

OREGON DPSST
ETHICS BULLETIN
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The Board on Public Safety Standards and Training (BPSST) has the legislative mandate to establish and enforce the physical, mental, and moral fitness standards for all law enforcement officers, 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 officer, telecommunicator or emergency medical dispatcher who has fallen below the moral fitness 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 **January 2008**.

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.

January Statistics

Cases Opened	63	Of the 58 Cases Closed:	
Cases Closed	58	Revoked	4
Cases Pending	162	Denied	2
		No Action	52

Case 1

Officer A was discharged for cause after an internal investigation revealed that he had engaged in, and was convicted of, DUII and Malicious Injury to Property (Idaho crime) and that he was untruthful with his employer about portion(s) of the events. Officer A was issued a Notice of Intent to Revoke and he did not make a timely request for a hearing. Officer A's misconduct ended his 10-year career.

Officer A's Basic, Intermediate and Advanced Corrections Certifications were Revoked.

Case 2

Emergency Medical Dispatcher B was discharged for cause after an internal investigation revealed that she contacted her supervisor stating her son had an injury that would prevent her from working. Based on third-party information it was discovered that although her son did sustain an injury, he was not seen by a physician and he played in a sporting event that evening. Emergency Medical Dispatcher B admitted to lying about the severity of her son's injury in order to qualify as an acceptable absence. Emergency Medical Dispatcher B was issued a Notice of Intent to Revoke and she did not make a timely request for a hearing. Emergency Medical Dispatcher B's misconduct ended her 2-year career.

Emergency Medical Dispatcher's B's Basic Certification was Revoked.

Case 3

Officer C resigned and was subsequently convicted of Official Misconduct in the First Degree. As a part of Officer C's plea agreement he signed a Stipulated Order Revoking his Certification.

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In this case Officer C engaged in sexual conduct, while on duty, on more than one occasion. Officer C's misconduct ended his 10-year career.

Officer C's Basic Police Certification was Revoked.

Case 4

Officer D became employed as a corrections officer and subsequently applied to attend the Basic Corrections Academy. A routine records check, and Officer D's self-disclosure, showed a conviction for a controlled substance. During an interview with DPSST staff, Officer D affirmed that he had been convicted of possession of a controlled substance, both marijuana and cocaine. This crime is a mandatory disqualifying event. Officer D was issued a Notice of Intent to Deny Training and subsequent Certification. Officer D made a timely request for a hearing. DPSST filed a Motion for Ruling on Legal Issues (Summary Determination) with the Administrative Law Judge (ALJ), asserting that there was no genuine issue as to any material fact that is relevant to resolution of the legal issue for which a decision is sought. The ALJ issued a Proposed Order denying Officer D's Basic Corrections training. DPSST adopted the Judge's Proposed Order in its entirety and filed a Final Order. Officer D's prior conduct prevents him from entering Oregon public safety in a certified position.

Officer D's Basic Corrections Training was Denied.

Case 5

Officer E resigned and was subsequently convicted of Custodial Sexual Misconduct. As a part of a plea agreement, Officer E signed a Stipulated Order Denying her Certification. Officer E had applied to attend basic Corrections training and was removed from the Academy by her employing agency as a result of a criminal investigation. In this case Officer E engaged in inappropriate sexual conduct with an inmate. Officer E's conduct prevents her from entering Oregon public safety in a certified position.

Officer E's Basic Corrections Certification was Denied.

Case 6

Officer F resigned and was later convicted of Theft in the First Degree and Official Misconduct in the First Degree. In this case, Officer F mishandled narcotics and money during an arrest and later attempted to cover up the matter. Officer F voluntarily signed a Stipulated Order Revoking his Certification. Officer F's conduct ended his 21-year career.

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

Moral Fitness, Denial & Revocation, and the effect of Arbitration on certification

As reported in Ethics Bulletin 48, Oregon public safety constituents have been updating the denial and revocation standards for public safety professionals. Their recommendations were drafted as proposed Administrative Rules and have passed through the various Policy Committees. Board Chair Harold Burke-Sivers also brought forward a recommendation to address the effect of arbitration on certification. In substance, the proposed rule states that if an arbitrator's opinion finds the underlying facts support the allegation of misconduct, DPSST will further review. If there is a reinstatement without a finding related to the misconduct, DPSST will further review. Finally, if an arbitrator finds the underlying facts do not support the allegations, DPSST will administratively close the matter. The Board approved the proposed changes on January 24, 2008. These new rules will be submitted to the Secretary of State's Office as proposed rules in February. Public comment will conclude the end of March.

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