Police Policy Committee Minutes

August 20, 2026

The Police Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on August 20, 2026, at the Oregon Public Safety Academy in Salem, Oregon. Chair, Scotty Nowning called the meeting to order at 10:00 a.m.

Committee Members:
Scotty Nowning, Chair, Non-Management Law Enforcement
Casey Codding, Vice Chair, Superintendent, Oregon State Police
Anel Ceric, Non-Management Law Enforcement (Teams)
Brian Hughes Portland Police Bureau (Designee for Chief Bob Day) (Teams)
Warren Hensman, Oregon Association of Chiefs of Police (Teams)
Teresa Livingston, OSP Command Staff Representative
Patricia Lofgren, Public Member
Sam Willits, Non-Management Law Enforcement

Committee Members Absent:
Mark Daniel, Oregon Association of Chiefs of Police
Michelle Duncan, Oregon State Sheriff's Association
Doug Olsen, SAC

Guests:
Douglas Kitzmiller
Terry Rowan
Matthew Walker

DPSST Staff:
Phil Castle, Director
Marie Atwood, Professional Standards Division Director
Jacy Gamble, Standards and Certification Program Manager
Melissa Lang-Bacho, Professional Standards Compliance Coordinator
Victor Sanchez, Professional Standards Compliance Coordinator
Cindy Park, Professional Standards Compliance Coordinator
Jennifer Howald, Administrative Rules Coordinator
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 the May 21 and June 23, 2026 Meeting Minutes**
   A consensus was reached to approve the May 21 and June 23, 2026, meeting minutes as written.

3. Administrative Closure Consent Agenda

Presented by Melissa Lang-Bacho, Professional Standards Compliance Coordinator

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

a) Berry, Kevin (55941) Police

The Department opened a professional standards case after a personnel action separation form (F4s) from the Astoria Police Department (APD), indicated that Kevin Berry resigned under a separation agreement in lieu of termination on August 6, 2025.

The APD sustained findings: that Berry failed to follow a directive from his supervisor, unsatisfactory work performance, and failure to complete police reports within 7 days. The APD General Policy of Expeditious Reporting indicates that report completion timelines may be extended with supervisor's permission. Berry had two letters of reprimand for previous findings that he did not complete his reports in an expeditious manner, and progressive discipline was recommended to terminate his employment. Berry instead separated via a settlement agreement.

Based on the information provided, the Department determined Berry's separation does not violate the Board's moral fitness standards defined in Oregon Administrative Rule.

b) Valentine, Kelly (59128) Regulatory Specialist

The Department opened a professional standards case to review Kelley Valentine's retirement from the Oregon Liquor and Cannabis Commission (OLCC) on August 28, 2024, during an investigation into allegations of misconduct.

The OLCC opened an investigation to determine if Valentine had used alcohol in a state vehicle on May 20, 2024, and ongoing work performance issues.

During the investigation, Valentine indicated that on May 20th, she had gone out with friends the night before and consumed alcohol until around 11:00 pm. The OLCC's investigation found the allegation that Valentine used alcohol while on duty to be unsubstantiated. The investigation did sustain a finding that Valentine failed to meet expectations in her work improvement plans by failing to submit time off properly, and not completing her work in a timely or accurate manner.

The OLCC investigation reflects a pattern that Valentine required frequent reminders to enter her time off on her timesheet, which she would correct when prompted. In the period the OLCC reviewed from February 2024 – May 2024, Valentine was away from work frequently, noting a two-week absence for a family emergency, bereavement leave, and multiple personal illness and injuries.

The Department determined that Valentine's conduct was performance-based conduct and does not rise to the level of moral fitness violations.

c) West, Timothy (37586) Police

The Department opened a professional standards case after receiving notification that Timothy West had been terminated from the Gervais Police Department. At the time of his termination, West was the Chief of Police.

While West was out on medical leave, the City of Gervais, Interim City Manager contacted West to notify him that they were shutting down his city email address while he was out on leave. When the city accessed West's city email, they found messages from the Stayton Police Department reflecting that West had accepted a job offer with Stayton.

On May 23, 2025, the City of Gervais notified West that because he had accepted employment with another agency, they would be terminating his employment and gave him until May 27, 2025, to respond. West responded, and the city determined that West did not intend to return to the City of Gervais when he was medically cleared to work. West was terminated on June 3, 2025.

West's separation does not involve allegations of misconduct.

Casey Codding moved to approve the Administrative Closure Consent Agenda recommendations made by the Department. Sam Willits seconded the motion. The motion passed unanimously.

4. <u>Kitzmiller, Douglas (33965) Certification Review: Police</u>

Presented by Melissa Lang-Bacho, Professional Standards Compliance Coordinator

Reason for Discretionary Review

On June 24, 2025, Douglas Kitzmiller reported to the Department an upcoming arraignment on criminal charges of Unlawful Use of a Thermal Camera and Trespassing. On July 1, 2025, Kitzmiller retired from the Canby Police Department (CPD) in lieu of an internal investigation into his criminal charges.

Douglas Kitzmiller provided verbal mitigation for committee consideration.

Police Policy Committee Discussion/Consensus/Vote	*Second*	*Vote*	*Outcome*
A consensus was reached to adopt the record.			

The Police 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: The committee did not identify elements of misuse of authority.
- Misconduct: Kitzmiller violated criminal law and has a misdemeanor conviction for *Unlawful Use of a Thermal Camera*. Kitzmiller created an inefficient operation of the CPD when the thermal camera belonging to the CPD was seized as part of Kitzmiller's criminal investigation and prosecution.

Aggravating Factors:

- The committee did not identify any aggravating factors.

Mitigating Factors:

- Kitzmiller provided a humble verbal mitigation statement to the committee.

• Kitzmiller is supported by the community. • Kitzmiller made a corrective statement in the body camera video about the second thermal device. • Kitzmiller's lengthy years of service in law enforcement and service to the community were noted as mitigating. • The thermal devices are a new tool in the hunting community. Education on the appropriate use of thermal devices is ongoing.			
A consensus was reached to confirm the identified aggravating and mitigating factors.			
Scotty Nowning moved that the Police Policy Committee modify the moral fitness violations as presented to remove dishonesty and misuse of authority and affirm misconduct.	Brian Hughes	8 ayes; 0 nays	Motion Passed Unanimously
Teresa Livingston 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 Kitzmiller's certifications.	Brian Hughes	8 ayes; 0 nays	Motion Passed Unanimously

5. <u>Rowan, Terry (22921) Certification Review: Police</u>

Presented by Melissa Lang-Bacho, Professional Standards Compliance Coordinator

Reason for Discretionary Review

The Department opened a professional standards case to review Terry Rowan's reported arrest and criminal citations for Reckless Driving and Driving Under the Influence of Intoxicants on May 16, 2025.

Terry Rowan provided verbal mitigation for committee consideration.

Police Policy Committee Discussion/Consensus/Vote	*Second*	*Vote*	*Outcome*
A consensus was reached to adopt the record.			
The Police Policy Committee found the following moral fitness violations and factors: *Moral Fitness Violations:*			

- Dishonesty: Rowan was intentionally dishonest when stated he was completely sober and had a BAC of 0.19%.
- Misuse of Authority: The committee did not identify elements of misuse of authority.
- Misconduct: Rowan violated criminal law and has criminal dispositions, based on his plea of no contest, for *Reckless Driving* and *Driving Under the Influence of Intoxicants*. Rowan's intoxication while operating a vehicle in a reckless manner threatened persons and property.

  Rowan's arrest, driving while intoxicated in a county owned vehicle, extended absences to complete the terms of his court orders, and negative press related to his criminal charges impacted the credibility and efficient operations of the Umatilla County Sheriff's Office.

Aggravating Factors:

- Rowan's Blood Alcohol Content (BAC) was high when tested, measuring 0.19%.
- Rowan drove a county vehicle while intoxicated.
- Multiple callers reported Rowan's dangerous driving to 9-1-1.
- Rowan's level of impairment was a danger to the public and to Rowan himself. Rowan's driving at high speeds, failing to maintain a lane and nearly crashing into a guardrail are serious aggravating factors.
- Rowan made multiple and continued inaccurate statements to law enforcement officers.
- Rowan's actions put subordinate deputies of a neighboring county in an uncomfortable position.
- Rowan was not in control of his vehicle, stated he set his cruise control at 70 mph and told law enforcement he did not know he was driving over 90 mph.
- Rowan's years of service were identified as mitigating but also aggravated his conduct because he should have known better.
- Rowan's credibility was scrutinized at multiple levels, he was dishonest at multiple times regardless of his impairment, which is serious for a law enforcement officer.

Mitigating Factors:

- Rowan participated in the diversion process, was provided with an opportunity to learn a lesson from the incident, and it is not likely to reoffend.
- Rowan's sponsor provided a letter of support which was impactful and was taken seriously.
- Rowan has taken steps to work on his recovery and sought specialized treatment for first responders.
- Rowan's mitigation was substantial.
- Rowan has nearly four decades of service as a public safety officer.

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

Scotty Nowning moved that the Police Policy Committee modify the moral fitness violations as presented to remove misuse of authority and affirm dishonesty and misconduct.	Teresa Livingston	8 ayes; 0 nays	Motion Passed Unanimously
Casey Codding 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 Rowan's certifications.	Scotty Nowning	8 ayes; 0 nays	Motion Passed Unanimously
Casey Codding moved, after considering the totality of the case, that Rowan be ineligible to hold public safety certification for 3 years.	Patricia Lofgren	8 ayes; 0 nays	Motion Passed Unanimously

6. <u>Walker, Matthew (50518) Certification Review: Police</u>

Presented by Melissa Lang-Bacho, Professional Standards Compliance Coordinator

Reason for Discretionary Review

The Department opened a professional standards case to review Matthew Walker's termination from the Cottage Grove Police Department (CGPD) on October 18, 2023. Walker grieved his termination through the arbitration process and was reinstated with a demotion on April 16, 2025.

The arbitrator did not find sufficient evidence that Walker violated policies in a third incident involving Walker allowing citizens to use agency machine guns and submachine guns. The arbitrator did not find sufficient evidence to make a finding that Walker committed Official Misconduct or violated state and federal law related to the use of the machine guns and recommends administrative closure of those allegations under OAR 259-008-0310(9)(c). The Department retains the authority to review the conduct for moral fitness violations.

The arbitrator did find sufficient evidence that Walker violated agency policies in two incidents, one involving a woman held in jail and another involving the use of the CGPD's Intoxilyzer.

Matthew Walker provided verbal mitigation for committee consideration.

Police Policy Committee Discussion/Consensus/Vote	*Second*	*Vote*	*Outcome*

A consensus was reached to adopt the record.

The Police 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: The committee did not identify elements of misuse of authority.
- Misconduct: Walker harmed a person when he held a woman in custody after a judge ordered her to be released from custody. Walker threatened persons or property by failing to make the arrest of a man who drove to the police station while intoxicated.

Aggravating Factors:

- The committee did not identify any aggravating factors.

Mitigating Factors:

- Walker worked his entire career in law enforcement at the Cottage Grove Police Department, which was facing significant challenges with the leadership of the agency.
- Information Walker received at the agency was passed down by word of mouth rather than established in standards and protocols.
- The agency was in disarray.
- The poor performance of the agency should not be placed on Walker alone.
- Walker did professional work while off duty and performed maintenance on weapons at home.
- Walker did what he needed to do to support the agency.
- Walker provided letters of support to the committee.
- The new CGPD chief attended the meeting to show support for Walker.

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

Scotty Nowning moved that the Police Policy Committee to modify the moral fitness violations as presented to remove misuse of authority and affirm misconduct.	Warren Hensman	8 ayes; 0 nays	Motion Passed Unanimously
Sam Willits 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	Patricia Lofgren	8 ayes; 0 nay	Motion Passed Unanimously

taken against Walker's certification.			

7. <u>Proposed Rule Changes for Oregon Administrative Rules (OAR) 259-008-0005, 259-008-0290, 259-009-0300, 259-009-0310, 025-008-0320, 259-008-0340, and 259-008-0400</u>

Amending Public Safety Professional Certification Denial and Revocation Standard and Processes

Presented by Jennifer Howald, Administrative Rules Coordinator

This memo is presented to the Policy Committees as part of the ongoing review of proposed changes to Oregon Administrative Rules (OAR) 259-008-0005 and 259-008-0290 through 259-008-0400, which govern public safety professional certification denial and revocation standards and processes. The current review cycle invites the Policy Committees to examine the updated rule package, which now incorporates revisions made as a result of prior committee review and public comment, and consolidates the additional proposed rule changes that were introduced in May 2026.

Teresa Livingston *moved to approve the revised rule changes for OAR 259-008-0005, 259-008-0029, 259-008-0300, 259-008-0310, 259-008-0320, 259-008-0330, 259-008-0340 and 259-008-0400 as presented, and recommend that the Board approve the rule changes as permanent rules. Brian Hughes seconded the motion. The motion carried unanimously.*

8. <u>Agency Updates</u>

Presented by Phil Castle, Director

- Director Castle took a moment to thank the committee members for their commitment and dedication to the committee and acknowledged that the work they are doing for the committee is incredibly valuable for the State of Oregon as a whole and for the profession of law enforcement.
- Director Castle also took a moment to thank the DPSST staff who prepared and presented the materials for the committee meeting.
- Deputy Director Kathy McAlpine is no longer with DPSST. Director Castle acknowledged all the hard work that she accomplished at DPSST while the Professional Standards Director and the Deputy Director for the agency. The agency will truly miss her, and we wish nothing but the best for her in her future endeavors. In her place, DPSST has brought on Chief Marcia Harnden as the new Deputy Director of DPSST. We are excited for her future with DPSST and all the knowledge and experience she brings to the position.
- DPSST is currently in the middle of working on our Agency Requested Budget (ARB) to be forwarded to the Governor for review.
- DPSST is in the middle of working through our new learning management system, it has been a large undertaking, but we are almost finished and will be submitting our request for proposals (RFP) soon. We are hoping to have a vendor in place for the learning management system no later than October.

- DPSST has hired a new Instructor Development Coordinator Jennifer Moreno to the team. She will work to overhaul the current instructor development course at DPSST and make robust improvements to the curriculum.
- Our F building, also known as "Main Street", has just finished necessary repairs and is now fully functioning again. The building had significant structural damage to the walls due to internal wind shear.
- DPSST is currently going through an accreditation process through IADLEST. Our training division is going through the process first, and we are discovering some gaps in training that we are working on remediating. Once the training division accreditation is completed, we will move onto the regulatory side and work on fixing any gaps that are located on that side as well.

9. Professional Standards Updates

Presented by Marie Atwood, Professional Standards Division Director

- Jacy Gamble was introduced as the new Criminal Justice Program Manager; we are excited to have her knowledge and experience on the team!

10. Next Police Policy Committee Meeting: November 19, 2026 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.