

Board on Public Safety Standards and Training

Minutes

January 22, 2009

The Board on Public Safety Standards and Training held a regular meeting on January 22, 2009 at the Public Safety Academy in Salem, Oregon. Chair Bentz called the meeting to order at 9:06 a.m.

Board Members Present:

Andrew Bentz, Chair, Oregon State Sheriffs' Association
Mark Prince, Vice-Chair, Oregon Fire Chiefs' Association
Todd Anderson, Oregon State Sheriffs' Association
Kelly Bach, Oregon State Firefighters' Council
Richard Brown, Public Citizen Member
Shawn Cardwell, Private Security Industry
Chris Eppley, League of Oregon Cities
John Klum, Chief, Portland Fire & Rescue
William Lafferty, Forest Protection Agencies
Jeff Martin, Private Security Industry
Tim McLain, Superintendent, Oregon State Police
David Miller, FBI-Oregon, Special-Agent-in-Charge by teleconference
Randy Simpson for Nancy Orr, Oregon State Fire Marshal
Steven Piper, Non-Management Law Enforcement by teleconference
Rob Poirier, Public Safety Telecommunicators
Stuart Roberts, Oregon Association Chiefs of Police
James Whelan, Oregon Volunteer Firefighters' Association
Max Williams, Director, Department of Corrections
Thomas Wright, Department of Corrections Bargaining Unit Representative by teleconference

Board Members Absent:

Larry Goff, Oregon Fire District Directors' Association
Mike Healy, Oregon Association Chiefs of Police
Robert King, Non-management Law Enforcement
David Schutt, Oregon District Attorneys' Association
Rosie Sizer, Chief, Portland Police Bureau

Guest:

Kent Barker, Tualatin Police Department

DPSST Staff:

John Minnis, Director
Eriks Gabliks, Deputy Director
Marilyn Lorange, Certification and Records Supervisor
Theresa Martin-King, Professional Standards Coordinator
Bonnie Salle-Narvaez, Certification Coordinator
Chris Brodniak, Private Investigator Program Compliance Investigator
Charlene Barber, Executive Assistant to Director
Tammera Hinshaw, Executive Assistant to Deputy Director



1. Chair's Report and Administrative Announcement

“This is a public meeting, subject to the public meeting law and it will be tape recorded.”

Items H and P were pulled from the consent agenda for discussion.

2. CONSENT AGENDA (The following items to be ratified by one vote)

A. Minutes

Approve minutes from the October 23, 2008 Board meeting.

To see complete text of the meeting minutes, please go to the Board meeting minutes of October 23, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/BPSST_Minutes/Board102308.pdf

B. Monte McKague, DPSST #44165 – Revocation

Unanimous vote to recommend to Board by CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

C. Robert L. Krieger, DPSST #21486 – Not Revoke

Unanimous vote to recommend to Board by PPC on November 12, 2008.

To see complete text of the policy committee meeting minutes, please go to the Police Policy Committee minutes of November 12, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC111208.pdf

D. Mathew Bevens, DPSST #36615 – Not Revoke

Unanimous vote to recommend to Board by PPC on November 12, 2008.

To see complete text of the policy committee meeting minutes, please go to the Police Policy Committee minutes of November 12, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC111208.pdf

E. Jess H. Wills, DPSST #46833 - Revocation

Unanimous vote to recommend to Board by PPC on November 12, 2008.

To see complete text of the policy committee meeting minutes, please go to the Police Policy Committee minutes of November 12, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC111208.pdf

F. Harold R. Aragon III, DPSST #39319 - Revocation

Unanimous vote to recommend to Board by PPC on November 12, 2008.

To see complete text of the policy committee meeting minutes, please go to the Police Policy Committee minutes of November 12, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC111208.pdf

G. Sean D. Oelke, DPSST #44784 - Revocation

Unanimous vote to recommend to Board by PPC on November 12, 2008.

To see complete text of the policy committee meeting minutes, please go to the Police Policy Committee minutes of November 12, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC111208.pdf

I. Joel M. Pyle, DPSST #49555 – Deny Training and Certification

Unanimous vote with one abstention to recommend to Board by CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

J. Marcelo Monares, DPSST #39814 - Revocation

Unanimous vote to recommend to Board by CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

K. Earl G. McGee, DPSST #30279 – Not Revoke

Unanimous vote to recommend to Board by PPC on November 12, 2008.

To see complete text of the policy committee meeting minutes, please go to the Police Policy Committee minutes of November 12, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC111208.pdf

L. Terry J. VanDeHey, DPSST #39371 - Revocation

Unanimous vote with one abstention to recommend to Board by TPC on November 6, 2008.

To see complete text of the policy committee meeting minutes, please go to the Telecommunications Policy Committee minutes of November 6, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/TPC_Minutes/TPC110608.pdf

M. Thomas E. Blackman, DPSST #35590 - Revocation

Unanimous vote to recommend to Board by PPC on November 12, 2008.

To see complete text of the policy committee meeting minutes, please go to the Police Policy Committee minutes of November 12, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC111208.pdf

N. Aaron N. Whitmore, DPSST #31225 - Revocation

Unanimous vote to recommend to Board by CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

O. George Ogden, DPSST #26505 - Revocation

Unanimous vote to recommend to Board by CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

Q. Koren V. Stills, DPSST #39797 - Revocation

Unanimous vote to recommend to Board by CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

R. Amy McBride (aka Amy Zepeda), DPSST #39980 - Revocation

Unanimous vote to recommend to Board by CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

S. Margaret M. Edwards, DPSST #44556 - Revocation

Unanimous vote to recommend to Board by TPC on November 6, 2008.

To see complete text of the policy committee meeting minutes, please go to the Telecommunications Policy Committee minutes of November 6, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/TPC_Minutes/TPC110608.pdf

T. Karl Johnson – Medical Waivers Approval – Possible Executive Session

Unanimous vote to recommend to Board by CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

U. Brian Kinney – Medical Waiver Denial – Possible Executive Session

Unanimous vote to recommend to Board by CPC on August 19, 2008.

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

V. OAR 259-008-0025 – Proposed Rule - Career Officer Development Course – Remediation

Unanimous vote to recommend to Board by PPC on November 12, 2008 and CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Police Policy Committee minutes of November 12, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC111208.pdf

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

W. OAR 259-008-0065 – Proposed Rule – Certification Recall – Failing to Maintain First Aid/CPR

Unanimous vote to recommend to Board by PPC on November 12, 2008.

To see complete text of the policy committee meeting minutes, please go to the Police Policy Committee minutes of November 12, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC111208.pdf

X. OAR 259-008-0060 – Proposed Rule – College Credit – Basic Training Conversion

Unanimous vote to recommend to Board by PPC on November 12, 2008 and CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Police Policy Committee minutes of November 12, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC111208.pdf

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

Y. OAR 259-008-0010(8) – Proposed Rule – Physical Examination After Separation

Unanimous vote to recommend to Board by PPC on November 12, 2008 and CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Police Policy Committee minutes of November 12, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC111208.pdf

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

Z. OAR 259-001-0005 – Proposed Rule – Housekeeping Changes to Administrative Rulemaking Process

Unanimous vote to recommend to Board by TPC on November 6, 2008, PPC on November 12, 2008, and CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Telecommunications Policy Committee minutes of November 6, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/TPC_Minutes/TPC110608.pdf

To see complete text of the policy committee meeting minutes, please go to the Police Policy Committee minutes of November 12, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PPC_Minutes/PPC111208.pdf

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

AA. OAR 259-009-0062(2) - Proposed Administrative Rule Change - NFPA 1001 Fire Fighter

Unanimous vote to recommend to Board by FPC on September 19, 2008.

To see complete text of the policy committee meeting minutes, please go to the Fire Policy Committee minutes of September 19, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/FPC_Minutes/September192008FPCdraft.pdf

BB. Private Investigator Applicant A – License Denial

Vote to recommend to Board by PSIPC on December 4, 2008.

To see complete text of the policy committee meeting minutes, please go to the Private Security/Investigator Policy Committee minutes of December 4, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/PSIPC_Minutes/PSIPC120408.pdf

Policy Committee members

Private Security/Investigators

- Philip Agrue, Private Investigator/Bar Recommended – New Appointment
- Lawrence Winnett, Armed Security – New Appointment
- Robert Smith, Healthcare Industry – New Appointment

Telecommunications

- Tamara Atkinson, Assn. of Public Safety Comm. Officers – Reappointment
- Molly Cotter, Oregon State Police – New Appointment

Fire

- Joe Siebert, State Firefighter Council Rep – New Appointment

Rob Poirier moved to approve the items on the Consent Agenda. Tim McLain seconded the motion. The motion carried in a unanimous vote.

3. H. Pulled from Consent agenda - James D. Hepler, DPSST #26930 – Not Revoke

Six to three vote with one abstention to recommend to Board by CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

The Board discussed the similarities between this and past cases. Todd Anderson explained the reasoning behind the Corrections Policy Committees' decision. All agreed that the purpose of the Board and Committees is to hear each case and make decisions based on the separate circumstances.

Kelly Bach moved to uphold the recommendation of the Corrections Policy Committee to not revoke. Jim Whelan seconded the motion. Jeff Martin, Tim McLain, and Steve Piper voted nay. The motion carried.

4. P. Pulled from Consent agenda - Chris J. Vancleave, DPSST #32795 – Not Revoke

Seven to three vote to recommend to Board by CPC on November 18, 2008.

To see complete text of the policy committee meeting minutes, please go to the Corrections Policy Committee minutes of November 18, 2008 which can be found at:

http://www.oregon.gov/DPSST/BD/Policy_Committee_Minutes/CPC_Minutes/CPC111808.pdf

Mark Prince moved to uphold the recommendation of the Corrections Policy Committees' to not revoke. Todd Anderson seconded the motion. The motion carried in a unanimous vote.

5. Multnomah County Sheriff Bob Skipper – Waiver Request

Because this issue crosses all the disciplines, it was addressed at the Board level instead of going through the normal policy committee decision process. Marilyn Lorange reviewed the background of the request. There were strong arguments from the Board members, both for and against granting the waiver.

Chris Eppley moved to deny the waiver request. Tim McLain seconded the motion. The motion carried in a unanimous vote.

6. Director's Report – John Minnis

- The economic forecast does not look good. Large scale reductions are likely.
- DOC training will likely become the purview of DOC.
- The Police classes are full. It is not known if agencies will continue to hire at previous rates.
- Agency Heads beginning to contemplate further reductions.

Chair Bentz reminded the group that the Director Evaluations need to be turned in.

7. Committee Reports

- Corrections Policy Committee – Todd Anderson, Chair
The committee reviewed eleven or twelve revocation/denial cases last meeting.
- Fire Policy Committee – Jim Whelan, Chair
The committee is looking at standards updates. Expecting some reviews of certification at the next meeting.

- Police Policy Committee – Andrew Bentz, Chair
There are a lot of revocation/denial cases to review coming up for review. Andy is watching the budget closely.
- Private Security/Investigator Policy Committee – Jeff Martin, Chair
The committee is almost fully staffed with only a private citizen member and a representative of Alarm Monitors being recruited for. The committee is currently working on curriculum for un-armed. Next meeting for the PS/IPC will be February 19 in Hillsboro.
- Telecommunications Policy Committee – Rob Poirier, Chair
The committee is working on OAR cleanup. Rob appreciates the support he's received. The next meeting for the TPC will be February 5.

Chair Bentz thanked the Board members for their participation and said that he appreciates all the discussion among the disciplines.

8. Next meeting date: April 23, 2009

The meeting adjourned at 11:05.