The Board on Public Safety Standards and Training (BPSST) has the legislative mandate to establish and enforce minimum standards for all law enforcement officers, fire service professionals, telecommunicators and emergency medical dispatchers in the state. This requirement also defines the procedure for the Department and Board to use when denying or revoking certification of an individual who has fallen below the minimum standards.

The Ethics Bulletin is published to provide insight into the types of misconduct that could result in revocation or denial of certification. The following cases have resulted in consideration of revocation or denial of certifications by DPSST in December, 2015.

The Department continues to ensure that certified public safety officers and those seeking certification who abuse the public's trust will be held accountable for their actions.

2015 Statistics

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cases Opened</td>
<td>194</td>
</tr>
<tr>
<td>Cases Closed</td>
<td>198</td>
</tr>
<tr>
<td>Cases Pending</td>
<td>134</td>
</tr>
<tr>
<td>Reinstated</td>
<td>0</td>
</tr>
<tr>
<td>Of the 198 Cases Closed:</td>
<td></td>
</tr>
<tr>
<td>Revoked</td>
<td>49</td>
</tr>
<tr>
<td>Denied</td>
<td>01</td>
</tr>
<tr>
<td>No Action</td>
<td>148</td>
</tr>
</tbody>
</table>

In 2014, DPSST adjusted its denial and revocation processes which have impacted the number of criminal justice certifications denied or revoked in 2015. The first of these changes allows the affected officer to review DPSST's professional standards case prior to its presentation to the discipline-specific policy committee. This change was designed to allow the affected officer to provide more focused and relevant mitigation for consideration by policy committee members, and also to increase transparency and fairness.

Secondly, DPSST’s initial review of professional standards cases is done with an increased recognition of the distinct differences between an employer/employee relationship and DPSST’s relationship with an officer as a certifying body. If an officer was separated from a law enforcement agency for reasons that do not impact the Board-adopted certification standards, the case is administratively closed.
Officer A resigned after an investigation found he had engaged in numerous sexual encounters with citizens while on duty, sometimes utilizing city property and equipment. He was also untruthful about his locations and activity, and failed to perform his duties as a police officer. During the investigation he also lied about his activities. DPSST notified Officer A that his case would be reviewed by the Police Policy Committee (PPC) and gave him the opportunity to sign a Stipulation Voluntarily Relinquishing Certifications, which he accepted. The Stipulated Order permanently revoked Officer A’s certifications, and his misconduct ended his eight-year career.

**Officer A’s Basic Police certification and Basic Corrections certification are Revoked.**

Officer B resigned during an investigation into allegations that he had intentionally provided inaccurate and misleading statements regarding his actions and the handling of evidence, tampered with physical evidence, used improper procedures regarding the handling, documentation and reporting of evidence, used improper procedures regarding the recording of a traffic stop and failed to make proper notifications associated with a use of force incident. Prior to the conclusion of the investigation, Officer B resigned and signed a Stipulation Voluntarily Relinquishing Certification, which permanently revoked his certification. Officer B’s misconduct ended his eight-year career.

**Officer B’s Basic Police certification is Revoked.**

Telecommunicator C was discharged for cause after an internal investigation determined that she had been untruthful during a separate investigation of an officer stemming from her complaint about that officer’s actions. The investigation of Telecommunicator C revealed another instance of untruthfulness in a previous complaint she filed against a different officer. DPSST issued Telecommunicator C a Notice of Intent to Revoke Certifications, and she made a timely request for a hearing. A hearing was held before an Administrative Law Judge, who determined that DPSST failed to show that Telecommunicator C was intentionally dishonest in either of her complaints or the investigation of her dishonesty, and that her certifications should not be revoked. DPSST issued an Amended Proposed Order which made substantial manner modifications to the Judge’s Proposed Order. These modifications more accurately reflected testimony at the hearing. These modifications also changed the conclusions, opinion, and order to reflect that DPSST exercised its statutory authority to reach its own conclusions from the factual findings and to revoke Telecommunicator C’s certifications based on her discharge for cause. Telecommunicator C submitted Exceptions to the Amended Proposed Order. After consideration of those Exceptions, DPSST determined that no changes would be made to the Amended Proposed Order and issued a Final Order permanently revoking Telecommunicator C’s certifications. Telecommunicator C’s misconduct ended her 12-year career.

**Telecommunicator C’s Basic, Intermediate and Advanced Telecommunicator certifications are Revoked.**

Officer D resigned in lieu of termination after an internal investigation revealed an inappropriate relationship with a female inmate. The inmate had exposed her breast to Officer D while in she was in custody, and he arranged to give her a ride home after she was released. While driving her to her residence, the female performed oral sex on Officer D. Prior to DPSST taking any action, Officer D contacted DPSST and requested a Stipulated Order Revoking Certification, the signing of which was required by the District Attorney’s
Office to avoid prosecution based on the incident. Officer D signed the Stipulated Order, which permanently revoked his certification. Officer D’s misconduct ended his seven-year career.

**Officer D’s Basic Corrections certification is Revoked.**

Telecommunicator E resigned during an investigation related to a romantic relationship she engaged in with a trainee she supervised. After reporting the relationship Telecommunicator E was dishonest about her continued contact with the trainee. DPSST notified Telecommunicator E that her case would be reviewed by the Telecommunicator Policy Committee (TPC). Telecommunicator E provided written mitigation for the TPC to consider when making a decision. The TPC met and recommended revocation of her certifications to the Board based upon Insubordination, Misconduct, Gross Misconduct, Disregard for the Rights of Others and Dishonesty. Telecommunicator E was provided a directive by her supervisor not to discuss the information discussed during the fact finding interview. Telecommunicator violated that order when she sent text messages to another employee regarding the issue and her interview. Additionally Telecommunicator E spoke to the trainee regarding the investigation. Telecommunicator E engaged in Misconduct and Gross Misconduct when she violated her agency’s policies and procedures by engaging in a romantic relationship with a trainee she was responsible for supervising and when she continued to have contact with the trainee outside of work. Telecommunicator E engaged in Disregard for the Rights of Others when she engaged in a romantic relationship with a trainee she was responsible for supervising. Telecommunicator E engaged in Dishonesty when she was untruthful to her supervisor about her contact with the trainee. The TPC found that Telecommunicator E, as a supervisor, abused the relationship with a trainee and disregarding directives not to discuss the investigation. The TPC found no mitigating circumstances to consider. Telecommunicator E was issued a Notice of Intent to Revoke and failed to request a hearing. Telecommunicator E’s misconduct ended her 16-year career.

**Telecommunicator E’s Basic Telecommunicator and Emergency Medical Dispatcher Certification are Revoked.**

Officer F resigned after being convicted of Harassment. Officer F was notified that based upon his conviction and resignation a case would be presented to the Police Policy Committee (PPC) and was given an opportunity to provide written mitigation. The PPC met and recommended revocation of his certifications based on Misconduct and Disregard for the Rights of Others. Officer F was convicted of harassment and he failed to come completely clean about his conduct or take responsibility. Officer F’s conduct violated the law and resulted in a conviction and therefore violates Misconduct. Officer F disregarded the right of another which resulted in his conviction of harassment. The PPC found the Officer F’s hostility and unprofessionalism he showed toward officers he knew and worked with as an aggravating factor. Additionally they found that he was not forthcoming and prevented the crimes from being investigated thoroughly. The PPC found no mitigating circumstances. Officer F was issued a Notice of Intent to Revoke and failed to request a hearing. Officer F’s misconduct ended his 8-year career.

**Officer F’s Basic Police Certification is Revoked.**

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PLEASE DISSEMINATE THIS INFORMATION TO ALL PUBLIC SAFETY OFFICERS

www.dpsst.state.or.us  503-378-2100 – December 2015 Ethics Bulletin  Page 3 of 4
Important Notice

DPSST, in consultation with the Board and the Policy Committees, decertifies nearly 100 public safety professionals a year, with an average of 120 professional standards cases pending at any given time. The current denial and revocation standards for criminal justice certification have been in place for over eight years. Those eight years have seen a myriad of societal, technological and legal changes, some of which directly affect what it means to be a public safety officer in this state.

In recognition of the need to continually review standards to ensure they remain relevant and appropriate, DPSST has received permission from the Telecommunications, Corrections and Police Policy Committees to form a workgroup to review the criminal justice denial/revocation standards and make recommendations for adjustments if needed.

The workgroup will be representative of all interested parties, to include all disciplines, ranks and geographic locations. Questions, comments or concerns can be directed to Professional Standards Division Director Linsay Hale.

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