

Police Policy Committee Meeting Minutes – DRAFT February 19, 2026

The Police Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on February 19, 2026, at the Oregon Public Safety Academy in Salem, Oregon. Chair Scotty Nowning called the meeting to order at 10:00 a.m.

Committee Members:

Scotty Nowning, Chair, Non-Management Law Enforcement
Casey Coddling, Vice Chair, Superintendent, Oregon State Police
Anel Ceric, Non-Management Law Enforcement
Mark Daniel, Oregon Association of Chiefs of Police
Michelle Duncan, Oregon State Sheriff's Association
Warren Hensman, Oregon Association of Chiefs of Police – (Teams)
Teresa Livingston, OSP Command Staff Representative
Patricia Lofgren, Public Member
Sam Willits, Non-Management Law Enforcement
Rob Wood, Public Member – (Teams)

Committee Members Absent:

Christopher Gjovik, Portland Police Bureau (Designee for Chief Bob Day)
Kevin Dresser, Non-Management Law Enforcement
Doug Olsen, SAC
Megan Townsend, Non-Management Law Enforcement

Guests:

DPSST Staff:

Phil Castle, Director
Marie Atwood, Professional Standards Division Director
Melissa Lang-Bacho, Professional Standards Compliance Coordinator
Cindy Park, Professional Standards Compliance Coordinator
Jennifer Howald, Administrative Rules Coordinator
Sam Tenney, Public Information Officer
Juan Lopez-Hernandez, Executive Support Specialist



1. Introductions

Introductions of members, guests and staff.

2. Approve November 20, 2025 Meeting Minutes

A consensus was reached to approve the November 20, 2025, meeting minutes as written.

3. Administrative Closure Consent Agenda

Presented by Melissa Lang-Bacho, Professional Standards Compliance Coordinator

The Department presented recommendations to administratively close the following professional standards case to the Police Policy Committee.

a) James Hoydic, DPSST No. 50481; Police

On August 10, 2022, James Hoydic was terminated from the Lincoln City Police Department (LCPD) following an internal investigation, which sustained findings that he failed to conduct a thorough domestic violence investigation and write a sufficient report of his investigation.

On March 26, 2022, Hoydic interviewed a domestic violence victim and failed to take appropriate photographs of injuries or ask sufficient follow-up questions about the statements the victim made. While Hoydic conducted his investigation, he contacted supervising officers for assistance on multiple occasions. Hoydic's initial report of his domestic violence investigation left out several statements made by the victim regarding the assault, including the location where her injuries occurred and a description of the injuries she sustained. Hoydic's initial report was rejected, and his resubmitted report continued to leave out some of the statements of abuse made by the victim.

Hoydic was interviewed as part of the internal investigation. Hoydic told the investigator that he did not document specific statements from the victim or take photographs because he forgot about them.

In January 2021, Hoydic had been placed on a work plan due to an inability to complete thorough investigations. As part of the work plan, Hoydic was required to have additional supervision of his reports and investigations.

- o *Mark Daniel moved to approve the Administrative Closure Consent Agenda recommendations made by the Department. Vice-Chair Codding seconded the motion. The motion passed unanimously.*

4. Whittaker, Sabrina, DPSST No. 59203; Police

Presented by Cindy Park, Professional Standards Compliance Coordinator

Reason for Discretionary Review

On November 7, 2022, the Department received a Law Enforcement Data System (LEDS) notification that Sabrina Whittaker had been arrested on November 2, 2022, in Eugene, Oregon, for Driving Under the Influence of Intoxicants (DUII). On November 21, 2022, Whittaker was formally charged with DUII, Reckless Driving, Recklessly Endangering-Vehicle Involved, and Driving Uninsured.

On March 2, 2023, Whittaker entered a deferred guilty plea disposition agreement for DUII, and the other charges were dismissed. On September 25, 2024, the DUII was dismissed as Whittaker had completed all the conditions of her diversion agreement.

On March 31, 2025, Whittaker resigned from the Oregon State Police (OSP). The OSP submitted an F4s Personnel Action Separation form indicating that there was an active, pending, or completed investigation into misconduct concurrent with her resignation.

<i>Police Policy Committee Discussion/Consensus/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
<p>Chair Codding disclosed an actual conflict of interest due to his involvement in this investigation and awareness of the individual’s career trajectory.</p> <p>Teresa Livingstone also acknowledged a perceived conflict of interest due to the positions she has held within the agency in question but was not involved in the investigation. Member Livingstone notes that she can still remain fair and objective during the voting process.</p>			
<p>A consensus was reached to adopt the record.</p>			
<p>The Police Policy Committee found the following moral fitness violations and factors:</p> <p><i>Moral Fitness Violations:</i></p> <ul style="list-style-type: none"> • Dishonesty: Whittaker was intentionally dishonest when she told the victim in the car she crashed into during her DUII not to call the police because they did not “respond to little things.” • Misuse of Authority: Whittaker intentionally misused her authority as a police officer when she told the victim of the Reckless Endangering charge (the driver of the vehicle she hit), that she was a “State Police Officer” and not to call the police because they did not “respond to little things.” • Misconduct: Whittaker harmed people and property when she drove her vehicle while under the influence of alcohol, causing an accident that harmed the person in the vehicle she struck, damaged the person’s vehicle, and threatened harm to her (Whittaker’s) child when she drove with her seven-year-old in the vehicle while impaired. <p><i>Aggravating Factors:</i></p> <ul style="list-style-type: none"> • Whittaker had a very high BAC when she blew a .24% several hours after drinking. • Whittaker’s child was present in the car at the time of the accident • Whittaker caused an accident early in the morning. • Whittaker told the victim of the accident that law enforcement did not “respond to little things.” • Whittaker attempted to utilize her position to mislead the victim in order to prevent law enforcement from showing up to the scene of the accident. • Whittaker intentionally manipulated her HGN field sobriety test by not keeping her head still despite claiming procedural knowledge of this test given her employment. • Whittaker initially refused to take the test by her own consent and a warrant had to be issued to do so. 			

<ul style="list-style-type: none"> Whittaker commented that her last drink was at 9:00 p.m., but understanding how alcohol dissipation works, she would not have blown a .24% early in the morning if this were true. <p><i>Mitigating Factors:</i></p> <ul style="list-style-type: none"> Whittaker was a medic with the SWAT team for Oregon State Police. 			
<p>A consensus was reached to confirm the identified aggravating and mitigating factors.</p>			
Patricia Lofgren moved that the Police Policy Committee affirm the moral fitness violations as presented.	Michelle Duncan	9 ayes; 1 recusal	Motion Passed
Chair Nowning moved, after considering the identified violations of the Board’s moral fitness standards and weighing the aggravating and mitigating circumstances unique to this case, that Board action should be taken against Whittaker’s certifications.	Sam Willits	9 ayes; 1 recusal	Motion Passed
Michelle Duncan moved, after considering the totality of the case, that Whittaker be ineligible to hold public safety certification for a lifetime.	Mark Daniel	9 ayes; 1 recusal	Motion Passed

5. Proposed Rule Changes for Oregon Administrative Rule (OAR) 259-008-0005, 259-008-0290, 259-008-0300, 259-008-0310, 259-008-0320, 259-008- 0330, 259-008-0340, and 259-008-0400

Presented by Jennifer Howald

The Criminal Justice Moral Fitness Workgroup met from September 2023 through December 2024, and again in October 2025, to review the current moral fitness standards and the denial and revocation procedures for public safety professional certifications. During this process, the Workgroup examined existing standards, discussed potential improvements, and considered draft rule changes. Each meeting was recorded and posted on the DPSST YouTube page, and copies of agendas, memos, and minutes are available on the DPSST rulemaking webpage.

The memo provided to the Committee summarizes the proposed rule changes developed from the Workgroup and DPSST staff recommendations. These changes address moral fitness standards and certification denial and revocation procedures.

Member Willits asked whether the changes outlined in ORS 259-008-0300(2)(b) are specific to a conviction or just an arrest. Professional Standards Division Director, Marie

Atwood, replied that as it is phrased, a conviction is not required and part of the reason why this was a topic to be included is because these violations are not legal convictions, they are violations. A person might be engaging in violating a restraining order routinely and it would never come across this committee's radar because it doesn't fit within the categories of reviewable items. Typically, DPSST would likely only get notice of these violations if they were connected to another crime. This is simply broadening the scope of what the committee can review but because it's phrased as conduct related to a finding, it wouldn't necessarily be a conviction requirement, yet the court or some fact-finding body would have had to make that finding in order for it to reach DPSST's consideration in the first place.

Vice-Chair Codding asked whether there are any specific points that the Workgroup highlighted to justify the changes proposed in Oregon Administrative Rules (OAR) 259-008-0310(10)(b)(D), other than for the sake of leniency. Vice-Chair Codding expressed concern that moving forward, this reasoning will draw upon a lot more dynamics that might be occurring during committee deliberations, like when there is a sustained finding, and based off of how committee members are feeling in that particular moment, that they will potentially drop the ineligibility period to zero (0) days. In the past, consistent outcomes were three years and although this might seem harsh in comparison to 0 days in some cases, there are many cases that are not entirely consistent and are based on subjective variables in the room. Member Hensman concurred with Vice-Chair Codding's reasoning and upon review of the proposed rule changes in question, commented that there is a lot of specificity and clarification that will support chiefs and decision-making regarding hiring of personnel in the future. Member Hensman agrees that having a defined time range (whether this is one (1) or two (2) years), could be more productive in decision-making.

Chair Nowning stated that as a participant of the Workgroup committee, there was ample discussion regarding this point and the one-off cases where members deliberate an individual's career and zero (0) days is appropriate. However, there is no option to do so under the current framework. Chair Nowning added that if the committees are exercising thoughtfulness and attempting to apply equal times to somewhat equal cases, although each case is unique, then if [the violation] deserves time then it warrants time, which is how the option for zero (0) days came about.

Member Duncan elaborated on Chair Nowning's response and added that there are one-off cases that don't fit the mold and there should be a framework so members do not stray from defined boundaries when making determinations. Vice-Chair Codding stated that in those cases, members chose not to act, which is how the outcome was handled. However, in a case that may not fit a three (3) year suspension, members had an off-ramp prior to determining a decision.

Member Nowning underlined the risk between not acting on a certain case yet having a similar case whereby action was taken because members thought they could under a three (3) year framework. Each case has unique aggravating and mitigating factors, and the committee has been thoughtful of those factors. When there is a violation, members wouldn't want to suspend a person for three (3) years but take no action, much like in an opposite scenario when there is the exact same violation. Members wouldn't want to be

inconsistent, and when the start date has already passed, an individual would already have technically suspended for a certain amount of time and the committee would essentially add zero (0) more days.

Teresa Livingston proposed that instead of terming the ineligibility period as “zero (0) days,” since this denotes actually not taking action, there could be an option for one (1) year ineligibility. Member Livingston posited that this is because if members are taking action, therefore it is already less time, whereas if zero (0) is used, then members might as well not take action. Mark Daniel commented that after reviewing so many cases and having had members propose this question back and forth within the committee. Harkening back to the one (1) year mark, members all know how long it takes for cases to be brought forth to the Policy Committee despite DPSST staff’s great efforts to get caught up, and there is no ‘time served’ option. There are several cases that have been a point of discussion where, given the rewrite in the proposed rule changes, members could take action and render ‘time served.’ This would allow individuals, especially under significant mitigating circumstances, the option to enter the career field or move forward. Member Daniel believes that this was some of the intent as to why the rule change was worded the way it was.

Member Livingston asked whether the verbiage can be changed to ‘time served,’ as Member Daniel had commented, versus a variable ineligibility period since this time frame could theoretically be five (5) months, two (2) years, etc. Jennifer Howald replied that not every case has a scenario where ‘time served’ is applicable. This can be specific to employment, or it may be specific to a period of separation from employment, so ‘time served’ would be a difficult notion to capture in the administrative rule.

Jennifer Howald provided the committee members the consideration to take action and recommend action, so if the decision is a revocation, then it means that that certification gets revoked and goes away. If the committee reviewed all of an individual’s circumstances and found mitigating ones or found that there was already a period of separation from employment, such as the result of an employer’s actions because of that criminal disposition or conduct, then the certification becomes revoked permanently and the individual would have to go through the entire process of certification. Depending on the time that has elapsed this may include additional training. However, the certification action happened and goes onto their record, meaning there is an action portion while also having the discretion to say how much time must pass in order for them to return to the profession by expanding the time frame from zero (0) days from the minimum. There were times when the committees were faced with the decision of imposing an ineligibility period for three (3) years or not at all. The changes to the minimum would allow committee members to set the time frame in which they may take action but adds more discretion of what the outcome is afterwards.

Vice-Chair Codding added that he is unsure if he can support zero (0) days to maximum of a lifetime on misconduct that includes discriminatory conduct. Vice-Chair Codding opined that there is a public safety environment whereby there are repeated attempts to find lesser outcomes, and despite reaffirming his appreciation for this in some instances, there are certain standards and lines that need to be upheld. This sends a powerful message even to those who might be remorseful for that conduct. Member Duncan

elaborated upon Vice-Chair Coddling's argument and commented that she believes the same could be said for dishonesty or misuse of authority. Member Duncan agrees that having experienced hardship herself, she could see how the ineligibility period could be reduced from three (3) years when it is deemed too harsh. However, if members are taking action on any of the previously mentioned moral fitness violations, then returning with a decision for a zero (0) day suspension in the one-off cases is no different than taking no action in the first place. Vice-Chair Coddling believes that the committee will still land on an appropriate outcome in each case, and having already had timeline alternatives offered by members throughout the conversation, then if everyone present agrees that zero (0) is an uncomfortable measure, then a change could be recommended such as a year, a year and a half, etc. if this line is distinguished.

Chair Nowning replied that he believes zero (0) means zero (0) more years than has already elapsed and that the practical matter among the committee would be to determine how long this individual has already been serving a suspension. As brought up before, action has happened prior to the Police Policy Committee receiving a case, so when a person has already been serving a suspension because of all their actions leading up to a decision, the committee will then decide "zero (0) more days." By all practical purposes, the committee did not make that decision, and the Board did not make that decision, but someone did decide on their career just for the Board to say, "that's enough." Chair Nowning stated that he cannot imagine a case that may arise whereby violations are found, there hasn't been a time served, and the committee determines zero (0) days. The times these types of cases have arisen, the committee has struggled with the fact that there has already been a 'time served' for a certification suspension.

Member Livingston noted that she has seen cases where individuals are actively working for longer than a year as a police officer and not suspended while they await their day in front of the committee. Member Livingston acknowledged the awkward nature of this time range along with any committee decision that would consequently disallow someone from returning to work the following day.

Vice-Chair Coddling added that members have also seen employment agencies take a hardline stance and terminate employment, yet the committee does not take action. The argument goes both ways, and the date of time served is procedural since it is determined by the employing agency based on specific ongoing circumstances. Members have had cases whereby they have asked what the starting date is and attempted to determine this in conjunction to the three (3) year ineligibility period because they are all cognizant of the variables affecting an individual. Vice-Chair Coddling reiterated his personal thoughts that there are still lines in this profession, and these are being removed in favor of a zero (0) year mark.

Member Duncan recalled a professional standards case that was presented at this meeting and highlighted that when the committee takes action, the decision considers when the incident occurred, much like a case heard at the last meeting whereby the individual was still actively employed. Member Duncan expressed her unfamiliarity with how the process would work if the committee decides not to take action in these specific scenarios and then state that an offense wasn't very egregious by imparting a three (3) month revocation period, for example. How would this look for the agency that

employed such an individual for the whole time? This is a current issue, especially if zero (0) days is applied since it demonstrates this zero (0) day revocation period, but the employing agency has never stopped employing them in that capacity.

Director Atwood reiterated Jennifer Howald's statements that if the committee takes action, the revocation is in place and such an individual still has to go through the process of getting a new certification since their existing one is gone. What an agency decides to do at the time that an individual becomes revoked may vary, but there would still be an acknowledgment that this committee revoked their licensure based on the facts that were found. In some of the conversations at the Workgroup and Policy Committee level, the problem that was presented that led to this change as a proposal were three phases, the factual findings, taking action, and the ineligibility phase. There were many examples of cases where the facts included so much mitigating information but the ineligibility criteria were so limited that the committees felt like they were forced to alter their action to reach the right outcome. This rule change does not take away the ability to enforce those really substantial outcomes for such cases, it simply gives leeway for the zero (0) to three (3) year cases where someone might present very legitimate mitigating facts to reach a resolution that satisfies members without altering what the 'taking action' phase entails.

Vice-Chair Codding added that he harkens back to the passing of Ballot Measure 11 that contains certain aspects with mandatory minimums and restated his disapproval for zero (0) years.

Director Atwood stated that the Corrections Policy Committee last week also had ample discussion around this topic, and reiterated what was told to members at that meeting that if there are particular proposals that are either discussed today or solutions or ideas that come to members later, the discussion is not final and the committee may reconvene to formally propose the finalized rules for their implementation if draftable ideas are developed.

Vice-Chair Codding asked if the agency response time in the prior rule was ninety (90) days with regards to the proposed changes found in ORS 259-008-0400. Jennifer Howald replied that the current rule does not include the timeline for response, and sixty (60) days is just outlined in the letter that is submitted to the employing agency to request acknowledgement that the complaint was received and handled in a manner they deemed adequate. Vice-Chair Codding asked whether DPSST anticipates having this sort of response within ninety (90) days since it will be a tight turn around. Jennifer Howald mentioned that this also includes the caveat that if the employing agency notifies DPSST that additional time is needed, that ninety (90) days could be extended. DPSST would like to recognize that there are due-process requirements that are followed on the employer side, it is just a matter of maintaining that communication line, i.e. that the complaint has been forwarded to the employing agency and that the employing agency received it and is processing it. If the deadline approached the ninety (90) day mark, and it had been communicated that additional time was needed, that it hasn't made it through its resolution and its due process, then it would continue to remain open and DPSST wouldn't have a report yet.

Member Duncan asked if this relates to moral fitness certification elements since she has observed many unsubstantial DPSST complaints. Member Duncan expressed skepticism towards the rule change for this reason, especially when having to provide findings. Committee members may find that there is a policy violation for their respective agency, but it has nothing to do with certification standards and now findings must be provided. Typically, employment and disciplinary records are confidential but as soon as one gives them out they are not. Jennifer Howald replied that there is a distinction between ‘jurisdictional and non-jurisdictional.’ As we look to the definition of ‘jurisdictional,’ it would be a complaint where the allegations, if proven, would leave an objectively reasonable person to believe that the employment training or certification standards have been violated. In having to report findings to DPSST, the agency will forward all complaints to the employer. If a complaint is not jurisdictional, DPSST will state that it does not involve DPSST’s standards of moral fitness and send the document for employing agencies’ own information processes. The alternative form would include jurisdictional matters, and per the rule, would require a response from the employer. This would lean more towards data points, not necessarily what all of the findings or disciplines were, just whether the complaints triggered any of those.

Member Duncan posited an example where a jurisdictional matter with allegations against an individual are initially a moral fitness standard violation but turn out to be untrue throughout the investigation process. However, a driving policy or something similar was violated. Is there a duty to report back to DPSST regarding discipline even though it wouldn’t be a moral fitness standard? Member Duncan expressed concern that this would then become a public record.

Vice-Chair Codding stated that there are individuals who start their complaints in a certain agency and may not like the response they receive from that agency, so they move on to another. An agency may determine a non-basis outcome or sustain a minor policy violation, but this could potentially become something more.

Member Duncan stated that if DPSST is asking for an employing agency to provide findings on whether the employer disciplined on a moral fitness standard, then this is different than asking if the employer investigated something based on what are sometimes outlandish complaints. Member Duncan believes that this should not fall under the umbrella of DPSST certification.

Director Atwood called the members attention to ORS 259-008-0400(5)(b), to consider alternative drafting that describes what DPSST’s written response will look like. Assuming if this were in checkbox form, for the sake of conversation, that would answer the questions pertaining to the required data points, such as whether the allegations made in the complaint have been reviewed or whether the complaint results in an investigation, or whether any of the allegations in the complaint were substantiated – all of which could framed in a “yes” or “no” format. The conversation at hand sounds like there could be cases where there are both moral fitness type allegations and just policy or procedural violation allegations. Director Atwood asked members if their concern would be alleviated if this section were amended to say whether any of the moral fitness allegations complaints were substantiated. This could define internal sanction processes, personnel issues, etc. that do not need to reach DPSST’s radar. Member Duncan stated

“yes,” and it should be clear what the employing agency and DPSST are only conversing about matters where certification would be affected, which is where reporting to DPSST comes in since there is a duty to report regardless. Vice-Chair Coddling asked if he could receive confirmation that non-jurisdictional matters would be policy level type issues, but not moral fitness related. Director Atwood confirmed. Vice-Chair Coddling concurred that if the language defines what needs to be reported, then the committee could move forward.

Member Willits agreed with Vice-Chair Coddling’s and Member Duncan’s concerns and shared and called attention to ORS 259-008-0400(3), “When the Department determines a complaint is non-jurisdictional, the complaint will be closed.” Member Willits then asked if this could also be a checkbox stating it is non-jurisdictional and subsequently closed by DPSST upon return. Jennifer Howald replied that DPSST is making a determination before sending a complaint out. If the complaint were proven, such as if the contents of the information DPSST receives would be a moral fitness violation, and if it resulted in a criminal disposition or a separation of employment by the agency. At this point, DPSST is forwarding the complaint, and it is still being handled by the employer and does not become a professional standards case for DPSST unless there is that separation from employment factor

Director Atwood reiterated that essentially, if it is a non-jurisdictional allegation, when DPSST receives a complaint, the agency can usually tell on its face whether or not it is true, even though if true, would not fall within DPSST’s purview and agencies wouldn’t be responsive to this at all.

Member Duncan agreed and changed her comment to explain that it is not the employing agency’s responsibility to determine whether a complaint is jurisdictional or non-jurisdictional. Employing agencies should decide what is non-jurisdictional. Member Duncan expressed concern with agencies now having to report whether they took action on non-jurisdictional matters, or whether they found something that was non-jurisdictional. Member Willits agreed with Member Duncan’s point.

Jennifer Howald replied by seeking clarification on whether the main concern is on reporting back on whether any of the allegations were sustained and whether or not those findings resulted in disciplinary action. Member Duncan clarified that the concern is if any of the jurisdictional complaints were sustained. Jennifer Howald replied that this already exists in the parent language that is found in section five (5) because the conversation is only talking about reporting back on jurisdictional complaints. Member Duncan agreed but reiterated her point of seeking clarification that what is being reported back to DPSST is in regard to a jurisdictional complaint. There may be findings on other aspects but stated that where the conversation is now read to her that if any of the jurisdictional or non-jurisdictional allegations that could form part of complaint are true, then when reporting back as an employer, that there were no jurisdictional findings for certain components.

Jennifer Howald reiterated Member Duncan’s reply by providing the example that from X number of points in a complaint, only one would be considered a potential violation of DPSST standards, and the remaining X number of points just happen to be there. Jennifer Howald asked if this is something that DPSST could procedurally identify

before sending the complaint to the employing agency or simply send the whole complaint for the employing agency to identify.

Member Livingston commented that both Director Atwood and Member Duncan mentioned this and that her concern lies in an adjustment to section B that clearly spells out that what is really in a written response to DPSST is only related to a jurisdictional complaint and could have an option to leave the roster blank. Member Livingston also recalled the ninety (90) day response period that was previously discussed, and having seen many of the cases throughout the years, cannot recall any that would land under a jurisdictional category as well as having been completed in less than ninety (90) days. Many have criminal elements which then will not proceed to a personnel investigation and Member Duncan asked if DPSST would keep notifying employing agencies repeatedly over a long period of time and sought clarification on how the process would work after this period when it has been predominantly late. Member Duncan asked if this is something that can be changed to reflect what is in the Police Officer Bill of Rights as far as having six months to complete an investigation, barring certain factors. This way, it would be in line with what employing agencies must do regardless and in acknowledgement of the extra work this process already created for them and DPSST.

Vice-Chair Codding stated his desire to stick to a receipt of acknowledgment by the employing agency and then have them follow up when it is warranted under a trust pact framework.

Member Hensman stated that he believes DPSST will receive several questions from agencies on how to complete this newer portion anyway and proposed a checkbox option stating that unless the employing agency notifies DPSST that additional time is needed under the ninety (90) day framework, which will be common.

Member Livingston asked if the committee members will get to see another draft of the proposed rule changes in question. Jennifer Howald answered that the policy committees will reconvene in May to highlight the changes that were made based on their discussions and public comments before advancing to Board approval.

Member Wood revisited the topic of the zero (0) year framework and expressed his gratitude for the discussion since members recently reviewed an assault case that reached a civil compromise whereby the Committee took no action despite a crime having been committed. Member Wood reiterated that the Committee would not want its hands tied simply by looking at the period of revocation and stated he would like to see a proposal for an alternative period of ineligibility in order to give Jennifer Howald more direction when the subject is revisited.

Vice-Chair Codding suggested an ineligibility period of two years.

Director Castle added that the decision wouldn't fall onto DPSST and stated its position as a supporting figure for the Policy Committees and the Board and echoed Member Wood's comments on the ambiguity of a zero (0) to three (3) year framework, as discussed before.

Chair Nowning recommended a one (1) year limit since zero (0) has a certain connotation to it and one (1) year would reflect the very rare instance where an

individual would not have been out of service for this amount of time anyway. Jennifer Howald asked for additional clarification since the point was brought up for specific moral fitness violations, specifically dishonesty and discriminatory conduct, whether members would still like to impose a one (1) year limit for these or consider a different minimum. Chair Nowning stated that he would like to see a zero (0) year limit for misconduct, not involving discriminatory conduct. Chair Nowning also commented that there are probably more cases where zero (0) years would apply, yet in other cases it would constitute a stretch to get to a zero (0) year determination so he is unsure what year would be appropriate for such instances. Member Wood supported Chair Nowning's feedback and would like to see a zero (0) year limit on misconduct, without discriminatory actions, and a one (1) year limit for dishonesty.

Patty Lofgren stated her comfort with a zero (0) year minimum for misconduct, not including discriminatory conduct, and a one (1) year minimum for dishonesty.

Member Duncan agreed that just misconduct, not including discriminatory misconduct, should be near zero, but still struggled to support the notion of a zero (0) year minimum.

Member Daniel stated that if members remain with a zero (0) year determination, it doesn't preclude the Police Policy Committee or the Board. This change makes it a little easier for members to take action since he has seen members struggle with making determinations under the existing framework, specifically on taking no action since the current alternative is still a three (3) year minimum. As a public body, if members find that there is a moral fitness violation and would like to act on it, then that action will be taken whether an individual is suspended for a day or ten years, as was stated. Individuals would still have to go through a process for certification, and this will not be easy for them.

Vice-Chair Coddling asked if a zero (0) year suspension still requires an individual to go through this certification process. Jennifer Howald replied 'yes.'

Member Willits agreed with Member Daniel that there are still processes for re-certification and documenting that a certification has been revoked at a point in time for a substantiated reason. Member Willits commented that he has seen the struggle members face under the existing framework, even as a new member of the committee, and stated that a zero (0) year compromise is appropriate. Member Daniel commented that the decisions that are made by members in this committee are observed out in the workplace and employing agencies and communities sometimes struggle to make decisions based on whether there was action or no action.

- *Chair Nowning expressed his gratitude for today's discussion and asked for a consensus on a recommendation for a zero (0) year minimum for misconduct, without elements of discriminatory misconduct, and one (1) year for the remaining moral fitness violations. A consensus was reached to make the prior recommendation.*
- *Vice-Chair Coddling motioned to approve the proposed rule changes for Oregon Administrative Rules (OAR) 259-008-0005, 259-008-0290, 259-008-0300, 259-008-0310, 259-008-0320, 259-008-0330, 259-008-0340, and 259-008-0400.*

Member Daniel seconded the motion. A vote was taken by roll call whereby the motioned was passed unanimously.

6. Agency Updates

Presented by Phil Castle, Director

Director Castle thanked the committee members for the discussions and decisions made today, specifically for their future historical value to public safety and thanked DPSST staff, notably Jennifer Howald, for their hard work as well. DPSST is currently waiting for the result of the Legislative Session, where they will be deciding budget readjustments. DPSST received an economic forecast in February that was more fiscally positive, signifying DPSST's increase of approximately \$180 million in the General Fund. However, this will not solve all of the agency's budgetary constraints since there is still the matter of HR1, which has tremendous impact on this State over the next five (5) years or so. There will be escalating impacts as fund sources such as Medicaid see a decrease in rate-matching over this time period. Oregon will then have to determine how to compensate for this lowering match rate given that it's a great consumer of Medicaid. This is by far the largest impact and will affect the following biennia.

DPSST went to an E-Board last biennia since the F-Building (the Village) had structural damage to it due to internal windshear. This is currently under repair yet experiencing an issue on behalf of the contractor. DPSST is attempting to find other ways to make progress since it is impacting on the quality of training due to the building's intense use. DPSST has also officially kicked off its Learning Management System (LMS) project after being on hold due to budget limitation uncertainty. The project manager has been on campus and DPSST is optimistic about this project.

Moreover, DPSST received \$3.2 million towards approximately \$20 million worth of deferred maintenance costs due to the age of the facilities. This money is being prioritized exclusively for infrastructure issues that could impact operations and noted DPSST Facilities staff for their efforts on these projects. The outbound gate to the campus will be replaced under this premise, along with a merger for the two outbound lanes for traffic safety. This will take the form of a swinging gate instead of a sliding one after extensive consideration of various factors.

DPSST has installed new software for all academy cameras, which will also be replaced, to streamline video footage retention in conjunction with additional AI software for improved campus security.

Professional Standards Division Director, Marie Atwood, noted delays due to staff shortages in the Professional Standards Division but noted a return to regular operations at the upcoming May Policy Committees. The Division is also anticipating the launch of a new Case Management System (ACADIS) in March, which will greatly benefit staff in terms of operations. Along with an internal change in processes to become a part of the case management platform, there will be external processes impacting policy committee members.

The first of these external changes is a transition of F-forms that DPSST has agencies fill out to report various items and are being changed to web-form applications. The initial phase of transition will include the F28 (criminal history reporting), and the F4s (separation reporting), since these are where DPSST receives moral fitness cases. In order to fully incorporate DPSST staff into using case management software, the web-form being the kick-starter of those actions, is also going to be hosted on the ACADIS platform.

Before DPSST launches any public facing changes, there will be a series of communications that go out to constituents as to what to expect, what it looks like, how to navigate it, etc. In the

meantime, if there are any questions or concerns, do not hesitate to reach out to Director Atwood. Director Atwood expressed hope that this will aid the current backlog of cases to move them forward at a more rapid pace. This will also enable DPSST to collect information on how Oregon's public safety professionals are doing on moral fitness in the long-term, when it is usually difficult to track.

Additionally, Director Atwood noted how DPSST does, however, already have to track various data points for the Legislature by mandate (HB 4207/3145), to keep the public facing and economic sanctions database as well as to report to the Governor's Office each year regarding trends and data about police cases involving suspension, revocation, or denial of certifications. DPSST just finalized its report for 2025 and submitted it to the Capitol. A snapshot of these datapoints reads as follows:

- DPSST issued final revocations for certification for 32 total police officer cases (up from 27 in 2024). Director Atwood commented that this is more likely to be because of DPSST staff diligence in processing a Covid-era backlog.

Among those 32 revocation cases for 2025:

- 55% of cases resulted in a voluntary surrender of certification for a lifetime (up from 43% in 2024)
- 50% of cases were related to on-duty conduct (up from 30% in 2024). Director Atwood noted that 68% of economic sanctions cases involved on-duty conduct, down from 96% in 2024). This could mean that agencies are also expressing diligence in reporting on-duty misconduct cases to DPSST rather than handling them via economic sanctions.
- 75% of revocations will be ineligible to hold certification for a lifetime (up from 70% in 2024)
- 56% of officers have 10 or more years of experience (down from 63% in 2024). Director Atwood commented that officers are earlier in their careers when DPSST received professional standards cases in 2025.
- 5 revocations for supervisory certifications (up from 3 in 2024)
- 2 revocations for management certifications (up from 0 in 2024)
- 1 revocation for executive certifications

Jennifer Howald also updated the members on the formation of a Workgroup approved by the Board to examine the maintenance training requirements for law enforcement officers. Once certified, individuals will go through ongoing maintenance training and the Workgroup will review what the standards are to make recommended changes. This Workgroup will also invite Policy Committee members and constituents so any interest is welcome.

Director Castle also asked Members Hensman, Duncan, and Daniel if they are intentionally holding vacancies at the moment. Member Hensman replied that his agency is unintentionally holding 8, with 6 in background. Member Duncan replied her agency is unintentionally holding 25 (across all disciplines). Member Daniel replied that his agency is unintentionally holding 2 vacancies that have remained vacant for a significant period of time due to being unable to find qualified candidates.

7. Next Police Policy Committee Meeting: May 21, 2026 at 10:00 a.m.

- *Chair Nowning then adjourned the meeting at approximately 12:20 p.m.*

Administrative Notes:

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@dpsst.oregon.gov.

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