

# Telecommunications Policy Committee Minutes

## February 5, 2020

The Telecommunications Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on February 5, 2020, 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  
Matt Dale, OFCA EMS Section  
Andre Lindauer, Public Member  
Chelsea LaBar, APCO  
Lindy Cox, Line-Level Communicator  
Candace Pozdolski, Line-Level Telecommunicator (Phone)  
Rebecca Interiano, Oregon State Police  
Bob Horton, Oregon Fire Chiefs Association  
Robin Sells, Oregon Association of Chiefs of Police  
Erica Stolhand, APCO

### **Committee Members Absent:**

Brandon Klocko, Emergency Medical Services & Trauma Rep.  
Tim Svenson, Oregon State Sheriff's Association

### **Guests:**

Mike Fletcher  
Kinsey Coyne  
Elizabeth Arwood  
Heidi Elliott  
Lisa Joyce  
Brent Miltries

### **DPSST Staff:**

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



## **1. Introductions**

Introductions of members, guest and staff were presented.

**2. Approve November 6, 2019 Meeting Minutes**

*Matt Dale moved to approve the minutes from the 11/6/2019, Telecommunications Policy Committee meeting. Rebecca Interiano seconded the motion. The motion passed unanimously.*

**3. Administrative Closures – Telecommunicators / Emergency Medical Dispatchers**

Presented by Kristen Hibberds

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

Officer	Certifications	Summary	Flagged for Review (if hired in future)
Tiller, Charles DPSST #58702 Mercy Flights	Basic	Separation – Voluntary unrelated to misconduct. At the time of separation there was a complaint regarding concerns about Tiller’s leadership style.	No

*Matt Dale moved to approve the recommendation made by staff to administratively close the above listed case. Andre Lindauer seconded the motion. The motion passed unanimously.*

**4. Elliott, Heidi #59214; Application for Training and Subsequent Certification; American Medical Response (AMR)**

Presented by Kristen Hibberds

In October 2018, DPSST Received an Application for Training (F5) from AMR where the applicant self-disclosed a criminal disposition. On May 1, 2019, the Telecommunications Policy Committee met and in a unanimous vote recommended to deny Elliott’s Application for Training and Subsequent Certification for four years based on the Gross Misconduct identified.

Staff later learned that Elliott’s notification for the TPC review and opportunity to provide written mitigation was sent to an incorrect address and was never received. Elliot was given the opportunity to provide mitigation and the policy committee was asked to consider this information to determine if the May 1, 2019 recommendation should be modified.

Elizabeth Arwood provided verbal mitigation for Heidi Elliott.

<b>Committee Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Chelsea LaBar recused herself due to a conflict of interest. Robin Sells recused because she was not present for the initial discussion of this case.			
Upon consideration of the Committee's previous discussion and the newly presented mitigation, Rebecca Interiano moved to continue to deny application for training and subsequent certification with an ineligibility period of 3 years.	Candace Pozdolski	7 ayes; 1 nays; (Horton) 2 recused (LaBar, Sells)	Motion Passes

5. **Coyne, Kinsey #55676; Basic Telecommunicator and Basic Emergency Medical Dispatcher Certifications; Washington County Consolidated Communication Agency**

Presented by Kristen Hibberds

In July 2019, Kinsey self-reported an arrest for Assault in the Fourth Degree and Harassment. The harassment charge was dismissed and the Assault in the Fourth Degree was diverted.

Staff identified violations of the Board's minimum moral fitness standards for public safety professionals, specifically:

- **Gross Misconduct** when Coyne plead guilty to Assault in the Fourth Degree, a Class A Misdemeanor.

Staff verbally removed the Dishonesty noted in the staff report based upon the receipt of additional relevant information from Coyne's mitigation and the arresting officer.

Staff did not identify any violations of Dishonesty, Disregard for the Rights of Others, or Misuse of Authority.

Kinsey Coyne presented verbal mitigation.

<b>Committee Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Kelly Dutra recused herself due to a conflict of interest.			
Matt Dale moved that the Telecommunications Policy Committee adopt the staff report as the record upon which its recommendations are based.	Erica Stolhand	9 ayes; 0 nays; 1 recused (Dutra)	Motion Passes

Consensus reached affirming the staff analysis identifying violations of the Board's moral fitness standard.			
<p><b>Mitigating Factors</b></p> <ul style="list-style-type: none"> <li>• Coyne self-reported the criminal disposition;</li> <li>• Coyne sought and attended counseling;</li> <li>• Coyne is current on her court ordered obligations;</li> <li>• Coyne's verbal statements to the committee.</li> </ul> <p><b>Aggravating Factors</b></p> <ul style="list-style-type: none"> <li>• Coyne has one criminal disposition in their record;</li> <li>• The conduct occurred during employment in public safety;</li> <li>• The recentness of the criminal disposition;</li> <li>• Coyne was sentenced to probation;</li> <li>• Coyne's conduct did occur multiple times, though it did not result in police contact;</li> <li>• Coyne's conduct did involve domestic violence;</li> <li>• Coyne pled guilty to one Class A Misdemeanor.</li> </ul>			
Rebecca Interiano 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 Coyne's certifications.	Robin Sells	9 ayes; 0 nays; 1 recused (Dutra)	Motion Passes.
Rebecca Interiano made a motion, after considering the totality of the case, that Coyne be ineligible to hold public safety certification for 3 years.	Lindy Cox	9 ayes; 0 nays; 1 recused (Dutra)	Motion Passes.

**6. Downing, Michael 49155; Basic Telecommunicator and Emergency Medical Dispatcher; Baker County Sheriff's Office (BCSO)**

Presented by Kristen Hibberds

DPSST received an F4s Personnel Action from BCSO indicating that Michael Downing had separated from employment.

Staff identified violations of the Board's minimum moral fitness standards for public safety professionals, specifically:

- **Misuse of Authority** when Downing used his position as a Dispatcher to obtain information from a co-worker regarding the location of marine deputies because he wanted his under age kids to be able to ride his jet ski.
- **Dishonesty** when Downing stated he was inquiring about the marine deputies' location so he could make them a hamburger.

- **Gross Misconduct** when Downing’s use of his position and attempt to involve another employee in his misconduct threatened the efficient operations of the BCSO.

Staff did not identify any violations of Disregard for the Rights of Others.

<b>Committee Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Lindy Cox recused herself due to a conflict of interest.			
Andre Lindauer moved that the Telecommunications Policy Committee adopt the staff report as the record upon which its recommendations are based.	Matt Dale	9 ayes; 0 nays; 1 recused (Cox)	Motion Passes.
Consensus reached affirming the staff analysis identifying violations of the Boards moral fitness standard.			
<p><b>Mitigating Factors</b></p> <ul style="list-style-type: none"> <li>• Downing’s conduct did not occur multiple times;</li> <li>• The differing statements between Downing and the other employee.</li> </ul> <p><b>Aggravating Factors</b></p> <ul style="list-style-type: none"> <li>• Downing’s conduct occurred during their employment as a public safety professional.</li> <li>• The danger and threat of risk Downing’s behavior created for minor children (ages 6 and 12);</li> <li>• The inappropriate use of his position for personal gain;</li> <li>• The poor judgment he engaged in based on his role as an elected official within his community.</li> </ul>			
Matt Dale 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 Downing’s certifications.	Bob Horton	9 ayes; 0 nays; 1 recused (Cox)	Motion Passes.
Matt Dale made a motion, after considering the totality of the case, that Downing be ineligible to hold public safety certification for a lifetime.	Rebecca Interiano	9 ayes; 0 nays; 1 recused (Cox)	Motion Passes.

**7. Haltom, Angela 53236; Basic Telecommunicator and Emergency Medical Dispatcher; Harney County Sheriff’s Office**

Presented by Kristen Hibberds

DPSST received an F4s Personnel Action from HCSO indicating that Angela Haltom had separated from employment.

Staff identified violations of the Board’s minimum moral fitness standards for public safety professionals, specifically:

- **Gross Misconduct** when Haltom threatened persons and the efficient operation of the agency by failing to notify officers being dispatched to a call that the caller was in fear of being assaulted. Haltom further talked about the caller with an officer on a recorded line in a derogatory and unprofessional manner.

Staff did not identify any violations of Dishonesty, Disregard for the Rights of Others, or Misuse of Authority.

<b>Committee Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Robin Sells moved that the Telecommunications Policy Committee adopt the staff report as the record upon which its recommendations are based.	Chelsea LaBar	10 ayes; 0 nays;	Motion Passes Unanimously.
Consensus reached to remove any performance related issues from consideration, identifying the unprofessional and derogatory behavior as the sole violation of the Boards moral fitness standard.			
<p><b>Mitigating Factors</b></p> <ul style="list-style-type: none"> <li>• Haltom’s conduct appears to have been appropriately handled at the employer’s level.</li> </ul> <p><b>Aggravating Factors</b></p> <ul style="list-style-type: none"> <li>• Haltom’s conduct occurred during their employment as a public safety professional;</li> <li>• Haltom’s conduct occurred multiple times;</li> <li>• Haltom’s conduct did occur while they were acting an official capacity;</li> <li>• Haltom’s inappropriate and unprofessional behavior with the officer;</li> <li>• Haltom’s behavior could have put the responding officers at risk.</li> </ul>			
Chelsea LaBar 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 Haltom’s certifications.	Robin Sells	10 ayes; 0 nays;	Motion Passes Unanimously

**8. Parker, Andrea 38688; Basic Telcommunicator and Emergency Medical Dispatcher; Prineville Police Department**

Presented by Kristen Hibberds

DPSST received an F4s Personnel Action from Prineville Police Department indicating that Andrea Parker had separated from employment.

Staff identified violations of the Board’s minimum moral fitness standards for public safety professionals, specifically:

- **Dishonesty** when Parker provided false and misleading information in a complaint she filed against a police officer.

Staff did not identify any violations of Disregard for the Rights of Others, Misuse of Authority, or Gross Misconduct.

<b>Committee Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Robin Sells moved that the Telecommunications Policy Committee adopt the staff report as the record upon which its recommendations are based.	Rebecca Interiano	10 ayes; 0 nays;	Motion Passes Unanimously.
Consensus reached to add Gross Misconduct as a violation regarding Parker’s false and misleading information surrounding her interaction with the officer, and affirm the staff analysis identifying Dishonesty as a violation of the Boards moral fitness standard.			
<p><b>Mitigating Factors</b></p> <ul style="list-style-type: none"> <li>• Pursuant to OAR-259-008-0070(4)(f)(B) staff has found no mitigating circumstances.</li> </ul> <p><b>Aggravating Factors</b></p> <ul style="list-style-type: none"> <li>• Parker’s conduct did occur multiple times;</li> <li>• Parker’s conduct occurred during their employment as a public safety professional;</li> <li>• Parker made the choice to put an officer through an investigation to protect herself because her husband was upset with her.</li> </ul>			
Robin Sells 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 Parker’s certifications.	Matt Dale	10 ayes; 0 nays;	Motion Passes Unanimously
Robin Sells made a motion, after considering the totality of the case, that Parker be ineligible to hold public safety certification for a lifetime.	Matt Dale	10 ayes; 0 nays;	Motion Passes Unanimously

**9. Proposed Rule Changes for 259-008-0064: Adding First Aid & CPR Certification Requirements to DPSST Telecommunicator and EMD Maintenance**

Presented by Jenifer Howald

On November 6, 2019, the Telecommunications Policy Committee (TPC) proposed a recommendation to add First Aid and CPR certifications to the maintenance requirements for DPSST Telecommunicator and emergency medical dispatcher (EMD) basic certifications.

The Department prepared a preliminary fiscal impact statement and filed a proposed rule change to conduct outreach and request feedback on the actual fiscal impact.

The proposed rule language applied the new First Aid and CPR maintenance requirement and included the following considerations:

- Current First Aid and CPR certification means having the certification at all times.
- The employing agency maintains the discretion to determine what training is used to obtain the First Aid and CPR certifications.
- The training hours used to obtain the First Aid and CPR certifications may be reported and applied to the annual training hour requirements for maintenance.
- Failure to maintain current First Aid and CPR certifications will result in suspension of the telecommunicator or EMD's DPSST certification and the person will be prohibited from performing the duties of their certifiable position until the maintenance requirement has been satisfied.
- The proposed rule allows 30 days after a return from leave of absence to obtain current First Aid and CPR certifications if the certifications expired while the person was on leave.

The Telecommunications Policy Committee reviewed the preliminary fiscal impact and the public comment received during the proposed rule public comment period.

*Consensus Reached affirming the fiscal impact statement prepared by staff.*

*Bob Horton moved to recommend that the Board adopt filing the amended proposed rule changes for OAR 259-008-0064 as a permanent rule. Robin Sells seconded the motion. The motion carried unanimously.*

**10. Proposed Rule Changes for 259-008-0064: Recommended Housekeeping Amendments for Telecommunicator and EMD Maintenance Department Update**

Presented by: Jennifer Howald



The Telecommunications Policy Committee (TPC) recently proposed a recommendation amending the maintenance requirements for DPSST telecommunicator and emergency medical dispatcher (EMD) basic certifications. While the amended maintenance requirements are pursued through one rule change process, staff recommended initiation of a supporting housekeeping rule change process to clean up the rule references to the timelines that were established to phase in previously adopted maintenance training requirements for annual ethics training, supervision training, and the calendar year date shift for the maintenance cycle.

*Bob Horton moved to recommend that the Board approve filing the recommended housekeeping amendments for OAR 259-008-0064 as a permanent rule if no comments are received. Lindy Cox seconded the motion. The motion carried unanimously.*

## **11. Five-Year Review of the Adoption of OAR 259-008-0078 - Informational Update**

Presented by Jenifer Howald

ORS 183.405 requires agencies to conduct a review of the rules that they adopt. The review must occur within the five years following the adoption of the rule. The review is meant to assess the following:

- Whether the rule had its intended effect;
- Whether the anticipated fiscal impact of the rule was overestimated or underestimated;
- Whether subsequent changes in the law required that the rule be repealed or amended; and
- Whether there is a continued need for the rule.

OAR 259-008-0078 is the result of a recommendation by the 2014 Minimum Training Standards Workgroup to allow a public safety professional with lapsed certification to be employed by a public safety agency for a limited duration without having certification requirements imposed on the individual and the employing agency.

This rule was intended to provide a solution to the challenge public safety agencies experienced when filling interim leadership roles during transition periods, such as changes in leadership or during interview processes.

Without this rule, a public safety professional hired in an interim leadership position would be required to reactivate their certification and meet all the training and maintenance standards for certification. Through this rule, the Department suspends pursuit of the limited duration administrator's certification until the statutory certification requirement is triggered at 18 months of employment (12 months for a limited duration administrator in a corrections position).

OAR 259-008-0078 includes specific eligibility criteria and limits the amount of time a public safety professional can be employed without imposing certification requirements.

OAR 259-008-0078 was considered by the Corrections Policy Committee on November 4, 2014, the Telecommunications Policy Committee on November 5, 2014, and the Police Policy Committee on November 20, 2014, and approved by the Board on Public Safety Standards and Training on January 22, 2015. OAR 259-008-0078 was adopted effective March 24, 2015.

## **12. Department Update**

Linsay Reported:

- Reminder that the new moral fitness standards were approved by the Board and will go into effect on May 1<sup>st</sup>. The presentation of professional standards cases at the next TPC meeting will look differently as a result.
- The Background Investigation Workgroup has concluded its work. Two recommendations will be moving forward as a result, one relating to the review of pre-employment criminal conduct, the second relating to DPSST's role as a record keeper/repository for pre-employment background checks.
- The Board has approved the formation of a new multi-disciplined workgroup formed to review DPSST's current medical standards.
- Basic Telecommunications Class #117 is set to graduation this Friday (2/7).
- DPSST will be hosting a 4-day peer support conference for public safety, to include 9-1-1 dispatchers.
- The Basic Telecommunications training schedule is being reviewed for the possible addition of course to meet the hiring demands.

## **13. Next Telecommunications Policy Committee Meeting: May 6, 2020 at 9:00 am**

*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.*