

Corrections Policy Committee Minutes

June 14, 2022

The Corrections Policy Committee of the Board on Public Safety Standards and Training held a special meeting on June 14, 2022, at the Oregon Public Safety Academy in Salem, Oregon. Chair, Matt English called the meeting to order at 10:00am.

Committee Members:

Matt English, Chair, Oregon State Sheriff's Association (Webex)
Mark Boren, Public Member (Webex)
Lee Eby, Oregon Sheriff's Jail Command Council (Webex)
John Frost, Non-Management Corrections, DOC (Webex)
Ted Langley, Oregon Sheriff's Jail Command Council (Webex)
Gary Ninman, Professional Development Unit, DOC
Brian Pixley, Oregon State Sheriff's Association (Webex)
Cody Smith, Non-Management Corrections Officer (Webex)

Committee Members Absent:

Carol Dishion, Vice Chair, Non-Management DOC, Coffee Creek
Jaime Hepner, Oregon Association of Community Corrections Directors
Michael Yoder, Oregon Dept. of Corrections Designee for Collette Peters, Director
Erin Reyes, DOC Superintendent
James Ristoff, Non-Management Corrections Officer
Taj Shivvers, Non-Management

Guests:

Juan Mendoza

DPSST Staff:

Suzy Herring, Professional Standards Director
Melissa Lang-Bacho, Professional Standards Case Manager
Jennifer Howald, Administrative Rules Coordinator
Erica Riddell, Criminal Justice Office Specialist
Shelby Alexander, Executive Support Specialist



1. Introductions

Introductions of members, guests, and staff.

2. Mendoza, Juan (60596) Certification Review: Corrections

Presented by Melissa Lang-Bacho, Professional Standards Case Manager

Reason for Discretionary Review

On September 16, 2020, Juan Mendoza was separated from his sworn position at the Multnomah County Sheriff's Office (MCSO) after he was found to have failed to properly supervise Adults in Custody (AIC). At the time of his separation, Mendoza was not certified

and no longer employed in a certified position. The review of his separation was deferred until he was reemployed.

On December 20, 2021, Mendoza was rehired by the MCSO in a certified position which prompted DPSST to continue its previous review of his separation from the MCSO in 2020.

Juan Mendoza provided verbal mitigation for committee consideration.

| <i>Policy Committee Discussion/Vote</i> | <i>Second</i> | <i>Vote</i> | <i>Outcome</i> |
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| Cody Smith moved that the Corrections Policy Committee adopt the staff report. | Brian Pixley | 8 ayes; 0 nays | Motion Passed Unanimously |
| <p>The Corrections Policy Committee found the following moral fitness violations and factors:</p> <p><i>Moral Fitness Violations:</i></p> <ul style="list-style-type: none"> • Dishonesty: Mendoza was deceptive when he attempted to conceal that he was utilizing his personal cellphone in an area where it is prohibited. • Misuse of Authority: The committee did not identify elements of misuse of authority. • Misconduct: Mendoza threatened the safety of the AIC when he utilized his personal cellphone on duty which may have hindered his ability to supervise the AIC; Mendoza failed to properly secure the shower area which resulted in AIC being harmed. <p><i>Aggravating Factors:</i></p> <ul style="list-style-type: none"> • An AIC was injured while on Mendoza’s watch. • Training records reflect that Mendoza attended training on ethics, which would have instructed him to do the right thing when no one is watching. <p><i>Mitigating Factors:</i></p> <ul style="list-style-type: none"> • MCSO did not believe Mendoza was being deceitful by hiding his phone and noted that there were areas where Mendoza could have used his phone and not been seen on camera. • Mendoza took responsibility for his actions, has taken steps to better himself and has earned the respect of the officers who supervise him. • Mendoza was put in a difficult position when he was tasked with supervising two units as a probationary employee who had not yet obtained certification. • The letters of support from the MCSO reflect that Mendoza has completely redeemed himself. | | | |

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| <p>Brian Pixley moved, after considering the identified violations of the Board’s moral fitness standards and weighing the aggravating and mitigating circumstances unique to this case, that no Board action should be taken against Mendoza’s application for training and subsequent certification.</p> | <p>Gary Ninman</p> | <p>8 ayes; 0 nays</p> | <p>Motion Passed Unanimously</p> |
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3. Next Corrections Policy Committee Meeting: August 9, 2022 at 10:00am

Administrative Notes:

These minutes reflect the order of the discussion/voting items as they appear on the official meeting agenda. The actual order in which they were discussed may vary.

All documents reviewed and discussed in this meeting are subject to Oregon Public Records Law (ORS 192.410 to ORS 192.505). These documents can be requested by contacting DPSST at dpsst.records@dpsst.oregon.gov.