

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 of misconduct resulted in **revocation** of certifications by DPSST in **June 2006**.

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.

Case 1

Officer A was discharged for cause after an internal investigation revealed that he had been untruthful during a criminal investigation and to internal investigators, that he had violated agency policies relating to ethics, values and professional conduct, and that he failed to report the crimes of sexual acts involving a girl under the age of eighteen years. The victim in this case was his stepdaughter and the suspects were his fellow officers. Officer A was served with a Notice of Intent to Revoke. Officer A made a timely request for a hearing. DPSST filed a Motion for Ruling on Legal Issues (Summary Judgment) 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 granted DPSST's Motion for Summary Judgment to revoke Officer A's certification. Officer A's conduct ended his twenty-seven year career.

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

Case 2

Officer B was discharged for cause after an internal investigation revealed that she violated several agency policies. Officer B was served with a Notice of Intent to Revoke. Officer B made a timely request for a hearing. DPSST filed a Motion for Ruling on Legal Issues (Summary Judgment) 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 granted DPSST's Motion for Summary Judgment to revoke Officer B's certification. Officer B's conduct ended her twenty-six year career.

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

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**Our thanks for a special message from Chief Justice Paul De Muniz to all
Oregon Public Safety Officers**

MESSAGE FROM THE CHIEF JUSTICE

Our American system of justice has, as its core responsibility, enforcement of the rule of law. Enforcing the rule of law means that individual and constitutional rights must be respected so that justice will be administered fairly to every individual regardless of their race, ethnicity, gender, economic or social status. The American justice system is intended to be the one institution in our society where important decisions are made free of the influence of politicians and special interest groups. I recently returned from Russia where I have worked extensively with the Russian judicial system over the last five years. Russia remains today the largest country in the world with more natural resources than any country in the world, and 17% of the world's oil. It has a wonderful constitution, emphasizing enforcement of the rule of law and protection of individual privacy and human rights. However, in spite of its resources and its democratic constitution, Russia's attempt to develop its democratic society and its free market economy has stagnated. The main reason is that the Russian public and the international business community do not trust the independence, impartiality, and fairness of Russia's judicial system. The lesson from Russia's painful experience is that in many significant ways, the strength of our country is dependent on maintaining a fair and impartial justice system that the public perceives to be fair and impartial and is so in reality.

Law enforcement at all levels is a significant and interlocking component of the American justice system. Like judges, law enforcement officers have a significant role in maintaining the public's trust and confidence in the impartiality and fairness of the justice system. To ensure the public's continued trust in the justice system, law enforcement officers must conduct themselves ethically and honestly at all times, and in every situation. I am very aware of the very difficult and dangerous situations that dedicated law enforcement officers encounter routinely, and the professionalism and courage with which those duties are performed. My message is intended to publicly recognize your important and valuable contribution and to reinforce how important your honesty and professionalism is to maintaining the public's trust and confidence in the American justice system. Thank you for the contributions to the American justice system that the law enforcement community makes every day.

The **Supreme Court** is the highest court in the Oregon judicial branch. The court has seven elected justices. They choose one of their own to serve a six-year term as Chief Justice. The only court that may reverse or modify a decision of the Oregon Supreme Court is the United States Supreme Court.

The **Honorable** Paul J. De Muniz joined the Oregon Supreme Court in January 2001 and became Chief Justice on January 1, 2006. As Chief Justice, he is the administrative head of the Oregon Judicial Department.

Chief Justice De Muniz has been a member of the Oregon State Bar and the American Bar Association since 1975; he is admitted to practice before the U.S. District Court of Oregon (1977), the U.S. Court of Appeals for the Ninth Circuit (1980), and the U.S. Supreme Court (1981).

Before his election to the Supreme Court, Chief Justice De Muniz served on the Oregon Court of Appeals for 10½ years (1990 - 2000), where he was the Presiding Judge of Department One (1997 - 2000) . Prior to this, Chief Justice De Muniz practiced law in Salem with Garret, Seideman, Hemann, Robertson & De Muniz, P.C., where he handled complex criminal and civil trials and appeals, including 4 death penalty cases and 10 other murder cases (1977 - 90) . He was also a special prosecutor in Douglas County (1988), a deputy public defender for the state of Oregon (1975 - 77), and he served in the United States Air Force (1966 - 70), including a tour in Vietnam during the Vietnam War (1968 - 69).

For additional information about Chief Justice Paul De Muniz, please visit:

<http://www.ojd.state.or.us/courts/supreme/demunizbio.htm>

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