



Oregon

Kate Brown, Governor

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TO: Joint Committee on Transparent Policing and Use of Force Reform
Co-Chair Senator James Manning Jr.
Co-Chair Representative Janelle Bynum
Senator Lew Frederick
Senator Bill Hansell
Senator Dallas Heard
Senator Floyd Prozanski
Senator Kathleen Taylor
Senator Kim Thatcher
Representative Alissa Keny-Guyer
Representative Akasha Lawrence Spence
Representative Rick Lewis
Representative Ron Noble

FROM: Eriks Gabliks, Director

SUBJECT: DPSST Police Certification and Training Update

The Oregon Department of Public Safety Standards and Training (DPSST) serves two important roles in our state's criminal justice system. The first establishing standards for training and certification. The second, providing a comprehensive basic training program for all newly hired law enforcement professionals, supporting professional development by offering advanced and leadership training opportunities. DPSST accomplishes its work in partnership with the 24-member Board on Public Safety Standards and Training (BPSST or Board) which is made-up various public safety stakeholders including a district attorney, elected fire district director, city manager and a citizen member.

Professional Standards

DPSST certifies/licenses police officers, corrections officers, parole and probation officers, regulatory specialists (OLCC), telecommunicators (9-1-1), emergency medical dispatchers, criminal justice instructors, private security providers, private investigators and polygraph examiners in the State of Oregon. DPSST is also responsible for determining candidates eligibility to run for office of Sheriff, authorizing federal officers to make arrests pursuant to Oregon Revised Statute (ORS) 133.245.

The Professional Standards Division at DPSST works on an on-going basis with the BPSST which has the legislative mandate to establish and enforce minimum standards for more than 42,000 constituents around the state. The constituents include law enforcement, corrections and parole and probation officers; career and volunteer fire service professionals; private security officers; private investigators; telecommunicators and emergency medical dispatchers. Oregon Revised Statute and Oregon Administrative Rule govern our work and also define the procedure for the Department and Board to use

when denying or revoking certification of an individual who has fallen below the minimum standards. These procedures comply with the Administrative Procedures Act as required by Oregon Revised Statute.

On an annual basis DPSST reviews more than 300 professional standards cases involving officers who have engaged in criminal activity, officers who have been separated from their employment and officers who have been the subject of a complaint received by DPSST. Approximately 40 public safety officers lose their professional certification on an annual basis in Oregon. DPSST is a regulatory agency that works to ensure officer accountability in consultation with their employers. Under our blended (employer/regulatory board) system, local agencies retain the primary responsibility for their employees. If an employer investigation into officer misconduct leads to termination DPSST will review the case to determine if the conduct rises to the level where certification should be revoked, preventing that officer from being able to become re-employed in a public safety capacity. DPSST looks at all cases in which the officer is charged with a crime. The Board has designated the conviction of some crimes (felonies, domestic violence, sex offenses, drug offenses, est.) and discharges for cause as events that require immediate and permanent revocation of certifications. Officers who are alleged to have engaged in any other criminal act, or committed a moral fitness violation, such as untruthfulness, have their cases reviewed by a discipline-specific policy committee. The recommendations of a Policy Committee are sent to a 24-member Board, the members of which are appointed by the Governor and confirmed by the Senate, for approval. For cases that move forward to revocation, DPSST staff works with the Oregon Department of Justice (DOJ) and the Office of Administrative Hearings (OAH) to ensure those facing decertification are treated professionally with due process and in accordance with state laws.

DPSST has worked, and continues to work proactively, to improve our system of public safety accountability and increase the transparency of the decisions being made in partnership with our policy committees, Board, and stakeholders. We have shared these changes with the legislature during various updates we have provided along with our budget presentations. To increase the public's awareness, and to embrace transparency of both Department and Board activities. All policy committee and Board meetings are live-streamed on DPSST's Facebook page.

Criminal Justice Training

DPSST's coordinates and facilitates six basic criminal justice training programs for the state - basic police, basic corrections, basic parole and probation, basic telecommunicators (9-1-1), basic emergency medical dispatch and basic regulatory specialist. DPSST also provides middle-management, supervisory and leadership training for criminal justice professionals, develops curriculum and training scenarios, validates and evaluates curriculum and training scenarios, and runs the operations and scheduling of the academy, training venues and dorms. DPSST's Training Division is responsible to carry-out this work with an overall mission to enhance the professionalism, skills and knowledge of Oregon's criminal justice officers and managers through the provision of high-quality basic and advanced training. The Training Division works in concert with BPSST's Police Policy, Corrections Policy and

Telecommunications Policy committees to identify training needs and redevelop training curricula and outcomes. All city, county, state, tribal and university police officers in Oregon attend basic training offered at the Oregon Public Safety Academy.

Specific to basic training, DPSST continues to work with stakeholders and community members to review and update Oregon's 16-week Basic Police training course that all newly hired officers attend. The updated Basic Police course includes new topics such as emotional intelligence, implicit bias, community competency, evidenced-based policing, police legitimacy and transparency, and many others. The campus venues and updated curriculum also embrace scenario based training more than we ever have before where we focus on developing the problem solving and communication skills of new officers.

Attached please find an overview of the current 16-week Basic Police training course offered by DPSST. This document, originally used to propose changes to the Board, captures the "story" of our latest revision efforts which began in 2017. The program described within, and all of its components, is required for all new police officers from state, city, county, tribal and university departments. It is important to note that Oregon has a mandatory field training program that each newly hired officer is required to complete with their employing agency before they can request certification as a police officer in Oregon.

Specifically, revisions to topics related to bias were part of the very first phase of changes, which we implemented in February 2018. These changes included adding six hours of training on implicit bias; a synopsis of that training can be found on pg. 28. That's not to say we weren't addressing the topic before then. Our curricula has contained training on equity, diversity and inclusion for many years. However in 2018 we took a much more holistic approach than just adding a class to address the importance of public trust, community relations and the prevention of bias. In the 2018 revision we developed over 40 hours of coursework focused on self-awareness and accountability, cultural competence, interpersonal communication and procedural justice. The way we teach these and other topics has also changed. Rather than lecturing, we developed interactive, dialogue- and activity-based coursework that requires students to discuss and reflect on multiple perspectives related to current events and personal experiences.

In the 2019 revision these concepts were then consistently intertwined and reinforced throughout the remainder of training whether the topic was use of force, criminal law, or tactical skills. Additionally, nearly every week students now participate in scenario-based exercises that require them to practice their interaction and/or intervention skills with a variety of different people from the community. Each week's scenarios draw upon the lessons learned previously in our classroom and skills venues, including scenarios specifically focused on avoiding biased policing. Students also receive guidance and feedback from qualified instructors following these activities.

DPSST has contracted with Washington State University researchers to assess the impact of our revisions. A description of this evaluation begins on pg. 15 of the attachment. We are pleased to see in our preliminary results (which now include the assessment of nearly 1,000 student interactions) that students receiving our revised training appear to be much more likely to generate a positive outcome to a tense encounter by applying learned skills related to emotional intelligence, de-escalation and procedural justice.

Some other items to note. DPSST is in the process of updating both the supervision and middle management classes. While these classes already address organizational culture, ethics, and police legitimacy, the goal is to have leadership personnel from agencies around the state exposed further to community-oriented and research-informed strategies for contemporary policing issues as part of the updated curriculum for both programs.

Additionally, DPSST has been tasked by the Oregon Legislature with developing training and providing technical assistance to local law enforcement as part of the Statistical Transparency of Policing (STOP) Program created under House Bill 2355, which was passed by the Oregon Legislative Assembly in 2017 to ensure fair and impartial policing practices statewide.

While much has been done, much is still to be done. During my years at DPSST it has become evident that while Oregon law enforcement personnel know what DPSST does, very few elected officials and community leaders do. To address this lack of awareness we have created and implemented the DPSST Elected Officials and Community Leaders Academy. This program allows us to proactively share our work in both the professional standards and training arenas with elected officials and community leaders around the State, and to offer a tour of the Academy. One of the key elements of these sessions is an explanation of the mission and role of DPSST with respect to training and accountability, and how they interact with the roles of agencies that employ public safety professionals and the elected officials that oversee them to ensure that the public can trust that the men and women who choose to wear a badge in Oregon remain capable, competent and above reproach.

In closing I would be remiss if I didn't include that DPSST was invited to provide testimony to President Obama's 21st Century Policing Task Force a number of years ago during which time we shared the work we were doing at the Academy. DPSST was also invited to provide testimony last month to the Presidential Commission on Law Enforcement and the Administration of Justice. As you will see from the above update, Oregon law enforcement professionals working collaboratively