

Board on Public Safety Standards and Training
Minutes
July 23, 2015

The Board on Public Safety Standards and Training held a regular meeting on Thursday, July 23, 2015, in the Boardroom at the Oregon Public Safety Academy in Salem, Oregon. Chair Kent Barker called the meeting to order at 9:00 a.m.

Board members present:

Kent Barker, Chair, Oregon Association Chiefs of Police
Brian Burger, AFSCME Representative, DOC
Rich Evans, Superintendent, Oregon State Police
Alex Gardner, Oregon District Attorneys' Association
Bill Geiger, Private Security Industry (teleconference)
David Jones, Oregon Fire District Directors' Association
Greg Marlar, Oregon Fire Chiefs Association
Jason Myers, Oregon State Sheriffs' Association
Larry O'Dea, Chief, Portland Police Bureau
Patricia Patrick-Joling, Public Citizen Member
Joseph Siebert, Oregon State Fire Fighters Council
James Walker, Oregon State Fire Marshal
Michael Wells, Non-Management Law Enforcement
Mathew Workman, Oregon Association Chiefs of Police (teleconference)

Board Members Absent:

Jacque Betz, League of Oregon Cities
Greg Bretzing, FBI Special Agent in Charge
Paul Castleberry, Private Security Industry
Erin Janssens, Chief, Portland Fire & Rescue
Colette Peters, Director, Department of Corrections
Scott Stanton, Vice-Chair, Oregon Volunteer Firefighters Association
Vacant, Non-Management Parole and Probation
Vacant, Non-Management Law Enforcement
Vacant, Public Safety Telecommunicators
Vacant, Oregon State Sheriffs' Association

Guests:

Nadine Purington, Parole & Probation Officer, Multnomah County
Theresa Parker, Oregon Liquor Control Commission
Scott Dillon, Police Policy Committee member

DPSST Staff:

Eriks Gabliks, Director
Linsay Hale, Professional Standards Division Director
Leon Colas, Professional Standards Investigator and Coordinator
Sharon Huck, Rules & Compliance Coordinator

Kristen Hibberds, Professional Standards Investigator and Coordinator
Todd Anderson, Training Division Director
Sara Tribbey, Training Evaluation Coordinator
Monica Walker, PS/PI Operations Supervisor
Tammera Hinshaw, Executive Assistant to the Director and Board

Chair's Report and Administrative Announcements

“This is a public meeting, subject to the public meeting laws and it will be tape recorded.”

1. CONSENT AGENDA (The following items to be ratified by one vote)

A. Minutes

Approve minutes from the April 23, 2015 meeting.

B. Removed from consent agenda for further discussion – See below

C. OAR 259-008-0010 – Proposed Rule Change

Physical Standards Review, For F2, and Physical Standard Waivers Process Changes

D. OAR 259-008-0011 – Proposed Rule Change

Physical Standards Review, Form F2-T and Physical Standard Waivers Process Changes

E. Jarred Morgan – Request for Medical Waiver – Possible Executive Session

F. Marcus Krieg DPSST#54792 – Not Deny Application for Training

Unanimous vote to recommend to the Board by CPC on May 12, 2015.

G. Jason Terkelson DPSST#55126 – Deny Application for Training

Unanimous vote to recommend to the Board by CPC on May 12, 2015.

H. Joseph Murdock DPSST#54905 – Not Deny Application for Training

Unanimous vote to recommend to the Board by CPC on May 12, 2015.

I. Derrick Diebel DPSST#49646 – Not Revoke

Unanimous vote to recommend to the Board by CPC on May 12, 2015.

J. Brent Peterson DPSST#49647 – Revocation

Unanimous vote to recommend to the Board by CPC on May 12, 2015.

K. James Escobar DPSST#51843 – Revocation

Unanimous vote to recommend to the Board by PPC on May 21, 2015.

L. Brian Cunningham DPSST#54866 – Not Deny

Unanimous vote to recommend to the Board by TPC on May 6, 2015.

M. Joseph Hernandez PSID#51239 – Approve Civil Penalty

Unanimous vote to recommend to the Board by PS/IPC on May 19, 2015.

N. 2015 Police Job Task Analysis – Approve

Unanimous vote to recommend to the Board by PPC on May 21, 2015.

O. OAR 250-008-0250 – Proposed Rule Change – Information Only

Certification of Oregon Liquor Enforcement Inspectors

P. Committee Appointments

Polygraph Licensing Advisory Committee

- Rebecca Martin – Reappointment

Three additional policy committee members were approved during the Director’s Report.

Patricia Patrick-Joling moved to approve the consent agenda. Greg Marlar seconded the motion. The motion carried with a unanimous vote.

B. OAR 259-060-0010 et al – Proposed Rule Change – Crowd Management

Bill Geiger explained that some of the language in the proposed rule change didn’t fit, so it is being returned to the committee for further work.

2. OLCC Curriculum Approval – Sara Tribbey

Sara reviewed the curriculum that was co-developed with OLCC and has been approved by the Police Policy Committee. The curriculum was built from the ground up as part of a module for OLCC Enforcement Agent/Inspector training. It will be a Basic four-week class with the first class taking place, hopefully, in November. Marijuana will be incorporated into the training when rules are put into place by OLCC, which is expected in nine months to a year. Chair Barker thanked everyone involved for their outstanding work on the project.

Brian Burger moved to accept the curriculum as written. Patricia Patrick-Joling seconded the motion. The motion carried with a unanimous vote.

3. Director's Report - Director Gabliks

Board Vacancies

Sheriff Larry Blanton – Sheriff Brian Wolfe was nominated by OSSA to take his place on the Board.

Lisa Settell – Nadine Purington was nominated by the Federation of Parole and Probation Officers to take Lisa’s position.

Toni Sexton – Kelly Dutra was nominated by Oregon APCO-NENA to take Toni’s place on the Board.

Glenn Scruggs – We are working with labor organizations to find a replacement for Glenn.

Alex Gardner – Second term ending 6/30/15.

Policy Committee Approvals and Renewals

Sheriff Pat Garrett to take the place of Sheriff Brian Wolfe on the Police Policy Committee

George Long to replace Pam Brost as 9-1-1 Manager on Telecommunications Policy Committee

Justin Hardwick from Oregon EMS for second term on Telecommunications Policy Committee

Patricia Patrick-Joling moved to approve the policy committee changes. Larry O’Dea seconded the motion. The motion carried with a unanimous vote.

Budget 2015-2017: Senate Bill 5534

- No Reductions Taken
- Current Service Level
- Approved Policy Option Package 101: Mental Health (2 FTE)
- Approved acceptance of FEMA AFG Grant - \$100K+ Skid Truck
- Approved transfer of HIDTA to DPSST – Previously at DOJ
- Discussed need for possible addition of Basic Police and Corrections classes – We may not have enough classes to handle the replacement of retirees. Agencies are having trouble getting people through background. The next Basic Police class is in January.
- Summer camps for young people to intern in law enforcement

Not Approved

- Policy Option Package 102: CPE Expansion–SB 5507 (Christmas Tree) – Not Approved
- Policy Option Package 106: Professional Standards Enforcement Legal Expenses – Not Approved
- Policy Option Package 103: Child Abuse Investigations Training – Non Starter with Governor’s Recommended Budget
- Policy Option Package 105: Active Shooter Training Program – Non-Starter with Governor’s Recommended Budget
- Policy Option Package 104: Regional CJ Training Addition – Non-Starter with Governor’s Recommended Budget
- Oil Trains (HB 3225)
- Marijuana (HB 3400)
- Recruitment and Community Outreach (HB 3406)
- Next 2017-2019 Budget Development

Legislative

DPSST Bills

- SB 238: Requires private safety agency to comply with certain requests for personnel records from DPSST (Approved)

- SB 239: Includes reserve officers in definition of "public safety personnel" and "public safety officer" subject to rules governing standards and training determinations by employing agencies (Approved)
- HB 2684: Extends sunset on provisions allowing retired members of PERS to be employed full-time by DPSST (Approved)

Bills with Impact to DPSST

- SB 343: Repeals sunset provision related to authorized tribal police officers (Approved)
- SB 496: Adds injuries or occupational diseases compensable under Worker's Compensation to the definition of qualifying death or disability for the purposes of eligibility for Public Safety Memorial Fund (Approved)
- HB 2208-A2: Release of confidential and sensitive information that DPSST maintains on public safety personnel (Approved)
- HB 2372: Requires certification by DPSST, rather than BPSST, before police officer may request urine test of person arrested for DUII (Approved)
- HB 2431: Removed requires physical examination for candidates for Oregon State Police be based on US Army standard (Approved)
- HB 2806: Decertification for Corrections Officers Seeking Mental Health Assistance (Died in Committee)
- HB 3025" "Ban the Box" criminal history on job applications – DPSST exemption (regulatory only – DPSST can't ask prospective DPSST employees about criminal history) (Approved)
- HB 3388: Authorizes reserve officers sponsored by law enforcement unit to pay for training as police with cash and G.I. Bill education (Died in Committee) – We're looking at other ways to help with this.
- HB 3393: Established Task Force on State Public Safety Coordination - Directed DPSST to staff a work group that would evaluate the consolidation of OSP, OEM, OMD, SFM, and DPSST into one agency (Died in Committee)
- HB 3487: Changes ORS 703.415 and restores language in ORS that will require that private investigators list their DPSST license number in all advertisements (Approved)
- Other Legislative Discussions

Bills that will Impact DPSST Training

- Body Cameras, Racial Profiling, Sex Assault Investigations, Use of Force, Marijuana, etc.

Rich Evans thanked Director Gabliks for his racial profiling discussion. His remarks were very professional and on target.

Future

- 2016 and 2017 legislative session – just down the road

Other Issues

- Addition of Basic Police and Corrections classes after January 1, 2015
- Corrections and Parole & Probation Maintenance Standards work group
- Bangladesh National Police training opportunity
- Firearms Training Program Review – to ensure they are current and meeting needs

- Criminal Justice Commission Grant Opportunity for DPSST's Center for Policing Excellence
- Fire Grant Roof Ventilation Props received and deployed
- Campus Infrastructure – On-Line Testing, HVAC Units, sound systems, painting, and outdoor grounds keeping

4. Policy Committee Update

- Corrections Policy Committee – Brian Burger, Chair
Workgroups are busy. No meeting in August due to no agenda items.
- Fire Policy Committee – Joe Seibert, Chair
Next meeting was postponed due to no agenda items. He's been fielding a lot of questions about the changes to the revocation/denial standards and fingerprinting.
- Police Policy Committee – Kent Barker, Chair
Sheriff Garrett will be a great addition to the committee.
- Private Security Policy Committee – Bill Geiger, Chair
- Telecommunications Policy Committee – Vacant, Chair
Director Gabliks reported there was only one rule change – delayed until next meeting.

Chair Barker presented Alex Gardner with a plaque and thanked him for being part of making DPSST a model police training agency and for his service on the Board.

Todd Anderson – Various upcoming meetings:

- Joint Chiefs and Sheriffs meeting – DPSST 9/30-10/1 – Use of Force training
- Valor Officer Safety Program – Early October – 2.5 days at DPSST Hall of Heroes
- Problem Oriented Policing Conference – Portland 10/19-21 – 22nd will be for Oregon only
- LECC – DPSST 8/14 – They will again be funding the Tactical Ethics class

Rich Evans recognized Glenn Scruggs as a valuable member of the Board and Police Policy Committee. Glenn was the gold standard on making sure the right thing was done. Rich valued his opinion and thought he did a great job in his role and hopes we find someone like Glenn. He's a 10.

Director Gabliks explained that with Glenn's new assignment, he wouldn't have the time to devote to his positions on the Board and policy committee which led to his resignation.

5. Next Meeting Date: October 22, 2015

With nothing more to come before the Board, the meeting adjourned at 9:50 a.m.