



DPSST Newsletter

December 2015

Department of Public Safety Standards & Training, 4190 Aumsville Hwy SE
Salem, OR 97317

Legal Corner

By Lorraine Anglemier

For this final installment of Legal Corner for 2015, I am going to keep it short and sweet. In the final quarter of 2014, I focused on issues regarding search and seizure and officer “trespass,” as well as questions relating to the “curtilage” of a residence. I continue to find much to talk about in the realm of search and seizure, as it relates to officers needing to be legally sound when they approach a residence to make contact. Recently, I read a case that provided a very comprehensive discussion on this topic. I thought it would be helpful to share it in its entirety. The following passage is drawn from the Oregon Court of Appeals’ opinion in *State v. Sanchez*, 273 Or App 778 (2015).

“It is well established that Article I, section 9, does not permit a police officer to look through a window, absent a warrant or an exception to the warrant requirement, when the officer does so from an unlawful vantage point. *Fortmeyer*, 178 Or App at 489, 491-92; see *State v. Portrey*, 134 Or App 460, 464, 896 P2d 7 (1995). It also is well established that Article I, section 9, does not permit a police officer to look through a window, absent a warrant or an exception to the warrant requirement, when the officer does so in a manner that is contrary to “social and legal norms of behavior” (by, for example, moving a curtain aside). *Fortmeyer*, 178 Or App at 491-92. And it is well established that Article I, section 9, does not permit a police officer to order a citizen from the privacy of a home, absent a warrant or an exception to the warrant requirement. *Fair*, 353 Or 588, 600-02; *Dahl*, 323 Or 199, 206-08.”

In this case, defendant was sought for investigation of a hit and run. The officer had tried knocking on defendant’s front door for a “minute and a half to two minutes.” No one answered the door. The officer’s subsequent entry into defendant’s gated and fenced back yard was described by the Court as “just the first in a sequence of violations of defendant’s Article I, section 9, rights.” The officer then peered into defendant’s windows with his flashlight from his “unlawful vantage point in the backyard.” When he reached an open window with a curtain, he pushed the curtain aside and saw defendant and a man in bed, and announced he was an officer. The Court observed that this “unlawful scrutiny” resulted in discovery of the defendant, who was ordered out of her house, in violation of Article I, section 9. The officer then made observations leading him to conclude defendant was also DUII at the time of her hit and run. Those observations were ultimately suppressed.

Questions? As always, feel free to contact me at lorraine.anglemier@state.or.us

Center for Policing Excellence Section

By Captain Ryan Keck

Seasons Greetings!

Like all the Training Division sections, CPE has been rockin' and rollin' this fall with trainings related to leadership and research-informed decision making. This quarter, over sixty new public safety supervisors and managers will graduate from our primary leadership academies in Salem (SLA and OLM), and another thirteen are engaged in the intensive IPSLEI Leadership Development program being held bi-weekly in Central Point.

CPE also co-sponsored the 25th Annual Problem-Oriented Policing Conference in Portland this fall, which brought policing professionals from around the globe together to learn about evidence-based efforts to reduce specific crime problems affecting the US and UK. That same week CPE and its partners also held the inaugural Oregon POP Conference, which showcased proactive strategies from Oregon's police agencies that have been successful in addressing crime and community livability.

Speaking of showcasing success, in December the Oregon Knowledge Bank (OKB), a collaborative project between CPE and the Oregon Criminal Justice Commission, was launched. This unique website is a resource created for and by the public safety community in Oregon, which focuses on local examples of innovative policing, corrections and community supervision programs, as well as research conducted on criminal justice initiatives in our state. Check it out at OregonKnowledgeBank.org for new ideas related to nuisance abatement, persons with mental illness, and more.

Finally, we are excited to welcome a new face to CPE. Kevin Rau has been hired as our first Crisis Intervention Training (CIT) Coordinator, a position created by the Legislature last session to address the growing need for public safety training and resources related to incidents involving persons with mental illness. Kevin comes to us with not only a wealth of experience in police and corrections, but also in collaborating with community and public safety partners to develop innovative outreach and response teams in Marion County.

With that, we at CPE truly appreciate each of you as instructors and/or partners, and wish you a safe, happy holiday and new year.

Academy Training Section

By Captain Roger Eaton

The fourth quarter of the year has traditionally marked a very busy season for Academy Training and this year has been no exception. We graduated Basic Police (BP) 351 in October and started BP 353 in September, BP 354 in October and BP 355 in November. We have started Basic Corrections Local 20 in October and graduated them in November. We have started Basic Parole and Probation 70 in September and graduated them in October. We have started Basic Parole and Probation Firearms 24 in October and finished in November. We have started and graduated Basic Telecommunications 96 in November. We have completed Emergency Medical Dispatch 58 in November. We have started Police Career Officer Development (PCOD) 55 in October and graduated them in November.

Basic Police 352 starts Patrol Week on December 7th and graduates on December 11th. With increased hiring by Law Enforcement Agencies around the State, it is evident that the number of classes we budgeted for was insufficient. (Budget for 13 BP and 5 BCL in the two year budget cycle) DPSST Leadership is requesting the funding of four additional Basic Police Classes and two Basic Corrections classes. Ultimately the legislature in the short session held February next year will have to approve the funding of these classes.

We are actively recruiting for a Basic Police Coordinator to fill the position left by Sgt. Lisa Trimble. Lisa has voluntarily stepped down to become a half time instructor in Academy Training. Lt. George Dominy has been working as a temporary full time coordinator to coordinate BP 354.

Thank you for your spirited support of the Academy Training Section during this very busy time. We wish you and your families the very best during this holiday season.

Merry Christmas...Roger

Tactical & Regional Training Section

By Captain Teresa Plummer

Tactical:

New Roleplayers to help fill vacancies

Recently, DPSST entered into an agreement with Chemeketa Community College to utilize Criminal Justice students as role players in the village. With the help of Lt. Steve Westerberg, Lt. Vince Wan and Criminal Justice Dean, Marshall Roach, all of the students went through a safety briefing and learned about the expectations of being a part of the Basic Police training.

There are approximately 65 students of various ethnic backgrounds and about 1/3 of them speak more than one language. In exchange for their time at the academy, students will receive credit towards their criminal justice degrees. We look forward to seeing their faces out here during the next patrol week.

Tactical APT positions

Through the efforts of Lt. Brandon Herring, we recently interviewed several candidates for APT's in the Tactical area. Three candidates were successful in the process and will be moved to background. We look forward to the contributions of these candidates and the benefit of their knowledge for our students.

Venue Safety

Please continue to maintain your vigilance when going through the safety portal as you enter the training venue. Although it can feel like a cumbersome routine, the integrity of our weapon free zone is extremely important for the safety of our students and fellow instructors and staff. Help each other out as you enter the portal by physically checking and making verbal inquiries about items on your person or in bags or lunch boxes; or if you are by yourself, make sure you physically check rather than just performing a mental acknowledgement. Thanks for your help and continued support with this.

Regional Training:

Our regional training program is now fully staffed. When Lt. Corbin Lantz moved over to the Tactical Section, we had to replace the Willamette Valley and NW Oregon Coordinator. After a very competitive process, Sgt. Tim Ragan was chosen to fill the role. Tim came to us from Independence PD and has extensive training and a background in firearms, active shooter, MILO and building search classes. Tim is already busy scheduling classes and assisting the other regional coordinators with training around the state. We look forward to having Tim on board and meeting with all of you.

Survival Skills Section

By Captain Gary Ninman

Happy Holidays all. The main topic that I wanted to share with you this month revolves around the staffing in the Skills Training Section staffing. In case you have not already heard, Scott Willadsen was selected to be the new Con-Sim/DT Coordinator within the section. Scott has worked at DPSST in various capacities since 1999, to include part-time and full time employment. In recent years, he has been instrumental in the continued development of the "D" building programs such as Con-Sim, Use of Force and Defensive Tactics to ensure that we are training to the profession's best practices, highest standards and accepted science. Scott recently completed a very rigorous, multi-month training program through Force Science Institute. This required Scott to conduct copious amounts of research, reading, writing of papers and to collaborate with national partners. He graduated the program in late November, with the final class being held in Chicago. Scott backfilled the position previously held by Rich Daniel, who has been promoted to Fire Training Section Manager. We wish Rich Daniel well in his promotion. With this promotion, Scott now holds the rank of Sergeant.

In mid-October, we received approval to hire two new PSTS#1, full-time trainers within the Skills section. As you can imagine, this news was welcomed by all those involved. We have begun a hiring process for those two positions, along with one position to replace Scott's vacated position. The Skills team, led by Sgt. Ben Ward, has worked very hard on developing a comprehensive assessment process to ensure that DPSST hires the best possible candidate(s) to help fulfill our mission within the section and the agency. The assessment date for those positions has been set for December 17th 2015.

The firearms workgroup has been progressing nicely with the firearms curriculum revamp. With the nation's attention captivated on officer involved use of force, primarily involving firearms, there has been no lack of discussion at the workgroup table on how to be proactive in our approach to training. The passion and collaborative engagement of the group has been nothing short of amazing. The next WG meeting will be held on Dec 13th 2015.

DPSST will host the first of three NRA instructor level courses for this biennium in January with two more to follow in the coming year. Lt. Mark Fortner will be leading that coordination effort. We will also be hosting a two day, advanced ground fighting course and IDC this month.

On behalf of the entire Skills Training section, we wish you a happy and healthy holiday season.

Take care all...Gary

Fire Training Section Update

By Rich Daniel

2016 Winter Fire School (WFS) February 20th and 21st.

Once again, it's the time of year to prepare for Winter Fire School. This is the largest assembly of fire service professionals to visit DPSST annually. There will be approximately 350 fire service professionals on campus who will attend National Fire Academy classes, DPSST Fire Training "Live Fire Hands on" course utilizing the Propane Fired Vehicle Prop and Burn Tower. This course will emphasize fire fighter safety and effective teamwork as well as basic fire stream and fire hose utilization. Lastly there are courses focused on the role of a Chief Officer and Training Program Manager.

Winter Fire School Reminders:

1. *There is no fee for this training.*
2. *The deadline to schedule dorm rooms at DPSST is January 1st.*
3. *Meals provided (breakfast and lunch).*

Registration:

<http://www.oregon.gov/dpsst/FT/docs/WFS2016.pdf>

WFS Courses:

1. Decision Making for Initial Company Operations (F0457): Is designed to develop the decision making skills needed by Company Officers (COs) to accomplish assigned tactics at structure fires.

****Meets some of the requirements for NFPA 1021 and Fire Ground Leader.***

2. Preparation for Initial Company Operations (F0458): This course is designed to develop a better understanding of the roles and responsibilities of a Company Officer in preparing their company for incident operations.

****Meets some of the requirements for NFPA 1021 and Fire Ground Leader.***

3. Strategy and Tactics for Initial Company Operations (F0455): Students completing this course will be able to explain the purpose and the use of the Communications Model and the Quick Access Prefer Plan (QAP) in tactical operations at fire incidents.

****Meets some of the requirements for NFPA 1021 and Fire Ground Leader.***

4. Leadership III for Fire & EMS Strategies for Supervisory Success (F0805): This 2-day course provides the company officer with the basic leadership skills and tools to perform effectively in the fire service environment.

****Meets some of the requirements for NFPA 1021 and Fire Ground Leader.***

5. Health and Safety Officer (F0730): This course examines the Health and Safety Officer's role in identifying, evaluating, and implementing policies and procedures that affect health and safety aspects for emergency responders.

****Meets some of the requirements for NFPA 1021 and Fire Ground Leader.***

6. Incident Safety Officer (F0729): This 2-day course examines the Safety Officer's role at emergency responses.

****Meets some of the requirements for NFPA 1021 and Fire Ground Leader.***

7. Training Operations in Small Departments (F0290): This 2-day course is designed to provide students with some basic tools and skills to coordinate training in a small fire/EMS organization.

****This is a topical course and will meet the requirements for NFPA 1021 for Maintenance Re-Certification training hours.***

8. Vehicle Extrication: Practical evolutions consist of six different stations to include Incident Command; Airbags; Buttress Stabilization; Hydraulic Tool Use; Pneumatic, Electrical and Hand Tools Use; and Initial Stabilization.

***Meets requirements for both NFPA 1001 and 1670.**

9. Chief's Toolbox Modules 1, 2 and 3

Module #1: Chief's Concerns: This module looks at what it takes to begin the journey of being a chief officer.

Module #2: Governance-Expectations-Current Assessment: Through discussion, this module identifies the ways in which a fire department may be organized, what are the roles, responsibilities and expectations of leadership.

Module #3: Legal Aspects: This module presents an opportunity to learn the basics regarding laws, rules and regulations that affect the fire service.

10. Live Fire Hands on Training: (16 hours) Winter Fire School 2016 will include the addition of a 16 hour Live Fire, Hands on Training Class. Live Fire Training will utilize the Propane Fired Vehicle Prop and Burn Tower located at the academy.

Fire Training Video links

DPSST Skid Avoidance for Fire Apparatus Drivers program (SAFAD) is a skid driving program similar to that used by the law enforcement community. The difference between the law enforcement training and that of the fire service is that we use a 33,000 pound crew cab truck instead of a sedan. The F-650 is configured with a tire rack for carrying extra tires, a fifth wheel for pulling the trailer with all the necessary equipment, and a special customized side compartment for the hydraulic pump (used with the skid frames).

<https://vimeo.com/132496645>

Our Vehicle Fire and Flammable Liquid and Gas live fire props are a staple of training offered by our Regional Training Coordinators all over the state. Take advantage of this free training and contact your Regional Coordinator to schedule. Click the link below to watch footage from training provided to Astoria Fire Department. Thanks to Chief Paul Gascoigne for the use of his training location and hospitality.

<https://vimeo.com/131269988>

Winter driving tips from Skid Avoidance for Fire Apparatus Drivers lead instructor Lt. Doug Bolthouse:

<https://vimeo.com/143538323>

Operation Smokey video:

<https://vimeo.com/139052375>

It is the mission of the Fire Training Program to deliver exceptional training to the Oregon Fire Service and assist with your training needs. If there is a specific training need that DPSST can assist with please contact your local Regional Fire Trainer or Fire Training Supervisor Rich Daniel, at 503-373-0394 or by email at rich.daniel@state.or.us