

**OREGON DPSST**  
**ETHICS BULLETIN**  
**Volume No. 95**



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 **September 2011**.

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.

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**September Statistics**

Cases Opened	027	Of the 23 Cases Closed:	
Cases Closed	023	Revoked	012
Cases Pending	216	Denied	000
Reinstated	000	No Action	011

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**Fire Service Professional A** was discharged for cause after stealing items from a neighboring fire district. Additionally Fire Service Professional A admitted to slashing his own tires and the tires on his agency's apparatus and then filing a false police report. Fire Service Professional A was subsequently charged with multiple crimes related to his misconduct. Fire Service Professional A was served with a Notice of Intent to Revoke Certifications. Fire Service Professional A did not make a timely request for a hearing and his certifications were revoked by default.

**Fire Service Professional A's NFPA Fire Instructor I, NFPA Driver, NFPA Pumper Operator, First Responder Operations, Wildland Interface Fire Fighter, NFPA Fire Fighter I and II Certifications were Revoked.**

**Officer B** was discharged for cause after an internal investigation revealed he had violated agency policy and procedures when he participated in unprofessional conduct and violated a direct order. Officer B was served with a Notice of Intent to Revoke Certifications. Officer B did not make a timely request for a hearing and his certifications were revoked by default. Officer B's misconduct ended his 18-year career.

**Officer B's Basic, Intermediate, Advanced and Supervisory Police Certifications were Revoked.**

**Fire Service Professional C** was convicted of Unlawful Delivery of Marijuana. DPSST notified Fire Service Professional C that his case would be reviewed by the Fire Policy

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Committee (FPC) and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. The FPC reviewed the matter and found that Fire Service Professional C's misconduct violated the core values of honesty and professionalism. The FPC identified as aggravating circumstances a 1998 felony conviction in the state of California; he knowingly broke the law by possessing firearms as a convicted felon; marijuana and drug paraphernalia were found in multiple locations; his conduct occurred while he was a fire service professional; and his letter to the FPC did not mitigate the conduct and showed that he failed to accept responsibility for his actions. The FPC determined that Fire Service Professional C's conduct does rise to the level to warrant revocation of his certifications and his initial minimum period of ineligibility to re-apply for certification would be August 24, 2014. Fire Service Professional C was issued a Notice of Intent to Revoke. He did not make a timely request for a hearing and his certificates were revoked by default.

**Fire Service Professional C's NFPA Fire Instructor I, First Responder Operations and Wildland Interface Fire Fighter Certifications were Revoked.**

**Officer D** resigned during a pre-dismissal process involving conduct that violated department policies, including failure to report for duty and being untruthful during the investigation. DPSST notified Officer D that her case would be reviewed by the Corrections Policy Committee (CPC) and allowed her an opportunity to provide mitigating circumstances for the Committee's consideration. Officer D chose instead to sign a Stipulated Order Revoking Certification, permanently revoking her certification. Officer D's misconduct ended her 7-year career.

**Officer D's Basic Corrections Certification was Revoked.**

**Officer E** pled guilty and was convicted of Unlawful Use of a Weapon with a Firearm – Domestic Violence after an altercation with his wife. As a condition of his probation Officer E stipulated to the voluntary revocation of his DPSST certification.

Officer E's misconduct ended his 5-year career.

**Officer E's Basic Corrections Certification was Revoked.**

**Officer F** was discharged for cause for violating his agency's policies and procedure for multiple incidents involving unsatisfactory job performance. Conduct included failure to make a mandatory arrest, failure to search a vehicle, defective citation, failure to recognize intoxication after conducting SFSTs etc. Officer F had multiple incidents of failing to investigate crimes and following up with timely reports. Officer F was served with a Notice of Intent to Revoke Certifications. Officer F made a timely request for a hearing. DPSST sought a Motion for Summary Determination before the Office of Administrative Hearings asserting there was no material fact at issue. The ALJ granted DPSST's Motion and issued a Proposed Order. Officer F did not file legal exceptions to the Proposed Order. DPSST filed a Final Order. Officer F's misconduct ended his 12-year career.

**Officer F's Basic, Intermediate and Advanced Police Certifications were Revoked.**

**Officer G** was discharged for cause after purchasing cocaine and marijuana while out of state and informing fellow employees with him of his illegal purchases, which placed them in an ethical dilemma of having to report a fellow employee. Officer G was served with a Notice of Intent to Revoke Certification. Officer G made a timely request for a hearing. DPSST sought a Motion for Summary Determination before the Office of Administrative Hearings asserting there was no material fact at issue. The ALJ granted DPSST's Motion and issued a

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Proposed Order. Officer G did not file legal exceptions to the Proposed Order. DPSST filed a Final Order.

Officer G's misconduct ended his 5-year career.

**Officer G's Basic Corrections Certification was Revoked.**

**Officer H** resigned while under investigation for a misdemeanor criminal charge of Criminal Trespass with a Firearm. Officer H was subsequently arrested on the charge and convicted of the offense after he had resigned. DPSST notified Officer H that his case would be reviewed by the Police Policy Committee (PPC) and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. Officer H chose instead to sign a Stipulated Order Revoking Certification, permanently revoking his certification. Officer H's misconduct ended his 24-year career.

**Officer H's Basic Police Certification was Revoked.**

**Officer I** resigned while under investigation for using a city-owned credit card for personal purchases, attending a party where minors were consuming alcoholic beverages, and using a department computer to view pornographic images. Officer I repaid the funds for the credit card use. DPSST notified Officer I that his case would be reviewed by the Police Policy Committee (PPC) and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. Officer I chose instead to sign a Stipulated Order Revoking Certification, permanently revoking his certifications.

Officer I's misconduct ended his 20-year career.

**Officer I's Basic, Intermediate, Advanced and Supervisor Police Certifications were Revoked.**

**Officer J** resigned in lieu of termination after he was arrested for Contributing to the Sexual Delinquency of a Minor. Officer J admitted to having sex with a 17-year old female while off duty, although he had met her in the course of his employment. Officer J was later convicted of the crime. DPSST notified Officer J that his case would be reviewed by the Police Policy Committee (PPC) and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. Officer J chose instead to sign a Stipulated Order Revoking Certification, permanently revoking his certification.

Officer J's misconduct ended his 2-year career.

**Officer J's Basic Police Certification was Revoked.**

**Fire Service Professional K** was discharged for cause after an internal investigation revealed that she had engaged in numerous acts of dishonesty involving time and expenditures relating to an out of state trip she had taken on behalf of the agency. Fire Service Professional K was served with a Notice of Intent to Revoke Certifications. Fire Service Professional K made a timely request for a hearing. DPSST sought a Motion for Summary Determination before the Office of Administrative Hearings asserting there was no material fact at issue. Prior to a ruling from the Office of Administrative Hearings Fire Service Professional K chose to sign a Stipulated Order Revoking Certifications, permanently revoking her certifications.

**Fire Service Professional K's NFPA Fire Inspector I, II, III and NFPA Juvenile Firesetter Specialist I Certifications were Revoked.**

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**Officer L** resigned in lieu of termination after a criminal investigation for sex crimes. Officer L was subsequently convicted of five counts of Encouraging Child Sex Abuse, Felony crimes. Officer L was issued a Notice of Intent to Revoke. He did not make a timely request for hearing and his certification was revoked by default. Officer L's misconduct ended his 10-year career.  
**Officer L's Basic Police Certification was Revoked.**

### ***INTEGRITY IS NOT NEGOTIABLE***

Sheriff Todd Anderson, Tillamook County Sheriff's Office

As the Chair of the Board on Public Safety and Standards, one of the tasks that I have found that weighs extremely heavy on all of the Board members is the revocations or denials of certifications of public safety officers.

All of us are sworn to a Code of Ethics, which gives guiding principles that the people who we serve have come to expect. When anyone of us strays from these guidelines, we have not only let down those who we serve, but have damaged the reputations of the men and women who proudly serve their communities as public safety officers.

In our professions, once the community we serve finds distrust for a public safety officer, the officer no longer can be effective. As officers of the Court, our testimony can no longer be considered credible, and if our credibility is compromised on truthfulness, how can we trust statements made in significant events, such as use of force, and in the most serious scenario, the deadly use of force?

As public safety officers we make split-second decisions on duty, and off duty, which impact our careers. The choices that adversely affect our careers only snowball downward when a public safety officer is untruthful about the event. The BPSST has consistently has voted to revoke certifications, or deny eligibility for training, when there is evidence supporting untruthfulness. In most cases had the public safety officer been truthful about the event, the BPST would probably never have had the case brought forward from the parent agency for review.

This may all sound very basic to many of you, but we can never be reminded enough that our "Integrity is not negotiable."

*Sheriff Anderson began his law enforcement as an Explorer in 1975. Sheriff Anderson has worked as a Marine Patrol Assistant, Dispatcher, Corrections Deputy and Police Officer. Sheriff Anderson was hired with the Tillamook County Sheriff's Office in January 1986 and served as a Patrol Deputy, Detective, Detective Sergeant, Patrol Sergeant, and Jail Commander, before being elected to the office of Sheriff in 2000. Sheriff Anderson has served as Sheriff since January of 2001. Sheriff Anderson has served on the Corrections Policy Committee (CPC) since 2007, and is currently chair of the CPC, the Board on Public Safety Standards and Training, and the Public Safety Memorial Fund Board. He was recognized by the Oregon State Sheriff's Association as Sheriff of the year in both 2007 and 2009.*

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