

Public Safety Memorial Fund Board

Meeting Minutes

October 26, 2023

The Public Safety Memorial Fund Board held a meeting on October 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 approximately 10:00 a.m.

Committee Members:

DaNeshia Barrett, Chair, Law Enforcement Representative
Jennifer Cameron, Vice-Chair, Corrections Representative
Matthew English, Corrections Representative
Scotty Nowning, Law Enforcement Representative

Committee Members Absent:

Maria Caballero Rubio, Public Member

DPSST Staff:

Chris Brodniak, Professional Standards Division Director
Shelby Wright, Executive Assistant to the Director
Jennifer Howald, Legislative and Rules Coordinator
Sam Tenney, Communications Coordinator

Guests

No guests attended this meeting

1. Introductions

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

2. *Approve Minutes from July 27, 2023, Meeting

Approve minutes

- *Matthew English made a motion to approve the minutes from the July 27, 2023, Public Safety Memorial Fund Board (PSMFB) meeting. Scotty Nowning 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 Chris Brodniak

Chris Brodniak explained that the Public Safety Memorial Fund Board (PSMFB) has \$309,415 available funds for the 23'-25' biennium. Since the last PSMFB meeting in September 2023, \$3,842 of expenditures has been used. Chris Brodniak noted that if the PSMFB is to use all of their available funds before the end of the biennium, then the Board can request access to the additional expenditure limitation in order to continue awarding benefits.

Matt English clarified that in order to access the additional expenditure limitation, then DPSST must go to the Executive Board to request additional funding. Chair Barrett asked whether DPSST's biennial expenditure projections are based on applicants that are still eligible to receive funds, to which Chris Brodniak confirmed that these projections are based on current eligible applicants.

4. *Brian Gaunt (DPSST #37820); Supplemental Application for Discretionary Benefits

Presented by Chris Brodniak

Background: On October 24, 2021, Sergeant Brian Gaunt with Beaverton Police Department passed away after spending nearly an entire month in the hospital due to COVID-19 complications. On January 27, 2022, the Public Safety Memorial Fund Board (PSMFB) considered the initial application for PSMFB benefits submitted by Beaverton Police Department and Holly Gaunt. (Spouse of Brian Gaunt). Ultimately the PSMFB determined that Sergeant Gaunt's death was a qualifying death as defined by ORS 243.954. As a result, Holly Gaunt was awarded the lump sum benefit of \$25,000.

Issue: On September 6, 2023, Holly Gaunt submitted the supplemental application for benefits, requesting further reimbursement for medical and dental benefits for herself and three children, for a total request of \$14,105.52 for six months.

Matt English asked whether the additional Public Safety Officer's Benefit (PSOB) that was awarded to Holly Gaunt was for the initial death of Sergeant Gaunt or if it served for other functions. Shelby Wright noted that the PSOB benefit can be used for scholarship benefits as the PSMFB doesn't normally provide scholarship benefits unless all other funds are unavailable to the applicant. Shelby Wright explained to the Board that she directed Mrs. Gaunt to the PSOB if she wished to receive scholarship funding, so it is probable to assume that the PSOB benefit is being used for education purposes. After further deliberation surrounding the awarded PSOB benefits, the PSMFB noted that the Gaunt family is still eligible to receive additional funding from the PSMFB to cover medical and dental expenses as awarded previously.

- *Scotty Nowning motioned to approve Holly Gaunt's application for supplemental benefits and to award the entire requested amount. Matt English seconded the motion. The vote was taken by rollcall where the motion carried with a unanimous vote.*

5. *Oregon Administrative Rule (OAR) Discussion as a Result of Senate Bill 699

Presented by Jennifer Howald

Jennifer Howald addressed the Board and noted that Senate Bill 699 was passed in the 2023 Legislative Session, and the Public Safety Memorial Fund Board can now award initial and supplemental benefits to Oregon Liquor and Cannabis Commission (OLCC) regulatory specialists as approved by the PSMFB. Jennifer Howald noted that this action takes effect on January 1, 2024, but at the previous PSMFB in July 2023, the Board asked for DPSST to discuss eligibility requirements with the Department of Justice (DOJ) to determine whether OLCC

regulatory specialists who experienced a qualifying death or injury prior to January 1, 2024, should still receive benefits if eligible. DPSST took this request to DOJ, where the DOJ reviewed and ultimately determined that any OLCC Regulatory Specialist that suffered a qualifying death or disability prior to January 1, 2024, would not be eligible to receive benefits, and only those who suffered the qualifying event after the January 2024 date would be eligible for benefits. The DOJ found it important to note that Oregon's legislature has the ability to adopt a clause for retroactive acceptance of eligibility but chose not to adopt any such language in relation to Senate Bill 699. DOJ recommends that the PSMFB adopts a rule to help codify the OLCC Regulatory Specialist eligibility effective date in order to help define the statutory language.

- *The PSMFB reached consensus for DPSST to begin drafting rule language codifying Senate Bill 699's effective eligibility date for OLCC Regulatory Specialists.*

6. *Public Safety Memorial Fund Board Vice-Chair Nominations

- *Scotty Nowning motioned to nominate member Jennifer Cameron as the Vice-Chair of the Public Safety Memorial Fund Board. Matt English seconded the motion. The vote was taken by rollcall where the motion carried with a unanimous vote.*

7. Fire Service Representative Recommendations

Shelby Wright noted that the PSMFB needs one additional Fire Representative from the Board on Public Safety Standards and Training (BPSST) to fill the final vacant position on the PSMFB. Shelby Wright noted that there are several Fire Representatives on the BPSST and asked whether the PSMFB would like to make a nomination today, or to wait until DPSST has the chance to reach out to each BPSST representative and present the willing candidates to the PSMFB at the next regularly scheduled meeting in January 2024. The PSMFB decided that they would like DPSST to present the willing candidates to the PSMFB at the next meeting in January 2024 and then they will then make a recommendation accordingly.

8. Next meeting – January 25, 2024, directly following the Board on Public Safety Standards and Training meeting at 9:00 a.m.

With no further items to discuss, Chair Barrett adjourned the meeting at approximately 10:22 a.m.