

Telecommunications Policy Committee

Minutes

November 7, 2018

The Telecommunications Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on November 7, 2018 at the Oregon Public Safety Academy in Salem, Oregon. Chair, Kelly Dutra called the meeting to order at 9:06 AM.

Committee Members:

Kelly Dutra, Chair, Oregon APCO-NENA (phone)
Candace Pozdolski, Line-Level Telecommunicator (phone)
George Long, APCO (phone)
Brandon Klocko, Emergency Medical Services & Trauma Rep.
Robin Sells, Oregon Association of Chiefs of Police
Randy Wood, Oregon Fire Chiefs Association
Lindy Morgan, Line-Level Communicator (phone)
Erica Stolhand, APCO (phone)
Tim Svenson, Oregon State Sheriff's Association (phone)
Matt Dale, OFCA EMS Section

Committee Members Absent:

Bob Rector, Oregon State Police
Andre Lindauer, Public Member

Guests:

Jenny Reynolds
Megan
Andrea Tobin

DPSST Staff:

Eriks Gabliks, Director
Lindsay Hale, Professional Standards Division Director
Kristen Hibberds, Professional Standards Coordinator/Investigator
Jennifer Howald, Administrative Rules Coordinator
Alicia Robb, Criminal Justice Office Specialist
Tami Atkinson, Telecommunication Class Coordinator
Ryan Keck, Center for Policing Excellence Coordinator
Sara Stewart, Learning and Performance Specialist



1. Introductions

Introductions of members, guests and staff were presented.

2. *Minutes of August 1, 2018 Meeting

Approve meeting minutes from August 1, 2018 meeting.

- *Randy Wood moved to approve the minutes from the August 1, 2018 Telecommunications Policy Committee meeting. Robin Sells seconded the motion. The motion carried unanimously.*

3. *Approval of Changes for the Basic Telecommunications Curriculum

Presented by Tami Atkinson

The DPSST Training Division requested the approval of the Telecommunications Policy Committee to make modifications to the Basic Telecommunications curriculum based on a review completed in October by the Telecommunications Curriculum Committee and the Center for Policing Excellence. On April 27, 2017 the Board on Public Safety Standards and Training approved the expansion of the Basic Telecommunications academy from two weeks to three weeks in duration. The proposed changes reflect the revised content, course hours, and methods for student evaluation/testing.

- *George Long moved to recommend approval of the changes for the Basic Telecommunications Curriculum. Randy Wood seconded the motion. The motion carried unanimously.*

4. *Proposed Rule Changes for OAR 259-008-0085; Updating the Course Description and Testing Standards for the Three-week Basic Telecommunicator Course and Course Challenge

Presented by Jennifer Howald

The Department's Academy Training Division, in conjunction with the Basic Telecommunications Curriculum Committee, is engaged in the process of revising the basic telecommunicator course curriculum. This proposed language makes updates requisite updates relating to the course's content and testing standards.

- *Kelly Dutra moved to recommend the Board adopt the changes as proposed and that the Board approve filing the changes to OAR 259-008-0085 as a permanent rule change with the Secretary of State if no comments are received. Matt Dale seconded the motion. The motion passed unanimously.*
- *By consensus the committee found no fiscal impact to small businesses.*

5. *Proposed Rule Changes for OAR 259-008-0025; Relating to the Three week Basic Telecommunicator Course and Course Challenge Eligibility Standards.

Presented by Jennifer Howald

Under the current administrative rules, individuals coming from out of state who have completed a Basic Telecommunications Course and been employed as a telecommunicator or individuals who have completed the DPSST two-week Basic Telecommunicator Course but have been separated from a certifiable telecommunicator position for longer than 2.5 years may challenge the DPSST Basic Telecommunicator Course in lieu of attending the two-week course.

The Department's Academy Training Division, in conjunction with the Basic Telecommunications Curriculum Committee, is engaged in the process of revising the Basic Telecommunicator Course curriculum. The Telecommunications Curriculum Committee considered and reaffirmed the timelines associated with the reactivation of certification.

However, in recognition of the significant changes to the Basic Telecommunications Course, the Curriculum Committee recommends that:

- Any Oregon telecommunicator who previously completed the two-week Basic Course and has been separated from their certifiable position for longer than 2.5 years be required to complete the three-week Basic Course in order to be eligible for certification; and
- Any telecommunicator from out of state be required to complete the three-week Basic Course in order to be eligible for certification.

These recommendations will limit the eligibility to challenge the three-week Basic Course to individuals who have previously completed the three-week Basic Course.

The Curriculum Committee also discussed limiting the opportunity to challenge to a maximum of a 5 year period of separation from a certifiable position.

- *George Long recommend the Board adopt the changes as proposed and that the Board approve filing OAR 259-008-0025 as a permanent rule change with the Secretary of State if no comments are received. Brandon Klocko seconded the motion. The motion passed unanimously.*
- *By consensus the committee found no fiscal impact to small businesses.*

6. *Proposed Rule Changes for OAR 259-008-0060; FA & CPR Requirements for Obtaining DPSST Certifications as a Telecommunicator/Emergency Medical Dispatcher

Presented by Jennifer Howald

By Administrative rule, First Aid and Cardiopulmonary Resuscitation (FA&CPR) certifications are required for all levels of DPSST certification (Basic, Intermediate, Advance, Supervisory, Management and Executive) regardless of discipline (police, corrections, parole & probation, regulatory specialist, telecommunicator and emergency medical dispatcher)

Several telecommunications and emergency medical dispatch public and private safety agencies have recently asked the Department why FA&CPR certifications are required for a telecommunicator or emergency medical dispatcher to obtain a DPSST certification when persons certified as a telecommunicator or emergency medical dispatcher are not required to maintain FA&CPR certifications as a part of the telecommunicator/emergency medical dispatcher certification maintenance requirements.

In recognition that the certification standards and the maintenance standards are not consistent for telecommunicators and emergency medical dispatchers, the following draft rule change removes the FA&CPR certification requirement from the minimum standards that must be met in order to be eligible for the award of a certificate. Through this proposed rule change, FA&CPR certification would no longer be required for any telecommunicator or emergency medical dispatcher DPSST certification.

Removal of the FA&CPR certification requirement from the rule does not prevent or prohibit the employing public or private safety agency from requiring FA and/or CPR certification as an employer standard or agency best practice. The employing public or private safety agency

also maintains the discretion to determine whether to apply FA and/or CPR training toward maintenance requirements.

- *Randy Wood moved to recommend the Board adopt the changes as proposed and that the Board approve filing the changes to OAR 259-008-0060 as a permanent rule change with the Secretary of State if no comments are received. Candace Pozdolski seconded the motion. The motion passed with 9 ayes, and Brandon Klocko voting nay.*
- *By consensus the committee found no fiscal impact to small businesses.*

7. *Admin Closures Telecommunicator/Emergency Medical Dispatcher

Presented by Kristen Hibberds

Officer	Certifications	Summary	Flagged for Review (if hired in future)
Holm, Gina #58743 Florence Police Department	Not Certified	Probationary Discharge: Dishonest about drug use during employment background.	Yes

- *Kelly Dutra moved to approve the recommendations made by staff to administratively close the above listed cases. George Long seconded the motion. The motion carried unanimously.*

8. *Coy, Gibson DPSST #58809 – Application for Training and Subsequent Certification; Columbia 911 Communication District

Presented by Kristen Hibberds

Issue: In June 2018, DPSST received an Application for Training Request (F-5) from Columbia 911. Coy self-disclosed his May 24, 2011 convictions of Driving Under the Influence of Intoxicants and Assault in the Fourth Degree.

Vote/Consensus	Second	Vote	Outcome
Randy Wood moved that the Telecommunications Policy Committee adopts the staff report as the record upon which its recommendations are based.	Robin Sells	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Coy's behavior did involve Gross Misconduct as defined by administrative rule when he recklessly disregarded the law and threatened persons or property by driving under the influence.	Randy Wood	10 ayes; 0 nays	Motion passes unanimously.
Brandon Klocko moved that this Gross Misconduct when considered alone rises to the level to warrant action against the officer's certifications.			

<ul style="list-style-type: none"> • Consensus reached that Coy's conduct did not involve Disregard for the Rights of Others as defined in administrative rule. • Consensus reached that Coy's conduct did not involve Dishonesty as defined in administrative rule. 			
<p>The Telecommunications Policy Committee reviewed and considered the Aggravating and Mitigating circumstances specific to this case as required by OAR 259-008-0070(4)(f)(F), there are aggravating circumstances present: That the behavior resulted in multiple criminal convictions.</p> <p>Pursuant to OAR 259-008-0070(4)(f)(F), there are mitigating circumstances present: That Coy's behavior occurred prior to his employment in public safety, that he self-reported his conduct, that he satisfied all court ordered requirements and provided verbal and written mitigation.</p>			
George Long made a motion that after considering the totality of the case that Board action not be taken on Coy's certification.	Brandon Klocko	10 ayes; 0 nays	Motion passes unanimously.

9. *Pickard, Amy DPSST #54512 Basic Emergency Medical Dispatch Certification

American Medical Response

Presented by Kristen Hibberds

Issue: In December 2017, Pickard notified DPSST of her arrest for two counts of Tampering with a Witness. In January 2018, DPSST was notified of Pickard's termination from employment. Pickard was convicted of Attempt to Commit a Class C Felony on May 7, 2018.

Vote/Consensus	Second	Vote	Outcome
Matt Dale moved that the Telecommunications Policy Committee adopts the staff report as the record upon which its recommendations are based.	Brandon Klocko	10 ayes; 0 nays;	Motion passes unanimously.
Consensus reached that Pickard's behavior did involve Gross Misconduct as defined by administrative rule when she deliberately disregarded the law and threatened persons by attempting to tamper with a witness during a criminal proceeding and when she threatened the efficient operation of the agency by testing positive for methamphetamines	Randy Wood	10 ayes; 0 nays	Motion passes unanimously.

<p>and heroin during her employment as an Emergency Medical Dispatcher.</p> <p>Brandon Klocko moved that this Gross Misconduct when considered alone rises to the level to warrant action against the dispatcher's certifications.</p>			
<ul style="list-style-type: none"> • Consensus reached that Pickard's conduct did not involve Misuse of Authority as defined in administrative rule. • Consensus reached that Pickard's conduct did not involve Disregard for the Rights of Others as defined in administrative rule. • Consensus reached that Pickard's conduct did not involve Dishonesty as defined in administrative rule. 			
<p>The Telecommunications Policy Committee reviewed and considered the Aggravating and Mitigating circumstances specific to this case as required by OAR 259-008-0070(4)(f)(F) , there are aggravating circumstances present: Pickard's conduct occurred during her employment in public safety, her conduct resulted in a criminal disposition, the classification of the crime was a Misdemeanor, the recency of her conviction, her time in jail and her failure to report her conviction to the Department. Additionally aggravating was her manipulation in attempting to tamper with a witness.</p> <p>Pursuant to OAR 259-008-0070(4)(f)(F), there are no mitigating circumstances present.</p>			
<p>Robin Sells made a motion that after considering the totality of the case that Board action be taken on Pickard's certifications.</p>	<p>George Long</p>	<p>10 ayes; 0 nays;</p>	<p>Motion passes unanimously.</p>
<p>Consensus reached that the manipulative behavior, the untrustworthiness and the illicit drug use violates the Code of Ethics integral to the dispatch profession and creates a liability to the public and the agency.</p>			
<p>Brandon Klocko made a motion that Pickard's Gross Misconduct warrants an ineligibility period of 10 years.</p>	<p>Matt Dales</p>	<p>10 ayes; 0 nays</p>	<p>Motion passes unanimously.</p>

10. Staff Update

- Eriks welcomed new members of the Telecommunications Policy Committee and thanked them for participating in the discussion.
- Work on 2019-2021 Agency Request Budget continues. Last week DPSST appeared in front of Governor Brown's budget development team, and discussed the budget and needs of the agency. The session was well received but the outcome would not be known until the Governor released their proposed budget at the beginning of 2019. The true agency budget would not be known until the Oregon Legislative Assembly completes its work most likely in June of 2019. DPSST did share during its budget appeal that if the

projected hiring wave continues the agency will continue to return to the legislative Emergency Board to request funds for additional basic training classes.

- Enrollment at the Academy continues to be steady. DPSST staff is looking to add an additional Basic Telecommunications & EMS class to meet agency hiring needs.
- DPSST has been contacted by the Bureau of Labor and Industries (BOLI) which is looking into a wage and hour complaint that has been filed by a student attending the Academy. The complaint alleges that DPSST training exceeds the 40-hour work week and that morning colors, homework and assignments should be considered overtime. DPSST has fully cooperated with BOLI and looks forward to the review. DPSST has been transparent in its discussions and has advised BOLI that DPSST is not the employer of the men and women attending the Academy but the training provider. DPSST knows some agency collective bargaining agreements may define work hours and work weeks differently but DPSST has no way to know the contracts in place with 208 agencies who send their personnel to the Academy.
- DPSST appreciates the candid feedback it received from stakeholders that recently completed the 2018 DPSST Public Safety Customer Service Survey. Lots of very good information was received that will allow the organization to make necessary changes to meet constituent needs. The survey can be found online at <https://www.oregon.gov/dpsst/docs/2018%20Customer%20Satisfaction%20Survey%20Results.pdf>
- DPSST staff continued to work on the Crisis Intervention Training (CIT) for 9-1-1 class. The Portland Bureau of Emergency Communications is beta testing the curriculum and DPSST staff hope to broaden the delivery of this training on how assist people in crisis in 2019.
- DPSST is hosting a Stress First Aid train the trained class in January. This class is open to law enforcement, corrections, and 9-1-1 professionals free of charge.
- Eriks shared that DPSST's 9-1-1 Training Coordinator Tami Atkinson we recently honored with the Oregon Chapter of the Association of Public Safety Communications Officials (AOCO) and National Emergency Number Association's (NENA) Lifetime Achievement Award. DPSST is very proud of Tami and her great work ethic is evident by 9-1-1 professionals attending the Academy.
- Lindsay Hale updated Committee members on the work of the Criminal Justice Moral Fitness workgroup. All recommendations from that group will be presented to the Telecommunications Policy Committee for consideration and recommendation.
- Lindsay Hale also informed the group that DPSST has decided to stop printing DPSST certification wallet cards due to budgetary and workload considerations.

Meeting adjourned at 10:36 a.m.

11. Next Telecommunications Policy Committee Meeting February 6, 2019 at 9:00 am