

Public Safety Memorial Fund Board
Meeting Minutes
January 26, 2023

The Public Safety Memorial Fund Board held a meeting on January 26, 2023, at the Department of Public Safety Standards and Training located at 4190 Aumsville Hwy SE Salem, Oregon. The meeting was called to order at 9:30 a.m.

Committee Members:

DaNeshia Barrett, Chair, Law Enforcement Representative
James Oeder, Vice-Chair, Fire Representative
Matthew English, Corrections Representative

Committee Members Absent:

Terri Davie, Law Enforcement Representative
Vacant, Public Member
Vacant, Corrections Personnel

DPSST Staff:

Suzy Herring, Professional Standards Division Director
Shelby Wright, Executive Assistant
Jennifer Howald, Legislative and Rules Coordinator

Guests

No guests attended this meeting

1. Introductions

- *Chair DaNeshia Barret began the meeting by introducing herself and invited everyone in attendance to state their name and position for the record.*

2. *Approve Minutes from October 27, 2022, and November 17, 2022, Meeting

Approve minutes

- *Matthew English made a motion to approve the minutes from the October 27, 2022, and November 17, 2022, Public Safety Memorial Fund Board (PSMFB) meetings. James Oeder seconded the motion. The vote was taken by rollcall where the motion carried with a unanimous vote.*

3. Public Safety Memorial Fund Budget Update

Presented by Suzy Herring

Suzy Herring explained that as of December 2022, the Public Safety Memorial Fund has over \$446,000 to cover the rest of the 2021-2023 biennium. Suzy Herring noted that the PSMFB's funding will revert back to the legislatively approved funding at the beginning of the next biennium, so DPSST will be monitoring whether the PSMFB will need to ask to increase the

limitation for funding so that the PSMFB may continue to award benefits as necessary throughout the next biennium.

4. *Jared Miller (DPSST #43904) – Marion County Sheriff’s Office – Information Update

Presented by Shelby Wright

On November 10, 2021, Sergeant Jared Miller was working a regularly scheduled shift at the Marion County Jail when he began experiencing COVID-19 like symptoms and went home sick. Sergeant Miller did not return to work, and on November 16, 2021, Sergeant Miller was admitted to OHSU Hospital and Clinics due to complications with COVID-19.

On December 9, 2021, Sergeant Miller passed away, after spending almost an entire month in the hospital due to COVID-19 complications.

On October 27, 2022, the Public Safety Memorial Fund Board (PSMFB) met to discuss Jolene Miller’s application for initial benefits and requested that DPSST further investigate the policies and procedures of Line of Duty Deaths at the Marion County Sheriff’s Office (MCSO) to determine if Sergeant Miller’s spouse was provided with adequate resources and information for death benefits by the sheriff’s office. The PSMFB also requested that DPSST obtain the jail records from MCSO that would prove that Sergeant Miller was working in COVID-19 positive areas during the time of the outbreak in the jail as stated by Oregon Health Authority.

Since October, Shelby Wright noted that she has been in contact with various outlets and individuals regarding this case to help answer the PSMFB’s questions and further investigate these matters. After briefly connecting with the MCSO and Marion County HR, DPSST was contacted by Marion County Sheriff, Joe Kast.

Sheriff Kast confirmed that the MCSO refers all families of fallen officers to the County in conjunction with their HR for benefit information. Additionally, all information and processing of benefit applications would be retained by the County. Shelby Wright explained that she was put in contact with a manager of Marion County HR and was told that further information regarding benefit applications and jail records may result in a public records request, so further action will be recommended as the process continues. Sheriff Kast also noted that since Sergeant Miller was a Sergeant, he was required to work in areas of the jail, so during the COVID-19 outbreak, Sergeant Miller would’ve been required to still report to all areas of jail. Sheriff Kast also mentioned that the date Sergeant Miller tested positive for COVID-19 corresponds to the Oregon Health Authority’s statement acknowledging the COVID-19 outbreak within the jail. Finally, Sheriff Kast explained that the MCSO rushed a letter to FEMA quickly after the death due to their presumptive clause that classifies COVID-19 as a LODD.

Shelby Wright summarized her update by noting that she is working with the MCSO and County to obtain further documentation in order to provide the PSMFB with the information needed to make a final determination regarding Sergeant Miller’s death.

- *The PSMFB briefly discussed Shelby Wright’s findings and noted that the Board will reconvene in April 2023 to further discuss and review the case.*

5. *John Christopher Kilcullen (DPSST #37820); Supplemental Application for Discretionary Benefits

Presented by Suzy Herring

On April 28, 2011, the Public Safety Memorial Fund Board (PSMFB) considered the initial application for PSMF benefits submitted by Kristie Sampson-Kilcullen, spouse of Officer Kilcullen. Ultimately the PSMFB determined that Officer Kilcullen's death was a qualifying death as defined by ORS 243.954. As a result, Kristie Sampson-Kilcullen was awarded the lump sum benefit of (\$25,000).

Since 2011, Mrs. Sampson-Kilcullen has continually submitted supplemental applications for benefits requesting further reimbursement to continue health and dental coverage for herself and daughter(s), Sydney Sampson and Katie Kilcullen, each of which was approved by the PSMFB.

On December 19, 2022, DPSST received Mrs. Sampson-Kilcullen's request for further reimbursement to continue health and dental coverage for her daughter, for the months of January 2023 through June 2023 (6 months). On December 30, 2022, DPSST received additional documentation from Mrs. Sampson-Kilcullen, confirming that her previously listed premiums were correct for the 2023 calendar year.

- *DaNeshia Barrett motioned to accept Kristie Sampson-Kilcullen's supplemental application for discretionary benefits for her daughter's medical and dental expenditures for the months of January through June 2023. Matthew English seconded the motion. A vote was taken by rollcall where the motion passed unanimously.*
- *DaNeshia Barret also asked DPSST to please request the applicant's age on the PSMFB applications for benefits. The PSMFB agreed and DPSST staff noted that they will update the PSMFB applications to include the applications age and re-post them to the DPSST webpage.*

6. Public Safety Memorial Fund Board Position Discussion – Fire Service Representative

Presented by Suzy Herring

Suzy Herring noted that James Oeder will soon be expiring out of his seat in June of 2023 which means the PSMFB will need to select a new Fire Service Representative to fill his seat on the PSMFB. James Oeder noted that he believes there are two individuals being recommended to the Board on Public Safety Standards and Training (BPSST) at the next round of Senate appointments, so the Fire Representative positions should hopefully be filled quickly. Suzy Herring noted that the PSMFB will still need to select a new member from the BPSST to fill Oeder's position on the PSMFB, which can be any Fire Service Representative.

- *The PSMFB unanimously agreed to reach out to Fire Chief Sara Boone from the BPSST to find out if she is interested in serving on the PSMFB.*
- *On February 13, 2022, Chief Boone noted that she is unfortunately unable to fill the position on the PSMFB.*

7. Next meeting – April 27, 2023, directly following the Board on Public Safety Standards and Training meeting at 9:00 a.m.

- *Suzy Herring asked Chair Barrett to allow time for one additional item, presented by Jennifer Howald. Jennifer Howald noted that Senate Bill 699 that is being presented at the 2023 legislative session and would change the PSMFB's statutory definition of public safety officer to include regulatory specialists. Jennifer Howald explained that she is working to find out how many regulatory specialists there are in the state of Oregon, and briefly outlined the testimony process that the PSMFB is allowed to participate in. DPSST is monitoring the bill and will be sure to provide updates to the PSMFB as necessary. Suzy Herring noted that regulatory specialists are eligible to be placed on the Oregon Law Enforcement Memorial Wall, but are not currently eligible to receive Public Safety Memorial Fund benefits due to statute.*
- *Chair Barrett asked where regulatory specialist Law Enforcement Memorial Wall nominations go to for approval, to which Jennifer Howald noted that these nominations go to the Police Policy Committee for review. Chair Barrett also asked if this proposed inclusion would increase the size of the PSMFB membership to include regulatory specialist representatives, to which Jennifer Howald replied no because the proposal only requests the eligibility for benefits of regulatory specialists.*
- *With no further items to discuss, Chair Barrett adjourned the meeting at approximately 9:48 a.m.*