

Telecommunications Policy Committee Minutes - DRAFT

November 3, 2021

The Telecommunications Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on November 3, 2021, at the Oregon Public Safety Academy in Salem, Oregon. Chair, Michael Fletcher called the meeting to order at 9:00 am.

Committee Members:

Michael Fletcher, Chair, APCO-NENA
April Benedetti, Line-Level Communicator (Webex)
Matt Dale, OFCA EMS Section (Webex)
Rebecca Carney-Interiano, Oregon State Police (Webex)
Chelsea LaBar, APCO (Webex)
Andre Lindauer, Public Member (Webex)
Rebecca Long, Emergency Medical Services & Trauma Rep (Webex)
Ray Rau, Oregon Association Chiefs of Police (New Member, Observer Only) (Webex)
Erica Stolhand, APCO (Webex)
Tim Svenson, Oregon State Sheriff's Association (Webex)
Reann Thurber, Telecommunicator (Webex)

DPSST Staff:

Jerry Granderson, Director
Suzy Herring, Professional Standards Administrator
Wendy Nunez, Criminal Justice Office Specialist
Shelby Alexander, Executive Support Specialist
Jennifer Howald, Administrative Rules Coordinator
Marsha Morin, Criminal Justice Certification Program Manager
Melissa Lang, Professional Standards Manager

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1. Introductions

Introductions of members, guest and staff were presented.

2. Approve February 3, 2021 Meeting Minutes

Tim Svenson moved to approve the minutes from the 2/3/2021, Telecommunications Policy Committee meeting. Matt Dale seconded the motion. The motion passed unanimously.

3. Administrative Closures – Telecommunications/Emergency Medical Dispatchers

Presented by Melissa Lang

Staff presented the following professional standards cases to the Telecommunications Policy Committee for administrative closure.

Name	DPSST#	Certification(s)	Reason for Closure
Brandi Carballo	37181	Basic, Intermediate and Advanced Telecom and Basic EMD	Carballo's sharing of information was limited to public information. DPSST does not believe Carballo's separation violates the Board's moral fitness standards.
Kevin Dunham	39255	Basic, Intermediate and Advanced Telecom and Basic EMD	DPSST found that Dunham was unprofessional, which alone is not a sufficient basis alone to make a judgment of a moral fitness violation.
Candice Jackson	48084	Basic, Intermediate and Advanced Telecom and Basic EMD	Jackson's conducting a request for law enforcement assistance was consistent with requests a private citizen would be able to make. Staff determined her conduct did not reflect a moral fitness violation.
Susan Miller	48084	Basic, Intermediate and Advanced Telecom and Basic EMD	Miller made mistakes while working as a dispatcher, however these mistakes do not appear to be intentionally done to harm others.
Andrea Sallee	52092	Basic Tele and Basic Emergency Dispatcher	Without obtaining statements from Sallee about her conduct in this case, DPSST found there was insufficient information to determine that Sallee had violated moral fitness standards.

Andre Lindauer moved to approve the recommendations made by staff to administratively close the above listed cases. Erica Stolhand seconded the motion. The motion passed unanimously.

4. Review of Arbitration/Certification Workgroup Recommendation

Presented by Jennifer Howald

Staff presented an overview of the Arbitration/Certification Workgroup's scope and discussions, including the Workgroup's recommendation.

The Arbitration/Certification Workgroup reviewed the current administrative rules and DPSST practices that determine how professional standards cases are handled when the employment is reinstated through an employment arbitration process.

Current practice includes administrative closure of cases where employment is reinstated through an arbitration process based on an interpretation that the reinstatement of employment removed the separation of employment which was the initial reason for reviewing the misconduct.

Administrative rule provides the DPSST and Board clear authority to proceed with the case review process to review the conduct as a violation of the standards for certification. [OAR 259-008-0310(8)]

The Arbitration/Certification Workgroup recommends that DPSST follow the rule as written and cease application of the interpretation that resulted in administrative closure for cases involving arbitration and reinstatement of employment where the allegations of misconduct are supported.

DPSST plans to implement the Arbitration/Certification Workgroup's recommendation following the Telecommunications, Corrections, and Police Policy Committees' opportunity to review of the recommendation during the November meetings.

The committee did not have any comments regarding this update.

5. **Proposed Rule Changes for OARs 259-008-0060 and 259-008-0064 – Defining CPR Certification**

Presented by Jennifer Howald

OAR 259-008-0060 (5) requires telecommunicators and emergency medical dispatchers applying for certification to have a cardiopulmonary resuscitation (CPR) certification.

OAR 259-008-0064 (4) requires telecommunicators and emergency medical dispatchers to maintain a CPR certification in order to maintain basic certification.

In 2021, the Oregon legislature passed House Bill 2513 to establish requirements for police officers to complete airway and circulatory anatomy and physiology training and specifies that police officers must have a certification in adult and child cardio pulmonary resuscitation (CPR).

Current rule language is non-specific to the type of CPR certification that is required.

Staff shared that the November Corrections and Police Policy Committees will review rule changes that amend the references to CPR certification requirements for law enforcement officers to specify that the CPR certification is defined as adult and child CPR.

The Telecommunications Policy Committee was asked to consider if the telecommunicator and emergency medical dispatcher CPR certification requirements should be defined as adult and child CPR.

By discussion and consensus, the Telecommunications Policy Committee determined the adult and child CPR standard was also appropriate for the telecommunications and EMD disciplines.

Staff presented proposed rule changes and fiscal impact statements for implementation of the Telecommunications Policy Committee recommendation to adopt the adult and child CPR standard.

Consensus reached approving the fiscal impact statements provided by staff.

Andre Lindauer moved to recommend the Board approve filing the proposed rule changes for OAR 259-008-0060(5) and OAR 259-008-0064 as permanent rules. Matt Dale seconded the motion. The motion passed unanimously.

6. Proposed Rule Changes for OAR 259-008-0015 – Background Investigations and New Requirements per HB 2936

Presented by Jennifer Howald

Staff identified that this agenda item was a placeholder, but the recommendations and rule changes are not ready to move at this time. Staff presented an overview of the current status and an overview of some of the new requirements that will be coming in the future.

House Bill 2936 made several changes to Oregon laws that enhance law enforcement employment background processes. This placeholder and the focus of this discussion is for section 3 of the bill, which requires DPSST create a uniform background checklist and a standardized personal history questionnaire for use by law enforcement units in hiring applicants to be public safety officers.

DPSST formed a workgroup to review the current background standards in OAR 259-008-0015 and help develop the checklist and the questionnaire.

The purpose of the standardized personal history is to provide a statewide minimum standard. All public and private safety agencies will be required to utilize the questions that are established. However, agencies will be able to add additional questions to meet their needs.

DPSST will provide the questionnaire as a DPSST form, but acknowledged that many agencies use an electronic method to facilitate collection of the personal history. Agencies will be able to continue to do so, but may be asked to provide some form of verification that the system they are using includes the questions contained in the standardized personal history questionnaire.

The next step for the standardized personal history questionnaire process will include a legal review. After the legal review, DPSST will present the policy committees with a rule change that will require use of the questionnaire and adopt the questionnaire by reference. As a rule change there will be an opportunity for constituent and public comment prior to the Board approval and implementation of any changes.

OAR 259-008-0015 already outlines what must be included in a background investigation. Much of this information will be formatted in the required uniform background checklist. The checklist will be provided as a DPSST form and will be required to be submitted to DPSST when submitting an F-4 personnel action form for a new hire.

House Bill 2936 specifies that the checklist must include:

- Information about a psychiatric or psychological evaluation of the applicant, including the evaluator's name and license number and an assessment of the applicant's tendencies, feelings and opinions toward diverse cultures, races and ethnicities and differing social, political, economic and life statuses;
- Investigation of the applicant's finances; and
- Identification of at least three references provided by the applicant that are interviewed by the law enforcement unit.

Review of financial records and references are already a part of the rule, but will be updated to meet the specificity of the bill. The new requirement that will take some additional work and have a greater impact is the psychiatric or psychological evaluation of the applicant.

House Bill 2936 results in a new requirement for all public safety officers hired by a law enforcement unit to have received a psychiatric or psychological evaluation. This will include telecommunicators, emergency medical dispatchers, corrections officers, parole and probation officers and regulatory specialists. Police and reserve officers were already required to complete a psychological screening. Additional evaluation is needed to determine if the requirements of HB 2936 affect the current standards for police and reserve officers.

DPSST anticipates presenting recommend next steps and rule changes at the next meeting in February 2022.

The committee had questions on how the new requirements would apply to lateral hires as opposed to new hires. Staff responded that the requirements would still apply to lateral hires, but there may still be deferral to the employing agency on how the requirements are administered.

7. Committee Membership – ARC Nominations

Presented by Marsha Morin

Chelsea Labar moved to accept the nominations of Erica Stolhand and Andre Lindauer to serve on Applicant Review Committee for a 2nd term Rebecca Long seconded the motion. The motion passes with Andre Lindauer and Erica Stolhand abstaining.

8. Department Update

- Cases
 - 3 total telecommunication cases
 - 2 are ready to begin the review process or are in some stage of the review process.
 - 1 is pending criminal/employment matters or waiting on records to be provided to DPSST
- In September 2021, DPSST sent out a notice that, in a cost saving measure, it had discontinued sending the DPSST number cards to new public safety employees. Agencies have immediate access to these numbers through IRIS and in emails sent out during the basic academy registration process.
- DPSST has updated the current F6 roster to mirror the Excel roster format used for the eRoster process. This new roster has replaced the PDF eRoster for all

training submissions. DPSST is also piloting a roster data transfer process for agencies that have their own training tracking systems and wish to provide a data transfer of rosters from their systems rather than re-entering into the F6 Roster.

- The Field Training Workgroup was created as part of the Governor's Task Force on Police Reform and has met a few times. The consensus of the group is that Field Training Officers who administer DPSST's field training manual as part of the basic curriculum should obtain Field Training Officer certification through DPSST. The workgroup will begin reviewing what training would be involved with this certification after the first of the year.

9. Director's Update

- Thanks to Professional Standards management and staff for outstanding work preparing for and presenting in these policy committee meetings.
- DPSST currently had a student test positive for COVID-19. We are closely monitoring this and are conducting contact assessments for this specific class. DPSST attributes the limited number of COVID-19 cases on campus to the adherence to safety and health protocols implemented by DPSST and the high compliance rate of the COVID vaccine mandate. Thank you to DPSST's Human Resources Section for their work in navigating DPSST's COVID-19.
- DPSST is currently implementing over 19 Police Reform bills and mandates. DPSST is currently on schedule with respect to these bills and mandates.

10. Next Telecommunications Policy Committee Meeting: February 2, 2022 at 9:00 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@state.or.us.