

**Board on Public Safety Standards and Training**  
**Minutes**  
**January 24, 2019**

The Board on Public Safety Standards and Training held a regular meeting at 9:00 a.m. on Thursday, January 24, 2019 in the Boardroom at the Oregon Public Safety Academy in Salem. Chair Jason Myers called the meeting to order at 9:00 a.m.

**Board members present:**

Jason Myers, Chair, Oregon State Sheriffs' Association  
Patricia Patrick-Joling, Vice Chair, Public Citizen Member  
Nadine Purington, Non-Management Parole and Probation (Teleconference)  
Kristine Allison, Oregon Association Chiefs of Police (Teleconference)  
Patricia Connolly, Oregon State Fire Fighters Council (Teleconference)  
James Walker, Oregon State Fire Marshal  
Brian Wolfe, Oregon State Sheriffs' Association  
James Oeder, Oregon Volunteer Firefighters Association  
Doug Marteeny, Oregon District Attorney's Association  
Danielle Outlaw, Chief, Portland Police Bureau  
Loren Cannon, Federal Bureau of Investigation (Teleconference)  
Darren Bucich, Oregon Fire Chief's Association  
Travis Hampton, Superintendent, Oregon State Police  
Mark Kreutzer, Oregon Fire District Directors Association  
John Teague, Oregon Association of Chiefs of Police  
Elizabeth Lawrence, Bend Police Department  
Colette Peters, Director, Department of Corrections

**Board Members Absent**

Excused:

Thomas Thomas, Private Security Industry  
James Cook, AFSCME/Department of Corrections Representative  
Kelly Dutra, Public Safety Telecommunicators

**DPSST Staff:**

Eriks Gabliks, Director  
Linsay Hale, Professional Standards Division Director  
Theresa Janda, Executive Assistant to the Director  
Kristin Hibberds, Professional Standards Investigator & Coordinator  
Mike Leloff, Training Division Director  
Jordan James-Largent, Professional Standards Investigator & Coordinator  
Jennifer Howald, Rules & Compliance Coordinator  
Ryan Keck, Center for Policing Excellence Manager  
Julie Olsen-Fink, Fire Training Manager  
Annie Rexford, Criminal Justice Researcher  
Jesse Charlton, Learning & Performance Specialist  
Marsha Morin, CJ Certification Program Manager  
Stacie Yutzie, Program Development Coordinator

Rich Daniel, Defensive Tactics Coordinator  
Tami Atkinson, Telecom Training Coordinator  
Andrea Tobin, Chair Telecom Curriculum Revision Committee  
Michelle Morrison, Private Security Compliance Specialist  
Kevin Rau, Crisis Intervention Training Coordinator

## **1. Introductions**

Chair Myers welcomed Board members.

## **2. \*Minutes**

*Approve minutes from the October 25, 2018 Meeting.*

**Patricia Patrick-Joling motioned to approve the Minutes from October 25, 2018. Brian Wolfe seconded the motion. The motion carried with a unanimous vote.**

## **3. Fire Policy Committee**

### **a. Fire Policy Committee Update – James Oeder, Chair**

Chair James Oeder updated the Board stating that there was nothing to report as the Fire Policy Committee meeting was canceled last quarter, due to lack of agenda items.

## **4. Criminal Justice Policy Committees**

### **a. Police Policy Committee Update – Vice Chair John Teague**

Vice Chair John Teague updated the Board stating that DPSST staff is currently working with the Governor's office to fill the vacancy on the Board left by Jeff Hering's retirement.

### **b. Telecommunications Policy Committee Update – Kelly Dutra, Chair**

Linsay Hale updated the Board for Chair Kelly Dutra who was not present, stating that the TPC meeting took place in November and it was business as usual, nothing new to report.

### **c. Corrections Policy Committee Update – Jason Myers, Chair**

Chair Jason Myers updated the Board, stating that there were two meetings last quarter due to the number of cases needing to be reviewed. The next meeting will be on 2/12/19.

### **d. \*Consent Agenda (The following items to be ratified by one vote)**

#### **A. \*OAR 259-008-0085 – Proposed Rule Change – Approve**

Updates Course testing Standards for the Basic Parole and Probation Course  
*Recommended to the Board by the PPC on November 15, 2018. Recommended to the Board by the CPC on November 13, 2018.*

#### **B. \*OAR 259-008-0025 – Proposed Rule Change – Approve**

Relates to three-week Basic Telecommunicator Course, Course Challenge eligibility standards.

*Recommended to the Board by the TPC on November 7, 2018.*

**C. \*OAR 259-008-0085 – Proposed Rule Change – Approve**

Updates the course description and testing standards for the three-week Basic Telecommunicators course and course challenge.

*Recommended to the Board by the TPC on November 7, 2018*

**D. \*Amy Pickard DPSST #54512 (American Medical Response) – Revoke**

*Recommended to the Board by the TPC on November 7, 2018.*

**E. \*Gibson Coy DPSST#58809 (Columbia 9-1-1 Communications District) – No Action against application for training and subsequent certification**

*Recommended to the Board by the TPC on November 7, 2018.*

**F. \*Chance Poe DPSST#58554 (Dept. of Corrections – SRCI) – No Action against application for training and subsequent certification**

*Recommended to the Board by the CPC on November 13, 2018*

**G. \*Leanne Foster DPSST#49948 (Dept.of Corrections - EOCI) – No Action against certifications**

*Recommended to the Board by the CPC on November 13, 2018.*

**H. \*Aaron Gerken DPSST#59138 (Dept. of Corrections - OSP) - No Action against application for training and subsequent certification**

*Recommended to the Board by the CPC on November 13, 2018.*

**I. \*Neftali Escobar Mateos DPSST#58912 (Jackson County Sheriff’s Office) – No Action against application for training and subsequent certification**

*Recommended to the Board by the CPC on November 13, 2018.*

**J. \*Matthew Copple DPSST#48237 (Umatilla County Sheriff’s Office) - Revoke**

*Recommended to the Board by the CPC on November 13, 2018.*

**K. \*Manuel Yetter DPSST#56427 (Dept. of Corrections - TRCI) - Deny application for training and subsequent certification.**

*Recommended to the Board by the CPC November 13, 2018.*

**L. \*Kelvin Knudson DPSST#16989 (Not Affiliated) – No Action**

*Recommend to the Board by the PPC on November 15, 2018.*

**M. \*Jeffrey Charpiloz DPSST#32160 (Mt. Angel Police Department) – No Action against certifications**

*Recommend to the Board by the PPC on November 15, 2018.*

**N. \*Stephen Craig DPSST#37427 (Bend Police Department) – No Action**

*Unanimous vote minus one recusal to recommend to the Board by the PPC on November 15, 2018.*

**O. \*Matthew Humphrey DPSST#37988 (Washington County Sheriff’s Office) – Revoke**

*Unanimous vote minus one recusal to recommend to the Board by the PPC on November 15, 2018*

**P. \*Larissa White DPSST#52624 (Turner Police Department) – Revoke**  
*Recommend to the Board by the PPC on November 15, 2018*

**Patricia Patrick-Joling motioned to approve the Criminal Justice consent agenda, Brian Wolfe seconded the motion. The motion carried with a unanimous vote.**

**e. \*Deputy Sheriff Irving Lawrence Burkett (Multnomah County Sheriff's Office) Memorial Nomination- Approve**

Eriks Gabliks gave an overview of the incident that led to Sheriff Irving Lawrence Burkett's death, which was a jailbreak attempt at the old Rocky Butte jail, where he was shot by an inmate. This led to his retirement from service and eventually to his death in 2003. He was 63 years old at his death and had served as a Deputy for 14 years. He is honored on the National Law Enforcement Officer's Memorial but was found, by Multnomah County Sheriff Reese, to not be included on the Oregon State Memorial. The request to the Police Policy Committee unanimously approved this addition to the Wall. If approved, his name will be added during the 2019 Memorial Ceremony.

Add Deputy Sheriff Irving Lawrence Burkett's name to the Law Enforcement Memorial Wall during the 2019 Law Enforcement Memorial Ceremony.

*Recommended to the Board by the CPC on November 13, 2018.*

**John Teague motioned to approve adding Deputy Burkett's name to the Fallen Law Enforcement Officer Memorial Wall during the 2019 Law Enforcement Memorial Ceremony. Collette Peters seconded the motion. The motion carried with a unanimous vote.**

**f. \*Deputy Sheriff Robert "Bobby" Anderson (Multnomah County Sheriff's Office) Memorial Nomination - Approve**

Eriks Gabliks gave an overview of the incident that led to Deputy Sheriff Robert Anderson's death, who was found to be honored on the National Memorial Wall, but not on the State Wall. Deputy Robert Anderson was shot on March 5, 1969 by a suspect in custody while transporting him. He was paralyzed as a result of the shooting and left service. His health declined until he died as a result of this incident in 1994, many years later. Deputy Anderson was 49 years of age and served with the Sheriff's Office for 6 years. The Police Policy Committee recommended unanimously to approve this addition to the Memorial Wall during the 2019 ceremony.

Add Deputy Sheriff Robert "Bobby" Anderson's name to the Law Enforcement Memorial Wall during the 2019 Law Enforcement Memorial Ceremony.

*Recommended to the Board by the PPC on November 15, 2018.*

**Patricia Patrick-Joling motioned to approve adding Deputy Anderson's name to the Fallen Law Enforcement Officer Memorial Wall during the 2019 Law Enforcement Memorial Ceremony. Brian Wolfe seconded the motion. The motion carried with a unanimous vote.**

**g. \*Basic Police curriculum - Proposed Phase 2 changes – Approve**

Stacie Yutzie, Program Development coordinator for the Center for Policing Excellence at DPSST introduced herself and requested that the Board affirm the Police Policy Committee's approval of the Basic Police Phase 2 curriculum revisions. She explained that Phase 2 includes changes to class hours, course topics and content, as well as goals and

learning outcomes. She then gave a summary of the booklet handed out to Board members to review, which was an overview of the Phase 2 curriculum.

Staci explained that Phase 1 has been implemented since February 1<sup>st</sup> of 2018 and there have been both empirical as well as anecdotal positive results in Phase 1 which are highlighted in the overview book on pages 10 – 16. Phase 2 begins on page 41 of the Overview book. She pointed out the extensive list of 34 constituents involved in the creation of this curriculum as well as DPSST staff and other partners, which could be found on pg. 42.

Staci gave a comprehensive overview of the many areas that the BP Phase 2 curriculum covers, explaining that it focuses on where Phase 1 left off in teaching them skills needed to close a call. It attempts to integrate topics better, combine skills and focuses on methods that work with how students learn, as well as many other areas to enhance and improve training. The Overview booklet hand out gives extensive details on the changes included in the Phase 2 revision. With the Board's approval, it will be implemented later this year.

Director Gabliks explained that this will be implemented during a gap between classes and all agencies will be notified of the implementation and any changes impacting field training.

John Teague added that since the first phase has been implemented, FTO's have commented that the employees are more thoughtful, better prepared and more mature officers.

Affirm the Police Policy Committee's approval of the Basic Police Phase 2 curriculum changes

*Recommended to the Board by the PPC on November 15, 2018.*

**Patricia Patrick Joling motioned to approve the Basic Police Phase 2 curriculum. John Teague seconded the motion. The motion carried with a unanimous vote.**

**h. \*Basic Telecommunications Academy curriculum - Proposed changes – Approve**

Tami Atkinson, Telecommunications Program Coordinator at DPSST addressed the Board and introduced Andrea Tobin, who is the chair on the Basic Telecommunications curriculum committee, stating that they would like the board to approve updated Telecommunications curriculum. She explained that the Telecommunications Policy Committee unanimously approved recommending to the Board to approve the changes. The curriculum committee, in partnership with Oregon APCO/NENA, DPSST staff and Public Safety Answering Point Communities worked together on these revisions. To inform their work they first surveyed the telecom providers of every level on their needs and interests. Subject matter experts were consulted. Andrea Tobin gave a summary of changes to the curriculum.

Tami Atkinson explained that the revisions changes the Academy from two weeks to three, which allows adding several subjects that will enhance their knowledge, add scenarios to their learning, as well as resiliency tools, among others. Physical fitness and other subjects will be added for wellness and several courses will be removed, which will be available through other means, including on-line as well as within other courses.

Tami thanked Sara Stewart, a DPSST staff member, who lead the curriculum update project, as well as Andrea and all Committee members who worked to complete this work.

Eriks explained that the Fiscal impact on this will be on the Oregon APCO/NENA and Oregon Emergency Management which funds the program through 9-1-1 telephone tax and they provide the additional revenue to cover the additional cost, so it will be a wash.  
*Recommended to the Board by the TPC on November 7, 2018.*

**Patricia Patrick-Joling motioned to approve the Basic Telecommunications curriculum Revisions. Jim Oeder seconded the motion. The motion carried unanimously**

## **5. Private Security/Investigator Policy Committee**

### **a. Private Security Investigator Policy Committee Update – Thomas Thomas, Chair**

Linsay Hale updated the Board on the PSIPC on behalf of the new Chair Thomas Thomas.

- She explained that Bill Geiger, the former Chair of the PSIPC and former member of this Board has stepped down from his position and recognized him for all of the time he dedicated to the Board and Policy Committee and for all of his effort he put forward.
- The November meeting for the Policy Committee was cancelled and so there are no agenda items today.
- There will be a recommendation to add another member to the Policy Committee today, who is William McKnight, who will represent the Armed Private Security.
- The February meeting will have a fairly full agenda due to the November meeting being cancelled and because of various new curriculums being developed for training in the various disciplines.

#### **A. \*Committee Appointment**

Private Security Investigator Policy Committee

- William “Mac” McKnight, First Term effective 1/24/19; Replaces Donovan Beard (Armed Position) on the PSIPC

**Patricia Patrick-Joling motioned to approve the new PSIPC Appointment. John Teague seconded the motion. The motion carried unanimously.**

## **6. Administrative**

### **a. \*OAR 259-008-0005, 259-008-0015, 259-008-0067, 259-008-0070, 259-008-0080 and 259-008-0085 – Proposed Rule Change – Approve**

Recommended changes for instructor certification standards.

*Recommended to the Board by the Department of Public Safety Standards & Training January 24, 2019.*

The proposed rule change amends the certification standards for criminal justice instructors, which applies to instructors who instruct mandated basic training courses provided by DPSST for police, corrections, parole & probation, telecommunication, EMD, regulatory specialist and also supervision and management courses for those disciplines and to DOC instructors who instruct DOC Basic Corrections Courses. The rule does not apply to

individuals assigned by a public or private agency that would instruct training within the agency, training to meet maintenance standards or delivering the Field Training Manual.

These proposed rule changes were developed to address fingerprints, background investigations and the effect of revoking an instructor's certification on a public safety officer's employment status. In addition they provide a complete review of the certification standards and include recommendations to amend definitions, experience and training requirements, certification expiration and certification disqualifiers. She gave an overview of the three main issues impacted by these proposed rule changes.

Jennifer explained that it is important to note that the Instructor certification revocation process becomes a department administrative process through these proposed changes and she gave a detailed breakdown of those process changes and the effect they have.

Jennifer explained changes in the "definitions rule".

Fiscal impact due to the rule changes is undetermined but is expected to be minimal.

Linsay Hale clarified that fingerprints can be requested for employment but not for certification after two members expressed some confusion on that point.

John Teague mentioned that further clarification is needed on the Rule regarding the definition of instructor, as it creates some confusion and Linsay said that would be done, but the vote could go forward at this time without impacting the intent of this Rule and it will be addressed after the fact.

**John Teague motioned to approve the proposed rule change, as above. Patricia Patrick-Joling seconded the motion. The motion carried unanimously.**

## **7. Director's Report - Director Gabliks**

### Policy Committee Nominations

Over the holidays, a number of organizations submitted changes in their representatives for various policy committees which did not arrive in time for inclusion on the Board agenda.

- Jaime Hepner, First term effective 1/24/19; Replaces Kristen Hanthorn on the Corrections Policy Committee
- Jason Klein, First term effective 1/24/19; Replaces Corey Goss on the Corrections Policy Committee
- Gary Ninman, First term effective 1/24/19; Replaces Jeanine Hohn on the Corrections Policy Committee
- Rebecca Carney, First term effective 1/24/19; Replaces Bob Rector on the Telecommunications Policy Committee
- Bob Horton, First term effective 4/25/19; Replaces Randy Wood on the Telecommunications Policy Committee
- Candace Pozdolski, Second term effective 1/24/19; Re-appointment to the Telecommunications Policy Committee

Eriks asked that Board for approval via formal motion to make the above listed changes.

**Patricia Patrick-Joling motioned to approve the addition of the members to the Policy Committees, as above. Travis Hampton seconded the motion. The motion carried unanimously.**

#### Board Member Changes

- Bill Geiger submitted his resignation from the Board as one of two representatives of the private security industry.
- Portland Fire Chief Mike Myers has submitted his notice of retirement.
- A number of law enforcement officers have submitted letters of interest to the Governor's Office to serve as a non-management representative in the position formerly held by recently-retired member Jeff Herring, of the Tigard Police.
- Staff has been working with the League of Oregon Cities to fill the vacancy created by Salem Assistant City Manager Kacey Duncan who left the Board, and public service, to lead a non-profit organization in Linn County.

#### Legislative Session

Director Gabliks gave an overview of the upcoming legislative session.

- The DPSST budget presentation is tentatively scheduled in front of the Joint Ways & Means (JWM) Public Safety Subcommittee for Tuesday, January 29th and Wednesday, January 30th, with public testimony on the 30th. Board Chair Myers, Vice-Chair Patrick-Joling, Chief Teague, Chief Bucich, and others are planning to attend on Wednesday to give testimony during the public comment phase of the presentation. DPSST supports the Governor's Budget and understands the difficult decisions that needed to be made as each state agency has financial needs but the state has limited funds.

DPSST did not ask for any funds for additional basic training classes as we believe the current process we are using with the Board, Governor's Office, constituents, and Legislative Emergency Board is working as we are able to request additional classes if warranted and allow the various partners to have oversight of the need. Package 101 below does address additional positions the agency needs to sustain due to the volume of work being experienced at the Academy along with funds to address the compensation for various employees in work-out-of-class (WOC) positions. Packages not appealed, not in GB, or recommended for add-back will not be discussed by DPSST staff.

I have included a recap of the Policy Option Packages (POP) below and the status of each based on the Governor's Budget, which we support. DPSST was also required by statute to submit a 5% and 10% reduction package as part of its budget. This reduction would be in the number of Basic Police classes the agency offers.

After our presentation this week, we will wait for the other state public safety agencies to make their presentations. After this, a second round of presentations may be scheduled for agencies to provide updates or to answer additional questions that JWM committee members may have. As in previous years, we probably won't have any idea on our budget for the 2019-2021 biennium until May.



| 2019-2021 Agency Request Budget |    |           |   |
|---------------------------------|----|-----------|---|
| 101                             | \$ | 1,671,373 | Positions and Reclassifications – Support Training & Ops (Add Back)                         |
| 102                             | \$ | 211,676   | Private Security Training Coordinator (Governor's Recommended Budget at full amount)        |
| 103                             | \$ | 1,271,033 | HB 2355 Implementation and Training (Governor's Recommended Budget at \$379,275)            |
| 104                             | \$ | 2,117,311 | Deferred Maintenance (Governor's Recommended Budget at \$436,945)                           |
| 105                             | \$ | 239,948   | Learning Management System project management (Not approved in GRB or for Add Back)         |
| 106                             | \$ | 1,141,797 | Architectural and Engineering – Third Dorm Wing (Not approved in GRB or for Add Back)       |
| 107                             | \$ | 189,375   | Public Information / Public Affairs Position (Not approved in GRB or for Add Back)          |
| 108                             | \$ | 230,716   | Youth & Community Outreach Coordinator (Add Back)   |
| 109                             | \$ | 194,866   | Regional Active Shooter Training Program Coordinator (Add Back)                             |
| 110                             | \$ | 194,866   | Reserve Training Program Coordinator – Study (Occur: – DPSST did not appeal)                |
| 111                             | \$ | 100,100   | Continuity of Operations – Emergency Power Generation (Not approved in GRB or for Add Back) |

- The 80th Oregon Legislative Assembly began on Monday. More than two thousand bills have been pre-session filed and many believe an equal number will be added before the session adjourns in June. There are no policy bills requested by DPSST or approved by BPSST this session but we know many that have been introduced may have an impact on DPSST, including HB 2355 Stop Data Collection Work Group, Trauma Informed Care Work Group, Officer Health and Wellness Task Force, Juvenile Justice Policy Framework Committee, School Safety Task Force, Behavioral Health Justice Reinvestment (BHJR), Attorney General’s Hate Crimes Task Force, and the Attorney General’s Campus Public Safety Task Force. Director Gabliks added that several of the concerns within the campus public safety task force exist within a few private security companies and employees who purchase, equip, and wear uniforms that appear to look like law enforcement officers with titles such as Officer, Agent and Patrol listed instead of the word Security. Several law enforcement leaders and legislators have expressed a strong interest in addressing this issue as well, through legislation. Jennifer Howald and Lindsay Hale are our legislative leads this session and will be reviewing and tracking legislation. Our plan is to send out a monthly update to BPSST members that will give insight into what is taking place within the State Capitol.
- During previous Board meetings, we shared updates that the Oregon Department of Corrections was interested in having its basic corrections officer training return to DPSST. DPSST was supportive of the effort but openly communicated that doing so would require that DPSST add capacity to dorms, training venues, and staff for this to be successfully accomplished. The 2019-2021 Agency Request Budget for DPSST included a request for funds for the design and construction of an additional wing on the academy dormitory. This request was denied during the budget appeal process. Based on this, last month DOC Deputy Director Brian Belleque sent an email indicating that “given the current landscape of budgets and priorities, it looks like for the 2019-2021 biennium, we will be tabling the concept of ODOC returning to DPSST for Basic Training for our correctional officers. Unless the landscape changes, it looks like it will be an uphill battle to acquire the funding streams and support necessary to allow ODOC to return to DPSST. We will look internally within ODOC to make some process improvements to our BCC program. I want to thank you and your team for being willing to enter into these conversation and taking the time to frame what DPSST needs would be.” DPSST’s fiscal will remain on standby should

members of the legislature want to engage in the discussion. The return of DOC basic training to DPSST will require legislative action as Oregon Revised Statute will need to be changed. The statute does have a sunset clause that will require that the legislature review the issue in a few years to see if any changes are needed or if the current training model continues.

### Federal Shutdown

The federal government shutdown has had no impact on DPSST to date.

- Funds for HIDTA (High Intensity Drug Trafficking Area) continue to be received as planned.
- One area of concern is the upcoming Winter Fire School which DPSST is scheduled to host in February. The National Fire Academy (NFA) provides seven contracted instructors who provide NFA classes as part of the weekend training opportunity. If the federal government shutdown continues these instructors will not have valid contracts in place to deliver the training classes which are all full with career and volunteer firefighters. DPSST is working on a contingency plan through which the contractors would be hired by the state so they can deliver the training they are scheduled to offer.

### Criminal Justice Work Group

The CJ workgroup, approved by the Board, and that includes several Board members and more than two dozen participants, continues its important work under the guidance of DPSST's Professional Standards Division Director, Linsay Hale, and Board Chair Jason Myers. The group has had a number of very good meetings and is making progress forward. Some additional meetings have been scheduled and work product from this group should be ready for Board committee review very soon.

### Enrollment

Enrollments at the Academy continue to be steady.

- Hiring has been occurring at full-speed and DPSST has scheduled a 16-week Basic Police Classes, with 40 officers in each class, for the next six months in anticipation of agency hiring feedback.
- An additional Basic Corrections and Basic Telecommunications class have also been added to the Winter and Spring calendar to meet demand.
- DPSST staff also completed a survey of our 208 criminal justice stakeholder agencies and here are the findings:

Number of positions in process of being filled as of September 1, 2018 that will need to attend DPSST basic training

|                             |     |
|-----------------------------|-----|
| Police                      | 363 |
| Corrections (City & County) | 152 |
| Community Corrections       | 4   |
| 9-1-1 Operators             | 158 |

Number of certified positions that are eligible to retire in 2019-2020

|                             |     |
|-----------------------------|-----|
| Police                      | 478 |
| Corrections (City & County) | 61  |
| Community Corrections       | 5   |
| 9-1-1 Operators             | 60  |

So you can see we have a lot of work potentially ahead of us and we are once again looking at a need to offer a Basic Police class every month for the next two years to meet the hiring and retiring trend.

### Curriculum Changes

Director Gabliks thanked the Board for its approval of the revised and updated Basic Police and Basic Telecommunications Courses. He shared that DPSST is fortunate to have a dedicated and talented work force that is committed to providing professional and contemporary training to the men and women attending the Academy. The Director also shared that staff understand the collaboration and involvement of stakeholders in the curriculum development process which is evident by more than 100 public safety professionals and community members from around the state being involved in the process.

### BOLI

DPSST was contacted by the Bureau of Labor and Industries (BOLI) over two months ago indicating that it was looking into a wage and hour complaint that had been filed by a police officer attending the Academy. The Notice of Tort Claim stated that claims for wages and penalties may be asserted against the Ashland Police Department and DPSST due to unpaid hours worked over 40 in a week while at DPSST; students not being paid at the rate of one and one half times the regular rate of pay; and recordkeeping violations. The investigation focused on attending morning colors, class projects and report writing assignments, as well as class time. DPSST fully cooperated with BOLI and welcomed the review.

DPSST was transparent in its discussions and advised BOLI that DPSST is not the employer of the men and women attending the Academy but the training provider. As a result of their investigation, BOLI sent a letter to sheriffs and police chiefs advising them of their findings and their belief that overtime violations may have occurred. BOLI concluded, DPSST is the training provider, not the employer. As a result DPSST worked with its Labor and Employment Attorneys at the Oregon Department of Justice and sent a letter to Police Chiefs and Sheriffs recommending that employees communicate their work hours with them on a weekly basis. DPSST has also changed the time for morning colors from 7:40 am to 8 am.

DPSST knows some agency collective bargaining agreements may define work hours and work weeks differently but we have no way to know the contracts in place with 208 agencies who send their personnel to the Academy. During the investigation DPSST shared documents that show that the Academy training week, for the most part, is a 40-hour week that includes a ten minute break every hour, an hour lunch break, time factored-in for report writing, and time factored-in for class projects. This 40-hour week did have places where it starts and stops based on training schedule needs. DPSST does assign a time keeper for each class which keeps track of each day of training and when training was offered and when breaks were given. The purpose of the time keeping is to record training hours toward certification, but these documents can be made available to agencies if they would be helpful in tracking employees' work time. DPSST does not track the number of hours officers at the Academy spend working on report writing assignments and the community policing project. We know that the majority of the students complete the work in the allotted time but there may be those who need additional time.

### By-Laws

The By-Laws for the Board, and its various Policy Committees, will appear on the committee agendas in February for review and consideration. Some changes in the By-Laws include members attending the new member orientation before they can participate on the committee, members must be active in their participation by attendance, and conflict of interest process.

### Law Enforcement Memorial

The State's Fallen Law Enforcement Officer's Memorial ceremony is scheduled for May 7, 2019 at the Oregon Public Safety Academy at 1:00 pm. The names of four fallen Oregon officers will be made during this year's ceremony. This includes recently fallen Ashland Police Officer Malcus Williams, Bend Police Sgt. John Edwards, and Multnomah County Sheriff's Deputies Irving Lawrence Burkett and Robert "Bobby" Anderson.

### Director's Annual Review

Theresa Janda will be sending BPSST members the annual performance review of the Director. This review is required by Oregon Revised Statute and is sent by the Board to the Governor.

### Mandated Training Reminder

Board members were reminded to complete the mandatory training on-line if they have not already done so.

### **8. Next Meeting Date: April 25, 2019**

With no further business to discuss meeting was adjourned at 10:10 a.m.