It is the responsibility of the Department of Public Safety Standards and Training (DPSST) with direction from the Board on Public Safety Standards and Training (Board) to develop talented individuals into public safety professionals who are ethically, physically and emotionally fit, culturally competent, well trained, highly skilled and responsive to the needs of their communities. DPSST certifies Oregon fire service professionals who meet all of the Board-established standards, and denies or revokes the DPSST certification of those who do not meet or fall below the standards.

In an effort to increase the professionalism of the Oregon fire service while continuing to respect its voluntary nature, all Oregon fire service applicants for certification who have been convicted of a crime are subject to review as prescribed in Oregon Administrative Rule 259-009-0070. This rule defines which criminal convictions will result in a mandatory denial or revocation of DPSST fire service certifications, as well as when a discharge for cause from a fire service agency or non-mandatory criminal convictions will trigger a review by the Fire Policy Committee (FPC). The FPC review determines if DPSST certification standards have been violated and, if so, initiates proceedings to deny or revoke the fire service professional’s certification.

The Professional Standards Ethics Bulletin has been developed as an educational tool aimed at providing insight and transparency into situations involving fire service professionals that may violate the Board’s standards. The bulletin details the conduct and the resulting DPSST action. The names and agencies of the individuals in this report have been omitted to ensure the focus remains on the behavior.

Questions about these incidents or about DPSST’s processes and procedures can be directed to DPSST: (503) 378-2100 or oregon.dpsst@state.or.us.
Fire Service Professional A (FSP A) was discharged from their fire service agency in October 2012. According to FSP A’s termination letter, this individual was discharged for violating a major infraction category per the agency’s policies and procedures. The FPC met to make a recommendation to the Board if FSP A’s discharge meets the Board-established definition of a Discharge for Cause for certification purposes.

The FPC did not find any aggravating circumstances.

The FPC found as mitigating circumstances the uncertainty whether there was supervision present at the station during the misconduct, FSP A’s lack of due process as a volunteer, that FSP A had a concealed weapons permit, FSP A’s sincerity that they did not know the specific policy prohibiting weapons, FSP A’s honesty throughout the process, FSP A’s two letters of support as well as their own submitted letter, and FSP A had been stationed at the district for approximately a year and over time there becomes a feeling of a more relaxed atmosphere.

After considering the totality of the case, in a unanimous vote the FPC recommended to the Board that FSP A’s discharge does not meet the Board-established definition of a Discharge for Cause for certification purposes and thus does not result in the revocation of their certifications. The Board affirmed FPC’s recommendation.

Fire Service Professional A’s NFPA Operations Level Responder and NFPA Fire Fighter I certifications are not revoked.

Fire Service Professional B (FSP B) was discharged from their fire service agency in October 2012. According to FSP B’s termination letter, this individual was discharged for violating a major infraction category per the agency’s policies and procedures. The FPC met to make a recommendation to the Board if FSP B’s discharge meets the Board-established definition of a Discharge for Cause for certification purposes.

The FPC found as aggravating circumstances the damage to the neighboring private property, though because the damage could have been caused by any number of individuals it is unknown who actually caused the damage.

The FPC found as mitigating circumstances FSP B’s two submitted letters of support, FSP B’s own submitted letter, that the misconduct became an accepted practice by multiple individuals at the station, FSP B was not aware their actions were in violation of policy, and FSP B voluntarily complied with the investigation.

After considering the totality of the case, in a unanimous vote the FPC recommended to the Board that
FSP B’s discharge does not meet the Board-established definition of a Discharge for Cause for certification purposes and thus does not result in the revocation of their certifications. The Board affirmed FPC’s recommendation.

**Fire Service Professional B**’s NFPA Operations Level Responder, NFPA Fire Fighter I, NFPA Mobile Water Supply Apparatus, NFPA Fire Apparatus Driver/Operator, NFPA Apparatus Equipped with Fire Pump, and Wildland Interface Fire Fighter (FFT2) certifications are not revoked.

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Fire Service Professional C was discharged from their fire service agency due to an incarceration, a failure to report a conviction to their agency within five days, committing an offense punishable under the laws and statutes of the State of Oregon, and misconduct that was deemed inappropriate by the department. The FPC met to make a recommendation to the Board if FSP C’s discharge meets the Board-established definition of a Discharge for Cause for certification purposes.

The FPC found as aggravating circumstances FSP C’s failure to report the conviction within five days per agency standard operating guidelines, their previous conviction resulting in a suspended driver’s license, their conduct surrounding the arrest and conviction, their initial dishonesty regarding the amount of alcohol consumption at the time of arrest, and that FSP C did not provide any mitigation.

The FPC found as mitigating circumstances FSP C’s admission to their agency regarding their original arrest and that they make regular restitution payments to the court. The FPC met again to further discuss and reconsider their original recommendation to the Board.

After considering the totality of the case, in a 5 to 4 vote the FPC recommended to the Board that FSP C’s discharge does not meet the Board-established definition of a Discharge for Cause for certification purposes and thus does not result in the revocation of their certifications.

After discussion, the Board overturned the FPC’s recommendation thereby sending the case back to FPC for further discussion and consideration.

The FPC found as aggravating circumstances FSP D’s failure to report the conviction to their agency within five days per agency standard operating guidelines and FSP D’s multiple convictions.

The FPC found as mitigating circumstances FSP D’s admission to their fire service agency regarding their original arrest and that they make regular restitution payments to the court.

After considering the totality of the case, in a unanimous vote the FPC recommended to the Board that FSP C’s discharge does not meet the Board-established definition of a Discharge for Cause for
certification purposes and thus does not result in the revocation of FSP C’s certifications. The Board affirmed FPC’s recommendation.


Fire Service Professional D (FSP D) relinquished their DPSST Corrections Officer Certification in 2015 based upon their conduct surrounding their arrest and conviction of Official Misconduct in the First Degree, ORS 162.415. Based upon the review of FSP D’s Corrections Officer Certification it was determined that they held fire certifications. Official Misconduct in the First Degree is a discretionary disqualifying conviction for purposes of certification, requiring review by the FPC. The FPC met and recommended revocation of FSP D’s certifications to the Board, with an ineligibility period to reapply for certification of 7 years. The FPC considered the following factors in making their recommendation:

- FSP D’s conduct violated the core value of Honesty based on FSP D’s initial dishonesty in the interview with detectives. FSP D initially denied misconduct during the interview with detectives even when they stated they had several accounts from inmates who overheard FSP D’s actions. FSP D only admitted to misconduct after detectives stated they had forensic evidence. The FPC voted 6 to 4 that this misconduct, when considered alone, does rise to the level to warrant revocation of FSP D’s certifications.

- FSP D’s conduct violated the core value of Professionalism as a firefighter whose conduct should remain professional on and off duty. The FPC voted unanimously that this misconduct, when considered alone, does rise to the level to warrant revocation of FSP D’s certifications.

- FSP D’s conduct violated the core value of Justice due to the conduct surrounding their arrest and conviction of Official Misconduct in the First Degree. The FPC voted unanimously that this misconduct, when considered alone, does rise to the level to warrant revocation of FSP D’s certifications.

The FPC found as aggravating circumstances FSP D’s conduct surrounding their arrest and conviction of Official Misconduct in the First Degree, the actions that led to their arrest and conviction occurred while on duty, their initial dishonesty in the interview with investigators, and that they abused their position of power.

The FPC found as mitigating circumstances FSP D completed their court mandated community service, paid the necessary court fines and fees, and eventually admitted to the severity of their actions.
The Board approved the recommendation of the FPC. FSP D was served with a Notice of Intent to Revoke and failed to provide a request for a hearing.

Fire Service Professional D’s NFPA Operations Level Responder, NFPA Fire Apparatus Driver/Operator and NFPA Fire Fighter I are revoked.

**NEW & NOTEWORTHY ITEMS**

**NFPA 472/1072 HAZARDOUS MATERIALS/WEAPONS OF MASS DESTRUCTION STANDARD UPDATE**

The National Fire Protection Agency (NFPA) has introduced NFPA 1072 Standard for Hazardous Materials/Weapons of Mass Destruction Emergency Response Personnel Professional Qualifications. Previous HazMat/WMD Task Forces had adopted NFPA 472 as the certification standard for Oregon. Fire Certification staff will be scheduling a Task Force to discuss the two standards, how the update will affect the Oregon fire service, and the possible adoption of the new NFPA 1072. Fire Certification will be scheduling the Task Force for either June 14th, 21st, or 27th at 0900 depending on which date works best for the majority of the group.

Please email Julie Olsen-Fink at julie.olsen-fink@state.or.us or Kayla Ballrot at kayla.ballrot@state.or.us no later than May 26th at 1700 if you are interested in attending or calling in. In your email please include the following:

- Name
- Contact Information (please include: phone, e-mail, and mailing address)
- Fire Department Name
- The date that works best for you (choose between June 14, 21, or 27)
- NFPA 472 HazMat/WMD Certification(s) you hold

On behalf of DPSST, we thank you for your time and assistance on this very important Task Force.
Our mission is to promote excellence in public safety by delivering quality training and developing and upholding professional standards for police, fire, corrections, parole and probation, and telecommunications personnel, in addition to licensing private security providers and private investigators in Oregon.

DPSST also regulates and licenses polygraph examiners, determines sheriff candidates’ eligibility to run for office and provides staffing for the Public Safety Memorial Fund. We strive to provide resources and certification programs that public safety officers and local public safety organizations need to maintain the highest professional skill standards, stewardship and service to Oregon’s communities and citizens. These services are based at our 236-acre academy and extend across the state through a network of regional training coordinators.

Agency functions are guided by several Oregon Revised Statutes and our authority is defined specifically in Chapter No. 259 of the Oregon Administrative Rules. We are governed by a 24-member Board and five discipline-specific policy committees; we serve more than 41,000 public safety constituents across the state.

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To view the Oregon Administrative Rules for Criminal Justice please visit:
http://arcweb.sos.state.or.us/pages/rules/oars_200/oar_259/259_008.html