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, telecommunicators (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

- Board on Public Safety Standards & Training—10/24/2019
- Telecommunications Police Committee—11/6/2019
- Corrections Policy Committee—11/12/2019
- Police Policy Committee—11/21/2019
## PROFESSIONAL STANDARDS STATISTICS

Actively Certified Public Safety in Oregon as of August 31, 2019:

<table>
<thead>
<tr>
<th>Category</th>
<th>Certified Public Safety</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>5484</td>
</tr>
<tr>
<td>Corrections</td>
<td>4181</td>
</tr>
<tr>
<td>Tele/EMD</td>
<td>921/875</td>
</tr>
<tr>
<td>P &amp; P</td>
<td>608</td>
</tr>
<tr>
<td>OLCC</td>
<td>57</td>
</tr>
<tr>
<td>Instructors</td>
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</table>

Professional Standards Cases Opened in August 2019:

<table>
<thead>
<tr>
<th>Category</th>
<th>Cases Opened</th>
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<tbody>
<tr>
<td>Police</td>
<td>06</td>
</tr>
<tr>
<td>Corrections</td>
<td>09</td>
</tr>
<tr>
<td>Tele/EMD</td>
<td>02</td>
</tr>
<tr>
<td>P &amp; P</td>
<td>00</td>
</tr>
<tr>
<td>OLCC</td>
<td>00</td>
</tr>
<tr>
<td>Instructor</td>
<td>00</td>
</tr>
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</table>

Professional Standards Cases Pending Criminal/Employment matters as of August 31, 2019:

<table>
<thead>
<tr>
<th>Category</th>
<th>Cases Pending</th>
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</thead>
<tbody>
<tr>
<td>Police</td>
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<tr>
<td>Corrections</td>
<td>51</td>
</tr>
<tr>
<td>Tele/EMD</td>
<td>09</td>
</tr>
<tr>
<td>P &amp; P</td>
<td>04</td>
</tr>
<tr>
<td>OLCC</td>
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</tr>
<tr>
<td>Instructor</td>
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</table>

Professional Standards Cases Pending Committee review as of August 31, 2019:

<table>
<thead>
<tr>
<th>Category</th>
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<tbody>
<tr>
<td>Police</td>
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<tr>
<td>Corrections</td>
<td>52</td>
</tr>
<tr>
<td>Tele/EMD</td>
<td>06</td>
</tr>
<tr>
<td>P &amp; P</td>
<td>01</td>
</tr>
<tr>
<td>OLCC</td>
<td>02</td>
</tr>
<tr>
<td>Instructor</td>
<td>00</td>
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</tbody>
</table>

Cases Closed in August:

<table>
<thead>
<tr>
<th>Type</th>
<th>Cases Closed</th>
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<tbody>
<tr>
<td>Revoked</td>
<td>04</td>
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<tr>
<td>Deny</td>
<td>00</td>
</tr>
<tr>
<td>Suspended</td>
<td>00</td>
</tr>
<tr>
<td>No Action</td>
<td>00</td>
</tr>
<tr>
<td>Admin. Closed</td>
<td>24</td>
</tr>
</tbody>
</table>
The following cases have resulted in revocation, suspension, denial or no action on a public safety certification by DPSST in August 2019.

**Officer A** voluntarily relinquished their certification in lieu of review by the Corrections Policy Committee (CPC) after the officer falsified training information submitted to DPSST. **Officer A’s Basic Corrections Certification was Revoked.**

**Officer B** resigned during an investigation into allegations of domestic violence. Officer B chose to voluntarily relinquish their certification in lieu of review by the Police Policy Committee (PPC). **Officer B’s Basic Police Certification was Revoked.**

**Officer C** retired during an investigation surrounding repeated unapproved absences from work and subsequent falsification of time worked submitted on their timesheets. Officer C chose to voluntarily relinquish their certifications in lieu of review by the CPC. **Officer C’s Basic, Intermediate and Advanced Parole & Probation Officer Certifications were Revoked.**

**Officer D** was terminated from employment surrounding their arrest for, and subsequent conviction of two counts of Theft in the First Degree. Officer D chose to voluntarily relinquish their certifications in lieu of a mandatory certification revocation. **Officer D’s Basic and Intermediate Police Certifications were Revoked.**
The following Professional Standards Cases were administratively closed in August of 2019.

DPSST may recommend administrative closure of a professional standards case to a Policy Committee if DPSST determines that the conduct being reviewed does not meet the statutory and administrative rule requirements for denial, suspension or revocation or the conduct being reviewed involves one or more criminal dispositions that meet all of the following criteria:

(i) The criminal dispositions occurred five years or more prior to the date the public safety professional began employment as a public safety professional;

(ii) The criminal dispositions are the result of one criminal act arising out of one set of facts and circumstances which is the only criminal incident in the public safety professional’s history;

(iii) The conduct involved did not include dishonesty or deceit;

(iv) The public safety professional has completed any court-ordered form of supervision; and

(v) The public safety professional does not have any unpaid restitution, court fines or fees resulting from the criminal disposition.

DPSST may administratively close professional standards cases involving deferred convictions for DUII upon confirmation of dismissal.

- **Corrections Officer 1** was separated from employment after making verbal threats to another student during training. The separation occurred prior to certification. The case will be reviewed should this individual be hired into a certifiable public safety position in the future.

- **Corrections Officer Applicant 2** was convicted of Criminal Trespass in the Second Degree. The conviction occurred more than five years prior to employment, is the only conviction on the individual’s record, and did not include an element of dishonesty/deceit and all court obligations are satisfied.

- **Corrections Officer Applicant 3** was convicted of Furnishing Alcohol to a Person Under 21. The officer resigned prior to policy committee review. The case will be reviewed should this individual be hired into a certifiable public safety position in the future.

- **Corrections Officer Applicant 4** was convicted of Driving Under the Influence. The conviction occurred more than five years prior to employment, is the only conviction on the individual’s record, and did not include an element of dishonesty/deceit and all court obligations are satisfied.
• **Corrections Officer Applicant 5** was convicted of Possession of Less Than an Ounce of Marijuana. The conviction occurred more than five years prior to employment, is the only conviction on the individual’s record, and did not include an element of dishonesty/deceit and all court obligations are satisfied.

• **Corrections Officer 6** was separated from employment after inappropriate and unprofessional conduct with inmates. An Arbitrator’s opinion found that the employer erred in their termination of the officer. As such, DPSST is prohibited from completing a professional standards review.

• **Parole and Probation Officer/Police Officer 7** was arrested for Hit and Run, and two counts of Recklessly Endangering. A civil compromise was reached resulting in the dismissal of all criminal charges. (NOTE: The civil compromise was entered prior to the Administrative Rule change requiring Board review of civil compromises filed effective April 25, 2019.)

• **Corrections Officer 8** was arrested for Interference with making a Report, Criminal Mischief II and Harassment. Criminal Mischief II and Harassment charges were dismissed. A deferred sentence for Interference with Making a Report was subsequently dismissed. (NOTE: The deferred sentence was entered prior to the Administrative Rule change requiring Board review of pleas of guilt and no contest filed effective August 1, 2019.)

• **Parole and Probation Officer 9** separated from employment due to performance issues and an allegation of dishonesty. There was insufficient evidence to support a finding of dishonesty. No violations to the Board’s moral fitness standards were identified.

• **Corrections Officer Applicant 10** was convicted of Animal Neglect. The conviction occurred more than five years prior to employment, is the only conviction on the individual’s record, and did not include an element of dishonesty/deceit and all court obligations are satisfied.

• **Corrections Officer Applicant 11** was convicted of Driving Under the Influence in 2015. Prior to review, applicant resigned. The case will be reviewed should this individual be hired into a certifiable public safety position in the future.

• **Corrections Officer 12** separated from employment during an investigation into inappropriate and unprofessional comments to co-workers and others in the workplace. Upon review no violations to the Board’s moral fitness standards were identified.

• **Corrections Officer 13** was arrested for Domestic Battery in another state. The charge was ultimately dismissed.

• **Corrections Officer Applicant 14** was convicted of Possession of Drug Paraphernalia. The conviction occurred more than five years prior to employment, is the only conviction on the individual’s record, and did not include an element of dishonesty/deceit and all court obligations are satisfied.
- **Corrections Officer Applicant 15** was convicted of Disorderly Conduct-Public Intoxication. The conviction occurred more than five years prior to employment, is the only conviction on the individual’s record, and did not include an element of dishonesty/deceit and all court obligations are satisfied.

- **Police Officer 16** separated from employment due to performance deficiencies and an allegation of dishonesty. There was insufficient evidence to prove the alleged dishonesty was knowingly committed. No violations to the Board’s moral fitness standards were identified.

- **Police Officer 17** resigned from employment unrelated to any misconduct that would require Board review. No violations to the Board’s Moral Fitness standards were identified.

- **Police Officer Applicant 18** was separated from employment due to dishonesty to their Field Training Officer (FTO) during a traffic stop. The separation occurred prior to certification. The case will be reviewed should this individual be hired into a certifiable public safety position in the future.

- **Police Officer Applicant 19** was separated from employment due to failure to report child abuse. The separation occurred prior to certification. The case will be reviewed should this individual be hired into a certifiable public safety position in the future.

- **Police Officer 20** was arrested for Harassment. No charges were filed.

- **Police Officer Applicant 21** was convicted of Public Intoxication in another state. The conviction occurred more than five years prior to employment, is the only conviction on the individual’s record, and did not include an element of dishonesty/deceit and all court obligations are satisfied.

- **Police Officer Applicant 22** was convicted of Operating While Intoxicated in another state. The conviction occurred more than five years prior to employment, is the only conviction on the individual’s record, and did not include an element of dishonesty/deceit and all court obligations are satisfied.

- **Police Officer 23** was arrested for Harassment. No charges were filed.

- **Police Officer 24** was arrested for Assault IV Domestic Violence. All charges were ultimately dismissed.
NEW & NOTEWORTHY ITEMS

LIVE STREAM OF BOARD AND POLICY COMMITTEE MEETINGS - NOW AVAILABLE
Visit the DPSST Facebook page to live stream scheduled Board and Policy Committee meetings from wherever you are. It is not required that you have a Facebook account to utilize this function. Please note, the live stream feature is still new to DPSST, and we have experienced a few technical difficulties. Within the streaming window, you have the ability to report problems via the settings icon. Please utilize this reporting option to help us make this service work better for you.

CRIMINAL JUSTICE MORAL FITNESS WORKGROUP – UPDATE
The following recommendations of the Criminal Justice Moral Fitness Workgroup, who last met in April, have received comment either through the policy committee review process or through the public comment opportunity.

- **OAR 259-008-0070 - Public Safety Professional Denial Revocation: Amending standards and processes and dividing them into multiple rules.**

  The proposed rule change included the Workgroup’s recommendation to change the effective date for tracking discretionary ineligibility periods from the date of the criminal disposition or separation to the date the Board approves the denial/revocation action. The minimum ineligibility period that a policy committee can recommend is 3 years and the maximum ineligibility period is 10 years except when there is a finding of Dishonesty which can have a lifetime ineligibility period.

  COMMENT: The PPC expressed concerns about the impacts of the mandatory minimum 3 year ineligibility period and the Board approval as the effective date of any ineligibility period. The PPC was concerned that the recommendation would result in outcomes that are more punitive than necessary in some cases and that there would not be any discretion to adjust for a lesser penalty. The PPC discussed the timeliness of policy committee professional standards case reviews, the passage of time based upon due process proceedings, and the need for discretion to be able to recognize and adjust an ineligibility period for “time served.”

- **OAR 259-008-0067 - Establishing the expiration of DPSST public safety professional certifications.**

  Under the current application of the statutes relating to lapse of public safety professional certifications, a lapsed certification is treated like an inactive certification that remains subject to revocation for violations of the moral fitness standards no matter how long the certifications have been lapsed. This has been referred to as “cradle to grave” certification.
The Workgroup reviewed whether or not public safety professional certifications should continue to be considered lifetime certifications, holding individuals who have been retired or otherwise separated for an extended period to the same moral fitness standards for currently employed public safety professionals. The Workgroup recommended that certifications expire after five years of separation. The five year period recognized the current Board standard that requires a person who has been separated from their certified discipline for longer than five years to recompletethcir basic training course in order to be eligible for recertification.

COMMENT: The TPC, CPC and PPC supported the concept of expiring the certifications, but the CPC and PPC expressed concerns relating to the processes and requirements for reapplying for certification after certifications have expired. The general consensus of the CPC and PPC was that the reapplication for certification process should not change from current standards and practices and that previously completed training should continue to be recognized toward recertification.

- **OAR 259-008-0015 - Amending background investigation requirements for public safety professionals: verification of DPSST records and eliminating notary.**

The Workgroup recommended that conducting a search of DPSST records should be a mandatory element of all pre-employment background investigations to ensure that hiring agencies are aware of any past or pending DPSST professional standards reviews or the individual was the subject of any complaint filed with DPSST. The Workgroup also approved removing the requirement that the applicant’s required personal history statement be notarized, instead requiring an acknowledgment of “declaration under penalty of perjury.”

The TPC, CPC and PPC unanimously approved filing the proposed rule change.

COMMENT: During the proposed rule public comment period, staff received a comment regarding the deletion of the notary requirement and the potential to impact the signature verification on a waiver or release and the personal history statement.

Note: DPSST created an online resource outlining the steps for contacting DPSST for a review of professional standards records as part of a background investigation and the information that is included in the review.

[https://www.oregon.gov/dpsst/cj/Pages/Background.aspx](https://www.oregon.gov/dpsst/cj/Pages/Background.aspx)

The Criminal Justice Moral Fitness Workgroup reconvened on September 5, 2019 to consider the comments. The Workgroup’s recommendations for each rule change, whether amended or reaffirmed, will be presented to the November TPC, CPC and PPC.

Questions regarding these recommendations or the Criminal Justice Moral Fitness Workgroup may be directed to Linsay Hale, DPSST Professional Standards Division Director, at linsay.hale@state.or.us or Jennifer Howald, DPSST Administrative Rules Coordinator at jennifer.howald@state.or.us.
NOTIFICATION OF ARREST OR CRIMINAL CITATION TO APPEAR

Any individual who holds DPSST certification as a public safety professional who is arrested, or receives a criminal citation to appear or its equivalent, for any offense punishable as a crime must notify the Department within five business days.

Includes:

Offense – is defined as a felony, misdemeanor or violation.

Crime – is defined as an offense for which a sentence of imprisonment is authorized.

Traffic violations punishable by a fine, but are NOT punishable by a term of imprisonment and are NOT required to be reported.

To report an arrest or a criminal citation to appear please email: cjcertifications@state.or.us

Include the following:

1. Date of arrest/citation.
2. Location of arrest/citation.
4. Arresting/citing agency.

PROFESSIONAL STANDARDS RECORDS REVIEW PROCESS – New Resource

DPSST created a CJ Background Resource webpage dedicated to assisting agencies in obtaining a review of DPSST’s professional standards records for a pre-employment background investigation. Please visit https://www.oregon.gov/dpsst/cj/Pages/Background.aspx. The new resource includes what information DPSST needs when an agency submits a professional standards records review request as well as information about the National Decertification Index and DPSST’s open/pending professional standards cases. If you have questions or would like to request a professional standards records review please contact CJCertifications@state.or.us.

CRIMINAL JUSTICE BACKGROUND INVESTIGATION WORKGROUP

The Criminal Justice Background Investigation Workgroup was formed to consider a variety of issues related to pre-employment background investigations of public safety professionals and the possible expansion of DPSST’s role as a record keeper. This workgroup will continue reviewing the current standards and form recommendations to present to the Telecommunications, Corrections and Police Policy Committees, and ultimately the Board for consideration. The next Workgroup meeting is scheduled for September 26, 2019 at 11:00am.

SIGN-UP FOR GOVDELIVERY

Interested in keeping up to date with important DPSST news and information? Sign up for GovDelivery! This new instant communication system allows newsletters, administrative updates, training announcements and more to be sent right to your email address or phone. For more information: https://www.oregon.gov/dpsst/Pages/govdelivery.aspx
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.

CONTACT INFORMATION

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YOU CAN FIND US AT:
HTTP://WWW.OREGON.GOV/DPSST