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 Rules (OAR) 259-009-0120, 259-009-0125, and 259-009-0130. These rules define which criminal convictions will result in a mandatory denial or revocation of DPSST fire service certifications, when a discharge from a fire service agency may fit the Board-established standard for discharge for cause resulting in the revocation of DPSST fire service certifications, or when 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.

PLEASE DISSEMINATE THIS INFORMATION TO ALL FIRE SERVICE PROFESSIONALS
www.dpsst.state.or.us  503-378-2100
FIRE STATISTICS

Cases Opened 6  Revoked 5

Cases Pending 15  No Action 2

Cases Closed 7  No Revoke 0

UPCOMING COMMITTEE AND BOARD MEETINGS

Telecommunications Policy Committee 08/01/2018

Corrections Policy Committee 08/14/2018

Private Security/Private Investigator Policy Committee 08/21/2018

Police Policy Committee 08/16/2018

Fire Policy Committee 08/22/2018

Board on Public Safety Standards and Training 10/25/2018
Fire Service Professional A (FSP A) was convicted of Harassment. This conviction is a discretionary disqualifying conviction for the purposes of certification, requiring review by the Fire Policy Committee (FPC). FSP A was notified that their case would go before the FPC and was provided an opportunity to submit mitigation. The FPC reviewed and considered the aggravating and mitigating circumstances specific to this case as required by OAR 259-009-0125(4). The FPC found aggravating circumstances present in this case demonstrated by the unwanted physical contact made by FSP A and the outstanding fees they owe to the court. The FPC found mitigating circumstances present in the case demonstrated by the victim’s delayed report which was submitted several months after the incident occurred, FSP A’s acceptance and honesty about their actions, submitted letters of support as well as FSP A’s own submitted letter, and the engagement in additional counseling in addition to the court ordered counseling requirement. The FPC determined that FSP A’s misconduct warrants Board action on their application for certification and certifications with an ineligibility period to hold public safety certification for 19 months. The Board approved the FPC’s recommendation.

FSP A’s NFPA Operations Level Responder and NFPA Airport Fire Fighter are DENIED and their Wildland Interface Fire Fighter, NFPA Fire Fighter I, NFPA Fire Fighter II, NFPA Fire Apparatus Driver/Operator, NFPA Mobile Water Supply Apparatus, NFPA Fire Instructor I, and NFPA Surface Water Rescue – Level I certifications are REVOKED.

Fire Service Professional B (FSP B) was convicted of Assault in the Fourth Degree. This conviction is a discretionary disqualifying conviction for the purposes of certification, requiring review by the FPC. FSP B was notified that their case would go before the FPC and was provided an opportunity to submit mitigation. The FPC reviewed and considered the aggravating and mitigating circumstances specific to this case as required by OAR 259-009-0125(4). The FPC found aggravating circumstances present in this case demonstrated by the unwanted physical contact made by FSP B and that the contact was in front of children. The FPC found mitigating circumstances present in the case demonstrated by the submitted letters of support as well as FSP B’s own submitted letter of support. The FPC determined that FSP B’s misconduct warrants Board action on their application for certification and certifications with an ineligibility period to hold public safety certification for 24 months.
FSP B’s NFPA Fire Fighter II application for certification is DENIED and their NFPA Fire Fighter I, NFPA Fire Apparatus Driver/Operator, NFPA Apparatus Equipped with Fire Pump, NFPA Apparatus Equipped with an Aerial Device, and Wildland Interface Fire Fighter certifications are REVOKED.

Fire Service Professional C (FSP C) was convicted of Driving Under the Influence of Intoxicants, Reckless Driving, and Refusal to Take a Test for Intoxicants. Driving Under the Influence of Intoxicants and Reckless Driving are discretionary disqualifying convictions for the purposes of certification, requiring review by the FPC. FSP C was notified that their case would go before the FPC and was provided an opportunity to submit mitigation. The FPC reviewed and considered the aggravating and mitigating circumstances specific to this case as required by OAR 259-009-0125(4). The FPC found aggravating circumstances present in this case demonstrated by FSP C hitting another vehicle while driving, giving false information to the police, and their uncooperative behavior the night of the incident. The FPC found no mitigating circumstances present in the case. The FPC determined that FSP C’s misconduct warrants Board action on their application for certification and certifications with an ineligibility period to hold public safety certification for 3 years. The Board approved the FPC’s recommendation.

FSP C’s Firefighter Type 2 (FFT2) application for certification is DENIED.

Fire Service Professional D (FSP D) was convicted of Aggravated Animal Abuse and Assault in the Fourth Degree. These convictions are discretionary disqualifying convictions for the purposes of certification, requiring review by the FPC. FSP D was notified that their case would go before the FPC and was provided an opportunity to submit mitigation. The FPC reviewed and considered the aggravating and mitigating circumstances specific to this case as required by OAR 259-009-0125(4). The FPC found aggravating circumstances present in this case demonstrated by FSP D’s dishonesty when reporting the assault incident to the police, the outstanding fees owed to the court, and that FSP D assaulted an individual and abused an animal. There are mitigating circumstances present in this case as demonstrated by the letters of support, FSP D’s own submitted letter, and that FSP D is taking steps to improve past behaviors. The FPC determined that FSP D’s misconduct warrants Board action on their
application for certification and certifications with an ineligibility period to hold public safety certification for 39 months. The Board approved the FPC’s recommendation.

FSP D’s NFPA Fire Fighter I application for certification is DENIED.

Fire Service Professional E (FSP E) was convicted of Manslaughter in the First Degree, five (5) counts of Assault in the Third Degree - DUII, Driving Under the Influence of Intoxicants, and eight (8) counts of Recklessly Endangering Another Person. Manslaughter in the First Degree is a measure 11 crime listed under ORS 137.700. OAR 259-009-0120(2)(a) requires the revocation of certifications of an individual convicted of a crime listed under ORS 137.700.

FSP E’s First Responder Operations, NFPA Driver, NFPA Pumper Operator, NFPA Fire Fighter I, NFPA Fire Instructor I, NFPA Vehicle & Machinery Rescue, and Wildland Interface Fire Fighter certifications are REVOKED.

Fire Service Professional F (FSP F) was convicted of Harassment. This conviction is a discretionary disqualifying conviction for the purposes of certification, requiring review by the Fire Policy Committee (FPC). FSP F was notified that their case would go before the FPC and was provided an opportunity to submit mitigation. The FPC reviewed and considered the aggravating and mitigating circumstances specific to this case as required by OAR 259-009-0125(4). The FPC found aggravating circumstances present in this case demonstrated by FSP F leaving an individual who was injured without knowing their condition after assaulting them and that FSP F stated in the bar prior to the assault that they were going to beat someone up. The FPC found mitigating circumstances present in the case demonstrated by the FSP F’s active role in their fire department shown by having taken training since the incident and that FSP F has paid all their court fines and fees. The FPC determined that FSP F’s misconduct warrants Board action on their application for certification and certifications with an ineligibility period to hold public safety certification for 36 months. The Board approved the FPC’s recommendation.

FSP F’s Firefighter Type 1 (FFT1) application for certification is DENIED and their Wildland Interface Fire Fighter certification is REVOKED.
New DPSST-Approved Wildland Instructor Requirements

All DPSST-approved Wildland instructors: please read the following carefully.

On March 14, 2018, the Wildland Task Force convened at the Department of Public Safety Standards and Training (DPSST) at the direction of the Fire Policy Committee (FPC) to review and discuss the revisions to the Operations section of the National Wildland Coordinating Group’s (NWCG) PMS 310-1 *National Incident Management System: Wildland Fire Qualification System Guide (PMS 310-1)*. The group determined it is in the best interest to the Oregon fire service to continue with the adoption into Oregon Administrative Rule (OAR) of PMS 310-1 in addition to formally adopting NWCG’s *PMS 901-1 Field Manager’s Course Guide (PMS 901-1)* which works in conjunction with PMS 310-1. On May 23, 2018 the FPC unanimously approved the Task Force’s recommendations. The updates then went to the public comment period where no comments were received. Most recently, the Board on Public Safety Standards and Training (Board) affirmed the FPC’s recommendations.

The primary area affected by the adoption of PMS 901-1 is the approval of DPSST certified Wildland instructors. Historically, it has been written into OAR that a DPSST-approved instructor must be certified or trained in the subject area they are teaching and either be certified as an NFPA Fire Instructor I or be a Content Expert. The adoption of PMS 901-1 now generally requires the lead instructor of a Wildland course be certified at a higher level than the class he or she is applying to instruct, in addition to having 32 hours of acceptable formal instructional training (i.e. a DPSST certified NFPA Fire Instructor I, M-410 Facilitative Instructor course, etc.). For example, in order to instruct S-130 Firefighter Training (one of the courses required to be certified as a Firefighter Type 2 [FFT2]), the lead instructor must be a qualified single resource boss, such as Engine Boss, Single Resource (ENGB). Or, in order to instruct S-230 Crew Boss (a required course for single resource certifications), the lead instructor must be certified in either Strike Team Leader Engine (STLE) or Task Force Leader (TFLD).
The adoption of PMS 901-1 will require a more stringent review of the DPSST certified instructors able to instruct Wildland courses. PMS 901-1 will require all DPSST-approved Wildland instructors to reapply to instruct courses using an F-9F Application to Instruct no later than January 1, 2019. At that time moving forward, all DPSST-approved Wildland instructors must adhere to PMS 901-1. Between now and January 1, 2019 any DPSST-approved Wildland instructor would need to resubmit an F-9F Application to Instruct and, if applicable, any supporting documentation. DPSST staff will then approve or reject that application based on the criteria found in PMS 901-1.
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