

OREGON DPSST  
**ETHICS BULLETIN**  
Volume No. 84



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 and October 2010**.

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 and October Statistics**

Cases Opened	52	Of the 45 Cases Closed:	
Cases Closed	45	Revoked	17
Cases Pending	212	Denied	2
Reinstated	00	No Action	26

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**Officer A** resigned during an investigation. DPSST notified Officer A 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. The CPC reviewed the matter and found that Officer A's misconduct involved Dishonesty in her rendition of events in communications with a supervisor, that her misconduct involved Disregard for the Rights of Others and Gross Misconduct when she paid her minor daughter to expose her buttocks toward a camera at a correctional facility in an area that could have been visible to inmates. The CPC also determined that Officer A's conduct involved Misconduct and Insubordination when she engaged in a pattern of being late for work 28 times in five years. An aggravating factor was that Officer A did not protect her minor child, a vulnerable person. The CPC determined that Officer A's certification should be revoked and that Officer A's misconduct was a lifetime disqualifier. Officer A was served with a Notice of Intent to Revoke Certification. Officer A failed to make a timely request for a hearing. Officer A's misconduct ended her five-year career.

**Officer A's Basic and Intermediate Corrections certifications were Revoked.**

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**Officer B** resigned during an investigation and after a conviction of Unlawful Use of a Stun Gun, a Class A Misdemeanor. DPSST notified Officer B that his case would be reviewed by the Corrections Policy Committee (CPC) and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. The CPC reviewed the matter and found that Officer B's misconduct involved Disregard for the Rights of Others and Gross Misconduct when, while off duty, he used a Taser on a citizen for no lawful reason. As aggravating was that Officer B made a choice to go to a drinking establishment, to drink, and to use a Taser on a citizen for no lawful reason. The CPC determined that Officer B's misconduct warranted the maximum possible period of ineligibility to reapply for consideration of certification in each category of misconduct, the longest period was 15 years. Officer B was served with a Notice of Intent to Revoke Certification. Officer B failed to make a timely request for a hearing.

Officer B's misconduct ended his 10-year career.

**Officer B's Basic Corrections certification was Revoked.**

**Officer C** was discharged for cause and was subsequently convicted of Coercion, a felony crime. This case involved criminal contact with a minor female child. Officer C was issued a Notice of Intent to Revoke. He did not make a timely request for a hearing. Officer C's misconduct ended his 17-year career.

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

**Officer D** resigned and was subsequently convicted of two counts of Burglary in the First Degree and one count of Official Misconduct in the First Degree. This case involved Officer D entering residential homes and stealing prescription drugs; one of the occurrences involved his actions while on duty and acting under the color of law. Officer D was issued a Notice of Intent to Revoke. He did not make a timely request for a hearing. Officer D's misconduct ended his 9-year career.

**Officer D's Basic and Intermediate Police Certifications were Revoked.**

**Fire Service Professional E** applied for Fire Certifications and as part of a routine records check it was determined that he had been convicted of Unauthorized Use of a Vehicle, two counts of Driving While Suspended and Felon in Possession of a Firearm. DPSST notified Fire Service Professional E that his case would be reviewed by the Fire Policy 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 E's misconduct violated the core values of honesty, professionalism and justice. The FPC identified as aggravating circumstances the repeated Driving While Suspended convictions, his blatant disregard for the law, and that he was knowingly untruthful in his contact with law enforcement. The FPC determined that Fire Service Professional E's initial minimum period of ineligibility to re-apply for certification would be the maximum period of seven years. Fire Service Professional E was issued a Notice of Intent to Deny. He did not make a timely request for a hearing. DPSST issued a Default Final Order.

**Fire Service Professional E's NFPA Driver/Apparatus Operator and NFPA Fire Fighter Certifications were Denied.**

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**Fire Service Professional F** applied for Fire Certifications and as part of a routine records check it was determined that he had been convicted of Second Degree Assault. Fire Service Professional F was issued a Notice of Intent to Deny. He made a timely request for a hearing and then withdrew his request. DPSST issued a Default Final Order.

**Fire Service Professional F's NFPA Driver/Apparatus Operator and NFPA Fire Fighter Certifications were Denied.**

**Officer G** was discharged for cause after an internal investigation revealed that he engaged in conduct involving extreme dereliction in performance and knowingly submitting false information. Officer G was served with a Notice of Intent to Revoke Certification. Officer G failed to make a timely request for a hearing. DPSST issued a Default Final Order.

Officer G's misconduct ended his 11-year career.

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

**Officer H** resigned during an internal investigation which revealed that she had developed an inappropriate relationship with an inmate. In this situation, the inmate loaned Officer H a large sum of money. The inmate had been transferred into Oregon from another state where she had engaged in an inappropriate relationship with a correctional officer. DPSST notified Officer H 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 H voluntarily signed a Stipulated Order. This Order concluded the administrative process and the case was closed. Officer H's misconduct ended her seven-year career.

**Officer H's Basic, Intermediate and Advanced Corrections certifications were Revoked.**

**Officer I** resigned while under investigation for events which involved untruthfulness. Subsequent to this, the United States Attorney General's Office made a determination that Officer I would not be used as a state's witness due to witness credibility issues. DPSST notified Officer I that his case would be reviewed by the Corrections Policy Committee (CPC) and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. In preparation for the CPC, DPSST discovered that Officer I had resigned from his prior employer for events which also involved untruthfulness. Officer I did not provide mitigating circumstances for the CPC's consideration. The CPC reviewed the matter and found that Officer I's misconduct involved Dishonesty when he interfered with a criminal homicide investigation and was subsequently untruthful with the criminal investigators, as well as Officer I's acts of dishonesty in his prior employment. The CPC determined that Officer I's misconduct involved Disregard for the Rights of Others, Misuse of Authority, Gross Misconduct and Misconduct, each relating to Officer I's interference with a criminal homicide investigation. As aggravating was that Officer I was a detective at the time he interfered and he abused that position and the access to privileged information. The CPC determined that Officer I's certification should be revoked and that Officer I's misconduct was a lifetime disqualifier. Officer I was served with a Notice of Intent to Revoke Certification. Officer I failed to make a timely request for a hearing. Officer I's misconduct ended his 13-year career.

**Officer I's Basic Corrections and Basic Police certifications were Revoked.**

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**Officer J** resigned during an investigation which revealed that, on numerous occasions he made unlawful requests and orders of private citizens and engaged in unlawful enforcement actions. 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. The PPC reviewed the matter and found that Officer J's misconduct involved Disregard for the Rights of Others, Misuse of Authority, Gross Misconduct and Misconduct, each relating to Officer J's acting upon emotion rather than fact during these incidents. The PPC determined that Officer J's certification should be revoked and that Officer J's misconduct warranted the maximum 15 year minimum period of ineligibility to reapply for reconsideration of certification.. Officer J was served with a Notice of Intent to Revoke Certification. Officer J failed to make a timely request for a hearing. Officer J's misconduct ended his three-year career.

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

**Officer K** resigned during an investigation which revealed that he engaged in sexual conduct while on duty, among other violations. DPSST notified Officer K 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 K voluntarily signed a Stipulated Order. This Order concluded the administrative process and the case was closed. Officer K's misconduct ended his 15-year career.

**Officer K's Basic, Intermediate and Advanced Police certifications were Revoked.**

**Officer L** resigned in lieu of termination after an internal investigation revealed that he engaged in conduct involving a minor child which resulted in a criminal conviction for Harassment. In this case Officer L engaged in an inappropriate relationship with a minor child, and during a pretext call in the criminal investigation Officer L attempted to alter the victim's recollections by reframing events or details that diminished his conduct. DPSST notified Officer L 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. The PPC reviewed the matter and found that Officer L's misconduct involved Dishonesty, Disregard for the Rights of Others, Gross Misconduct and Misconduct, each relating to Officer L's misconduct with the minor child. As aggravating the PPC found that as a police officer, Officer L was in a position of trust, he knew the law as it pertained to sexual contact with a minor child and that he had been previously counseled and disciplined for inappropriate contact with young women, demonstrating a clear pattern of this type of misconduct. The PPC determined that Officer L's certification should be revoked and that Officer L's misconduct warranted a lifetime revocation. Officer L was served with a Notice of Intent to Revoke Certification. Officer L failed to make a timely request for a hearing. Officer L's misconduct ended his three-year career.

**Officer L's Basic and Intermediate Police certifications were Revoked.**

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**Officer M** resigned in lieu of probationary discharge after an investigation revealed that he completed a police report containing inaccurate information regarding the disposal of illegal drugs. DPSST notified Officer M 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. The PPC reviewed the matter and ultimately determined that training issues may have related to Officer M's misconduct; therefore did not recommend revocation of his certification. The PPC forwarded their recommendation to the Board who considered it and returned the case to the PPC for reconsideration. The Board member's concerns included the underlying issues of integrity and untruthfulness in Officer M's actions. The PPC reconsidered the case and ultimately determined Officer M's untruthfulness violated the essential character requirements of honesty and integrity which cannot be excused by lack of tenure or lack of training. The PPC determined that Officer M's certification should be revoked and that Officer M's misconduct warranted a lifetime revocation. Officer M was served with a Notice of Intent to Revoke Certification. Officer M failed to make a timely request for a hearing. Officer M's misconduct ended his one-year career.

**Officer M's Basic Police certification was Revoked.**

**Officer N** resigned during an internal investigation which revealed that she did not back up a solo fellow officer on a gunshot wound call for service, but continued into the police station, and was subsequently untruthful about her location and her actions. DPSST notified Officer N that her case would be reviewed by the Police Policy Committee (PPC) and allowed her an opportunity to provide mitigating circumstances for the Committee's consideration. The PPC reviewed the matter and ultimately determined that Officer N's misconduct involved Dishonesty, Gross Misconduct and Misconduct, each relating to Officer N's failure to back up a fellow officer on a call for service and then misrepresenting her location, her actions and the seriousness of the call. The PPC determined that Officer N's certifications should be revoked and that Officer N's misconduct warranted a lifetime revocation. Officer N was served with a Notice of Intent to Revoke Certifications. Officer N failed to make a timely request for a hearing. Officer N's misconduct ended her 10-year career.

**Officer N's Basic Police, Intermediate and Advanced Police certifications were Revoked.**

**Officer O** resigned during an investigation which revealed that he violated agency policy relating to calls for service. DPSST notified Officer O 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. The PPC reviewed the matter and ultimately determined that Officer O's misconduct involved Dishonesty when he misrepresented his actions in reports, statements and other documentation regarding his response to calls for service and his interactions with involved persons. The PPC determined that Officer O's certifications should be revoked and that Officer O's misconduct warranted a lifetime revocation. Officer O was served with a Notice of Intent to Revoke Certifications. Officer O failed to make a timely request for a hearing. Officer O's misconduct ended his three-year career.

**Officer O's Basic Police and Intermediate Police certifications were Revoked.**

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**Telecommunicator P** resigned in lieu of termination after an investigation revealed that she violated agency policies related to her duties as a Telecommunicator. Telecommunicator P failed to adequately perform her duties which resulted in a citizen being arrested without cause. Telecommunicator P had received discipline on two other occasions for the same type of misconduct, which had resulted in a last chance work agreement. DPSST notified Telecommunicator P that her case would be reviewed by the Telecommunicator Policy Committee (TPC) and allowed her an opportunity to provide mitigating circumstances for the Committee's consideration. Telecommunicator P voluntarily signed a Stipulated Order. This Order concluded the administrative process and the case was closed. Telecommunicator P's misconduct ended her three-year career.

**Telecommunicator P's Basic Telecommunicator and Emergency Medical Dispatcher certifications were Revoked.**

**Officer Q** was hired as a corrections officer and submitted an F-5, Application for Training, and disclosed one misdemeanor conviction. A routine records check showed that he had been arrested and charged with DUII, Reckless Driving, and Recklessly Endangering Another in 2001. Oregon Judicial Information Network (OJIN) showed that the DUII was diverted and subsequently dismissed. The other two Class A Misdemeanor Crimes resulted in convictions. DPSST notified Officer Q that his case would be reviewed by the Corrections Policy Committee (CPC) and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. The CPC reviewed the matter and found that Officer Q had engaged in the *Disregard for the Rights of Others* when he operated a motor vehicle while intoxicated and in a manner that disregarded the safety of others which led to his passenger's injuries. Additionally they found that he engaged in *Misconduct* when he engaged in conduct that led to a conviction for Reckless Driving and Reckless Endangerment. The CPC determined as mitigating that Officer Q's convictions occurred approximately nine years ago, and prior to his entry into law enforcement. Also mitigating was his letter to the CPC in which he accepted responsibility for his actions, and his subsequent positive conduct which involved his educational accomplishments. The Board upheld the Policy Committee recommendations NOT to deny Officer Q's training and subsequent certifications. **Officer Q was allowed to attend Basic Training.**

**Officer R** retired while under investigation which revealed that he falsified a subordinate's initials in their employee working file and was then untruthful during the investigation. Additionally Officer R violated agency policy relating to tool and key procedures and fabricated evidence. DPSST notified Officer R that his case would be reviewed by the Corrections Policy Committee (CPC) and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. Officer R voluntarily signed a Stipulated Order. This Order concluded the administrative process and the case was closed. Officer R's misconduct ended his 20-year career.

**Officer R's Basic and Intermediate Corrections certifications were Revoked.**

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**Officer S** resigned while under investigation which revealed that he engaged in a non-work relationship with a female who was a part of an ongoing criminal investigation, and continued to have contact with the female, and to use city-owned equipment to further this relationship after being ordered not to have contact with her. Officer S then mischaracterized his contact with the female to investigators. DPSST notified Officer S 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 S voluntarily signed a Stipulated Order. This Order concluded the administrative process and the case was closed. Officer S's misconduct ended his 14-year career.

**Officer S's Basic, Intermediate, Advanced and Supervisory Police certifications were Revoked.**

**Officer T** received a probationary discharge after an investigation revealed that he had engaged in ongoing sexual harassment, after being counseled against such violations of agency policy. DPSST sought and obtained the underlying investigation that led to Officer T's discharge. Because this was not a "discharge for cause" this matter was sent to the Corrections Policy Committee for review. DPSST notified Officer T that his case would be reviewed by the Corrections Policy Committee (CPC) and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. The CPC reviewed the matter and found that Officer T's misconduct involved Disregard for the Rights of Others; his co-workers had a right not to be harassed in the workplace. The CPC determined that Officer T's conduct involved Misconduct because of the repetitive nature of his actions and Insubordination because he continued his misconduct after being counseled about agency policy violations. The CPC determined as aggravating that in Officer T's letter for their consideration, he minimized his misconduct and blamed others. Also as aggravating was the fact that six years prior Officer T had left his employment after similar misconduct and the break in service did not alter his behavior. The CPC recommended that Officer T's certification be revoked for a minimum period of ineligibility period of 15 years. Officer T was served with a Notice of Intent to Revoke Certifications and he made a timely request for a hearing. Prior to the hearing, Officer T withdrew his request for a hearing. Officer T was issued a Default Final Order. Officer T's misconduct ended his four-year career.

**Officer T's Basic Parole and Probation Certification was Revoked.**

**Officer U** was arrested and subsequently convicted of DUII, Reckless Endangering Another and Reckless Driving. The underlying incident report and judgments were obtained. DPSST notified Officer U that her case would be reviewed by the Police Policy Committee (PPC) and allowed her an opportunity to provide mitigating circumstances for the Committee's consideration. The PPC reviewed the matter and found that Officer U's convictions stemmed from a single event which occurred over four years prior to discovery and several years after Officer U had resigned as a police officer. The PPC determined that Officer U's misconduct involved dishonesty because at one point during her arrest for DUII she misrepresented herself as a police officer. The PPC also determined that Officer U's misconduct involved Gross Misconduct when she operated a motor vehicle while impaired and created a danger to others. As mitigating, however, were the assertions by Officer U that she had obtained alcohol treatment, has remained sober and has not engaged in subsequent criminal activity. Also mitigating was the passage of time since the event. Ultimately the PPC determined that

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Officer U's misconduct did not warrant revocation and recommended the same to the Board. The Board affirmed the PPC's recommendation.

**Officer U's Basic, Intermediate and Advanced Police Certifications were not Revoked.**

**Officer V** was convicted of a discretionary disqualifying crime that had occurred prior to his entry into public safety. DPSST notified Officer V 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. The PPC determined that this matter did not rise to the level to warrant denial of training and subsequent certification. The PPC determined as mitigating that Officer V's conviction occurred approximately three years prior to entering law enforcement. The PPC determined as mitigating that Officer V was honest and forthright with the police and that although the charge of Criminal Trespass with a Weapon initially sounds like a serious event, the facts surrounding the incident involved a group of individuals who inadvertently entered private property for the purpose of shooting clay pigeons. Finally, mitigating factors included that Officer V fully disclosed the incident to his employer and his agency head wrote a letter on Officer V's behalf in support that he be allowed to attend training and receive subsequent certifications. **The Board affirmed the PPC's recommendation not to deny Officer V's basic police training and subsequent certification.**

**Officer W** was convicted of the discretionary disqualifying crime of Contempt of Court. DPSST notified Officer W that his case would be reviewed by the Corrections Policy Committee (CPC) and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. The CPC determined that this matter did not rise to the level to warrant revocation of his currently held certifications and denial of his requested certification. The CPC determined as mitigating that Officer W's conviction occurred approximately four years ago, that he had attended counseling and other court-imposed sanctions, that his and his wife's written appeal to the CPC demonstrated his remorse and how he has remediated his misconduct, specifically his abuse of alcohol. Also the CPC determined as mitigating that the contact that led to the Contempt conviction was initiated by the wife and that the purpose for their meeting was to discuss the children. Finally, mitigating factors included Officer W's ongoing positive work performance.

The CPC unanimously determined that Officer W's conduct does not rise to the level to warrant the revocation of his Basic and Intermediate Corrections certificates and denial of his Advanced Corrections certificate and recommended to the Board the same. **The Board affirmed the CPC's recommendation not to revoke Officer W's Basic and Intermediate Corrections certifications or deny his Advanced certification.**

**Officer X** resigned in lieu of termination from his employer. DPSST notified Officer X that his case would be reviewed by the PPC and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. The PPC determined that Officer X had received progressive discipline by the employer which ultimately led to his resignation in lieu of termination. The PPC determined that it was apparent that Officer X's incompetence was

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a significant factor that rendered him incapable of performing as a police officer; that he simply does not possess the necessary tools to be a police officer. However, this determination does not meet the criteria for lack of moral fitness. The PPC unanimously determined that Officer X's conduct does not rise to the level to warrant the revocation of his Police certifications and recommended to the Board the same.

**The Board affirmed the PPC's recommendation not to revoke Officer X's Basic, Intermediate and Advanced Police certifications.**

**Officer Y** was convicted of Reckless Driving, a discretionary disqualifying crime. DPSST notified Officer Y that his case would be reviewed by the PPC and allowed him an opportunity to provide mitigating circumstances for the Committee's consideration. The PPC determined as mitigating was that Officer Y's conviction occurred approximately eight years prior to entering law enforcement, that he was honest and forthright with the employer; he took responsibility for his actions and that his agency head wrote a letter on his behalf requesting that he be allowed to attend training and receive subsequent certifications. The PPC determined that Officer Y's conduct does not rise to the level to warrant the denial of his Police training and subsequent certification and recommended the same to the Board.

**The Board affirmed the PPC's recommendation not to deny Officer Y's basic police training and his subsequent certification.**

**Officer Z** was convicted of DUIL, a discretionary disqualifying crime. DPSST notified Officer Z that her case would be reviewed by the TPC and allowed her an opportunity to provide mitigating circumstances for the Committee's consideration. The TPC recommended Officer Z's certifications be revoked for a minimum period of ineligibility of five years for a DUIL conviction. As aggravating the TPC found that this was her second offense, and that there was the potential for harm to herself and other when she drove while intoxicated. The TPC forwarded their recommendation to the Board. The Board returned the case to TPC for reconsideration after expressing an interest in determining consistent treatment among policy committees through research. The TPC reconsidered this case, and ultimately determined that Officer Z's certifications not be revoked. As mitigating the TPC determined that Officer Z's misconduct did not involve dishonesty, and that she had taken responsibility for her actions and treatment and had the support from her agency and co-workers to continue as a dispatcher. The TPC forwarded their recommendation to the Board.

**The Board affirmed the TPC's recommendation not to revoke Officer Z's Basic and Intermediate Telecommunications certificates.**

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## Criminal Justice Code of Ethics

As a criminal justice officer,  
my fundamental duty is to serve humankind;  
to safeguard lives and property;  
to protect all persons against deception,  
the weak against oppression or intimidation,  
and the peaceful against violence or disorder;  
and to respect the Constitutional rights of all people to liberty, equality and justice.

I will keep my private life unsullied as an example to all;  
maintain courageous calm in the face of danger, scorn, or ridicule;  
develop self-restraint;  
and be constantly mindful of the welfare of others.

Honest in thought and deed in both my personal and official life,  
I will be exemplary in obeying the laws of the land and the regulations of my department.  
Whatever I see or hear of a confidential nature  
or that is confided to me in my official capacity,  
will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to  
influence my decisions.

Without compromise and with relentlessness,  
I will uphold the laws affecting the duties of my profession courteously  
and appropriately without fear or favor,  
malice or ill will,  
never employing unnecessary force or violence,  
and never accepting gratuities.

I recognize my position as a symbol of public faith,  
and I accept it, as a public trust to be held so long as I am true to the ethics of  
The Criminal Justice System.

I will constantly strive to achieve these objectives and ideals,  
dedicating myself before God to my chosen profession.



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