

OREGON DPSST
ETHICS BULLETIN

Volume No. 144

**** AMENDED ****



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 **October, 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.

October Statistics

Cases Opened	10	Of the 13 Cases Closed:	
Cases Closed	13	Revoked	4
Cases Pending	135	Denied	0
Reinstated	0	No Action	9

Fire Service Professional A was convicted of Hindering Prosecution, ORS 162.325, a Class C Felony, and of Tampering with Physical Evidence, ORS 162.295, a Class A Misdemeanor. Hindering Prosecution is a discretionary disqualifying crime requiring review by the Fire Policy Committee (FPC). DPSST notified Fire Service Professional A that his case would be reviewed by the FOC and gave him the opportunity to provide mitigating circumstances for the Committee's consideration. He did not provide a response. The FPC determined that Fire Service Professional A's conduct violated the core values of Honesty, Professionalism and Justice for destroying evidence in a separate criminal case and being untruthful about it during that criminal investigation. The FPC determined that Fire Service Professional A's misconduct rises to the level to warrant revocation of his fire certifications, with an initial period of ineligibility of three years to reapply for certification. DPSST served Fire Service Professional A with a Notice of Intent to Revoke. He did not file a request for a hearing, and after the Board affirmed the FPC vote, Fire Service Professional A's certifications were revoked by default final order.

Fire Service Professional A's Fire Certifications are Revoked.

Officer B resigned during an investigation into a fabricated story he told to co-workers and superiors about shooting and killing a cougar. Officer B admitted that the story was not true, and resigned prior to a disciplinary decision. DPSST notified Officer B that his case would be

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heard by the Corrections Policy Committee (CPC) and gave him the opportunity to provide mitigating circumstances for the Committee's consideration. Officer B did not provide a response. Prior to the case being sent to the Committee for review, Officer B signed a Stipulation Voluntarily Relinquishing Certification, which permanently revoked his certification. Officer B's misconduct ended his four-year career.

Officer B's Basic Corrections certification is Revoked.

Fire Service Professional C applied for fire certification, and DPSST learned that he had been convicted of Criminal Driving While Suspended, ORS 811.182(4), a Class A misdemeanor requiring review by the Fire Policy Committee (FPC). DPSST notified Fire Service Professional C that his case would be reviewed by the FPC and gave him the opportunity to provide mitigating circumstances for the Committee's consideration. He did not provide a response. The Committee determined that Fire Service Professional C's conduct violated the core value of Justice by demonstrating a complete disregard for the justice system by violating the law and then continually failing to comply with court orders and not appearing in court. These aggravating circumstances and the original DUll that led to the suspended license were considered along with the length of time since the conviction and his clear record since then. The FPC recommended to the Board to not deny Fire Service Professional C's application. The Board affirmed the FPC's recommendation.

Fire Service Professional C's application for Wildland Interface Fire Fighter Certification is Not Denied.

Officer D was sentenced to prison after being convicted of Assault in the Second Degree, Assaulting a Public Safety Officer, Criminal Trespass While in Possession of a Firearm, Interfering with Peace Officer and Resisting Arrest. He had been trespassed from a bar after becoming very intoxicated, refused to leave, and fought with arresting officers, injuring several. The officers removed a handgun from Officer D's waistband during the struggle. Officer D also injured a deputy who was assisting to remove him from the patrol car at the jail, and continued to struggle with jail deputies until he was finally subdued in the cell. DPSST served Officer D with a Notice of Intent to Revoke Certification, he failed to request a hearing, and his certification was permanently revoked by default final order. Officer D's misconduct ended his four-year career.

Officer D's Basic Corrections certification is Revoked.

Officer E retired as a corrections officer in 1999. Officer E was convicted of Resisting Arrest a mandatory disqualifying conviction. DPSST served Officer E with a Notice of Intent to Revoke Certification, she failed to request a hearing, and her certification was permanently revoked by default final order.

Officer E's Basic Corrections certification is Revoked.

Important Notice

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DPSST, in consultation with the Board and the Policy Committees, decertifies nearly 100 public safety professionals a year, with an average of 120 professional standards cases pending at any given time. The current denial and revocation standards for criminal justice certification have been in place for over eight years. Those eight years have seen a myriad of societal, technological and legal changes, some of which directly affect what it means to be a public safety officer in this state.

In recognition of the need to continually review standards to ensure they remain relevant and appropriate, DPSST has received permission from the Telecommunications, Corrections and Police Policy Committees to form a workgroup to review the criminal justice denial/revocation standards and make recommendations for adjustments if needed.

The workgroup will be representative of all interested parties, to include all disciplines, ranks and geographic locations. Questions, comments or concerns can be directed to Professional Standards Division Director Linsay Hale.

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