

Board on Public Safety Standards and Training
Executive Committee Meeting
Minutes
August 10, 2006

The Executive Committee of the Board on Public Safety Standards and Training held a teleconference on August 10, 2006 at the Department of Public Safety Standards and Training. Bob Wolfe called the meeting to order at 1:40 p.m.

Attendees

Committee Members:

Harold Burke-Sivers, Chair of Private Security Policy Committee
Eric Swanson, Chair of Telecommunications Policy Committee
Bob Wolfe, Chair of Corrections Policy Committee and Board Vice-Chair

Committee Members Absent:

Bob Tardiff, Chair of Board and Police Policy Committee
Jim Whelan, Chair of Fire Policy Committee

DPSST Staff:

John Minnis, Director
Eriks Gabliks, Deputy Director
Marilyn Lorance, Records and Certification Supervisor
Rosemary Neal, Executive Assistant



1. Approval of June 8, 2006 Meeting Minutes

The Minutes of the June 8, 2006 meeting were approved.

2. OAR 259-008-0005(25) Proposed Rule Change – Definition of “Recall”

The current Oregon Administrative Rule does not define the administrative action the Department will take when a police officer’s mandatory maintenance training requirements are deficient. The Department will be identifying the first batch of officers whose maintenance training requirements become due December 31, 2006. Because the current administrative rules provide for the “recall” of a police officer’s certification for failing to complete the mandatory training, or failing to submit a completed Form F-15M-Police after receiving a warning notification letter, staff proposes to define “recall” in administrative rule so officers and agencies can consistently interpret certification requirements and processes.

The Department currently utilizes the term “recall” as the administrative sanction for failure to complete maintenance requirements for all disciplines.

The following revised language contains recommended additions (**bold and underlined text**). For ease of review, only the recommended new language has been included. (If the new language is adopted, subsequent subsections of the current rule will be renumbered as required.)

(25) “Recall” means the administrative inactivation of a certificate issued by the Department until maintenance requirements are met and certification is restored.

Eric Swanson moved to file the proposed language for OAR 259-008-0005(25) with the Secretary of State as a proposed permanent rule if no comments are received. Harold Burke-Sivers seconded the motion. The motion carried in a unanimous vote.

HB 3238: The committee did not identify any significant fiscal impact on small businesses pertaining to HB 3238.

3. **OAR 259-008-0065 Proposed Rule Change – Maintenance Training for Police Officers**

The current Oregon Administrative Rule requires all police officers who were certified as of January 1, 2004, to report maintenance training due December 31, 2006 on an F-15 form. However, most certified police officers with training due December 31 have been reporting maintenance training on an F-6 (Course Roster). Additionally, current rules require each agency to submit documentation of completed maintenance training for each certified officer.

In order to phase in the first batch of reporting officers, and streamline the reporting process, the Department seeks to amend current rules to reflect a more efficient method for reporting. Staff intends to run internal reports to identify those officers who have not satisfied their maintenance training requirements, notify the agency and officers of the noted deficiency and allow a one-time grace period for the initial phase in of the maintenance training requirements.

In order to provide adequate notice to constituents and implement the new process, the Department is requesting to file a temporary rule while the permanent rulemaking process takes place.

A temporary rule is in effect for a period of six (6) months from the date of filing. Filing a temporary rule will allow the Police Policy Committee time to present a proposed permanent rule to the Board. If the Board approves the proposed permanent rule, the proposed rule will be filed with the Secretary of State and open for comment. If no comments are received the Department will file the rule as permanent.

The following revised language contains recommended additions (**bold and underlined text**). For ease of review, only the recommended new language has been included. (If the new language is adopted, subsequent subsections of the current rule will be renumbered as required.)

259-008-0065

Maintenance of Certification for Active Police Officers

(1)(a) The Board is responsible for setting the standards for active police officer training and the maintenance of certification. The Department is required to uphold those standards, while each agency determines what training will be provided to meet the standards.

(b) It is recommended that agencies provide training time and training opportunities to enable the active police officer to meet the required maintenance training hours.

(2) In order to maintain certification:

(a) All active police officers ~~shall~~ **must** maintain current First Aid/CPR certification.

(b) All active police officers ~~shall~~ **must** complete a total of at least eighty-four (84) hours of agency approved training every three (3) years. The eighty-four (84) hours will include:

(A)(i) Eight (8) CORE hours of training annually, from either the "Firearms" or "Use of Force" subject areas:

(ii) This training must be reported to the Department as twenty-four (24) hours of CORE training, once every three years.

(B)(i) Active police officers who hold a Supervision, Mid-Management or Executive certification, must complete at least twenty-four (24) hours of agency approved Leadership/Professional training, every three years:

(ii) This training must be reported to the Department as twenty-four (24) hours of agency approved Leadership/Professional training, once every three (3) years.

(C)(i) In addition to the CORE (A)(i) (required of all officers) and Leadership/Professional (B)(i) training hours (only required of officers with Supervision Certification and above), the remaining hours must be completed from the category of "General Law Enforcement" training in the recommended, but not limited to, subject areas of Law and Legal, Ethics and Communication, Investigations, Survival Skills, Child Abuse, Sex Abuse, and Elder Abuse:

(ii) These remaining training hours must be reported to the Department as "General Law Enforcement" training, once every three (3) years.

(3)(a) The employing agency ~~shall~~ **must** maintain documentation of required training on each law enforcement officer;

(b) Any training submitted to the Department on an F-6 Course Roster will be entered into each officer's DPSST training record.

(c) Maintenance training submitted on an F-6 will be credited towards the number of hours required for each maintenance training category in section (2) above.

(d) On or after January 2 of each year, the Department will identify all police officers who are deficient in maintenance training according to Department records and provide notification to the officer and his/her employing agency.

~~(b)~~ **(e) within 60 days of receipt of the notification in (d) above, the** The agency must notify the Department of **the training status of** all police officers **identified as deficient in maintenance** training status by submitting a Form F-15**M-Police** to the Department by December 31st, ~~per an agency schedule developed by DPSST~~, identifying the training completed during the previous three (3) year reporting period.

(A) Maintenance training hours reported to the Department on an F-15M-Police will be used solely to verify completion of maintenance training requirements and will not be added to the officer's DPSST training record.

(B) Failure to notify the Department of **completion of** the required training **for officers with identified training deficiencies** will result in a warning notification letter being sent to the agency head and the officer.

~~(B)~~ **(C)** A six (6) month extension **to complete maintenance training requirements or submit an F-15M-Police** will be automatically authorized **for officers reporting maintenance requirements due on December 31, 2006.**

(4) Failure to complete the training or submit the completed Form F-15**M-Police**, after the warning notification letter and before the six (6) month extension has expired, ~~shall~~ **will** result in the recall of the active police officer's certification.

(a) A police officer with a recalled certification cannot work in a certified position.

(b) Recertification following a recall may be obtained at the approval of the Department by submitting the following:

(A) The employing agency head request certification, along with an explanation of why the training was not completed; and

(B) Verification that the missed training was completed.

(c) After 2 1/2 years in a recalled status the police officer will be required to complete an Career Officer Development Course before s/he can be recertified.

(d) After over 5 years in a recalled status the police officer will be required to complete basic training in the appropriate discipline.

(5) Agency heads of the employing agency may document "excused leave" in extreme circumstances for not completing the annual requirements but must provide documentation as to the reason and indicate when the missed training was completed.

Harold Burke-Sivers moved to file the proposed language OAR 259-008-0065 as a temporary rule with the Secretary of State. Eric Swanson seconded the motion. The motion carried in a unanimous vote.

4. **OAR 259-008-0010(3) Proposed Rule Change Fingerprint Rule**

The current Oregon Administrative Rule does not define, or restrict, the date fingerprints must be submitted "on or before" the date of employment. It is necessary to obtain current fingerprints on public safety professional applicants for criminal records checks. The Department seeks to clarify the rule by adding language to require fingerprints to be

processed either on the first day of employment, or within 90 days before the first date of employment.

The following revised language contains recommended additions (**bold and underlined text**). For ease of review, only the recommended new language has been included.

OAR 259-008-0010:

(3) Fingerprints. On or **within 90 days prior to** ~~before~~ the date of employment, each police, corrections, or parole and probation officer shall be fingerprinted on standard applicant fingerprint cards. The hiring agency is responsible for fingerprinting and shall forward two (2) cards to the Oregon State Police Identification Services Section for processing and assignment of identification number.

Eric Swanson moved to file the proposed language for OAR 259-008-0010(3) with the Secretary of State as a proposed permanent rule if no comments are received. Harold Burke-Sivers seconded the motion. The motion carried in a unanimous vote.

HB 3238: The committee did not identify any significant fiscal impact on small businesses pertaining to HB 3238.

There being no further business to come before the Committee the meeting adjourned at 2:00 p.m.