

Public Safety Memorial Fund Board Minutes January 23, 2020

The Public Safety Memorial Fund Board held a regular meeting on Thursday, January 23, 2020 at 10:00 a.m. in Conference Room A235 at the Department of Public Safety Standards and Training located at 4190 Aumsville Hwy SE Salem, Oregon.

Committee Members present:

Patricia Patrick-Joling, Chair, Public
Brian Wolfe, Vice Chair, Police
Collette Peters, Director, Corrections
Nadine Purington, Parole & Probation
James Oeder, Fire

Committee Members Absent:

Liz Lawrence, Police

DPSST Staff:

Eriks Gabliks
Linsay Hale
Theresa Janda
Jennifer Howald



1. *Minutes for July 25, 2019

Approve minutes

Brian Wolfe made a motion to approve the minutes from the July 25, 2019 Public Safety Memorial Fund Board meeting. Colette Peters seconded the motion. The motion carried with a unanimous vote.

Linsay gave a brief explanation of the Public Safety Memorial Fund Board's (Board) purpose and function to familiarize new member, James Oeder, stating that since 1999 through legislation, the PSMFB provides funds for the surviving family during the lag time from the time of the death or disability until the time when insurance and other benefits kick in. The application for benefits comes to the Board and the board determines if the death or disability qualifies per the statute. If eligibility is determined, there is an immediate \$25,000.00 lump sum payment and other discretionary benefits can follow, as well, if the Board approves it.

2. *Instructor Eligibility for Public Safety Memorial Fund Benefits; Proposed Legislative Concept

Oregon law currently allows Department of Public Safety Standards and Safety (DPSST) staff who are employed full-time to retain their public safety certification. DPSST employees who are eligible and choose to retain and maintain their public safety certification are considered to be employed as a full-time public safety officer for the purposes of determining eligibility for Public Safety Memorial Fund benefits. [ORS 181A.570]

The manner in which this law exists creates a disparity in the treatment of DPSST employees, particularly those charged with the instruction of public safety courses necessary for obtaining or maintaining public safety certifications. Currently in order to be eligible for PSMF benefits a DPSST instructor must be employed by DPSST full-time, must already hold or be eligible to be awarded public safety certification in Oregon, and must choose to re-activate or retain that certification. This means that DPSST instructors who are employed part-time, those who are unable to obtain public safety certification or those who choose not to retain their certifications would be ineligible for PSMF benefits should tragedy strike, even though they are performing the same duties as their full-time, certified counterparts.

To remedy this disparity the DPSST recommends removing the language allowing PSMF consideration of only full-time, certified staff, instead adding instructors employed by the DPSST to deliver training required to obtain or maintain public safety certification to the definition of “public safety officer” found in the statutes that govern the PSMF.

The PSMFB members expressed concern over full-time DPSST instructors being defined as public safety officers since their position does not involve responding to emergencies or taking enforcement actions. Issue tabled pending further research.

3. *Malcus Williams (DPSST #33171) – Ashland Police Department; Supplemental Application for Discretionary Public Safety Memorial Fund (PSMF) Benefits

Lindsay Hale gave an overview of the supplemental application for discretionary Public Safety Memorial Fund benefits filed by Ona Williams, who is the widow of Ashland Police Officer Malcus Williams. This body previously found that Officer Williams’ death was a qualifying death under the Memorial Fund statute. A supplemental application for benefits has been submitted, requesting further reimbursement to continue health and dental coverage for Mrs. Williams and her daughter, Brooklyn, from February 2020 until August 2020, a six-month period.

Action Item 1: Determine whether to approve the application submitted by Ona Williams for payment of supplemental discretionary funds.

Brian Wolfe asked Linsay Hale questions about the length of time that the family is eligible for these benefits. Linsay explained that the surviving spouse can apply for five years or until remarriage, whichever comes first and the children are eligible until age 18 or until age 23, if in school.

Brian Wolfe made a motion to approve the application submitted by Ona Williams for supplemental discretionary funds. Colette Peters seconded the motion. After a roll call vote of all members present, the motion carried unanimously.

Action Item 2: Approve the amount of discretionary funds to be awarded, if approved. \$8,728.68 was requested.

Colette Peters made a motion to approve the full amount of \$8,728.68 of discretionary funds requested by Ona Williams. Nadine Purington seconded the motion. After a roll call vote of all members present, the motion carried with a unanimous vote.

4. Other Business

Linsay briefly recent legislative changes that have caused conflict in how scholarships are made available to the family members of fallen officers, specifically through federal programs, Oregon's Deceased and Disabled Public Safety Officer Grant and the scholarship benefits made available through the PSMF. Conversations with their legislative fiscal office have taken place regarding how eligibility is determined so that funds are distributed equitably. A remedy is being worked on to address this, but it has not been resolved yet. The group discussed that it is important to make sure scholarships are done equitably, because there is a limited amount of money and it must be distributed properly and responsibly in order to preserve the ability to continue to provide scholarships and benefits going forward.

With no further business to discuss the meeting was adjourned.