

# Police Policy Committee Minutes - DRAFT

## November 20, 2025

The Police Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on November 20, 2025, at the Oregon Public Safety Academy in Salem, Oregon. Vice Chair, Casey Coddng called the meeting to order at 10:00 a.m.

### **Committee Members:**

Casey Coddng, Vice Chair, Superintendent, Oregon State Police  
Anel Ceric, Non-Management Law Enforcement (Teams)  
Mark Daniel, Oregon Association of Chiefs of Police  
Christopher Gjovik, Portland Police Bureau (Designee for Chief Bob Day) (Teams)  
Kevin Dresser, Non-Management Law Enforcement  
Michelle Duncan, Oregon State Sheriff's Association  
Teresa Livingston, OSP Command Staff Representative  
Patricia Lofgren, Public Member  
Rob Wood, Public Member

### **Committee Members Absent:**

Scotty Nowning, Chair, Non-Management Law Enforcement  
Angela Brandenburg, Oregon State Sheriff's Association  
Doug Olsen, SAC  
Megan Townsend, Non-Management Law Enforcement

### **Guests:**

Mark Farmer  
Erica Hurley  
Jonathan McNichols  
James McQueen

### **DPSST Staff:**

Phil Castle, Director  
Kathy McAlpine, Deputy Director  
Marie Atwood, Professional Standards Division Director  
Ben Hamilton, Standards and Certification Program Manager  
Melissa Lang-Bacho, Professional Standards Compliance Coordinator  
Cindy Park, Professional Standards Compliance Coordinator  
Jennifer Howald, Administrative Rules Coordinator  
Sam Tenney, Public Information Officer  
Erica Riddell, Criminal Justice Support Specialist  
Juan Lopez-Hernandez, Executive Support Specialist

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### **1. Introductions**

Introductions of members, guests and staff.

**2. Approve August 21, 2025 Meeting Minutes**

A consensus was reached to approve the August 21, 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 cases to the Police Policy Committee.

**a) Nowak, Edward (50481) Police**

On May 3, 2024, Edward Nowak resigned from the Benton County Sheriff's Office (BCSO) after an internal investigation sustained findings that he violated BCSO policy. The violations included Rules of Conduct-unbecoming conduct, harmful communications, and Insubordination.

The BCSO's investigation was related to Nowak's communications with the Benton County District Attorney's Office. Nowak had sent multiple emails which contained his personal opinions about the District Attorney's Office processes that were determined to be unprofessional.

Based on the information provided, the Department has determined that Nowak's separation does not violate the Board's moral fitness standards defined in Oregon Administrative Rule. The Department concludes that Nowak's email communications were unprofessional; however, they largely fall into the performance category. Additionally, Nowak was hired by the Springfield Police Department, which would have conducted a background investigation prior to Nowak's being hired.

*Mark Daniel moved to approve the Administrative Closure Consent Agenda recommendations made by the Department. Kevin Dresser seconded the motion. The motion passed unanimously.*

**4. Farmer, Mark (55203) Certification Review: Police**

Presented by Melissa Lang-Bacho, Professional Standards Compliance Coordinator

*Reason for Discretionary Review*

On November 15, 2023, the Department received notification that Mark Farmer had been criminally cited for *Assault in the Fourth Degree* in Battle Ground, Washington. On September 5, 2024, Farmer's criminal court case resulted in a criminal disposition after a civil compromise was reached in the case. Farmer is currently employed with the Multnomah County Sheriff's Office (MCSO).

*Mark Farmer provided verbal mitigation for committee consideration.*

<i>Police Policy Committee Discussion/Consensus/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
<p>A consensus was reached to adopt the record.</p>			
<p>The Police Policy Committee found the following moral fitness violations and factors: <i>Moral Fitness Violations:</i></p>			

- Dishonesty: The committee did not identify elements of dishonesty.
- Misuse of Authority: The committee did not identify elements of misuse of authority.
- Misconduct: Farmer violated criminal law and has a criminal disposition for *Assault in the Fourth Degree* after he entered into a civil compromise in his criminal case.
  - Farmer physically assaulted a man (C.J.), causing a significant physical injury.
  - Farmer threatened further physical harm against C.J. if C.J. were to look or speak to Farmer's wife.
  - Farmer threatened the efficient operation of the MCSO when his conduct and place of employment were discussed in news articles, which threatened the reputation of the MCSO in the community.

*Aggravating Factors:*

- Within 24 hours of discovering offensive information, Farmer actively looked for the offending person to confront him, which ended in Farmer hitting the man.
- Farmer was a defensive tactics instructor which should have provided Farmer with the tools to create distance in altercations, but he did not utilize those tools.
- It was difficult to see the incident as self-defense, as Farmer claimed.
- There was the physical altercation with the man and an additional verbal altercation with another person later on in the day.
- Farmer had a prior incident of threatening behavior in the workplace.

*Mitigating Factors:*

- Farmer attended the meeting to address the committee and took full accountability for his actions.
- The letters of support submitted were mitigating, with a notable letter from Farmer's wife.
- Farmer received accommodations and awards while working as a public safety professional.
- Farmer's mitigation was genuine, and he has taken steps to move on from the incident through counseling.
- Farmer self-reported his conduct to his employer right away.
- Farmer tried to distance himself during the encounter at the school.
- In the school encounter, the other party appears to be the instigator in the incident.

A consensus was reached to confirm the identified aggravating and mitigating factors.

Michelle Duncan moved that the Police Policy Committee affirm the	Teresa Livingston	9 ayes; 0 nays	Motion Passed Unanimously
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moral fitness violations as presented.			
Rob Wood 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 no Board action should be taken against Farmer's certifications.	Patricia Lofgren	9 ayes; 0 nays	Motion Passed Unanimously

## 5. Hurley, Erica (29900) Certification Review: Police

Presented by Melissa Lang-Bacho, Professional Standards Compliance Coordinator

### *Reason for Discretionary Review*

On July 17, 2023, Erica Hurley separated from the Portland Police Bureau (PPB), leaving for employment with the Vancouver Police Department in Washington state. After her separation from the PPB, the Independent Police Review (IPR) investigated a complaint received prior to her separation. The IPR completed the investigation, sustaining a finding related to dishonesty and reported the status to the Department. The Department opened a professional standards case to review the conduct.

*Erica Hurley provided verbal mitigation for committee consideration.*

<i>Police Policy Committee Discussion/Consensus/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Christopher Gjovik recused himself due to a conflict of interest.			
A consensus was reached to adopt the record.			
The Police Policy Committee found the following moral fitness violations and factors:			
<i>Moral Fitness Violations:</i>			
<ul style="list-style-type: none"> <li>• Dishonesty: The committee did not identify elements of dishonesty.</li> <li>• Misuse of Authority: The committee did not identify elements of misuse of authority.</li> <li>• Misconduct: The committee did not identify elements of misconduct.</li> </ul>			
<i>Aggravating Factors:</i>			
<ul style="list-style-type: none"> <li>• The committee did not identify any aggravating factors.</li> </ul>			
<i>Mitigating Factors:</i>			

- The investigation conducted through the Vancouver Police Department (VPD) was mitigating. The VPD investigation did not sustain findings and highlighted inconsistencies in the investigation completed by the PPB.
- The delay in reporting the complaint was mitigating.
- The complaint was made at a time the reporting party was under scrutiny.
- The meeting in which Hurley was said to have been untruthful was brief, with no notes or recording of what occurred.
- A significant amount of time passed between the meeting and the complaint.
- The person Hurley was said to be untruthful to did not think she was untruthful to him.
- The investigation conducted by the PPB leads the reader down a path to find dishonesty, but a dishonesty finding was not supported by the record.
- There was no motive for Hurley to be dishonest.
- 29 letters of support were submitted, which painted a theme of high integrity in Hurley.
- The letters of support were impressive, with multiple letters from PPB members and the Vancouver Chief.
- One of the allegations made by the complainant was not sustained, which discredits the integrity of their report that Hurley was untruthful.
- Hurley has the support of her agency, who attended the PPC meeting with her.

A consensus was reached to confirm the identified aggravating and mitigating factors.

Rob Wood moved that the Police Policy Committee negate the moral fitness violations as presented.	Teresa Livingston	8 ayes; 0 nays; 1 recused (Member Gjovik)	Motion Passed Unanimously
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## 6. **McNichols, Jonathan (60995) Certification Review: Police**

Presented by Marie Atwood, Professional Standards Division Director

*Reason for Discretionary Review*

The Department opened a professional standards case after receiving an F4s Personnel Action Separation form from the Salem Police Department (SPD) that stated on April 24, 2023, Jonathan McNichols was terminated from the SPD for policy violations related to Personal Conduct-Integrity and Preliminary Investigations. An internal investigation was conducted after an inquiry was opened into McNichols' conduct during three separate on-duty incidents in which he was responsible for the collection of evidence and proper documentation of investigative information.

*Jonathan McNichols provided verbal mitigation for committee consideration.*

Police Policy Committee Discussion/Consensus/Vote	Second	Vote	Outcome
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A consensus was reached to adopt the record.

The Police Policy Committee found the following moral fitness violations and factors:

*Moral Fitness Violations:*

- Dishonesty: The committee did not identify sufficient information to make a finding of dishonesty.
- Misuse of Authority: The committee did not identify sufficient information to make a finding of misuse of authority.
- Misconduct: McNichols engaged in misconduct that included numerous inconsistencies in statements, actions, judgment, and memory related to three investigations. These inconsistencies amounted to a lack of integrity and credibility, which harmed the SPD. McNichols harmed the public's trust, which led to McNichols' termination.

*Aggravating Factors:*

- McNichols stated he didn't know what else to do when he could have taken leave or gone to Human Resources (HR) instead of continuing to work and failing in his duties.
- There is a pattern of lacking integrity, beyond just performance mistakes.
- The incidents, including the crime of Arson and the backpack search, are very concerning derelictions of duty.

*Mitigating Factors:*

- McNichols reached out to supervisors, expressed that he was going through a rough time, and asked for assistance.
- Statements made by McNichols regarding personal life situations.
- There didn't seem to be an effort on McNichols' supervisor's part to redirect or remediate the deficiencies or catch them in the moment (i.e., reports had been approved).
- McNichols accepted/admitted the performance concern, taking ownership in his verbal mitigation statement.
- Seems like more of a performance issue rather than reckless or intentional conduct.
- The dishonesty does not appear to have been intentional.

A consensus was reached to confirm the identified aggravating and mitigating factors.

Rob Wood moved that the Police Policy Committee modify the moral fitness violations as presented to remove dishonesty but keep misconduct.	Casey Codding	9 ayes; 0 nays	Motion Passed Unanimously
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Rob Wood 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 McNichols's certifications.	Patricia Lofgren	9 ayes; 0 nays	Motion Passed Unanimously
Teresa Livingston moved, after considering the totality of the case, that McNichols be ineligible to hold public safety certification for 3 years.	Mark Daniel	9 ayes; 0 nays	Motion Passed Unanimously

## 7. **McQueen James (55471) Certification Review: Police**

Presented by Marie Atwood, Professional Standards Division Director

### *Reason for Discretionary Review*

The Department opened a professional standards case upon receipt of an F4s Personnel Action-Separation form from the Hillsboro Police Department (HPD) that reported James McQueen signed a settlement agreement on December 15, 2022, resigning from the department. The reported reason for this separation was that HPD determined McQueen had been untruthful when calling in sick on three consecutive days in August 2022. McQueen signed the settlement agreement after being issued a due process notice with a proposed sanction of termination by the HPD. Therefore, the investigation was incomplete at the time of his separation.

*James McQueen provided verbal mitigation for committee consideration.*

<i>Police Policy Committee Discussion/Consensus/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
A consensus was reached to adopt the record.			
The Police Policy Committee found the following moral fitness violations and factors: <i>Moral Fitness Violations:</i> <ul style="list-style-type: none"> <li>• Dishonesty: McQueen was intentionally dishonest when he misrepresented the truth about his use of family sick time in order to attend an event with his wife in Texas.</li> <li>• Misuse of Authority: The committee did not identify sufficient information to make a finding of misuse of authority.</li> <li>• Misconduct: McQueen engaged in misconduct when he was intentionally dishonest about his use of sick time while attending an event in Texas with his wife. This dishonesty resulted in improper use of HPD and City of Hillsboro</li> </ul>			

resources related to benefits, thus harming the efficient operations of both agencies.

*Aggravating Factors:*

- It was difficult to believe there was no intentional dishonesty: McQueen didn't communicate with his supervisor, took leave for three consecutive days, knew he was out of time, and that he could get unpaid leave.
- McQueen was a police officer for many years and was aware of the leave policy.
- The District Attorney wrote a Brady Letter- this will come up anytime McQueen testifies.
- If McQueen believed his leave fell within sick time, he could have/should have talked to someone about it.

*Mitigating Factors:*

- McQueen was going through difficult life stress due to injuries.
- Verbal mitigation- McQueen stated he felt his sick leave request would be in line with policy.
- Verbal mitigation- McQueen verbalized significant, understandable stressors, including the possible end of his career.

A consensus was reached to confirm the identified aggravating and mitigating factors.

Michelle Duncan moved that the Police Policy Committee affirm the moral fitness violations as presented.	Mark Daniel	9 ayes; 0 nays	Motion Passed Unanimously
Christopher Gjovik 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 McQueen's certifications.	Kevin Dresser	9 ayes; 0 nays	Motion Passed Unanimously
Teresa Livingston moved, after considering the totality of the case, that McQueen be ineligible to hold public safety certification for 3 years.	Kevin Dresser	7 ayes; 2 nays	Motion Passed

**8. Agency Updates**

Presented by Phil Castle, Director

- Director Castle took a moment to thank the committee and DPSST staff for their continued dedication to the Police Policy Committee and all of the work behind the scenes that needs to be done in order for the committees to run smoothly.
- DPSST is currently looking at ways to be more efficient with our case review processes. More information will be available in the future about updates or process changes that may happen.
- The Governor's office requested each state agency complete a 2.5% and 5% reduction exercise for the current biennium. DPSST has completed and sent their recommendations to the legislature. Both a 2.5% and a 5% reduction would greatly impact DPSST, and we are committed to being transparent about the impacts these reductions would have. We will know more information in the future and will let committees know the outcome once DPSST knows.
- Director Castle took a moment to thank both Kevin Dresser and Angela Brandenburg for their continued dedication to the Police Policy Committee as both of their terms have now come to an end. We appreciate their work and discussions in the Police Policy Committees and wish them the best in their next endeavors!

**9. Next Police Policy Committee Meeting: February 19, 2026 at 10:00 a.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](mailto:dpsst.records@dpsst.oregon.gov).*