the Board’s moral fitness standard and weighing the aggravating and mitigating circumstances unique to this case that no Board action should be taken against Sytsma’s certification.	Bradley Robertson	6 ayes; 5 nays (Cummins, Thissel, Lawrence, Barrett, Rauch)	Motion Passed

6. Falkenhagen, John (53278) Certification Review: Police

Presented by Linsay Hale

Reason for Discretionary Review

On July 27, 2018, John “Nick” Falkenhagen resigned from the Medford Police Department (MPD). At the time of his resignation, Falkenhagen was under investigation for pre-dating a time-off slip, presumably to give the impression that he had requested time off days before in an effort to justify his missing a scheduled work

shift. Staff determined that Falkenhagen’s falsification and subsequent dishonesty during the MPD investigation violates the Board’s moral fitness standards.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Mark Garton moved that the Police Policy Committee adopt the staff report.	Chris Davis	11 ayes; 0 nays	Motion Passed Unanimously
<p>The committee discussed the moral fitness violation and identified the following aggravating and mitigating factors specific to this case:</p> <ul style="list-style-type: none"> • Aggravating: <ul style="list-style-type: none"> ○ Falkenhagen’s acts of falsifying the leave slip was premeditated and intentional. ○ Falkenhagen was unable to articulate his behavior during the investigation and was not credible with his accounts. ○ Falkenhagen took no accountability for his actions and knowingly conducted himself in an inappropriate manner. ○ Falkenhagen was intentionally dishonest when he turned in multiple documents at the same time that he submitted the leave slip that were all correctly dated. ○ Falkenhagen had opportunities to take ownership, but failed to do so. ○ Timecards are an official document and Falkenhagen manipulated the system to attempt to pre-date his leave slip. • Mitigating: <ul style="list-style-type: none"> ○ The committee did not identify any mitigating factors. 			
Mark Rauch moved, after considering the identified violations of the Board’s moral fitness standard and weighing the aggravating and mitigating circumstances unique to this case, that Board action should be taken against Falkenhagen’s certifications.	Mark Garton	11 ayes; 0 nays	Motion Passed Unanimously
Bradley Robertson moved, after considering the totality of the case, that Falkenhagen be ineligible to hold public safety certification for five years.	Mark Rauch	11 ayes; 0 nays	Motion Passed Unanimously

7. Higgins, Matthew (50256) Certification Review: Police

Presented by Linsay Hale

Reason for Discretionary Review

On July 27, 2018, Matthew Higgins resigned from the Marion County Sheriff's Office (MCSO) in lieu of termination. Prior to his resignation Higgins was the subject of two concurrent MCSO investigations. The first was the result of his conduct surrounding an improper arrest; the second related to his inappropriate conduct with a female citizen.

Staff determined that Higgins was untruthful during both investigations and that he inappropriately used his position as a law enforcement officer when engaging citizens within his jurisdiction.

<i>Policy Committee Discussion/Note</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Liz Lawrence moved that the Police Policy Committee adopt the staff report.	DaNeisha Barrett	11 ayes; 0 nays	Motion Passed Unanimously
The committee discussed the moral fitness violation and identified the following aggravating and mitigating factors specific to this case: <ul style="list-style-type: none">• Aggravating:<ul style="list-style-type: none">○ There were several uninvestigated allegations of misconduct at the time of Higgins' resignation, including a video of him speeding in a patrol car when not responding to a call, his engaging in a sexual relationship with a recruit, and his being trespassed from a commercial establishment for harassment of female staff members.○ Higgins demonstrated a pattern of untruthful, unsettling and sexually harassing behavior would likely to continue in the future.○ Higgins was not forthcoming when questioned about his improper arrest of an individual before verifying their identity.○ Higgins used his personal cell to contact the citizen when there was no investigative purpose to do so.○ Higgins deleted cell phone records that may have included additional evidence of misconduct.○ Higgins was dishonest when he stated that he informed superiors of his contact with the citizen.○ Higgins was not requested to assist with an investigation that was being handled by a co-worker and appeared to do so in order to seek out a personal relationship with a citizen.○ Higgins provided restricted LEDS and DMV information to a citizen for non-employment purposes.• Mitigating:<ul style="list-style-type: none">○ The committee did not identify any mitigating factors.			

Mark Rauch moved, after considering the identified violations of the Board's moral fitness standard and weighing the aggravating and mitigating circumstances unique to this case, that Board action should be taken against Higgins' certifications.	Bradley Robertson	10 ayes; 1 nays (Thissel)	Motion Passed
John Teague moved, after considering the totality of the case, that Higgins be ineligible to hold public safety certification for life.	Liz Lawrence	10 ayes; 1 nays (Thissel)	Motion Passed

8. Huitt, Charles (45375) Certification Review: Police

Presented by Linsay Hale

Reason for Discretionary Review

On August 10, 2018, Charles Huitt retired from the Marion County Sheriff's Office (MCSO) while he was the subject of two separate investigations. The first of the investigations involved Huitt's poor relationship with the Marion County District Attorney's (DA) Office. During that investigation it was discovered that Huitt had written and submitted inaccurate investigative reports.

The reason for this review was limited to Huitt's misrepresentation in his reports and the determination that the Board's moral fitness standard have been violated as a result.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
John Teague moved that the Police Policy Committee adopt the staff report.	Andy Heider	11 ayes; 0 nays	Motion Passed Unanimously
<p>The committee discussed the moral fitness violation and identified the following aggravating and mitigating factors specific to this case:</p> <ul style="list-style-type: none"> • Aggravating: <ul style="list-style-type: none"> ○ Huitt's incompetence, lack of organizational skills and poor report writing. • Mitigating: <ul style="list-style-type: none"> ○ Though the reports submitted by Huitt were not an accurate representation of <i>how</i> the events in the case occurred, the events <i>did</i> occur. ○ There is no evidence of intentional misrepresentation in the reports prepared by Huitt, instead evidence supports poor writing. 			

Chris Davis moved, after considering the identified violations of the Board’s moral fitness standard and weighing the aggravating and mitigating circumstances unique to this case that no Board action should be taken against Huitt’s certifications.	Mark Garton	11 ayes; 0 nays	Motion Passed Unanimously
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9. Moyer, Andrew (31899) Certification Review: Police

Presented by Linsay Hale

Reason for Discretionary Review

Andrew Moyer resigned his employment with the Columbia County Sheriff’s Office (CCSO) effective August 31, 2018. Moyer’s resignation was the result of a settlement agreement stemming from a CCSO investigation into multiple allegations that Moyer was engaging in the sexual harassment of co-workers, and other inappropriate workplace behaviors over the course of several years.

Staff determined that this behavior violates the Board’s moral fitness standards.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Bradley Robertson moved that the Police Policy Committee adopt the staff report.	Craig Zanni	11 ayes; 0 nays	Motion Passed Unanimously

<p>The committee discussed the moral fitness violation and identified the following aggravating and mitigating factors specific to this case:</p> <ul style="list-style-type: none"> • Aggravating: <ul style="list-style-type: none"> ○ Moyer engaged in sexually harassing behavior with multiple employees over several years; ○ Moyer held several high ranking positions with CCSO, including Undersheriff; ○ Moyer demonstrated dishonesty, deception and depravity when, on multiple occasions, he sent inappropriate messages and images to individuals then claimed that he made a mistake and sent the message/image to the wrong person; ○ Moyer were less than forthcoming during the investigation when he denied having a laptop at a training and using the laptop to watch porn and masturbate while sharing a room with another CCSO employee. • Mitigating: <ul style="list-style-type: none"> ○ The committee did not identify any mitigating factors.
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Mark Rauch moved, after considering the identified violations of the Board's moral fitness standard and weighing the aggravating and mitigating circumstances unique to this case, that Board action should be taken against Moyer's certifications.	DaNeisha Barrett	11 ayes; 0 nays	Motion Passed Unanimously
Chris Davis moved, after considering the totality of the case, that Moyer be ineligible to hold public safety certification for life.	Bradley Robertson	11 ayes; 0 nays	Motion Passed Unanimously

10. Maurry, Jason (43487) Certification Review: Police

Presented by Linsay Hale

Reason for Discretionary Review

On 10/28/19, DPSST received notification from Jason Maurry, a police officer employed by the Multnomah County Sheriff's Office (MCSO), that he was arrested on 10/27/19, for *Driving Under the Influence of Intoxicants (DUII)* and *Reckless Driving*.

Maurry ultimately pled no contest and was granted diversion for the *DUII* on 11/19/19, and pled no contest and was convicted of *Reckless Driving* on 12/6/19.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Bradley Robertson recused himself due to a conflict of interest.			
Craig Zanni moved that the Police Policy Committee adopt the staff report.	DaNeisha Barrett	10 ayes; 0 nays; 1 recused (Robertson)	Motion Passed Unanimously
<p>The committee discussed the moral fitness violation and identified the following aggravating and mitigating factors specific to this case:</p> <ul style="list-style-type: none"> • Aggravating: <ul style="list-style-type: none"> ○ Maurry had a high blood alcohol content at the time of his arrest. • Mitigating: <ul style="list-style-type: none"> ○ Maurry was extremely cooperative with the arresting officer and took responsibility for the poor decisions immediately while remaining honest with the officer. ○ Maurry is in compliance with his court obligations. ○ MCSO has disciplined Maurry without terminating his employment. 			

Liz Lawrence moved, after considering the identified violations of the Board’s moral fitness standard and weighing the aggravating and mitigating circumstances unique to this case that no Board action should be taken against Maurry’s certifications.	Andy Heider	10 ayes; 0 nays; 1 recused (Robertson)	Motion Passed Unanimously
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11. Palmer, Glenn (18276) Complaint: 2019-94CJ

Presented by Linsay Hale

Andy Heider recused himself from the discussion due to a conflict of interest.

Reason for Review:

On July 29, 2019, DPSST received a complaint alleging misconduct by Sheriff Glenn Palmer. In November 2019, additional information was received from the complainant.

The allegations in the complaint were made against an elected official serving as a public safety professional and was presented to the Policy Committee for review and determination of the next steps in accordance with OAR 259-008-0070(4)(c)(B)

Sheriff Palmer received a copy of the entire complaint and was provided an opportunity to submit written mitigation or rebuttal for the Policy Committee’s consideration.

On February 20, 2020, The Police Policy Committee (PPC) met and reviewed the complaint. Committee members requested, and staff provided, information relating to any investigation conducted by the Department of Justice and the Oregon State Police into the missing fishing pole. Additionally the PPC requested, and staff provided, comment from the Grant County District Attorney about claims that he would not use Sheriff Palmer as a witness in criminal matters due to concerns of untruthfulness.

By consensus the PPC found that there was no objectively reasonable basis to open a professional standards case based on the information contained in the complaint.

Chris Davis moved for DPSST to administratively close the complaint. Liz Lawrence seconded. The motion passed unanimously.

12. Boyd, Rasmussen (30542) Complaint 2020-53J

Presented by Linsay Hale

Reason for Review:

On May 19, 2020, DPSST received a complaint alleging misconduct by Sheriff Boyd Rasmussen.

The allegations in the complaint were made against an elected official serving as a public safety professional and was presented to the Policy Committee for review and determination of the next steps in accordance with OAR 259-008-0400(5).

Sheriff Rasmussen received a copy of the entire complaint and submitted a response for the Committee's consideration.

By consensus the PPC found that there was an objectively reasonable basis to open a professional standards case based upon allegations that Sheriff Rasmussen had paid himself from the Sheriff's reserve account without approval from the county commission and in violation of state law.

Mark Rauch moved to request that DPSST initiate an investigation into the above identified allegations contained in the complaint. Mark Garton seconded. The motion passed unanimously.

13. Timeus, Terry (17134) Complaint: 2020-63CJ

Presented by Linsay Hale

Reason for Review

On June 7, 2020, DPSST received a complaint alleging misconduct by Terry Timeus, retired Chief of the West Linn Police Department.

The allegations in the complaint were made against a certified public safety professional who is not currently employed in a certifiable position and was presented to the Policy Committee for review and determination of the next steps in accordance with OAR 259-008-0400(4).

Mr. Timeus received a copy of the entire complaint and was provided an opportunity to submit written mitigation or rebuttal for the Policy Committee's consideration. Mr. Timeus did not submit a response for the Committee's consideration.

By consensus the PPC found that there was an objectively reasonable basis to open a professional standards case based upon allegations that Terry Timeus had engaged in misconduct.

Bradley Robertson moved to request that DPSST initiate an investigation into the alleged conduct in the complaint. Andy Heider seconded. The motion passed unanimously.

14. Proposed Rule Changes for OAR 259-008-0100 – Oregon Fallen Law Enforcement Memorial Eligibility Criteria

Presented by Jennifer Howald

On January 23, 2020, the Board discussed the eligibility criteria for recognition on the Oregon Fallen Law Enforcement Memorial. The prompt for the discussion was a proposed legislative concept developed to address the eligibility disparity between DPSST instructors who have law enforcement officer certifications and those who do not. The proposed legislative concept was tabled for additional discussion. The general consensus at the time indicated that instructors were not meant for inclusion

on the Oregon Fallen Law Enforcement Memorial, regardless of their status as a certified law enforcement officer, because they are not acting as a law enforcement officer.

The Board's discussions highlighted a need to review the existing eligibility criteria to determine if the rules appropriately represent the types of line of duty deaths that should be honored on the Memorial.

Additional Department review identified a need to update the rule language to address redundancies, semantics and unnecessary content. For organizational purposes, the Department recommended removing the Oregon Fallen Law Enforcement Memorial rule content from OAR 259-008-0100 and adopting a separate rule to maintain the Memorial criteria.

The committee discussed this proposed rule changes and provided additional comments with the draft language. Staff will compile the comments provided by the Corrections Policy Committee and the Police Policy Committee to draft updated language to be presented at a later meeting.

15. Proposed Rule Change House Bill 4203

Presented by Jennifer Howald

House Bill 4203 directs the Board on Public Safety Standards and Training to adopt rules prohibiting the training of police officers and reserve officers to use physical force that impedes the normal breathing or circulation of the blood of another person by applying pressure on the throat or neck of the other person, except as a defensive maneuver.

HB 4203 included an emergency clause which made the bill effective on passage. The bill passed in the Oregon Legislature on June 26, 2020 and the Governor signed the bill on June 30, 2020.

In order to facilitate compliance with the new law, the Department drafted the following proposed rules based on the Board's existing statutory authorities found in Oregon Revised Statute chapter 181A.

The committee reviewed the draft language and did not have any additional comments. The draft language will be presented at the October Board and then will be presented to the committees at a later date for information only.

16. Nomination of New Vice Chair

John Teague nominated and moved Bradley Robertson as the new Vice Chair of the Police Policy Committee. Mark Garton seconded. The motion passed unanimously.

17. Department Update

Eriks Gabliks Reported:

- Due to the COVID-19 pandemic, DPSST suspended all Criminal Justice Basic and Leadership training courses on March 17, 2020. The suspension affected all classes at the agency's 235-acre campus and also regional training opportunities. On May 4, 2020 we restarted training delivery with updated CDC guidelines that meet Governor Brown's Executive Orders regarding social distancing by

implementing a plan of action for the safety of staff, students and guests. Our protocols can be found on-line at <https://www.oregon.gov/dpsst/CJ/Documents/DPSSTHealthandSafetyProtocols.pdf>. To date, the protocols have been well received by staff and students. The Academy remains open for business but closed to visitors. In accordance with guidelines issued by the state's Department of Administrative Services (DAS), only students, staff and deliveries are allowed on campus at least until December, 31, 2020.

- DPSST continues to work with state budget officers on our budget and especially our need for additional basic training classes. DPSST is budgeted to deliver 16, 16-week, Basic Police Classes in the current biennium. The 16th budgeted class is scheduled to begin in December. If additional funds are not received for more classes this would mean no new Basic Police classes would be offered until July 1, 2021, which would create a significant impact for stakeholders. DPSST has also identified a need for at least one additional 6-week Basic Correction class to meet the needs of city and county corrections officers being hired. DPSST is working with stakeholder organizations to make them aware of this need. DPSST is still awaiting the distribution of the statewide "salary pot" that will help address challenges within DPSST's current budget for negotiated pay raises and step increases with both represented and non-represented employees. DPSST also provided staff assistance and incurred other expenses to help support the efforts of Oregon Emergency Management and the State's COVID-19 Emergency Coordination Center and is awaiting reimbursement of more than one million dollars of expenses for this assistance.
- DPSST has been proactive and shared our work with state legislators, local elected officials, community partners, and media by holding a number of Webex sessions that covered three different areas: basic police training (one hour), police use of force training (one hour), and DPSST criminal justice professional standards (one hour). This doesn't mean that our other programs aren't important, these are the three areas that many Oregonians want to learn more about due to the tragic death of George Floyd due to the actions of a Minneapolis police officer. All of the sessions have been posted on our webpage for all to see <https://www.oregon.gov/dpsst/CJ/Pages/InformationalFiles.aspx>
- Governor Kate Brown has appointed a Public Safety Training and Standards Task Force to recommend improvements to the training and certification of Oregon law enforcement officers. This will include recommendations on: how to apply best practices, research, and data to officer training and certification; how to best incorporate racial equity into law enforcement training and certification; use of force training, including best practices on incorporating concepts of de-escalation; and the composition of the Board of Public Safety Standards and Training and how to include additional public participation. While the focus is on DPSST police training, many of the items being discussed will also be of interest to corrections and parole and probation professionals. DPSST welcomes the review and will provide any assistance needed. We will keep you posted on the work of this task force.

- The Oregon Secretary of State Audits Division has commenced a performance audit of DPSST. The audit will be generally focused on law enforcement use of force practices, police accountability, and community policing objectives. DPSST welcomes the review and looks forward to working with the auditors. Again, while the focus is on DPSST police training, many of the items being discussed will also be of interest to corrections and parole and probation professionals. DPSST welcomes the review and will provide any assistance needed. We will keep you posted on the audit as it progresses.
- Governor Kate Brown recently called special sessions of the Oregon Legislative Assembly to address urgent police accountability and COVID-19 legislative matters. DPSST is actively working with legislators and stakeholders during the session. Discussions included militarization of police, use of tear gas by police, limitations or elimination of neck restraints by police, arbitrator rulings of police misconduct, creating a statewide database on police officer discipline matters, oversight of police use of force investigations by the state attorney general's office, and a duty for police officers to report misconduct of fellow officers. DPSST has already implemented the decertification database on its webpage as directed by legislation passed during the special session. The work of the agency in the police accountability arena, along with the creation of the database, has been recognized by both local, statewide and national media outlets. There are rumors that an additional special session will be held to address more police accountability legislation being discussed but these are just rumors at this time with no indication that Governor Brown will call the Legislature back to Salem.
- DPSST is working with two new law enforcement agencies being formed in Oregon. The Cow Creek Band of Umpqua Tribe of Indians in Southern Oregon is moving forward with the creation of a police department. Brett Johnson, who retired as the Deputy Chief of the Medford Police Department, has been selected as their first Chief of Police. DPSST is working with them on Senate Bill 412 compliance (granting full police officer powers statewide) and state certification and training issues. It will be a hybrid model with tribal officers working together with county deputies continuing under contract. Also, the Board of Trustees at Oregon State University have taken action to end their long-term contract with the Oregon State Police for law enforcement services and form their own police department by the end of this year. The Oregon State University Police Department will be a blended model with both certified full-time law enforcement officers and campus public safety and security officers.
- DPSST has received calls regarding the decision of Portland State University (PSU) to disarm its Police Officers. This is a decision that the employer has made and is within their purview as DPSST has no oversight over how law enforcement agencies equip or deploy their personnel. PSU plans to retain a police department that employs police officers who meet DPSST standards for employment, training and certification. PSU Police Officers will continue to go through, and successfully complete, the entire 16-week Basic Police Course as all other city, county, state, tribal and university police officers do along with the field training program to be able to achieve DPSST certification within 18-months of date of hire.

- To stay engaged with stakeholders around the state, DPSST is sending electronic updates providing information on agency activities, enrollment information, and other pertinent information.
- There continues to be much interest in the work that DPSST does on both the professional standards and training fronts. We have received a number of calls and emails from elected officials and community members asking for information as to what we do. DPSST welcomes the interest and has responded to each inquiry.

Linsay Hale Reported:

- Linsay reiterated the formation of the Applicant Review Committee (ARC) whose purpose will be to review criminal conduct which occurred prior to an individual's employment in public safety. The ARC will consist of two members from each of the criminal justice Policy Committees as well as the public member of the Board. The nominations for the ARC will take place at the November PPC.
- Linsay thanked Chief Cummins and Andy Heider for their service on the PPC. Tigard Police Chief Kathy McAlpine and Oregon State Police Major Alex Gardener will be presented to the Board as their replacements.

18. Next Police Policy Committee Meeting: November 19, 2020 at 10:00am.

Administrative Note:

These minutes reflect the order of the discussion/voting items as they appear on the official meeting agenda. The actual order in which they were discussed may vary.

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.