

Telecommunications Policy Committee

Minutes

February 7, 2018

The Telecommunications Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on February 7, 2018 at the Oregon Public Safety Academy in Salem, Oregon. Chair, Kelly Dutra called the meeting to order at 9:02 AM.

Committee Members:

Kelly Dutra, Chair, Oregon APCO-NENA
Sherry Bensema, Oregon Fire Chief's Association
Mike Moran, Oregon Association of Chiefs of Police
Candace Pozdolski, Line Level Telecommunicator (phone)
Lindy Morgan, Line-Level Communicator
George Long, Association of Public Safety Communications Officials
Gary Bettencourt, Oregon State Sheriff's Association (phone)
Sharyl Dresser, Association of Public Safety Communications Officials (phone)
Bob Rector, Oregon State Police
Brandon Klocko, Emergency Medical Services & Trauma Rep.

Committee Members Absent:

Randy Wood, Oregon Fire Chiefs Association

Guests:

Susan Doyle, Lane County Sheriff's Office
Shelia Norton, Lane County Sheriff's Office
Jonna Hill, Lane County Sheriff's Office
Ben, Tillamook County 9-1-1

DPSST Staff:

Eriks Gabliks, Director
Linsay Hale, Professional Standards Division Director
Marsha Morin, Criminal Justice Certification Program Manager (phone)
Kristen Hibberds, Professional Standards Coordinator/Investigator
Jennifer Howald, Administrative Rules Coordinator
Bob Sigleer, Criminal Justice Compliance Auditor



1. Introductions

Introductions of members, guest and staff were presented

2. *Minutes of November 1, 2017

Approve meeting minutes from November 1, 2017

- *Mike Moran moved to approve the minutes from the November 1, 2017 Telecommunications Policy Committee meeting with one minor correction. Sherry Bensema seconded the motion. The motion carried unanimously.*

3. ***Proposed Rule Change for OARs 259-008-0040 and 259-008-0060 – Nine Months Experience Required for Basic Certification**

Presented by Jennifer Howald

Current rule language requires a public safety officer to have completed a minimum of nine months of employment in their certifiable position prior to becoming eligible to apply for basic certification. Recently staff received inquiries into the purpose for this experience requirement. Staff conducted research on the history of the requirement, but found no records providing a clear statement of the intent or purpose of this standard. Upon review, the Criminal Justice Management/Executive Certification Workgroup recommended removing the minimum employment requirement for basic certification allowing a public safety officer who meets all other certification requirements to apply for basic certification.

- *Gary Bettencourt moved to recommend that the Board adopt the changes removing the requirement for nine months experience for basic certification as defined in the draft rule language and that the Board approve filing the changes to OAR 259-008-0040 and 259-008-0060 as a permanent rule change with the Secretary of State if no comments are received. Bob Rector seconded the motion. The motion passed unanimously.*
- *By consensus the committee found no fiscal impact to small businesses.*

4. ***Proposed Rule Change for OARs 259-008-0005, 259-008-0020, 259-008-0060, 259-008-0064 and 259-008-0065 – Multi-Discipline Certification**

Presented by Jennifer Howald

In light of the adoption of the new law enforcement maintenance standards, the standards for the issuance and maintenance of multi-discipline certification were reviewed by the Criminal Justice Management/Executive Certification Workgroup. The Workgroup recommended the following:

- Removing the requirement that law enforcement officers certified in multiple law enforcement disciplines complete an additional 20 hours of training annually; and
- The added requirement that employing agencies designate a multi-disciplined officer's primary discipline and the use of the primary discipline designation for the accrual of years of experience toward additional levels of certification.
- *George Long moved to recommend that the Board adopt the Workgroup's recommended changes removing to the issuance and maintenance of multi-discipline certification as defined in the draft rule language and that the Board approve filing the changes to OAR 259-008-0005, 259-008-0020, 259-008-0060, 259-008-0064 and 259-008-0065 as a permanent rule change with the Secretary of State if no comments are received. Mike Moran seconded the motion. The motion passed unanimously.*
- *By consensus the committee found no fiscal impact to small businesses.*

5. ***Proposed Rule Change for OAR 259 Division 8 – Signature Authorities for DPSST Forms**

Presented by Jennifer Howald

DPSST uses a variety of forms to capture information regarding the employment, training and certification of Oregon's criminal justice public safety officers. DPSST staff requested the Criminal Justice Management/Executive Certification Workgroup review the current signature authorities to determine if a single signature authority could be applied to all of the forms for consistency. The Workgroup recommended making all forms follow the same signature requirements as the current requirement for the F-4 personnel action report; requiring a signature by a department head or a certified public safety professional designated by the department head, with the exception to the F-6 Course Attendance Roster which may continue to be signed by independent instructors or sponsoring entities that are not affiliated with a law enforcement unit or public or private safety agency.

- *Lindy Morgan moved to recommend that the Board adopt the Workgroup's recommended changes to the signature authorities on DPSST forms as defined in the draft rule language and that the Board approve filing the changes to OAR 259 Division 8 as a permanent rule change with the Secretary of State if no comments are received. Mike Moran seconded the motion. The motion passed unanimously.*
- *By consensus the committee found no fiscal impact to small businesses.*

6. *Proposed Rule Change for OAR 259-008-0100 – Updates to the Retirement Card Program

Presented by Jennifer Howald

Under current rule, DPSST may issue a retirement card based upon a combination of age and years of service in Oregon if requested by the employing agency. DPSST staff requested the Criminal Justice Management/Executive Certification Workgroup to review the retirement card program in its entirety to determine if this program is still relevant and in line with the current needs of constituents and DPSST. Upon review, the Workgroup determined that the award of a recognition of service for a public safety officer's career continues to be an important program. The Workgroup developed the following recommendations to address the issues that affect the current administration of the retirement card program:

- Eliminating the age criteria from the eligibility requirements and amending the minimum years of experience from 5 years of service to 20 years of service in a certifiable public safety officer discipline and in service to the state of Oregon.
- The Department will continue to administer the program as an "at the request of the employing agency" process.
- The program will transition to a recognition of service program. The award of any recognition materials does not prevent a public safety officers' certification from lapsing, grant the officer any authority to provide services or exempt the officer from any handgun licensing requirements. The wallet card portion of the program will be eliminated and the recognition letter will be amended to avoid confusion.
- Expanding the program to include resignations in addition to retirements to help reinforce the purpose of the program which is to recognize service to Oregon.

- Public safety officers who are the subject of a moral fitness review will be ineligible to receive a recognition of service until a final determination has been made regarding their certification as a public safety officer.
- *Sherry Bensema moved to recommend that the Board adopt the Workgroup’s recommended changes to retirement/recognition of service program as defined in the draft rule language and that the Board approve filing the changes to OAR 259-008-0100 as a permanent rule change with the Secretary of State if no comments are received. Bob Rector seconded the motion. The motion passed unanimously.*
- *By consensus the committee found no fiscal impact to small businesses.*

The Telecommunications Policy Committee took a short break at 10:15-10:21.

7. Brooks, Debbie DPSST #33906, Lane County Sheriff’s Office – Basic, Intermediate and Advanced Telecommunicator and Basic Emergency Medical Dispatcher Certifications.

Presented by Kristen Hibberds

Issue: In July 2017, DPSST received Personnel Action Report (F-4) from Lane County Sheriff’s Office (LCSO) indicating that Brooks was discharged for cause.

By consensus, the Telecommunications Policy Committee members requested this matter be tabled until additional information related to this individual’s discharge can be obtained.

8. Watson, Steven DPSST #21400, Columbia 9-1-1 Communications – Basic, Intermediate, Advanced, Supervisory and Management Telecommunicator and Basic Emergency Medical Dispatcher Certifications.

Presented by Kristen Hibberds

Issue: In April 2017, DPSST received a Personnel Action Report (F-4) indicating that Watson resigned during an investigation and in lieu of termination.

Kelly Dutra recused herself due to a conflict of interest.

| Vote/Consensus | Second | Vote | Outcome |
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| Gary Bettencourt moved that the Telecommunication Policy Committee adopts the staff report as the record upon which its recommendations are based. | George Long | 9 ayes; 0 nays; 1 Abstaining (Dutra) | Motion passes. |
| Consensus reached that Watson’s behavior did involve Gross Misconduct as defined by administrative rule by deliberately threatening a subordinate employee by questioned her about who she spoke to regarding her interactions with him. | Sherry Bensema | 9 ayes; 0 nays; 1 Abstaining (Dutra) | Motion passes. |

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| <p>Gary Bettencourt moved that this Gross Misconduct when considered alone rises to the level to warrant action against the officer's certifications.</p> | | | |
| <p>Consensus reached that Watson's conduct did involve Misuse of Authority as defined in Administrative Rule by attempting to influence or dissuade a subordinate employee during an investigation. Additionally, by using his management position to interject into an employment matter in an effort to force/influence the employee to engage in a relationship.</p> <p>Mike Moran moved that this Misuse of Authority when considered alone rises to the level to warrant action against the officer's certifications.</p> | Lindy Morgan | 9 ayes; 0 nays; 1 Abstaining (Dutra) | Motion passes. |
| <p>Consensus reached that the conduct did not involve Disregard for the Rights of Others Administrative Rule.</p> | | | |
| <p>Consensus reached that Watson's conduct did involve Dishonesty as defined in Administrative Rule by being deceptive during the investigation into his conduct, the omission of reporting the allegations</p> <p>George Long moved that this Dishonesty when considered alone rises to the level to warrant action against the officer's certifications.</p> | Gary Bettencourt | 9 ayes; 0 nays; 1 Abstaining (Dutra) | Motion passes. |
| <p>The Telecommunication Policy Committee reviewed and considered the Aggravating and Mitigating circumstances specific to this case as required by OAR 259-008-0070(4)(f)(B).</p> <p>By consensus the Committee found no additional aggravating or mitigating circumstances.</p> | | | |
| <p>Mike Moran makes a motion that after considering the totality of the case that Board action be taken on Watson's certifications.</p> | George Long | 9 ayes; 0 nays; 1 Abstaining (Dutra) | Motion passes. |
| <p>Consensus reached that Watson's actions</p> | | | |

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| violates the Code of Ethics and that he has shown a pattern of behavior that negatively impacted his agency's operations. | | | |
| Sherry Bensema makes a motion that Watson's Gross Misconduct warrants an ineligibility period of 10 years. | Bob Rector | 9 ayes; 0 nays; 1 Abstaining (Dutra) | Motion passes. |
| Mike Moran makes a motion that Watson's Misuse of Authority warrants an ineligibility period of a 10 years. | Sherry Bensema | 9 ayes; 0 nays; 1 Abstaining (Dutra) | Motion passes. |
| Gary Bettencourt makes a motion that Watson's Dishonesty warrants an ineligibility period of a lifetime. | George Long | 9 ayes; 0 nays; 1 Abstaining (Dutra) | Motion passes. |

9. Department Update

- DPSST is continuing to explore technology that would allow Board and Committee meetings to be streamed over the internet in an effort to increase transparency and bolster room security.
- The Management/Executive Certification Workgroup is continuing its work reviewing the Management and Executive level certification and training requirements.
- Professional Standards is continuing to explore and examine how professional standards cases are handled and presented to the Policy Committees and Board.
- Eriks gave an update on the new Basic Telecommunications Course that was reviewed and approved by the TPC and BPSST last year. DPSST staff continues to work with the curriculum sub-committee to develop lesson plans that will be used as part of the new course. Eriks estimates the new class will be ready around July 1, 2018.
- Academy enrollment continues to be strong. The largest numbers are in the basic police course where the statewide estimate is that 1,000 officers are eligible to retire over the next three years. The Telecommunications class also continues to see strong numbers. DPSST is requesting funds for five additional basic police and one additional basic corrections class during the 2018 legislative session. The additional funds received from OEM through the 9-1-1 telephone tax are helping to address the increase number of telecommunications hires.
- DPSST has a partnership with the Oregon Association for the Deaf which has helped update training curricula used at the Academy. The Deaf Association asked DPSST to help create a visor card that will be provided statewide to help bridge communications between law enforcement and those who are deaf or hard of hearing. Eriks shared a prototype of the visor card, and attached wallet cards, that will be ready for distribution soon. The distribution will take place through both law enforcement agencies and deaf and hard of hearing groups around the state. Eriks shared a YouTube type video announcing the cards will be created to help get the

word out. Fire and EMS agencies have also expressed interest in the cards to aid communications.

- DPSST is working with a group of chaplains who are developing a class specifically for public safety chaplains. The closest class is in Washington and is high demand which means slots for Oregon chaplains are limited. The chaplains group will develop and deliver the class for public safety chaplains who support law enforcement, fire, EMS, and 9-1-1 centers, their staff, and their customers. DPSST will host the class at the Academy free of charge and offer meals and lodging as well.
- DPSST's leadership team recently completed a statewide listening tour that focused on its criminal justice partners. This was done because there are so many changes occurring in both standards and training for police, corrections, parole and probation, and 9-1-1 that the specific focus was necessary. More than 80 of the 208 criminal justice agencies DPSST attended. More than 150 attendees participated. The feedback was very good with a common theme statewide regarding increased communications from DPSST to agencies while their students were in the Academy. There was also feedback regarding updating the supervision and middle management training courses.
- The Department of Public Safety at Oregon State University is now a secondary PSAP and DPSST working with their Director to phase in Telecommunicator training and certification for those work work in the communications center. Eriks shared the first employee graduated the class on Friday and others will follow over the next year. Eriks shared that DPSST staff is also working to ascertain the status of the public safety communications centers at the University of Oregon, Portland State University, and OHSU to ensure they are not functioning as secondary PSAPs which would require compliance with State training and certification standards.
- DPSST has funds available through the Oregon Health Authority to assist with deliver of classes specifically for public safety personnel responding to incidents with people in crisis.
- DPSST continues to support the training efforts of Oregon APCO/NENA through grants. These grants are providing professional development opportunities for line-level telecommunicators, technical staff, supervisor and directors.

Meeting adjourned at 11:08 a.m.

10. Next Telecommunications Policy Committee Meeting May 2, 2018