

Police Policy Committee Minutes

June 12, 2023

The Police Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on June 12, 2023, at the Oregon Public Safety Academy in Salem, Oregon. Chair, John Teague called the meeting to order at 9:00 a.m.

Committee Members:

John Teague, Chair, Oregon Association Chiefs of Police
Chris Skinner, Vice Chair, Oregon Association of Chiefs of Police
Casey Coddling, Superintendent, Oregon State Police
Kevin Dresser, Non-Management Law Enforcement
Mark Garton, Oregon State Sheriff's Association (Webex)
Brad King, Non-Management Law Enforcement
Mike Frome, Portland Police Bureau (Designee for Chief Charles Lovell)
Scotty Nowning, Non-Management Law Enforcement
Ashliegh Ramirez, Public Member (Webex)
Terry Rowan, Oregon State Sheriff's Association (Webex)
Jill Thissel, Non-Management Law Enforcement (Webex)
Rob Wood, Public Member

Committee Members Absent:

DaNeshia Barret, Non-Management Law Enforcement
Angela Brandenburg, Oregon State Sheriff's Association
Alex Gardner, Oregon State Police Command Staff Representative
Kieran Ramsey, Federal Bureau of Investigation
Kathy McAlpine, Oregon Association of Chiefs of Police

Guests:

Gary Anderson
Hannah Copeland
Cameron Wolfe

DPSST Staff:

Phil Castle, Director
Suzy Herring, Professional Standards Administrator
Marsha Morin, Standards and Certification Manager
Melissa Lang-Bacho, Professional Standards Case Manager
Jennifer Levario Professional Standards Case Manager
Cindy Park, Professional Standards Case Coordinator
Jennifer Howald, Administrative Rules Coordinator
Erica Riddell, Criminal Justice Office Specialist
Shelby Wright, Executive Support Specialist



1. Introductions

Introductions of members, guests, and staff.

2. Approve the February 16, 2023 Meeting Minutes and the Joint Policy Committee Meeting Minutes

Scotty Nowning moved to approve the minutes from the February 16, 2023, Police Policy Committee meeting and the amended Joint Policy Committee Meetings. Casey Codding seconded the motion. The motion passed unanimously.

3. Administrative Closure Consent Agenda

Presented by Jennifer Levario, Professional Standards Case Manager

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

a) Stanfill, Tanner (35471) Police

Complaints made against Chief Stanfill by officers under his command were not subject to a full investigation, therefore, lacked sufficient evidence to determine if moral fitness violations occurred prior to his separation of employment.

b) Walling, Crystal (46001) Police

Walling’s criminal disposition in 2009 may have violated the Board’s moral fitness standards but the offense occurred over 10 years prior to employment with the Coquille Tribal Police Department and Walling was not employed in a public safety profession at the time.

Chris Skinner moved to approve the Administrative Closure Consent Agenda recommendations made by the Department. Mike Frome seconded the motion. The motion passed unanimously.

4. Anderson, Gary (19106) Certification Review: Police

Presented by Jennifer Levario, Professional Standards Case Manager

Reason for Discretionary Review

On March 7, 2022, Gary Anderson was terminated as an “at-will” reserve officer from the Washington County Sheriff’s Office. Anderson currently holds Basic, Intermediate and Advanced Police Certifications. The Department received notice that Anderson had been charged with and pleaded guilty to *Harassment*, a Class B Misdemeanor. Under Oregon Administrative Rule (OAR) 259-008-0310, a discretionary review was completed.

Gary Anderson provided verbal mitigation for committee consideration.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Rob Wood moved that the Police Policy Committee adopt the staff report.	Scotty Nowning	10 ayes; 0 nays; 1 recused (King)	Motion Passed Unanimously
The Police Policy Committee found the following moral fitness violations and factors: <i>Moral Fitness Violations:</i>			

<ul style="list-style-type: none"> • Dishonesty: The committee did not identify elements of dishonesty. • Misuse of Authority: The committee did not identify elements of misuse of authority. • Misconduct: Anderson engaged in misconduct when he put his hands around his brother's throat and pushed him into the garage. His was done in the presence of a minor. <p><i>Aggravating Factors:</i></p> <ul style="list-style-type: none"> • The committee found that the misdemeanor conviction of <i>Harassment</i> was an aggravating factor. <p><i>Mitigating Factors:</i></p> <ul style="list-style-type: none"> • The committee found that the family dynamics at the time of the incident were mitigating factors. • The Committee found that Anderson took responsibility for his actions. • The committee found the actions of the brother were provocative and the totality of the situation was not sufficient to revoke Anderson's certifications. 			
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 Anderson's certifications.	Kevin Dresser	10 ayes; 0 nays; 1 recused (King)	Motion Passed Unanimously

5. Carballo, Matt (49974) Certification Review: Police

Presented by Jennifer Levario, Professional Standards Case Manager

Reason for Discretionary Review

The Department received an F4s (Personal Action Separation Form) on November 7, 2019, notifying us that Matt Carballo, a certified Police Officer, was terminated from his probationary employment with the Dallas Police Department (DPD) as part of an internal investigation related to criminal charges.

The Department received information from DPD that Carballo was arrested on October 22, 2019, for Driving Under the Influence of Intoxicants and Recklessly Endangering Another Person. Additionally, Carballo was arrested on December 2, 2019, for Criminal Driving While Suspended and Failure to Perform the Duties of a Driver-Property Damage.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Brad King moved that the Police Policy Committee adopt the staff report.	Scotty Nowning	12 ayes; 0 nays	Motion Passed Unanimously

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

Moral Fitness Violations:

- Dishonesty: The committee found that Carballo was dishonest when he told the DPD that he was not the driver of the vehicle that hit the 7-11.
- Misuse of Authority: The committee did not identify elements of misuse of authority.
- Misconduct:
 - Carballo was arrested and charged with *DUII* and *Recklessly Endangering Another Person*. The *DUII* was diverted and dismissed upon completion of the requirements of diversion. The *Recklessly Endangering Another Person* charge was dismissed prior to the diverted sentence.

Aggravating Factors:

- Carballo was dishonest when he told the DPD he was not the driver of the vehicle that was involved in the accident.
- Carballo did not take responsibility for his actions.
- Carballo received additional criminal charges after he was arrested for *DUII*.
- Carballo left the scene of the accident.

Mitigating Factors:

- The committee did not identify any mitigating factors.

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 Carballo’s certifications.	Kevin Dresser	12 ayes; 0 nays	Motion Passed Unanimously
Brad King moved, after considering the totality of the case, that Carballo be ineligible to hold public safety certification for a lifetime.	Rob Wood	No vote was taken.	Motion Failed
After some committee discussion, the motion for lifetime ineligibility was amended to a 10-year ineligibility period. Brad King moved this amended motion.	Rob Wood	12 ayes; 0 nays	Motion Passed Unanimously

6. Copeland, Hannah (39645) Certification Review: Police

Presented by Jennifer Levario, Professional Standards Case Manager

Reason for Discretionary Review

(RPD) due to sustained allegations of misconduct, policy violations, and violations of Oregon

Revised Statutes (ORS) following an internal affairs investigation. Prior to this termination, the Department received notice from Copeland’s F28 Criminal History Report that she had been arrested for Driving Under the Influence of Intoxicants (DUII) and Reckless Driving on August 16, 2021. Additionally, a review of her arrest records showed she had also been arrested for Recklessly Endangering Another Person, but this was not listed on her F28.

On October 13, 2021, Copeland pleaded no contest to DUII and received a diverted sentence. The Reckless Driving and Recklessly Endangering Another Person charges were dismissed. On October 19, 2022, the DUII diversion was dismissed as Copeland had completed all the requirements of the program.

Hannah Copeland provided verbal mitigation for committee consideration.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Rob Wood moved that the Police Policy Committee adopt the staff report.	Brad King	12 ayes; 0 nays	Motion Passed Unanimously
<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: The committee did not identify elements of dishonesty. • Misuse of Authority: The committee did not identify elements of misuse of authority. • Misconduct: The committee did find the following elements of misconduct: <ul style="list-style-type: none"> ○ Copeland drove a vehicle while under the influence of alcohol measured at 0.17% BAC which is a criminal offense. ○ Copeland caused a motor vehicle crash by hitting another traveling vehicle after completing an illegal U-turn, putting herself and others in danger. ○ Copeland caused significant damage to the other vehicle, which had minor children inside, one of which sustained an abrasion. ○ Copeland made disparaging comments while being processed for the DUII at the Bend Police Department (BPD) which were directed at BPD and Redmond Police Department personnel which threatened the efficient operation of both agencies and potentially harmed others. <p><i>Aggravating Factors:</i></p> <ul style="list-style-type: none"> • Copeland drank all day and had multiple opportunities to stop. • Copeland was so intoxicated she could not remember the last place she drank alcohol. <p><i>Mitigating Factors:</i></p> <ul style="list-style-type: none"> • Copeland’s use of alcohol influenced the language she used that day. • Copeland was not perceived as arguing with the officer but simply questioning him. 			

<ul style="list-style-type: none"> The default to contact her immediate supervisor was not out of the ordinary and was not a case of misuse of authority. 			
Chris Skinner 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 Copeland’s certifications.	Mike Frome	12 ayes; 0 nays	Motion Passed Unanimously

7. Farley, Jannalyn (56519) Certification Review: Police

Presented by Jennifer Levario, Professional Standards Case Manager

Reason for Discretionary Review

On October 23, 2019, the Department received a Personnel Action-Separation (F4s) reporting Jannalyn Farley was terminated from the Eugene Police Department (EPD) as the result of an internal investigation of her conduct while on duty as a certified police officer. On October 31, 2019, the Department opened a professional standards case to review the conduct under Oregon Administrative Rule (OAR) 259-008-0310.

Farley was terminated for sustained violations of several EPD policies, including failing to report child abuse, integrity, judgment, reporting evidence, unsatisfactory performance, and officer response to calls. The Department’s review of EPD’s investigative reports found elements of dishonesty, misuse of authority, and misconduct.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Mark Garton moved that the Police Policy Committee adopt the staff report.	Kevin Dresser	12 ayes; 0 nays	Motion Passed Unanimously

<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: Farley was dishonest by omission and misrepresentation in arranging transport for a juvenile. Misuse of Authority: Farley misused her authority while on duty by transporting a juvenile to a facility that was objectionable to the mother, did not tell the mother she was doing this, and did not write these facts in her reports thereby avoiding the situation and enjoying the benefit of doing what she wanted to do without scrutiny. Misconduct: Farley failed to report, investigate or document a report of alleged sexual assault, the mother’s objections to transport, the juvenile’s allegation that the mother physically abused her, and Farley drove her patrol vehicle without due regard for the safety of all persons when responding to a call for service. 			
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<p><i>Aggravating Factors:</i></p> <ul style="list-style-type: none"> • Farley encouraged the Cahoots employee to take the juvenile to Station 7 without the mother’s consent, which is against the rules for acceptance at Station 7. • Farley was steering the situation to get the result that she wanted. <p><i>Mitigating Factors:</i></p> <ul style="list-style-type: none"> • Farley’s conduct amounted to incompetence, not character. She was overwhelmed and the office was understaffed. • Farley was not intentionally misleading in her reporting and handling of the situation. There was a great deal of confusion, and the mother of the juvenile was hard to follow. 			
Scotty 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 no Board action should be taken against Farley’s certification.	Brad King	12 ayes; 0 nays	Motion Passed Unanimously

8. Rivera, Frank (35576) Certification Review: Police

Presented by Jennifer Levario, Professional Standards Case Manager

Reason for Discretionary Review

On June 10, 2019, Frank Rivera resigned from the Warm Springs Police Department (WSPD) during an internal investigation into misconduct. Rivera was being investigated for allegedly engaging in sexually harassing conversations with a subordinate after a complaint was filed with WSPD.

On June 28, 2019, the Department opened a professional standards case to review the conduct surrounding the allegation under Oregon Administrative Rule (OAR) 259-008-0310(1).

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Kevin Dresser moved that the Police Policy Committee adopt the staff report.	Casey Codding	12 ayes; 0 nays	Motion Passed Unanimously
<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: The committee did not identify elements of dishonesty. • Misuse of Authority: The committee did not find elements of misuse of authority. 			

- Misconduct: Rivera engaged in sexually harassing communication, as perceived by the complainant, that brought him harm and discriminated against him based upon a perception of his sexual orientation.

Aggravating Factors:

- The committee did not identify any aggravating factors.

Mitigating Factors:

- There was no pattern of conduct by the officer.
- The complainant was not “compelled by authority”.
- The spirit of “misuse of authority” was not designed to be interpreted in this manner.
- There is no evidence of a civil rights violation.
- The conduct was an isolated event.
- There were no future issues of harassment by the officer.

<p>Scotty 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 no Board action should be taken against Rivera’s certifications.</p>	<p>Kevin Dresser</p>	<p>12 ayes; 0 nays</p>	<p>Motion Passed Unanimously</p>
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9. Wolfe, Cameron (56615) Certification Review: Police

Presented by Jennifer Levario, Professional Standards Case Manager

Reason for Discretionary Review

On September 26, 2022, Cameron Wolfe was hired by the Burns Police Department (BPD). The hiring of Wolfe activated a DPSST deferred professional standards case review from 2017 per Oregon Administrative Rule (OAR) 259-008-0310(3) and Oregon Revised Statute (ORS) 181A.640(9).

On January 30, 2017, Wolfe was terminated during his probationary period with the Umatilla Police Department (UPD) for misusing his authority as a police officer when off duty, failing to follow orders given by a supervisor, making disrespectful comments about the Lieutenant, and being untruthful and misrepresenting information during a background investigation. At the time of his termination, Wolfe was not certified, therefore the case review was deferred until his recent rehire with BPD.

Cameron Wolfe provided verbal mitigation for committee consideration.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Casey Coddling moved that the Police Policy Committee adopt the staff report.	Kevin Dresser	12 ayes; 0 nays	Motion Passed Unanimously
<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: The committee did not identify elements of dishonesty. • Misuse of Authority: The committee did not identify elements of misuse of authority. • Misconduct: The committee did not identify elements of misconduct. <p><i>Aggravating Factors:</i></p> <ul style="list-style-type: none"> • The committee did not identify any aggravating factors. <p><i>Mitigating Factors:</i></p> <ul style="list-style-type: none"> • The committee identified that there was a lack of evidence and gaps in the record that contributed to the decision to take no action. 			
Scotty 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 no Board action should be taken against Wolfe’s application for training and subsequent certification.	Brad King	12 ayes; 0 nays	Motion Passed Unanimously

10. Agency Update

Presented by Phil Castle, Director

- DPSST’s proposed budget has made it through the Ways and Means Committee with funding to move forward with three 60 student basic police courses starting in November. The increase from 40 students to 60 students per class is intended to alleviate the length of time officers are waiting to attend the academy. DPSST will return to legislature in February 2024 and ask for additional funding if the 60 student classes are successful.
- Staci Yutzie has accepted the position as DPSST’s Training Division Director. Staci previously worked as the manager for the Center for Policing Excellence (CPE) at DPSST. We are very excited to have her in this new role within the agency.

- Suzy Herring is moving back into her role as the manager of the Private Security/Private Investigator/Polygraph Examiner section here at DPSST. She will keep here position as the Professional Standards Director until the position has been filled.
- DPSST's leadership team has developed a strategic planning for the agency. This plan will be shared with the agency and its constituents for comments and questions.

11. Next Police Policy Committee Meeting: August 17, 2023 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.