

# **Public Safety Memorial Fund Board**

## **Minutes**

### **April 28, 2022**

The Public Safety Memorial Fund Board held a meeting on April 28, 2022, at 10:20 a.m. at the Department of Public Safety Standards and Training located at 4190 Aumsville Hwy SE Salem, Oregon. The meeting was called to order at 10:20 a.m.

#### **Committee Members:**

DaNeshia Barrett, Law Enforcement Representative  
Matthew English, Corrections Representative  
James Oeder, Fire Representative  
Terri Davie, Law Enforcement Representative

#### **Committee Members Absent:**

Colette Peters, Chair, Corrections Representative  
Vacant, Public Member

#### **DPSST Staff:**

Brian Henson, Acting DPSST Director  
Suzy Herring, Professional Standards Division Director  
Shelby Alexander, Executive Assistant  
Jennifer Howald, Legislative and Rules Coordinator

#### **Guests**

No guests attended this meeting

#### **1. Introductions**

- *Professional Standards Division Director, Suzy Herring began the meeting by introducing herself and invited everyone attendance to state their name and position for the record.*

#### **2. \* March 3, 2022 Meeting Minutes**

Approve minutes

- *Matthew English made a motion to approve the minutes from the March 3, 2022, Public Safety Memorial Fund Board (PSMFB) meeting. DaNeshia Barrett seconded the motion. The motion carried with a unanimous vote.*

### **3. Public Safety Memorial Fund Budget Update**

Presented by Suzy Herring

- *Suzy Herring updated the Board, explaining that there a limited amount left in the Public Safety Memorial Fund (PSMF) budget for the rest of the 2021-2023 biennium. Suzy Herring mentioned that DPSST plans to go to the Executive Board in June of 2022 to increase the PSMF's budgetary limitations in order to continue providing benefits to qualified candidates for the rest of the biennium. Suzy Herring also mentioned that she is working with DPSST's Business Services department to determine if the PSMF will need to be brought to the legislature in order to attain a separate budget for both the Law Enforcement and Fire services due to the number of deaths in each profession.*

### **4. \*Executive Board**

Presented by Suzy Herring

- *Suzy Herring addressed the Board and explained that in order for DPSST to have the proposed PSMFB budgetary limitations presented the Executive Board, the PSMFB must vote to approve DPSST's request to take the proposed budgetary changes to the Executive Board.*
- *Terri Davie made a motion to approve the proposed budgetary requests of the Public Safety Memorial Fund Board to move forward to the Executive Board. Matt English seconded the motion. A vote was taken by rollcall where the motion passed unanimously by the Board.*

### **5. Old Business- Submission Timeline of Application for Initial Benefits**

Presented by Suzy Herring

- *Suzy Herring explained to the Board that at the March 3, 2022, meeting, the Board requested DPSST staff researches the application, process and timeline for the initial PSMFB benefit for Board discussion. Suzy Herring explained that an applicant has never been denied benefits due to missing the three-day submission deadline. Additionally, after further research conducted by DPSST staff, it was found that the three-day submission timeline only applies to the agency notifying DPSST of the death or permanent disability. DPSST staff plans to separate the current M-3 application into two separate forms in order to clarify that one form is used only to notify DPSST of the death or permanent disability, and the other application will be used for applying for the initial benefit.*
- *Terri Davie noted that an application does not have to be submitted until the death is considered qualifying, so this may delay the initial notice but will still be in compliance with the three-day notification requirement. Davie continued by explaining that Oregon State Police (OSP) is currently handling a situation that may*

*eventually be presented to the PSMFB. Matthew English asked how this notification process would apply to permanent disability situations. Jennifer Howald answered, noting that DPSST must be notified within three days of the determination of a permanent disability or death.*

- *Suzy Herring noted that DPSST also fulfils a lengthy research process for each application to ensure that the PSMFB has enough information needed to fully assess the application and make a decision accordingly. DPSST also obtains and presents all other necessary documents as outlined in ORS 243.958.*
- *James Oeder suggested that this application and process information for PSMFB benefits is shared at statewide Fire and Law Enforcement conferences and trainings in order to ensure that agencies and departments are aware of these requirements.*
- *DaNeshia Barrett noted that the discretionary benefits are available for up to five years and asked if those five years begin after determination of the death or permanent disability or after the PSMFB has approved the benefits. Jennifer Howald noted that the five-year period begins after the PSMFB has approved the initial benefit and the applicant is eligible for discretionary benefits.*
- *DaNeshia Barrett also asked how the PSMFB will handle applications for individuals who are approved for benefits months or years after the occurrence of the injury or death. Terri Davie noted that this situation has occurred in the past, but these rare cases normally do not cause severe budgetary issues, however if it was to cause budgetary issues, the DPSST Director can present their request to the Executive Board for additional funds. Acting Director Brian Henson also noted that it may be beneficial to increase the budgetary limitation to an even higher amount for future biennia to ensure that this funding is always available to those that are eligible to receive it.*
- *Suzy Herring asked the Board if they approve of DPSST's request to separate and update the PSMFB applications so that they can better clarify the requirements and timelines for the agencies and applicants. The PSMFB provided a unanimous consensus of approval.*

## **6. Any Other Business**

- *Suzy Herring stated that DPSST has been working to determine the appointment dates of each PSMFB member, and through further research, it was discovered that PSMFB appointment dates coincide with the member's BPSST appointment date. This means that once the member is appointed to the PSMFB, they will serve in that role until their position on the BPSST ends or the member steps down.*

- *Suzy Herring also mentioned that the PSMFB will soon need to vote for a Vice Chair of the PSMFB, as the Board currently only has a Chair appointed. Suzy Herring explained that the PSMFB can think about a decision, and it can be voted upon at the next regularly scheduled meeting.*
- *Terri Davie addressed the Board, mentioning that she will need the assistance of the Board, as Oregon State Police has recently experienced a suicidal death that is not currently considered qualifying. Davie explained that OSP understands that suicide is not considered a line of duty death pursuant to Oregon Revised Statute, however Davie is doing everything in her power to create a thorough packet that contains all necessary information needed for the PSMFB to make a thoughtful determination of this death. Matthew English explained that any information that provides evidence as to why the death should be considered qualifying would be the most crucial for the Board's consideration. English went onto explain that distinguishing how the death or situation pertained to the job should ultimately be the biggest factor in the Board's determination. Suzy Herring noted that DPSST staff will always obtain the death certificate of the fallen to present it to the PSMFB for further consideration. Additionally, applicants are welcome to submit any other information they find pertinent to the determination of the death or disability, and the PSMFB has the ultimate decision of accepting the findings that are presented or requesting further information before making a final determination.*

**7. Next regularly scheduled meeting – July 28, 2022, directly following the Board on Public Safety Standards and Training meeting at 9:00 a.m.**

- *Suzy Herring noted that the next PSMFB meeting is scheduled for July 28, 2022, directly following the BPSST meeting at 9:00 a.m. The meeting concluded at approximately 10:50 a.m.*