

OREGON DPSST
ETHICS BULLETIN
Volume No. 89



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 **March 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.

March Statistics

| | | | |
|---------------|------------|---------------------------------|------------|
| Cases Opened | 022 | Of the 025 Cases Closed: | |
| Cases Closed | 025 | Revoked | 012 |
| Cases Pending | 203 | Denied | 000 |
| Reinstated | 000 | No Action | 013 |

Fire Service Professional A was discharged for cause after his conviction of Second Degree Encouraging Child Sex Abuse. 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.

Fire Service Professional A's NFPA Fire Fighter I Certification was Revoked.

Fire Service Professional B was discharged for cause after his conviction of Second Degree Theft and Second Degree Disorderly Conduct. Fire Service Professional B was served with a Notice of Intent to Revoke Certifications. Fire Service Professional B did not make a timely request for a hearing.

Fire Service Professional B's NFPA Vehicle & Machinery Rescue Technician, NFPA Surface Water Rescue Technician, NFPA Fire Fighter I, NFPA Driver, NFPA Pumper Operator, and NFPA Fire Fighter II Certifications were Revoked.

Officer C resigned during an internal investigation that revealed he been arrested in Washington for DUII which resulted in a Negligent Driving in the First Degree conviction and one year later was arrested for DUII which resulted in a Diversion. DPSST notified Officer C 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. Prior to the PPC, Officer C voluntarily signed a Stipulated Order Revoking Certifications. Officer C's misconduct ended his 20-year career.

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

Officer D resigned during an internal investigation that revealed she was untruthful during a criminal investigation and had supplied a cell phone and other contraband to an inmate. Officer D was subsequently convicted of Supplying Contraband. Officer D voluntarily signed a Stipulated Order Revoking Certifications. Officer D's misconduct ended her 13-year career.
Officer D's Basic and Intermediate Corrections Certifications were Revoked.

Officer E resigned from his agency and later was arrested and convicted of Criminal Impersonation of a Police Officer and Physical Harassment. In this case Officer E was involved in a bar disturbance where he flashed a badge, told patrons to remain at the scene and physically restrained a female attempting to leave. DPSST notified Officer E 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 E's misconduct involved Dishonesty, Disregard for the Rights of Others, Gross Misconduct and Misconduct. The PPC determined that Officer E's misconduct rose to the level to warrant a lifetime revocation. Officer E was served with a Notice of Intent to Revoke Certification. Officer E did not make a timely request for a hearing and his certification was revoked by Default. Officer E's misconduct ended his 4-year career.
Officer E's Basic Police Certification was Revoked.

Officer F retired while under investigation which revealed he asked a subordinate to lie on his behalf. DPSST notified Officer F 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 F's misconduct involved Dishonesty, Misuse of Authority, Gross Misconduct and Misconduct. The PPC determined that Officer F's misconduct rose to the level to warrant a lifetime revocation. Officer F was served with a Notice of Intent to Revoke Certification. Officer F did not make a timely request for a hearing and his certifications were revoked by Default. Officer F's misconduct ended his 23-year career.

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

Officer G resigned during an investigation which revealed he had engaged in relationships with known criminals, sent inappropriate photographs which were then distributed in the small community he served, and that he was untruthful about his conduct during the investigation. DPSST notified Officer G 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 G's misconduct involved Dishonesty, Disregard for the Rights of Others, Gross Misconduct, Misconduct and Insubordination. The PPC determined that Officer G's misconduct rose to the level to warrant a lifetime revocation. Officer G was served with a Notice of Intent to Revoke Certification. Officer G did not make a timely request for a hearing and his certifications were revoked by Default. Officer G's misconduct ended his 13-year career.
Officer G's Basic, Intermediate and Advanced Police Certifications were Revoked.

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Officer/Telecommunicator H was discharged for cause after an internal investigation revealed she violated agency policies by conduct that included failing to provide an inmate with a required meal and failure to disseminate critical information that endangered the public and responding officers. Based on the discharge, Officer/Telecommunicator H was issued a Notice of Intent to Revoke Certifications. Officer/Telecommunicator H was later allowed to resign under a Settlement Agreement. DPSST issued a Withdrawal of Notice and Termination of Proceedings based on the discharge, notified Officer/Telecommunicator H that her case would be reviewed by the Telecommunications Policy Committee (TPC) and allowed her an opportunity to provide mitigating circumstances for the Committee's consideration. The TPC reviewed the matter and found that Officer/Telecommunicator H's misconduct involved Dishonesty, Disregard for the Rights of Others, Misuse of Authority, Gross Misconduct, Misconduct and Insubordination. The TPC determined that Officer/Telecommunicator H's misconduct rose to the level to warrant a lifetime revocation. Officer/Telecommunicator H was served with a Notice of Intent to Revoke Certification. Officer/Telecommunicator H did not make a timely request for a hearing and her certifications were revoked by Default. Officer/Telecommunicator H's misconduct ended her 15-year career.

Officer/Telecommunicator H's Basic Corrections, Emergency Medical Dispatcher and Telecommunicator Certifications were Revoked.

Telecommunicator I resigned in lieu of termination after an internal investigation revealed she failed to completely and accurately perform her duties as a dispatcher and the results of her misconduct compromised the safety of police officers in the field. Telecommunicator I was also untruthful with her superiors. DPSST notified Telecommunicator I that her case would be reviewed by the Telecommunication Policy Committee (TPC) and allowed her an opportunity to provide mitigating circumstances for the Committee's consideration. The TPC reviewed the matter and found that Telecommunicator I's misconduct involved Dishonesty, Disregard for the Rights of Others, Gross Misconduct and Misconduct. The TPC determined that Telecommunicator I's misconduct rose to the level to warrant a lifetime revocation. Telecommunicator I was served with a Notice of Intent to Revoke Certification. Telecommunicator I did not make a timely request for a hearing and her certification was revoked by Default. Telecommunicator I's misconduct ended her 3-year career.

Telecommunicator I's Basic Telecommunicator Certification was Revoked.

Officer J resigned during an internal investigation which revealed he violated agency policies by sending numerous inappropriate emails using the agency computer system, while on duty and continued to contact an individual after being asked not to. DPSST notified Officer J 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 J's misconduct involved Dishonesty, Disregard for the Rights of Others, Misuse of Authority, Gross Misconduct and Misconduct. The CPC determined as aggravating that Officer J had already come before the CPC on a Public Indecency conviction and they had given him a second chance by recommending not to revoke his certification at that time. In the current case, Officer J lied to the CPC regarding the outcome of the current investigation. The CPC determined that Officer J's misconduct rose to the level to warrant a lifetime revocation. Officer J was served with a Notice of Intent to Revoke Certification. Officer J did not make a timely request for a hearing and his certifications were revoked by Default. Officer J's misconduct ended his 10-year career.

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

Officer K resigned in lieu of termination after an internal investigation revealed she had an inappropriate relationship with an inmate, used an assumed name to communicate with the inmate and falsely accused another inmate of misconduct because of his knowledge of her inappropriate relationship. DPSST notified Officer K 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 K's misconduct involved Dishonesty, Disregard for the Rights of Others, Misuse of Authority, Gross Misconduct, Misconduct and Insubordination. The CPC determined Officer K's misconduct rose to the level to warrant a lifetime revocation. Officer K was served with a Notice of Intent to Revoke Certification. Officer K did not make a timely request for a hearing and her certification was revoked by Default. Officer K's misconduct ended her 3-year career.

Officer K's Basic Corrections Certification was Revoked.

Telecommunicator L's case was cited in the Ethics Bulletin, Case 86-A. This case involved a resignation in lieu of termination which was heard before the Telecommunications Policy Committee (TPC). The resignation was a result of an investigation that revealed that Telecommunicator L had been untruthful during an internal investigation regarding her conduct on a social website in which she linked her position with the comments. The TPC determined that Telecommunicator L's misconduct rose to the level to warrant revocation and recommended a seven year minimum period of ineligibility to reapply for re-consideration for certification. When the Board reviewed the TPC's recommendation, they expressed concern that the length of ineligibility was inconsistent with the other Committees when dishonesty was involved; the Board returned the case to the TPC for reconsideration. The TPC reconsidered the case and ultimately determined that Telecommunicator L's misconduct warranted a Lifetime revocation; she had repeated instances of untruthfulness and she was a supervisor therefore was held to a higher standard. Telecommunicator L was served with a Notice of Intent to Revoke Certification. Telecommunicator L did not make a timely request for a hearing and her certifications were revoked by Default. Telecommunicator L's misconduct ended her 1-year career.

Telecommunicator L's Basic Telecommunication and Emergency Medical Dispatcher Certifications were Revoked.