PROFESSIONAL STANDARDS—CRIMINAL JUSTICE

To increase the public’s trust, the Oregon legislature has mandated the Board on Public Safety Standards and Training establish minimum standards that are required to be met and maintained by Oregon’s providers of public safety, including police officers, corrections officers, parole and probation officers, telecommunications (9-1-1), emergency medical dispatchers, public safety instructors, and OLCC regulatory specialists. The Department of Public Safety Standards and Training is responsible for certifying public safety professionals who meet all of the Board-established intellectual, physical and moral fitness standards, and for denying, suspending or revoking the certification of those who do not meet or fall below these standards.

The Professional Standards Ethics Bulletin has been developed as an educational tool aimed at providing insight and transparency into situations involving public safety professionals that may violate the Board’s standard of moral fitness. 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 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.

UPCOMING BOARD & POLICY COMMITTEE MEETINGS

Telecommunications Policy Committee—11/1/17
Corrections Policy Committee—11/14/17
Police Policy Committee—11/16/17
Board on Public Safety Standards & Training—1/25/18
Telecommunications Policy Committee—2/7/18
Corrections Policy Committee—2/13/18
Police Policy Committee—2/15/18
Board on Public Safety Standards & Training—4/26/18
OCTOBER STATISTICS

Currently Certified Law Enforcement in Oregon:

◊ Police 5,364
◊ Corrections 4,046
◊ Tele/EMD 908/870
◊ P & P 632
◊ OLCC 32

Professional Standards Cases Opened in October:

◊ Police 5
◊ Corrections 12
◊ Tele/EMD 0
◊ P & P 1
◊ OLCC 0
◊ Instructor 0

Professional Standards Cases Pending as of October 31, 2017:

◊ Police 70
◊ Corrections 92
◊ Tele/EMD 11
◊ P & P 6
◊ OLCC 4
◊ Instructor 1

Cases Closed in October:

◊ Revoked 6
◊ Deny 0
◊ No Revoke 2
◊ No Deny 7
◊ No Action 1
◊ Suspended 1

To View prior Ethics bulletins visit HTTP://WWW.OREGON.GOV/DPSST/PAGES/PUBLICATIONS.ASPX
THE FOLLOWING CASES HAVE RESULTED IN REVOCATION, SUSPENSION, OR DENIAL OR NO ACTION ON A PUBLIC SAFETY CERTIFICATION BY DPSST IN OCTOBER 2017

**Officer A** requested DPSST accept the surrender of their Basic Corrections certification. Upon further review DPSST accepted the voluntary surrender and subsequent permanent revocation of Officer A’s certification, ending their 10-year career.

**Officer A’s Basic Corrections Certification is hereby revoked.**

**Officer B** was employed as a police officer from 1981 until their resignation in 1990. In 2017 Officer B was charged and convicted of Criminal Mistreatment in the First Degree, ORS 163.205, after causing injury to a dependent person under their care. Officer B was issued a Notice of Intent to Revoke and failed to request a hearing.

**Officer B’s Basic and Intermediate Police Certifications are hereby revoked.**

**Officer C** was employed as a deputy sheriff from 2014 until Officer C resigned during an investigation in 2017. Officer C had been attending the Basic Police Academy to obtain their police certification when it was alleged Officer C had ordered illegal narcotics on the internet, and an additional allegation of a romantic relationship with an inmate. Following Officer C’s resignation, Officer C was arrested and convicted for Harassment of a domestic nature. As part of Officer C’s plea agreement Officer C relinquished their certification and application for training by signing a stipulated agreement. Officer C’s misconduct ended their 3 year career.

**Officer C’s Basic Corrections Certification is hereby revoked and Application for Training is denied.**

**Officer D** was employed as a police officer from 2000 until Officer D resigned in 2015. In 2016 Officer D was charged and convicted of Assault in the First Degree, ORS 163.160(2), after striking and causing injury to their juvenile child. Officer D was issued a Notice of Intent to Revoke and failed to request a hearing.

**Officer D’s Basic, Intermediate, and Advanced Police Certifications are hereby revoked.**

**Officer E** is currently employed as a corrections officer. Prior to employment as a corrections officer, Officer E was convicted of Theft in the Third Degree that was reviewed by the Corrections Policy Committee (CPC) and the Board. Both the CPC and the Board approved Officer E’s application for training and subsequent certification.

**Officer E’s Application for Training and Subsequent Corrections Certification was not denied.**

**Officer F** is currently employed as a corrections officer. Prior to employment as a corrections officer, Officer F was convicted of Theft in the Third Degree—Shoplifting that was reviewed by the Corrections Policy Committee (CPC) and the Board. Both the CPC and the Board approved Officer F’s application for training and subsequent certification.

**Officer F’s Application for Training and Subsequent Corrections Certification was not denied.**

PLEASE DISSEMINATE THIS INFORMATION TO ALL PUBLIC SAFETY OFFICERS

**www.dpsst.state.or.us**

503-378-2100
THE FOLLOWING CASES HAVE RESULTED IN REVOCATION, SUSPENSION, OR DENIAL OR NO ACTION ON A PUBLIC SAFETY CERTIFICATION BY DPSST IN OCTOBER 2017

Officer G is currently employed as a police officer. Prior to employment as a police officer, Officer G was convicted of Minor in Possession of Alcohol and Criminal Mischief that were reviewed by the Police Policy Committee (PPC) and the Board. Both the PPC and the Board approved Officer G’s application for training and subsequent certification.

Officer G’s Application for Training and Subsequent Police Certification was not denied.

Officer H is currently employed as a police officer. Prior to employment as a police officer, Officer H was convicted of DUII that was reviewed by the Police Policy Committee (PPC) and the Board. Both the PPC and the Board approved Officer H’s application for training and subsequent certification.

Officer H’s Application for Training and Subsequent Police Certification was not denied.

Officer I is currently employed as a police officer. Prior to employment as a police officer, Officer I was convicted of Minor in Possession of Alcohol that was reviewed by the Police Policy Committee (PPC) and the Board. Both the PPC and the Board approved Officer I’s application for training and subsequent certification.

Officer I’s Application for Training and Subsequent Police Certification was not denied.

Officer J is currently employed as a police officer. Prior to employment as a police officer, Officer J was convicted of Person Under 21 Attempt to Purchase Alcoholic Beverages that was reviewed by the Police Policy Committee (PPC) and the Board. Both the PPC and the Board approved Officer J’s application for training and subsequent certification.

Officer J’s Application for Training and Subsequent Police Certification was not denied.

Officer K was employed as a police officer. Officer K was discharged for cause from employment after the seizure and improper logging of evidence, and violation of agency policies. Officer K seized a fishing net and in lieu of taking it to the police department for processing took it to a family members residence, and did not take it to the station until questions were raised about the whereabouts of the net. During the course of the investigation it was determined that Officer K was not truthful. The Police Policy Committee (PPC) reviewed Officer K’s conduct and determined Officer K had committed Gross Misconduct, Misuse of Authority, Disregard for the Rights of Others, and Dishonesty. A Notice of Intent to Revoke was issued and Officer K failed to request a hearing. The Board agreed with the PPC’s recommendation to revoke Officer K’s police certification. Officer K’s misconduct ended their 24 year career.

Officer K’s Basic, Intermediate, and Advanced Police Certifications are hereby revoked.

Officer L was employed as a police officer. Officer L resigned in lieu of termination, following an internal affairs investigation into allegations of continuing to affect false arrests even after remedial training. Officer L self-admittedly placed a subject under arrest, without probable cause, in order to get information on another subject that had earlier committed a crime and left the area. The Police Policy Committee (PPC) reviewed...
THE FOLLOWING CASES HAVE RESULTED IN REVOCATION, SUSPENSION, OR DENIAL OR NO ACTION ON A PUBLIC SAFETY CERTIFICATION BY DPSST IN OCTOBER 2017

Officer L’s conduct and determined Officer L had committed Gross Misconduct and Disregard for the Rights of Others. A Notice of Intent to Suspend was issued and Officer L failed to request a hearing. The Board agreed with the PPC’s decision to suspend Officer L’s police certification.

Officer L’s Basic and Intermediate Police Certifications are hereby suspended for 3 years.

Officer M was employed as a police officer from 1967 until their retirement in 2001. In April 2017 Officer M was convicted of Animal Neglect in the Second Degree. Officer M abandoned their dog and during the investigation it was determined that Officer M lied about doing so. The Police Policy Committee (PPC) reviewed Officer M’s misconduct and determined Officer M committed Gross Misconduct and Dishonesty. A Notice of Intent to Revoke was issued and Officer M failed to request a hearing. The Board agreed with the PPC’s recommendation to revoke Officer M’s police certification.

Officer M’s Basic, Intermediate, Advanced, Supervisory, Management, and Executive Police Certifications are hereby revoked.

Officer N was employed as a police officer from 1996 until their resignation in 2001. In July 2016 Officer N was convicted of Disorderly Conduct in the Second Degree. Officer N was involved in a verbal and physical dispute with a juvenile subject and it was determined that Officer N lied during the investigation. The Police Policy Committee (PPC) reviewed Officer N’s misconduct and determined Officer N committed Gross Misconduct, Disregard for the Rights of Others, and Dishonesty. A Notice of Intent to Revoke was issued and Officer N failed to request a hearing. The Board agreed with the PPC’s recommendation to revoke Officer N’s police certification.

Officer N’s Basic and Intermediate Police Certifications are hereby revoked.

Officer O was employed as a police officer. Officer O resigned as part of a settlement agreement. It was alleged Officer O utilized their position as a police officer to attend a community meeting, utilized a patrol car without permission to attend the meeting, and violated agency policies. The Police Policy Committee (PPC) reviewed Officer O’s conduct and determined Officer O’s conduct did not violate any moral fitness standards. The Board agreed with the PPC not to revoke Officer O’s police certifications.

No Action was taken on Officer O’s Basic and Intermediate Police Certifications.

Officer P had been employed as a police officer prior to the revocation of their certifications by DPSST in 2011. Officer P requested an eligibility determination in order to pursue recertification as a public safety official, being the ineligibility period allotted by the Final Order had elapsed. The Police Policy Committee (PPC) reviewed the prior misconduct and Officer P’s mitigation, and recommended Officer P’s eligibility be restored. The Board agreed with the PPC to allow Officer P to become eligible for training and certification as a public safety official.
Did you know that you can access your training/employment files online through the Information Resource Inquiry System (IRIS)?

Many of you have called DPSST and asked a staff member if they can look something up in your DPSST record. In the last few months we have expanded the functionality of Information Resource Inquiry System, also known as IRIS, to include employment records for all currently employed individuals and individuals that have left employment within the last five years. IRIS allows DPSST constituents and members of the public 24/7 access to DPSST records of public safety officials. The system is updated nightly and is reflective of the information DPSST receives from the employing agencies. To access IRIS click here or go to www.oregon.gov/dpsst/SC/Pages/IRIS.aspx. If you have any further questions about IRIS or the information contained within you can send an email to: dpsst.records@state.or.us.

F.A.Q.s

Q. How does the complaint process work?
A. Complainants may file a complaint on a public safety official with DPSST by obtaining a complaint form online or having one e-mailed or mailed to them. DPSST in conjunction with the Board on Public Safety Standards and Training, is responsible for training and certifying Oregon’s public safety providers, to include private security, private investigators and polygraph examiners. DPSST’s jurisdiction is limited to the certification standards found in Oregon law and rule (available for review on DPSST’s website: oregon.gov/DPSST). If the complaint is determined to be outside of DPSST’s authority, the complaint will be forwarded to the involved agency. If the complaint is determined to possibly fall within DPSST’s jurisdiction then the complaint will be forwarded to the employing agency for resolution, and the agency has 60 days to respond acknowledging that they received the complaint. Agencies are not required to advise DPSST of the results of their investigation, simply that they reviewed it. All further investigation, discipline, or remedy related to the allegations is deferred to the officer’s employing agency. DPSST will proceed with administrative action if employing agency’s review and resolution reveals an objectively reasonable basis that a certification standard has been violated pursuant to the Administrative Procedures Act. All complaints are public record and are maintained by DPSST in accordance with the file retention regulations.

Q. Why can’t DPSST conduct an independent investigation on their own outside of the agency’s investigation?
A. DPSST’s scope of authority is limited by state statute and administrative rule. However, with the recent August 1, 2017 administrative rule change DPSST is able to conduct an investigation with the policy committee’s permission, and only in the following circumstances:
   i. If the agency doesn’t respond to DPSST, when required to, within 60 days of receiving a complaint determined to be within DPSST’s jurisdiction, DPSST staff will review the complaint with the appropriate policy committee and ask if they will allow DPSST to conduct a separate investigation.
   ii. If the complaint is against an incumbent Sheriff DPSST staff will review the complaint with the appropriate policy committee. If the complaint is determined by staff to fall within DPSST’s scope of authority, the committee will make a determination if they will allow DPSST to conduct a separate investigation. (continued on following page ——>
NEW & NOTEWORTHY ITEMS

F.A.Q.s

iii. If the person the complaint is filed on is no longer employed DPSST staff will review the complaint and if determined to be jurisdictional will present the complaint to the appropriate committee and ask permission to investigate the complaint.

Q. What if the person, whom the complaint is filed on, is not certified by DPSST?
A. DPSST has no jurisdiction over non-certified individuals, but will maintain the complaint as public record and if applicable send it to the appropriate agency.

Q. What if I’m not satisfied with how my complaint was handled?
A. If you believe your complaint has been unanswered or handled improperly by the employing agency, you are encouraged to contact the governing body that oversees the agency. If you remain aggrieved, you are encouraged to seek other avenues of recourse, up to and including discussing the matter with a private attorney or contacting your elected officials.

How Are We Doing?
The Criminal Justice Ethics Bulletin is the most read document published by DPSST. We’d like you to tell us what we can do to make it better by completing the following survey. We thank you in advance for your insight.
https://www.surveymonkey.com/r/dpsstcjethicsbulletin
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.

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