

Corrections Policy Committee Minutes

August 12, 2025

The Corrections Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on August 12, 2025, at the Oregon Public Safety Academy in Salem, Oregon. Chair, Jennifer Cameron called the meeting to order at 10:00 a.m.

Committee Members:

Jennifer Cameron, Chair, Non-Management Parole & Probation
Josh Aldrich, Oregon State Sheriff's Command Council
Mark Boren, Public Member
Margeux Bowden, DOC, Non-Management Corrections
Laurie Frasco, Department of Corrections, AFSCME
John Frost, DOC, Non-Management Corrections (Webex)
Mike Hartford, Oregon Association of Community Corrections Directors
Nicholas Hunter, Oregon State Sheriff's Association
Ted Langley, Oregon Sheriff's Jail Command Council
Michael Mays, Non-Management Department of Corrections (Webex)
John Tabor, DOC Training Division (Webex)

Committee Members Absent:

Brian Stephen, Oregon Dept. of Corrections Designee for Michael Reese, Director

Guests:

Herlet Padilla
Justin White

DPSST Staff:

Phil Castle, Director
Kathy McAlpine, Deputy Director
Marie Atwood, Professional Standards Division Director
Ben Hamilton, Standards and Certification Program Manager
Melissa Lang-Bacho, Professional Standards Compliance Coordinator
Jennifer Levario, Professional Standards Compliance Coordinator
Cindy Park, Professional Standards Compliance Coordinator
Jennifer Howald, Administrative Rules Coordinator
Brie Murphy, ??????
Sam Tenney, Public Information Officer
Erica Riddell, Criminal Justice Support Specialist
Juan Lopez-Hernandez, Executive Support Specialist



1. Introductions

Introductions of members, guests and staff.

2. Approve May 13, 2025 Meeting Minutes

A consensus was reached to approve the May 13, 2025, meeting minutes as written.

3. Administrative Closure Consent Agenda

Presented by Jennifer Levario, Professional Standards Compliance Coordinator

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

a) Bashon, Steven (45048) Corrections

On August 7, 2024, Steven Bashon reported to the Department that he received a criminal citation for *Reckless Driving* in Idaho on August 2, 2024. On January 2, 2025, an amended complaint was filed in court, which revised the charges to infractions for *Exceeding the Maximum Posted Speed Limit and Unlawful Driving on Highway Laned for Traffic*. On January 24, 2025, Bashon entered a guilty plea as part of a plea agreement to the amended charges.

The Department determined that Bashon's criminal citation did not result in a criminal disposition of a criminal offense that requires review.

b) Hathaway, Richard (37239) Corrections

On December 26, 2024, Richard Hathaway retired from the Multnomah County Sheriff's Office (MCSO) while under investigation for allegations of misconduct against an adult in custody. The MCSO completed their investigation with findings that the allegations against Hathaway were false based on the totality of the circumstances. The Department determined Hathaway's separation does not violate the Board's moral fitness standards defined in Oregon Administrative Rule.

c) Pedroza, Ezequiel (64608) Not Certified

On July 12, 2024, Ezequiel Pedroza was terminated while on trial service from the Oregon Department of Corrections/Snake River Correctional Institution (ODOC/SRCI). The F4s Personnel Action Separation form indicates that at the time of Pedroza's separation, there was an active, pending, or completed investigation into allegations of misconduct.

The Department submitted a request for records from SRCI related to Pedroza's separation from employment. The ODOC/SRCI contacted the Department and said they had made a mistake when filling out the form, and there was no misconduct investigation of any kind at the time of Pedroza's separation.

The ODOC/SRCI submitted an amended F4s Personnel Action Separation form to the Department, changing the answers to question 10 to "no." Since the Department has already opened a professional standards case to review potential moral fitness violations, this memo is presented to the committee as an administrative closure.

d) Richards, Michael (53297) Corrections

The Department received an F28 Criminal History notification from Michael Richards that he was arrested for Possession of Marijuana, Less than 2 Ounces, a misdemeanor, in Hardeman County, Texas on March 4, 2020. This criminal conduct was not reported to the Department until June 27, 2023. The explanation for the late reporting was that he had reported it to the Oregon Department of Corrections (ODOC) at the time of the occurrence, but did not know he was supposed to report it to the Department as well.

The ODOC reported that Richards was directed to send the F28 in 2023, but they were unable to determine if he was told to report it in 2020 due to records not being available. As a result, the police reports had been purged from Texas records and were not available to review at the time of this report. The Department opened a professional standards case upon receipt of Richard's F28.

The Department determined Richard's conduct may violate the Board's moral fitness standards as defined in the Oregon Administrative Rule. However, records related to the conduct were no longer available; therefore, the Department could not provide substantial evidence to support a moral fitness violation.

Nick Hunter moved to approve the Administrative Closure Consent Agenda recommendations made by the Department. Josh Aldrich seconded the motion. The motion passed unanimously.

4. Mood, Katherine (61760) Certification Review: Corrections

Presented by Jennifer Levario, Professional Standards Compliance Coordinator

Reason for Discretionary Review

On March 29, 2022, the Department received an email from Katherine Mood reporting a criminal citation on March 23, 2022, for Driving Under the Influence of Intoxicants (DUII), Reckless Driving, Failure to Perform the Duties of a Driver and Criminal Mischief in Marion County, Oregon. Mood worked for the Marion County Sheriff's Office (MCSO) at the time. The Department opened a professional standards case to review the information to determine whether it contained conduct that violated the Board's moral fitness standards.

A review of the Marion County District Attorney's charging instrument showed that she was formally charged with DUII, Failure to Perform the Duties of Driver-Property Damage, and Criminal Mischief in the Second Degree. On May 24, 2022, Mood entered a plea of guilty to DUII, and the case was diverted. The Failure to Perform the Duties of Driver-Property Damage and Criminal Mischief charges were dismissed.

On October 17, 2023, Mood was arrested for DUII and Reckless Driving in Salem, Oregon. On October 1, 2024, Mood entered a plea of guilty to both charges.

On October 18, 2023, the MCSO's professional standards division opened a personnel investigation into the incident. Mood was placed on administrative leave pending the outcome of the criminal investigation. On January 10, 2024, Mood signed a Separation Agreement and Release, and on January 12, 2024, resigned from the MCSO. Under the Separation Agreement and Release, the personnel investigation was suspended.

<i>Corrections Policy Committee Discussion/Consensus/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Nick Hunter disclosed a potential or perceived conflict of interest in this case due to personally knowing individuals mentioned in this case. Hunter declared he would be able to remain unbiased because he feels he can make a fair determination based on the information presented.			
A consensus was reached to adopt the record.			
The Corrections Policy Committee found the following moral fitness violations and factors: <i>Moral Fitness Violations:</i> • Dishonesty: Mood was intentionally deceptive during her criminal investigation on March 23, 2022, when she fled the scene of a crash she caused while driving under the influence of intoxicants. Mood attempted to hide from law enforcement behind a tree and denied more than once that she had been drinking. Mood's blood alcohol content was 0.24%. • Misuse of Authority: The Department did not identify sufficient information to make a finding of misuse of authority. • Misconduct: Mood violated criminal law by committing multiple traffic crimes over two separate criminal cases/criminal episodes. Mood harmed property when she crashed into a PGE power pole, causing a power outage in Keizer, including the Keizer Police Department. The estimated damage in this crash was \$30,000.00. Mood threatened harm to people and property when she drove under the influence of intoxicants in both cases, which were within a year of each other. Mood harmed the efficient operations of the Keizer Police Department when she hit a PGE power pole, leading to a power outage at the Police Department. Mood harmed the efficient operations of the Keizer Police Department when she removed her driver's license from a counter in the Police Department and placed it in her pocket. The arresting officer determined this had happened only after seeing Mood on surveillance video. Mood's conduct impeded the arresting officer's ability to process her arrest efficiently. Mood harmed her employing agency by damaging the public's trust and the integrity of the corrections profession. <i>Aggravating Factors:</i> • Mood had two arrests for the same conduct over a short period of time. • Mood was deceptive and evasive during both incidents. • Mood fled the scene of the accident. • Mood took no accountability for her actions. • Mood was given a chance to correct her conduct, but failed to do so.			

• Mood committed her second offense while on diversion. • Mood interfered with her arrest when she removed her identification from the counter and placed it in her pocket, without permission. • Mood exhibited a pattern of dishonesty from her first citation and throughout all subsequent investigations into her conduct. <i>Mitigating Factors:</i> • The committee did not identify any mitigating factors			
A consensus was reached to confirm the identified aggravating and mitigating factors.			
Josh Aldrich moved that the Corrections Policy Committee affirm the moral fitness violations as presented.	Mike Hartford	10 ayes; 0 nays; Member Langley was absent for this vote.	Motion Passed Unanimously
Marguex Bowden 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 Mood's certifications.	Laurie Frasco	10 ayes; 0 nays; Member Langley was absent for this vote.	Motion Passed Unanimously
Mike Hartford moved, after considering the totality of the case, that Mood be ineligible to hold public safety certification for a lifetime.	Josh Aldrich	10 ayes; 0 nays; Member Langley was absent for this vote.	Motion Passed Unanimously

5. Oxnam, Chance (54580) Certification Review: Corrections

Presented by Jennifer Levario, Professional Standards Compliance Coordinator

Reason for Discretionary Review

On August 21, 2023, the Department received an F28 Criminal History Reporting form from Chance Oxnam listing a citation for Driving Under the Influence (DUI) and Transporting a Minor While Under the Influence on August 18, 2023, in Meridian, Idaho. The Department opened a professional standards case to review the criminal case for any conduct that may violate the Board's moral fitness standards.

On October 3, 2023, Oxnam entered into a diversion agreement in the District Court for Ada County, and the Transporting a Minor While Under the Influence charge was dismissed.

On October 17, 2024, the Court dismissed the DUI case as Oxnam successfully completed the conditions of his diversion agreement.

<i>Corrections Policy Committee Discussion/Consensus/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
A consensus was reached to adopt the record.			
The Corrections Policy Committee found the following moral fitness violations and factors: <i>Moral Fitness Violations:</i> • Dishonesty: The committee did not identify sufficient evidence of dishonesty. • Misuse of Authority: The committee did not identify sufficient evidence of misuse of authority. • Misconduct: Oxnam violated criminal law when he was cited and charged with DUI and Transporting a Minor While Under the Influence. Oxnam threatened harm to his minor son, an adult passenger, and other people and property when he drove his vehicle under the influence of alcohol and over the legal limit with them in the vehicle. <i>Aggravating Factors:</i> • Oxnam put a minor and others in harm's way when he drove while under the influence of intoxicants. • At the time of his arrest, Oxnam was not forthright about the fact that he had been drinking. <i>Mitigating Factors:</i> • Oxnam completed the conditions of his diversion program. • Oxnam took accountability for his actions in his mitigation letter to the committee. • Oxnam has no other known disciplinary history as a public law enforcement officer.			
A consensus was reached to confirm the identified aggravating and mitigating factors.			
Nick Hunte moved that the Corrections Policy Committee affirm the moral fitness violations as presented.	Mark Boren	11 ayes; 0 nays	Motion Passed Unanimously

Josh Aldrich 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 no Board action should be taken against Oxnam's certifications.	Nick Hunter	11 ayes; 0 nays	Motion Passed Unanimously
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6. **Padilla, Herlet (63118) Certification Review: Corrections**

Presented by Jennifer Levario, Professional Standards Compliance Coordinator

Reason for Discretionary Review

The Department opened a professional standards case after receiving an F28 Criminal History Reporting form from Herlet Padilla, Clatsop County Sheriff's Deputy, reporting an arrest for Driving Under the Influence of Intoxicants (DUI) on February 9, 2024. Padilla was charged with DUI and Reckless Driving by the Clatsop County District Attorney on February 27, 2024. On January 24, 2025, Padilla entered a plea of no contest to DUI and was convicted.

Herlet Padilla provided verbal mitigation for committee consideration.

<i>Corrections Policy Committee Discussion/Consensus/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
A consensus was reached to adopt the record.			
The Corrections Policy Committee found the following moral fitness violations and factors: <i>Moral Fitness Violations:</i> • Dishonesty: The committee did not identify elements of dishonesty. • Misuse of Authority: The committee did not identify elements of misuse of authority. • Misconduct: Padilla engaged in misconduct when she violated criminal law, pleaded no to, and was convicted of DUI. Padilla drove her vehicle while intoxicated and over the legal limit, threatening harm to herself, others, and property. Padilla harmed the efficient operations of the Clatsop County Sheriff's Office (CCS) by engaging in criminal conduct in the jurisdiction in which she worked, which violated the Code of Ethics, the public's trust, and the integrity of the sheriff's office, leading to a last-chance agreement to ensure no further harm. <i>Aggravating Factors:</i> • Padilla had a previous DUI before she was employed with the Clatsop County Sheriff's Office, which threatened harm to the public.			

• Padilla’s training record includes attending ethics training, which should have helped her learn how to be ethical. It is unclear if she has learned this skill. <i>Mitigating Factors:</i> • Padilla accepted responsibility for her actions. • Sheriff Phillips of the Clatsop County Sheriff’s Office was present in support of Padilla during her verbal mitigation. • Both the arresting officer and the deputy who pulled Padilla over during the DUI arrest reported she had been honest with them. • Throughout the internal investigation, Padilla was forthright and cooperative. • Padilla chose to engage in substance use disorder treatment to address the root problems for this behavior. • Padilla chose to return to treatment when times were difficult for her, rather than engage in substance abuse.			
A consensus was reached to confirm the identified aggravating and mitigating factors.			
Nick Hunter moved that the Corrections Policy Committee affirm the moral fitness violations as presented.	Josh Aldrich	11 ayes; 0 nays	Motion Passed Unanimously
Nick Hunter 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 no Board action should be taken against Padilla’s certifications.	Mark Boren	11 ayes; 0 nays	Motion Passed Unanimously

7. **Scharbach, Brian (61981) Certification Review: Corrections**

Presented by Jennifer Levario, Professional Standards Compliance Coordinator

Reason for Discretionary Review

The Department opened a professional standards case after receiving an F4s Personnel Action Form from the Oregon Department of Corrections/Coffee Creek Correctional Facility (ODOC/CCCF) stating that Brian Scharbach had resigned on January 18, 2023, while there was an active investigation into allegations of misconduct. The investigation was initiated by the ODOC after they obtained information that Scharbach was accessing confidential information about another CCCF staff member and sharing it with others without consent.

<i>Corrections Policy Committee Discussion/Consensus/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
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Laurie Frasco disclosed a potential or perceived conflict of interest in this case due to personally knowing individuals mentioned in this case. Frasco declared she would be able to remain unbiased because she feels she can make a fair determination based on the information presented.

A consensus was reached to adopt the record.

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

Moral Fitness Violations:

- Misuse of Authority: Scharbach intentionally misused his authority when he used it to access the confidential Officer in Charge (OIC), Field Training Evaluation Program files of a fellow officer, without their or the ODOC's permission. Scharbach intentionally misused his authority to place a personal thumb drive with admittedly pirated movies on an ODOC computer in order to view these movies while on duty, for personal entertainment.
- Misconduct: Scharbach admittedly used his access to confidential information to harm a fellow officer's reputation by exposing negative confidential information about them to other officers.

The CPC voted to recommend a modification to the Department's findings to include Dishonesty as follows:

Dishonesty: Scharbach engaged in dishonest conduct by omission by knowingly reviewing and sharing confidential information. Scharbach knew reviewing and sharing the information was wrong, and he chose to do it anyway. (The full transcript of this deliberation is included with this report.)

Aggravating Factors:

- Downloading pirated movies is theft.
- Scharbach's threat to harm those persons who reported his conduct showed a willingness to commit additional crimes as a retaliatory response.
- The amount of confidential information Scharbach shared with staff was clearly outside the policies of the agency.
- Scharbach was aware that what he was doing was wrong when he admitted he was not following the Code of Ethics.
- Scharbach's blatant disregard for the policies and procedures of his agency was evident in his testimony.
- Scharbach's threat to harm others was an act of interfering with the investigation.
- Scharbach admitted to placing a thumb drive with pirated movies on it into an ODOC computer and watching them while on duty, which is also a theft of time.

- Scharbach's conduct could have led to a charge of Official Misconduct II. <i>Mitigating Factors:</i> - The committee did not identify any mitigating factors			
A consensus was reached to confirm the identified aggravating and mitigating factors.			
Nick Hunter moved that the Corrections Policy Committee affirm the moral fitness violations as presented and modify them to include dishonesty.	Josh Aldrich	11 ayes; 0 nays	Motion Passed Unanimously
Jennifer Cameron 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 Scharbach's certifications.	Marguex Bowden	11 ayes; 0 nays	Motion Passed Unanimously
Nick Hunter moved, after considering the totality of the case, that Scharbach be ineligible to hold public safety certification for lifetime.	Mike Hartford	11 ayes; 0 nays	Motion Passed Unanimously

8. Stott, Kyle (58027) Certification Review: Parole & Probation

Presented by Jennifer Levario, Professional Standards Compliance Coordinator

Reason for Discretionary Review

The Department received an F4s Personnel Action – Separation Form from the Deschutes County Department of Community Justice (DCDCJ) reporting that Probation Officer (PO) Kyle Stott had resigned on November 28, 2022. The reason for Stott's separation was noted by DCDCJ as "resigned, during a personnel investigation." Stott was being investigated for entering into a relationship with a female Adult on Supervision (AOS). The Department opened a professional standards case to review the investigation records concurrent with Stott's separation to determine if he violated the Board's moral fitness standards.

<i>Corrections Policy Committee Discussion/Consensus/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
A consensus was reached to adopt the record.			

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

Moral Fitness Violations:

- Dishonesty: Stott engaged in intentional dishonesty when he concealed his personal, intimate relationship with a female AOS from the DCDCJ, a violation of agency policy.
- Misuse of Authority: Stott engaged in intentional misuse of authority when he utilized his position of authority as a PO over a female AOS's emotions or other life domains to initiate a personal, intimate relationship with the female AOS in Deschutes County for his benefit.
- Misconduct: Stott engaged in misconduct when he engaged in a personal, intimate relationship with a female AOS, concealed it from his employer, and misused his authority to do so which brought harm to the DCDCJ by giving the appearance of a conflict with his work for the agency and put Deschutes County at exposure to legal action by the AOS.

Stott threatened harm to the community by engaging in a personal, intimate relationship with a female AOS, which eroded the community's trust that POs are fair, honest, ethical, and professional in their conduct.

Aggravating Factors:

- Each one of the affirmed moral fitness violations in this case erodes the public's trust. Erosion of public trust can render public law enforcement ineffective.
- Stott exhibited a lack of appropriate boundaries, which creates mistrust within an agency for many reasons, including unsafe exposure to criminal associates and their conduct.
- When officers engage in inappropriate relationships with AOSs, the power differential and the inability of an AOS to consent to the conduct, harm the AOS and others.
- At no point did Stott intend to share that he was having an inappropriate relationship with the AOS until a decision was made by a judge to revoke the AOS's intensive supervision to regular supervision, which made it obvious to Stott that the information about their relationship was going to be exposed.
- The totality of Stott's conduct showed a clear intent to be dishonest.
- The record showed that the AOS knew what was happening between the Respondent and herself was wrong and what policies it violated. This information was telling as to the level of exposure to liability the Respondent's actions produced.

Mitigating Factors:

- The committee did not identify any mitigating factors

A consensus was reached to confirm the identified aggravating and mitigating factors.			
Nick Hunter moved that the Corrections Policy Committee affirm the moral fitness violations as presented.	Jennifer Cameron	10 ayes; 0 nays; Member Bowden was absent for this vote.	Motion Passed Unanimously
Josh Aldrich 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 Stott's certifications.	Mark Boren	10 ayes; 0 nays; Member Bowden was absent for this vote.	Motion Passed Unanimously
Ted Langley moved, after considering the totality of the case, that Stott be ineligible to hold public safety certification for a lifetime.	Mike Hartford	11 ayes; 0 nays	Motion Passed Unanimously

9. Trabosh, Timothy (49653) Certification Review: Corrections

Presented by Jennifer Levario, Professional Standards Compliance Coordinator

Reason for Discretionary Review

The Department opened a professional standards case after receiving an F4s Personnel Action Separation Form from the Marion County Sheriff's Office (MCSO) reporting that Timothy Trabosh, a Parole and Probation Officer, had resigned on December 2, 2022, while under investigation for two open personnel investigations. One involved the loss of work property in a personal vehicle, and another involved multiple policy violations, including Code of Ethics, Standards of Conduct, Sexual Misconduct involving Offenders, and Marion County Policy 602-Discrimination and Harassment-Free Workplace.

<i>Corrections Policy Committee Discussion/Consensus/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
Mike Hartford recused himself due to a conflict of interest.			
Nick Hunter disclosed a potential or perceived conflict of interest in this case due to personally knowing individuals mentioned in this case. Hunter declared he would be able to remain unbiased because he feels he can make a fair determination based on the information presented.			
A consensus was reached to adopt the record.			

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

Moral Fitness Violations:

- Dishonesty: The committee did not identify elements of dishonesty.
- Misuse of Authority: Trabosh engaged in intentional misuse of authority when he made an inappropriate and sexually suggestive comment about his co-worker to a client on formal supervision. The client could not consent to such conduct, thus placing the client in harm's way. The harm was a byproduct of being subjected to Trabosh's comments without consent and subject to conditions of supervision, including decisions made about his liberty.
- Misconduct: Trabosh engaged in misconduct by harming his co-workers when he made an inappropriate and sexually suggestive comment to a client on formal supervision that was overheard and made co-workers feel uncomfortable and fearful that they may be subjected to a Prison Rape Elimination Act (PREA) investigation.

Trabosh harmed the client on supervision by placing them in a position they could not consent to, which involved an inappropriate and sexually suggestive comment in a joking manner, giving the client little to no other choice but to go along with the joke.

Trabosh harmed the efficient operations of the Marion County Sheriff's Office Community Corrections Department by engaging in conduct that damaged the right to a discrimination and harassment free workplace, the Oath of Office, and the Code of Ethics.

Aggravating Factors:

- Trabosh's repeated comments to his co-worker were discriminatory and harassing.
- Some of these comments were made in front of clients on formal supervision.
- Trabosh had almost 22 years of employment as a public safety professional and 139 hours of training, including ethics and leadership. Trabosh should have known that his behavior was wrong.
- Trabosh continued his inappropriate behavior even after being told to stop.
- Trabosh refused to attend a December meeting related to the investigation, showing a lack of cooperation.
- Trabosh exhibited a pattern of behavior that disregarded MCSO policies.
- Trabosh's conduct harmed other law enforcement officers within the MCSO.
- Trabosh lost MCSO property

Mitigating Factors:

- The committee did not identify any mitigating factors.

A consensus was reached to confirm the identified aggravating and mitigating factors.			
Josh Aldrich moved that the Corrections Policy Committee affirm the moral fitness violations as presented.	Mark Boren	10 ayes; 0 nays; 1 recused (Member Hartford)	Motion Passed Unanimously
Jennifer Cameron 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 Trabosh's certifications.	Nick Hunter	10 ayes; 0 nays; 1 recused (Member Hartford)	Motion Passed Unanimously
Nick Hunter moved, after considering the totality of the case, that Trabosh be ineligible to hold public safety certification for 10 years.	Josh Aldrich	10 ayes; 1 nays; 1 recused (Member Hartford)	Motion Passed Unanimously

10. White, Justin (53769) Certification Review: Corrections

Presented by Jennifer Levario, Professional Standards Compliance Coordinator

Reason for Discretionary Review

On April 10, 2019, Justin White was terminated from the Oregon Department of Corrections/Two Rivers Correctional Institution (ODOC/TRCI) for declining to fulfill an overtime request and receiving a Driving While Under the Influence (DUI) and Reckless Driving in Washington State on November 10, 2018. White grieved his termination, and it went to arbitration.

While under review for this separation and criminal disposition, the Department became aware of a criminal disposition White had not reported while employed with the ODOC. White was cited for Failure to Stop, Give Information, or Aid, a misdemeanor, on March 12, 2016, in Prosser, Washington. White entered a plea of not guilty to this charge and received a diverted sentence. The charge was dismissed on June 13, 2017, as White had completed his deferral conditions.

On November 11, 2021, the arbitrator found that although White did engage in misconduct, the ODOC did not engage in the proper progressive disciplinary process prior to termination. The arbitrator reinstated White to employment.

On November 17, 2021, White entered a plea of guilty to Reckless Driving from the November 10, 2018 arrest, a gross misdemeanor in the State of Washington, as part of a plea agreement amending the DUI, and was convicted. White was sentenced to 364 days in jail, 361 suspended, a \$500.00 fine, and was placed on probation for two (2) years. White was required to attend alcohol and drug treatment and pay all other fines and fees. On December

27, 2021, White was reinstated with the ODOC/TRCI. On the F4 Personnel Action – Hire form, Section 11(d) was marked “no”, that no convictions or pending criminal matters were discovered as part of the background investigation. White was transferred to the ODOC/Eastern Oregon Correctional Facility on September 3, 2022.

Justin White provided verbal mitigation for committee consideration.

<i>Corrections Policy Committee Discussion/Consensus/Vote</i>	<i>Second</i>	<i>Vote</i>	<i>Outcome</i>
A consensus was reached to adopt the record.			
The Corrections Policy Committee found the following moral fitness violations and factors: <i>Moral Fitness Violations:</i> • Dishonesty: The Department did not identify elements of dishonesty. • Misuse of Authority: The Department did not identify elements of misuse of authority. • Misconduct: White violated criminal law while employed as a corrections officer and admitted to driving while under the influence of alcohol. White’s conduct threatened harm to persons and violated the criminal justice code of ethics. White violated several traffic laws while employed as a corrections officer, which threatened harm to persons and property, the totality of which, along with the DUI, evidenced a disregard for the traffic laws for both the State of Oregon and the State of Washington. A corrections officer is responsible for holding Adults in Custody accountable for their actions related to rules and laws. Corrections officers are expected to provide an example of behavior that aligns with sound judgment and rule-abiding behavior. <i>The CPC voted to recommend a modification to the Department’s findings to include Dishonesty as follows:</i> • Dishonesty: White engaged in dishonesty during his investigative statements, mitigation, and arbitration proceedings by misrepresenting the truth, making excuses, and omitting evidence that was consequential to the outcome of each. <i>Aggravating Factors:</i> • White’s numerous traffic violations after his conviction show a disregard for the law. • White’s mitigation letter did not include any responsibility for his actions. White blamed others. • White has taken no accountability for his traffic law violations, which continued into 2024.			

- White has exhibited a pattern of disregard for the laws of the State of Oregon and the State of Washington.
- Driving 102 mph on a motorcycle is putting the public in significant jeopardy with disregard for human life.
- The arbitrator's opinion related to reinstating White's employment relied on procedural issues. The arbitrator affirmed that White engaged in misconduct.
- White's criminal conduct is aggravating.
- White did not report his criminal conduct to DPSST or ODOC appropriately. This calls into question his honesty by omission.
- White's failure to report his criminal conduct could be considered dishonest, but not a moral fitness violation as outlined in OAR.¹
- White's verbal mitigation did not include accountability for his actions, and he continues to make excuses for his actions and blames others.

¹This aggravating factor, as written, was discussed at the May 2025 CPC meeting. After receiving White's testimony during the August CPC meeting, the committee found the dishonesty violation described above.

Mitigating Factors:

- The committee did not identify any mitigating factors

A consensus was reached to confirm the identified aggravating and mitigating factors.

Nick Hunter moved that the Corrections Policy Committee modify the moral fitness violations as presented to include dishonesty.	Ted Langley	11 ayes; 0 nays	Motion Passed Unanimously
Ted Langley 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 White's certifications.	Marguex Bowden	11 ayes; 0 nays	Motion Passed Unanimously
Nick Hunter moved, after considering the totality of the case, that White be ineligible to hold public safety certification for 5-year ineligibility period.	Josh Aldrich	0 ayes; 11 nays	Motion Failed

Mike Hartford moved, after considering the totality of the case, that White be ineligible to hold public safety certification for 10-years.	John Frost	9 ayes; 2 nays	Motion Passed
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11. Corrections Policy Committee Chair and Applicant Review Committee Nominations

Presented by Marie Atwood, Deputy Director

Jennifer Cameron *moved to appoint Nick Hunter as Chair of the Corrections Policy Committee.* Josh Aldrich *seconded the motion.* Motion passed unanimously.

Jennifer Cameron *moved to appoint Mark Boren to the Applicant Review Committee.* Nick Hunter *seconded the motion.* Motion passed unanimously.

12. Proposed Rule Changes for Oregon Administrative Rule (OAR) 259-006-0010

Presented by Jennifer Howald, Administrative Rules Coordinator

The Applicant Review Committee (ARC) was established in 2020 based on recommendations that came from the 2019 Criminal Justice Background Investigation Workgroup. The first ARC meeting was held in February 2021. The standards and processes that were adopted have been successful in streamlining and expediting professional standards cases for new public safety professionals with pre-employment criminal dispositions.

In 2023, DPSST formed a workgroup to review all of the criminal justice moral fitness standards and processes. The Workgroup recently reviewed the pre-employment standards and processes associated with the ARC. This included a discussion related to ARC membership and appointment. After reviewing the current ARC membership requirements, the Workgroup recommended the following changes:

- Change the Board member position from a public member to any Board member.
 - Changing the designation from public member to any member does not preclude a public member from the Board or a Policy Committee from being nominated and appointed to the ARC.
- Remove the experience requirement for an ARC member to have completed a term on a Policy Committee before serving on ARC.
- Remove language regarding the option to vacate a policy committee member position.

{Consensus reached approving the fiscal impact statements provided by the Department.}

Josh Aldrich *moved to recommend that the Board approve filing the proposed rule changes for OAR 259-006-0010 as a permanent rule.* Ted Langley *seconded the motion.* The motion passed unanimously.

13. Proposed Rule Changes for Oregon Administrative Rule (OAR) 259-008-0085 (20)

Presented by Jennifer Howald, Administrative Rules Coordinator

OAR 259-008-0085 (20) states that public safety officers are required to successfully complete the basic training course to meet the minimum standards for certification. This

includes completing the course in its entirety and meeting the student performance measures. The Department recognizes that there are circumstances that result in student absences such as court appearances, short-term illnesses, and injuries. There are also circumstances when the Department must modify a course schedule to address severe weather conditions or instructor scheduling. Over time, differing interpretations regarding absences, course schedule modifications, and the remediation of missed training have caused inconsistencies in application of the current rule language.

After reviewing the rule history and current practices to determine how to clarify the rule and its interpretation moving forward, DPSST identified the following key points. All missed training, regardless of cause, must be remediated. While some remediation may be effectively completed in less time than originally scheduled, particularly when delivered one-on-one, certain topics or skills may necessitate hour-for-hour completion. The essential requirement is that the public safety officer receives the full breadth of training content included in the Board-approved course. Staff do not have discretion in determining whether missed instruction requires remediation; all missed training must be reviewed and completed as directed by the Department.

{Consensus reached approving the fiscal impact statements provided by the Department.}

Nick Hunter moved to recommend that the Board approve filing the proposed rule changes for OAR 259-008-0085 (20) as a permanent rule. Jennifer Cameron seconded the motion. The motion passed unanimously.

14. Overview & Summary of Changes to Basic Parole and Probation Curriculum

Presented by Christy Hess, Academy Curriculum Coordinator

The training division requests the approval of the Corrections Policy Committee to make adaptations to the Basic Parole and Probation curriculum.

15. Approval of Changes to the Basic Parole & Probation Curriculum

Presented by Christy Hess, Academy Curriculum Coordinator and Jason Ridgeway, Parole and Probation Training Program Coordinator

{Consensus reached approving the fiscal impact statements provided by the Department.}

Nick Hunter moved to recommend that the Board approve the changes to the Basic Parole & Probation Curriculum. Ted Langley seconded the motion. The motion passed unanimously.

16. Proposed Rule Changes for Oregon Administrative Rule (OAR) 259-008-0085

Presented by Jennifer Howald, Administrative Rules Coordinator

The Department recommends the following proposed rule change to support the Board's approval and the Department's implementation of the revised Basic Parole and Probation Academy curriculum. The rule change identifies the curriculum based on the Board-approved date. The rule change adds recognition of the training requirements that were added to Oregon Revised Statute (ORS) 181A.530 in 2022 (SB 1510). There are no changes to the field training manual, or the student performance measures at this time.

{Consensus reached approving the fiscal impact statements provided by the Department.}

Jennifer Cameron *moved to recommend that the Board approve filing the proposed rule changes for OAR 259-008-0085 as a permanent rule.* Marguex Bowden *seconded the motion.* The motion passed unanimously.

17. Agency Updates

Presented by Phil Castle, Director

- At the conclusion of the Legislative Session DPSST received funding to move forward with a new Learning Management System (LMS) for the academy. We also received funding to continue at our current service level and the ability to run 60-person Basic Police Courses, when necessary, through the end of this biennium. In addition, DPSST also received funding to repair the “F” building on campus also known as the Main Street in the village which has some substantial damage from excessive windshear that the building was not designed to withstand.
- DPSST received 3.4 million dollars in deferred maintenance for other repairs necessary to buildings on the entire campus which will help improve the longevity of the academy structures.
- DPSST also received 500,000 dollars to run a campus wide study and to make improvements to prepare the campus for construction and expansion in the future as the academy grows.
- Director Phil Castle took a moment to thank the Corrections Policy Committee members and DPSST staff for their continued effort and dedication to the Committee and the work it takes to complete all the necessary tasks for the committees to run smoothly.
- OAR 181A-385 designates the Director as the secretary of the Board or a designee. The designee will be Marie Atwood for any future policy or Board meetings the director cannot attend.
- Director Phil Castle and Deputy Director Kathy McAlpine are headed to FLETC (Federal Law Enforcement Training Center) in Georgia next week. They will be participating in an IADLEST meeting with all of the directors of academies and POST academies throughout the US. They will meet to discuss best practices, instructor development and talk about current trends in Law Enforcement. Excited to engage with other agencies throughout the state and learn all that they can.

18. Agency Updates:

Presented by Kathy McAlpine, Deputy Director

- Deputy Director Kathy McAlpine and the Corrections Policy Committee took an opportunity to recognize committee member Mark Boren for his service and dedication to the CPC as his term has now come to an end. We wish him luck in his next endeavors!
- IADLEST has an accreditation program through their POST and their academy and DPSST is going to embark on that process as recommended by IADLEST with the academy first and then the POST or regulatory side of the academy. We will keep policy committees updated with any new information that comes from this process.

19. Section Updates

Presented by Marie Atwood, Professional Standards Division Director

- Took a moment to thank the Corrections Policy Committee as well for their effort and willingness to have these long meetings and discussions on cases.

- Took a moment to congratulate Sheriff Nick Hunter on his nomination as the new CPC Chair.
- Introduced Ben Hamilton as the new Criminal Justice Program Manager.

20. Next Corrections Policy Committee Meeting: November 12, 2025 at 10:00 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@dpsst.oregon.gov.