

Telecommunications Policy Committee Minutes

August 3, 2022

The Telecommunications Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on August 3, 2022, at the Oregon Public Safety Academy in Salem, Oregon. Suzy Herring called the meeting to order at 9:00am.

Committee Members:

April Roa, Line-Level Communicator (Webex)
Matt Dale, OFCA EMS Section (Webex)
Rebecca Carney-Interiano, Oregon State Police (Webex)
Chelsea LaBar, APCO (Webex)
Rebecca Long, Emergency Medical Services & Trauma Rep (Webex)
Raeann Thurber, Telecommunicator (Webex)
Ray Rau, Oregon Associate of Chiefs of Police (Webex)
Travis Ash, Baker County Sheriff's Office (Webex)
Les Thomas, Oregon Fire Chief's Association (Webex)
Joshua Bowerman, Public Member (Webex)

Committee Members Absent:

Michael Fletcher, Chair, APCO-NENA

Guests:

None

DPSST Staff:

Suzy Herring, Professional Standards Director
Melissa Lang-Bacho, Professional Standards Case Manager
Jennifer Howald, Administrative Rules Coordinator
Erica Riddell, Criminal Justice Office Specialist
Julia Budlong, Office Specialist



1. Introductions

Introductions of members, guests and staff.

2. Approve May 4, 2022 Meeting Minutes

Chelsea LaBar moved to approve the minutes from the May 4, 2022, Telecommunications Policy Committee meeting. April Roa seconded the motion. The motion passed unanimously.

3. Administrative Closure Consent Agenda

Presented by Melissa Lang-Bacho, Professional Standards Case Manager

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

a) Scott, Timothy (24594) Harney County Sheriff's Office

Basic, Intermediate and Advanced Telecommunicator and Basic Emergency Medical Dispatcher Certification.

On December 3, 2021, Timothy Scott was terminated from the Harney County Sheriff's Office (HCSO) after they found that he had exhibited sleeplike behavior while on duty on multiple occasions, leaving the dispatch center unattended, and used his phone excessively while on duty.

HCSO classified Scott's conduct as sleeplike behavior and not sleep. Video provided to the Department depicts an instance where Scott is exhibiting the sleeplike behavior HCSO identified. When another person enters the room, Scott speaks with the person while keeping his eyes closed and body in the same position. The information shows that Scott could respond to calls while exhibiting sleeplike behavior.

Given that there is insufficient evidence to show that Scott would have been unable to respond to calls for service while exhibiting the sleeplike behavior, Scott's conduct does not violate the Board's moral fitness standards as defined in Oregon Administrative Rule.

Ray Rau moved to approve the Administrative Closure Consent Agenda recommendations made by the Department. Matt Dale seconded the motion. The motion passed unanimously.

4. Hurst, Christopher (34278) Certification Review: Telecommunications/Emergency Medical Dispatch

Presented by Melissa Lang-Bacho, Professional Standards Case Manager

Reason for Discretionary Review

On June 17, 2021, Christopher Hurst resigned from his position with the Cottage Grove Police Department (CGPD), after they sustained allegations that he was untruthful about having a medical condition that affected his ability to effectively perform the duties of his position.

<i>Policy Committee Discussion/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
April Roa moved that the Telecommunications Policy Committee adopt the staff report.	Ray Rau	9 ayes; 0 nays	Motion Passed Unanimously

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

Moral Fitness Violations:

- Dishonesty: Hurst was untruthful when he stated that he had a doctor's appointment on March 25, 2021, when in fact he did not. Hurst was untruth when he stated that he would receive a medical device to assist with his condition on May 5, 2021, when in fact, he had not been prescribed the device. Hurst stated that he had been diagnosed with medical condition, when in fact he had not. Hurst stated that he had participated in a medical evaluation for his condition, when in fact he had not. Hurst was deceitful about releasing medical information to the CGPD.

- Misuse of Authority: The committee did not identify elements of misuse of authority.
- Misconduct: Hurst threatened the safety of officers and citizens when he was asleep while on duty.

Aggravating Factors:

- The CGPD documented that the issue about your dishonesty and not a potential medical issue.
- Dishonesty is taken very seriously in the telecommunications profession.
- During Hurst’s disciplinary interview, he did not grasp the gravity of the situation he created by being dishonest, making it seem likely that he will continue to be dishonest.
- An employee with a length of service as long as Hurst’s, would be expected to understand that dishonesty is an issue taken seriously in the public safety profession.
- The totality of the conduct which included multiple instances of dishonesty and sleeping on duty equated to misconduct.
- Hurst’s repeated sleeping on duty meant that he was not responding to calls for service from the public or officers.

Mitigating Factors:

- The committee did not identify any mitigating factors.

Matt Dale 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 Hurst’s certifications.	Ray Rau	9 ayes; 0 nays	Motion Passed Unanimously
Ray Rau moved, after considering the totality of the case, that Hurst be ineligible to hold public safety certification for a lifetime.	Joshua Bowerman	9 ayes; 0 nays	Motion Passed Unanimously

5. Program Manager Update/Agency Updates

Presented by Suzy Herring, Professional Standards Director

- Committee members recognized Matt Dale for his service on the Telecommunications Policy Committee. He has served two terms on the committee and his current term will expire on October 22, 2022.
- The Background Workgroup is moving forward to the discussion phase. HB 2936 Section 3 requires DPSST to create a uniform background checklist and a standardized personal history questionnaire for agencies to utilize during their background process.

This workgroup will discuss and identify the elements necessary to complete these requirements.

- The Moral Fitness Workgroup will be starting shortly once all the members have been chosen. This workgroup will meet to review the current rules related to denial or revocation of certifications for public safety professionals and discuss any necessary changes needed.
- DPSST is in the process of interviewing candidates for a new Compliance Specialist 3 and Compliance Specialist 2 position within the Criminal Justice Certifications section. The goal of these new positions is to increase the number of cases being presented to the committee and to ensure that the cases are being heard in a timely manner.
- DPSST is continuing in their pursuit to find a new Director. At this time, five candidates have been chosen and are in the interviewing process. Several panels will be put together to evaluate these candidates, but news of a new Director will likely not be made known until after the new Governor is elected in November.

6. Next Telecommunications Policy Committee Meeting: November 2, 2022 at 9:00am.

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.