

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 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 **January, 2015**.

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	17	Of the 27 Cases Closed:	
Cases Closed	27	Revoked	5
Cases Pending	130	Denied	0
Reinstated	0	No Action	22

Telecommunicator A was discharged for cause after an internal investigation into allegations that she made false and malicious claims about a fellow employee, and falsified an e-mail purportedly from that employee. Prior to DPSST initiating formal proceedings, Telecommunicator A, although denying the allegations, chose to sign a Stipulation Voluntarily Relinquishing Certifications, which permanently revoked her certifications. Telecommunicator A's misconduct ended her 21-year career.

Telecommunicator A's Basic Emergency Medical Dispatcher certification and Basic Police certification are Revoked.

Officer B was convicted of an out-of-state domestic violence assault, which required DPSST to revoke his certifications. DPSST served Officer B with a Notice of Intent to Revoke, and he timely requested a hearing. Prior to the hearing date, DPSST filed a Motion for Summary Determination, alleging that there were no material facts in dispute. Officer B did not file a response to the motion. The Administrative Law Judge granted DPSST's motion and issued a Proposed Order upholding the revocation. Officer B did not file exceptions to the Proposed Order, and DPSST issued a Final Order revoking Officer B's certifications. Officer B's misconduct ended his 23-year career.

Officer B's Basic and Intermediate Corrections certifications are Revoked.

Officer C, who had not been employed in public safety in Oregon for many years, was convicted of Assault IV in a domestic violence case, a mandatory disqualifying crime.

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DPSST served Officer C with a Notice of Intent to Revoke, and he failed to make a request for a hearing. Officer C's certification was revoked by default.

Officer C's Basic Police certification is Revoked.

Officer D submitted an application for training on which he acknowledged a conviction for DUll 10 years prior, and a conviction for DUll in 1999, outside of the time frame for DPSST review. Both convictions occurred well before Officer D's entry into the public safety profession. DPSST notified Officer D that his case would be reviewed by the Corrections Policy Committee (CPC) and gave him the opportunity to provide mitigating circumstances for the Committee's consideration, which he did. The CPC determined that Officer D's conduct constituted Misconduct and Gross Misconduct under DPSST rules, but did not rise to the level to warrant denial of his application for training. The CPC found as mitigating circumstances the 10 years since the relevant DUll conviction, and that Officer D had been forthcoming about his conduct. The Board affirmed the CPC's recommendation.

Officer D's application for training was approved.

Officer E resigned during an internal investigation into allegations of sleeping on duty, falsifying time cards, and lying about directives from the Chief regarding the practice of sleeping on duty and about shift-change briefings. DPSST notified Officer E that his case would be reviewed by the Police Policy Committee (PPC) and gave him the opportunity to provide mitigating circumstances for the Committee's consideration, which he did. The PPC determined that of Officer E's conduct, the only category that rose to the level to warrant revocation of his certifications was Gross Misconduct, for sleeping on duty, with a five-year period of ineligibility to reapply for certification. DPSST served Officer E with a Notice of Intent to Revoke, and he timely requested a hearing. Prior to hearing, DPSST submitted a Motion for Summary Determination, arguing that there were no material facts at issue and that DPSST should prevail as a matter of law. The Administrative Law Judge ruled in favor of Officer E, stating that the question of whether he was allowed to sleep on duty under the previous administration, and exactly when the new administration changed the policy were material facts at issue. Based on the ALJ's ruling, DPSST withdrew its Notice of Intent to Revoke and returned the case to the PPC for reconsideration, solely on the issue of Gross Misconduct. On reviewing the case again, the PPC determined that Officer E's conduct did constitute Gross Misconduct, but they agreed with staff's analysis that based on the ALJ's ruling, it would not be possible to prove the case by a preponderance of the evidence. The PPC recommended to the Board that Officer E's certifications not be revoked. The Board affirmed the Committee's recommendation.

Officer E's Basic and Intermediate certifications remain in good standing.

Officer F resigned in lieu of termination after several internal affairs investigations revealed sustained allegations of sexual harassment and failing to follow policies and procedures related to child abuse cases. Officer F was notified that his case would be reviewed by the Police Policy Committee (PPC) and gave him the opportunity to provide mitigating circumstances for the committee's consideration. Prior to PPC review Officer F chose to Voluntarily Relinquish his certifications.

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

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

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Officer G was hired as a corrections officer and applied for training. Officer G acknowledged a conviction of Unauthorized Use of a Motor Vehicle in 2008. This conviction occurred well before Officer G's entry into the public safety profession. DPSST notified Officer G that his case would be reviewed by the Corrections Policy Committee (CPC) and gave him the opportunity to provide mitigating circumstances for the Committee's consideration, which he did. The CPC determined that Officer G's conduct constituted Misconduct under DPSST rules, but did not rise to the level to warrant denial of his application for training. The Board affirmed the CPC's recommendation.

Officer G's application for training was approved.

Officer H resigned in lieu of termination after an internal investigation sustained violations of agency policies related to professional conduct and conformance with laws, rules and orders. Officer H had repeatedly engaged in heated disputes with two former wives, as well as the new husband of one of the former wives. These disputes occurred while off duty, and Officer H had been specifically ordered to stop the conduct. After the order he continued, including a public confrontation with the husband when they challenged each other to a fight. Officer H also made inappropriate contact with jurors prior to a criminal trial in which he was a witness. Prior to DPSST initiating formal proceedings, Officer H chose to sign a Stipulation Voluntarily Relinquishing Certification, which permanently revoked his certification. Officer H's conduct ended his 23-year career.

Officer H's Basic Police certification is Revoked.

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