

# Corrections Policy Committee

## Minutes

### February 13, 2018

The Corrections Policy Committee of the Board on Public Safety Standards and Training held a regular meeting on February 13, 2018 at the Oregon Public Safety Academy in Salem, Oregon. Chair, Jason Myers called the meeting to order at 10:00 AM.

#### **Committee Members:**

Jason Myers, Chair, Oregon State Sheriff's Association  
Nadine Purington, Vice Chair, Non-Management Parole & Probation  
Carol Dishon, Non-Management Corrections – DOC/Coffee Creek  
Kristen Hanthorn, Oregon Association of Community Corrections Directors  
Rob Perrson, DOC Superintendent  
Jamie Russell, Oregon Sheriff's Jail Command Council  
Jeanine Hohn, DOC Professional Development Unit  
James Cook, DOC/AFSCME  
Michael Gower, Designee for Director of DOC  
Matt English, Oregon State Sheriff's Association

#### **Committee Members Absent:**

Gary Bergerson, Non-Management Corrections Officer  
Matthew Frohnert, Oregon Sheriff's Jail Command Council

#### **Guests:**

Travis Snyder, Josephine County Sheriff's Office (by phone) (left meeting at 10:20)  
Tyler Audisio, Josephine County Sheriff's Office  
Leonard Williamson (Representing James Edison)  
James Edison, DOC Powder River Correctional Facility

#### **DPSST Staff:**

Eriks Gabliks, Director  
Linsay Hale, Professional Standards Division Director  
Marsha Morin, Criminal Justice Certification Program Manager (phone)  
Kristen Hibberds, Professional Standards Coordinator/Investigator  
Jennifer Howald, Administrative Rules Coordinator  
Bob Sigleer, Criminal Justice Compliance Auditor



#### **1. Introductions**

Introductions of members, guest and staff were presented

*By consensus, the CPC requested that staff present them with no more than seven professional standards cases per meeting in the future. This request was made in recognition of member's time and workloads.*

#### **2. \*Minutes of November 14, 2017**

Approve meeting minutes from November 14, 2017

- *Matt English moved to approve the minutes from the November 14, 2017 Corrections Policy Committee meeting with minor corrections. Kristen Hanthorn seconded the motion. The motion carried unanimously.*

### **3. Quarterly Review of the DOC BCC**

Presented by Robert Sigleer

In 2009, the Legislature approved the Oregon Department of Corrections (DOC) to provide its own training as an alternative to the DPSST Basic Corrections Course (BCC), provided by DPSST. The Training Compliance Program periodically audits the program to ensure the program meets minimum training standards established by the Board. The Training Compliance Program provides the Corrections Policy Committee with quarterly updates of the DOC BCC. These audits verify compliance with class hours, student attendance, instructor certification, academic testing and course documentation. The report does not involve an evaluation of the quality of the BCC curriculum content, delivery, instructor or student performance.

The quarterly review was presented to the Corrections Policy Committee for reporting period of October through December, 2017. The findings indicated BCC meets minimum training standards approved by the Board for corrections officers employed by DOC.

### **4. \*Proposed Rule Change for OARs 259-008-0005, 259-008-0020, 259-008-0060, 259-008-0064 and 259-008-0065 – Multi-Discipline Certification**

Presented by Jennifer Howald

In light of the adoption of the new law enforcement maintenance standards, the standards for the issuance and maintenance of multi-discipline certification were reviewed by the Criminal Justice Management/Executive Certification Workgroup. The Workgroup recommended the following:

- Removing the requirement that law enforcement officers certified in multiple law enforcement disciplines complete an additional 20 hours of training annually; and
- The added requirement that employing agencies designate a multi-disciplined officer's primary discipline and the use of the primary discipline designation for the accrual of years of experience toward additional levels of certification.
- *Jeanine Hohn moved to recommend that the Board adopt the Workgroup's recommended changes removing to the issuance and maintenance of multi-discipline certification as defined in the draft rule language and that the Board approve filing the changes to OAR 259-008-0005, 259-008-0020, 259-008-0060, 259-008-0064 and 259-008-0065 as a permanent rule change with the Secretary of State if no comments are received. Matt English seconded the motion. The motion passed unanimously.*
- *By consensus the committee found no fiscal impact to small businesses.*

### **5. \*Proposed Rule Change for OARs 259-008-0040 and 259-008-0060 – Nine Months Experience Required for Basic Certification**

Presented by Jennifer Howald

Current rule language requires a public safety officer to have completed a minimum of nine months of employment in their certifiable position prior to becoming eligible to apply for basic certification. Recently staff received inquiries into the purpose for this experience requirement. Staff conducted research on the history of the requirement, but found no records providing a clear statement of the intent or purpose of this standard. Upon review, the Criminal Justice Management/Executive Certification Workgroup recommended removing the minimum employment requirement for basic certification allowing a public safety officer who meets all other certification requirements to apply for basic certification.

- *Matt English moved to recommend that the Board adopt the changes removing the requirement for nine months experience for basic certification as defined in the draft rule language and that the Board approve filing the changes to OAR 259-008-0040 and 259-008-0060 as a permanent rule change with the Secretary of State if no comments are received. Mike Gower seconded the motion. The motion passed unanimously.*
- *By consensus the committee found no fiscal impact to small businesses.*

**6. \*Proposed Rule Change for OAR 259-008-0100 – Updates to the Retirement Card Program**

Presented by Jennifer Howald

Under current rule, DPSST may issue a retirement card based upon a combination of age and years of service in Oregon if requested by the employing agency. DPSST staff requested the Criminal Justice Management/Executive Certification Workgroup to review the retirement card program in its entirety to determine if this program is still relevant and in line with the current needs of constituents and DPSST. Upon review, the Workgroup determined that the award of a recognition of service for a public safety officer's career continues to be an important program. The Workgroup developed the following recommendations to address the issues that affect the current administration of the retirement card program:

- Eliminating the age criteria from the eligibility requirements and amending the minimum years of experience from 5 years of service to 20 years of service in a certifiable public safety officer discipline and in service to the state of Oregon.
- The Department will continue to administer the program as an “at the request of the employing agency” process.
- The program will transition to a recognition of service program. The award of any recognition materials does not prevent a public safety officers' certification from lapsing, grant the officer any authority to provide services or exempt the officer from any handgun licensing requirements. The wallet card portion of the program will be eliminated and the recognition letter will be amended to avoid confusion.
- Expanding the program to include resignations in addition to retirements to help reinforce the purpose of the program which is to recognize service to Oregon.
- Public safety officers who are the subject of a moral fitness review will be ineligible to receive a recognition of service until a final determination has been made regarding their certification as a public safety officer.

- *Mike Gower moved to recommend that the Board adopt the Workgroup’s recommended changes to retirement/recognition of service program as defined in the draft rule language and that the Board approve filing the changes to OAR 259-008-0100 as a permanent rule change with the Secretary of State if no comments are received. Rob Perrson seconded the motion. The motion passed unanimously.*
- *By consensus the committee found no fiscal impact to small businesses.*

**7. \*Proposed Rule Change for OAR 259 Division 8 – Signature Authorities for DPSST Forms**

Presented by Jennifer Howald

DPSST uses a variety of forms to capture information regarding the employment, training and certification of Oregon’s criminal justice public safety officers. DPSST staff requested the Criminal Justice Management/Executive Certification Workgroup review the current signature authorities to determine if a single signature authority could be applied to all of the forms for consistency. The Workgroup recommended making all forms follow the same signature requirements as the current requirement for the F-4 personnel action report; requiring a signature by a department head or a certified public safety professional designated by the department head, with the exception to the F-6 Course Attendance Roster which may continue to be signed by independent instructors or sponsoring entities that are not affiliated with a law enforcement unit or public or private safety agency.

- *Kristen Hanthron moved to recommend that the Board adopt the Workgroup’s recommended changes to the signature authorities on DPSST forms as defined in the draft rule language and that the Board approve filing the changes to OAR 259 Division 8 as a permanent rule change with the Secretary of State if no comments are received. Matt English seconded the motion. The motion passed unanimously.*
- *By consensus the committee found no fiscal impact to small businesses.*

**8. \*Administrative Closures – Corrections/Parole & Probation**

Presented by Kristen Hibberds

Staff presented the following professional standards cases to the Corrections Policy Committee for administrative closure.

Officer	Certifications	Summary	Flagged for Review (if hired in future)
Munyon, Justin#56881 Jackson County SO	Not Certified	Resignation – Dishonesty during investigation	Yes
Sather, Gina #56906 DOC - TRCI	Not Certified	Probationary Discharge – Slapped inmate and misrepresented reason.	Yes
Holguin, Michael #51994 Josephine County SO	Not Certified	Application for Training – DUII, only conviction, over 7 yrs	No

Deroo, Ryan #58080 Warm Springs Police Department	Not Certified	Probationary Discharge – FTEP Failure. Has Theft III conviction.	Yes
Grinde, Paul #22503 Lane County SO	Corrections	Separation – no violation of MF standard	No

- *Matt English moved to approve the recommendations made by staff to administratively close the above listed cases. Jeanine Hohn seconded the motion. The motion carried unanimously.*

**9. \*Audisio, Tyler DPSST #58186, Josephine County Sheriff’s Office – Application for Training and Subsequent Certification**

Presented by Kristen Hibberds

Issue: In November 2017, DPSST received an Application for Training (F-5) in which Mr. Audisio self-disclosed his conviction of Manufacturing/Trafficking/Transferring Large Capacity Magazines in the State of California.

*Tyler Audisio provided verbal mitigation.*

<b>Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Matt English moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Audisio’s conduct did not involve <b>Gross Misconduct</b> as defined in Administrative Rule.			
Consensus reached that Audisio’s conduct did not involve <b>Misuse of Authority</b> as defined in Administrative Rule.			
Consensus reached that Audisio’s conduct did not involve <b>Disregard for the Rights of Others</b> as defined in Administrative Rule.			
Consensus reached that Audisio’s conduct did not involve <b>Dishonesty</b> as defined in Administrative Rule.			

<p>The Corrections Policy Committee reviewed and considered the <b>Aggravating and Mitigating</b> circumstances specific to this case as required by OAR 259-008-0070(4)(f)(B).</p> <p>By consensus the Committee found no additional aggravating. The Committee found the verbal mitigation and the letter provided by the Sheriff as additional mitigating circumstances.</p>			
<p>Jeanine Hohn makes a motion that after considering the totality of the case that Board no action be taken on Audisio's application/certifications.</p>	<p>Mike Gower</p>	<p>10 ayes; 0 nays</p>	<p>Motion passes unanimously.</p>

**10. \*Edison, James DPSST #38290, DOC-Powder River – Basic, Intermediate and Advanced Corrections Certifications**

Presented by Kristen Hibberds

*Mike Gower recused himself due to conflict of interest.*

Issue: In July 2017, a LEADS hit was received regarding Mr. Edison's arrest for Menacing involving Domestic Violence. On December 6, 2017, Edison pled guilty to Menacing and received a deferred sentence.

*James Edison provided verbal mitigation.*

By consensus, the Corrections Policy Committee members requested this matter be tabled until additional information related to this individual's mitigation can be obtained.

**11. \*Gilham, Robert DPSST #57870, Warm Springs Police Department - Application for Training and Subsequent Certification**

Presented by Kristen Hibberds

Issue: In August 2017, DPSST received an Application for Training (F-5). During a routine background check DPSST learned that Gilham has been convicted of DUII in Montana on March 11, 2013. Gilham self-disclosed his conviction to his agency and on his F-5.

On November 14, 2017, the CPC requested staff interview Mr. Gilham regarding his description of the events that led to his arrest for DUII and the inconsistencies in the information provided.

*Robert Gilham provided verbal mitigation.*

Vote/Consensus	Second	Vote	Outcome
<p>Matt English moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based.</p>	<p>Rob Perrson</p>	<p>10 ayes; 0 nays</p>	<p>Motion passes unanimously.</p>
<p>Consensus reached that Gilham's behavior did involve <b>Gross Misconduct</b> as defined by administrative rule by creating a risk to person's and property by driving drunk and crashing. Mr. Gilham also gave false information to the responding officer about the fight and crash.</p> <p>Jeanine Hohn moved that this <b>Gross Misconduct</b> when considered alone rises to the level to warrant action against the officer's certifications.</p>	<p>Matt English</p>	<p>10 ayes; 0 nays</p>	<p>Motion passes unanimously.</p>
<p>Consensus reached that Gilham's conduct did not involve <b>Misuse of Authority</b> as defined in Administrative Rule.</p>			
<p>Consensus reached that the conduct did not involve <b>Disregard for the Rights of Others</b> as defined in Administrative Rule.</p>			
<p>Consensus reached that Gilham's conduct did involve <b>Dishonesty</b> as defined in Administrative Rule by reporting that the vehicle that he crashed into backed into him, by indicated that he had been pulled over by the police as opposed to the police being called to respond to a fight and by making inconsistent statements regarding the incident.</p> <p>Jeanine Hohn moved that this <b>Dishonesty</b> when considered alone rises to the level to warrant action against the officer's certifications.</p>	<p>Carol Dishon</p>	<p>10 ayes; 0 nays</p>	<p>Motion passes unanimously.</p>
<p>The Corrections Policy Committee reviewed and considered the <b>Aggravating</b> and <b>Mitigating</b> circumstances specific to this case as required by OAR 259-008-0070(4)(f)(B).</p> <p>By consensus the Committee found as additional aggravating circumstances Mr. Gilham's blood alcohol level and that Mr. Gilham blamed his attorney for not getting a copy of the police report.</p>			

The Committee found as additional a mitigating circumstance Mr. Gilham's verbal testimony.			
Matt English makes a motion that after considering the totality of the case that Board action be taken on Gilham's certifications.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Gilham's actions violates the core values of integrity and honesty and that he failed to take responsibility for his actions.			
Kristen Hanthorn makes a motion that Gilham's Gross Misconduct warrants an ineligibility period of 3 years.	Rob Perrson	10 ayes; 0 nays	Motion passes unanimously.
Mike Gower makes a motion that Gilham's Dishonesty warrants an ineligibility period of a lifetime.	Matt English	10 ayes; 0 nays	Motion passes unanimously.

**12. \*Dan, Peter DPSST #33705, Washington County Community Corrections – Basic, Intermediate and Advanced Corrections Certification**

Presented by Kristen Hibberds

Issue: In February 2017, DPSST received a Personnel Action Report (F-4) indicating that Dan resigned with a settlement agreement.

<b>Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Matt English moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based.	Carol Dishon	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Dan's behavior did involve <b>Gross Misconduct</b> as defined by administrative rule by creating a risk to an inmate, failing to follow the direct order from a supervisor and compromising the security of a work release facility.	Kristen Hanthorn	10 ayes; 0 nays	Motion passes unanimously.
Matt English moved that this <b>Gross Misconduct</b> when considered alone rises to the level to warrant action against the officer's certifications.			



Consensus reached that Dan's conduct did not involve <b>Misuse of Authority</b> as defined in Administrative Rule.			
Consensus reached that Dan's conduct did not involve <b>Disregard for the Rights of Others</b> as defined in Administrative Rule.			
Consensus reached that Dan's conduct did involve <b>Dishonesty</b> as defined in Administrative Rule by indicating that he understood the order to be a suggestion and by reporting that he relaying the information to his relieving staff when he did not.  Jeanine Hohn moved that this <b>Dishonesty</b> when considered alone rises to the level to warrant action against the officer's certifications.	Matt English	10 ayes; 0 nays	Motion passes unanimously.
The Corrections Policy Committee reviewed and considered the <b>Aggravating</b> and <b>Mitigating</b> circumstances specific to this case as required by OAR 259-008-0070(4)(f)(B).  By consensus the Committee found as additional aggravating circumstances Mr. Dan's accepted no responsibility for his action and deflected blame in his mitigation letter. Mr. Dan demonstrated a pattern of poor behavior displayed up until the day he resigned and threatened media attention for racial disparities.  The Committee found as additional a mitigating circumstance Mr. Dan's written mitigation attempts to walk through the events.			
Matt English makes a motion that after considering the totality of the case that Board action be taken on Dan's certifications.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Dan's actions violates the core values of integrity that are so significant to the law enforcement community. He created a risk to staff and inmates and violated his Code of Ethics.			
Mike Gower makes a motion that Dan's Gross Misconduct warrants an ineligibility period of 5 years.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.

Kristen Hanthorn makes a motion that Dan's Dishonesty warrants an ineligibility period of a lifetime.	Rob Perrson	10 ayes; 0 nays	Motion passes unanimously.
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**13. \*Pishioneri, Joseph DPSST #09995, Lane County Sheriff's Office – Basic, Intermediate and Advanced Police and Corrections Certification**

Presented by Kristen Hibberds

Issue: In April 2017, DPSST received a Personnel Action Report (F-4) indicating that Pishioneri retired with a settlement agreement.

Vote/Consensus	Second	Vote	Outcome
Jeanine Hohn moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based.	Matt English	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Pishioneri's conduct did not involve <b>Gross Misconduct</b> as defined in Administrative Rule.			
Consensus reached that Pishioneri's conduct did involve <b>Misuse of Authority</b> as defined in Administrative Rule when he leveraged his two public positions to his advantage by claiming mileage when he used a state vehicle and by failing to properly complete his timesheet.  Mike Gower moved that this <b>Misuse of Authority</b> when considered alone rises to the level to warrant action against the officer's certifications.	Matt English	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Pishioneri's conduct did not involve <b>Disregard for the Rights of Others</b> as defined in Administrative Rule.			
Consensus reached that Pishioneri's conduct did involve <b>Dishonesty</b> as defined in Administrative Rule by omission by filling out his timecard incorrectly, by requesting mileage he was not entitled to, by not being honest with his supervisor about the purpose of the meeting, by indicating that the focus of the meeting was inmate work crews and by indicating that he had past support from prior administrations to attend these conferences.	Carol Dishon	10 ayes; 0 nays	Motion passes unanimously.

Matt English moved that this <b>Dishonesty</b> when considered alone rises to the level to warrant action against the officer's certifications.			
The Corrections Policy Committee reviewed and considered the <b>Aggravating</b> and <b>Mitigating</b> circumstances specific to this case as required by OAR 259-008-0070(4)(f)(B).  By consensus the Committee found as additional aggravating circumstances Mr. Pishioneri previously sat on the Corrections Policy Committee, that his actions were calculated and he intentionally committed misconduct and tried to cover up his actions, and that he fails to accept responsibility in his mitigation.  The Committee found no additional mitigating circumstances.			
Matt English makes a motion that after considering the totality of the case that Board action be taken on Pishioneri's certifications.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Pishioneri's lack of good judgement and decision making erodes the public's trust in law enforcement and the lack of integrity undermines the Code of Ethics and the expectations of law enforcement officers.			
Matt English makes a motion that Pishioneri's Misuse of Authority warrants an ineligibility period of 10 years.	Mike Gower	10 ayes; 0 nays	Motion passes unanimously.
Rob Perrson makes a motion that Pishioneri's Dishonesty warrants an ineligibility period of a lifetime.	Carol Dishon	10 ayes; 0 nays	Motion passes unanimously.

**14. \*Rava, Bruce DPSST #48376, Not Currently Employed – Basic and Intermediate Corrections Certification**

Presented by Kristen Hibberds

Issue: In May 2017, DPSST received a call from Rava reporting his contact with police. A case was opened based upon his conviction of Recklessly Endangering Another Person. Mr. Rava has not been employed as a public safety professional in Oregon since September 2016 when he resigned from the Department of Corrections.

<b>Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Matt English moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Rava's conduct did involve <b>Gross Misconduct</b> as defined in Administrative Rule when he threatened the safety of the investigation officers and he was convicted of Reckless Endangerment.  Mike Gower moved that this <b>Gross Misconduct</b> when considered alone rises to the level to warrant action against the officer's certifications. .	Nadine Purington	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Rava's conduct did not involve <b>Misuse of Authority</b> as defined in Administrative Rule.			
Consensus reached that Rava's conduct did not involve <b>Disregard for the Rights of Others</b> as defined in Administrative Rule.			
Consensus reached that Rava's conduct did involve <b>Dishonesty</b> as defined in Administrative Rule by providing mitigation that directly conflicts with the police reports.  Matt English moved that this <b>Dishonesty</b> when considered alone rises to the level to warrant action against the officer's certifications.	Mike Gower	10 ayes; 0 nays	Motion passes unanimously.
The Corrections Policy Committee reviewed and considered the <b>Aggravating</b> and <b>Mitigating</b> circumstances specific to this case as required by OAR 259-008-0070(4)(f)(B).  By consensus the Committee found as additional aggravating circumstances Mr. Rava knowingly violated the law in front of his son and didn't take the proper course of action.  The Committee found no additional mitigating circumstances.			
Matt English makes a motion that after considering the totality of the case that Board action be taken on Rava's	Nadine Purington	10 ayes; 0 nays	Motion passes unanimously.

certifications.			
Consensus reached that Rava's dishonesty creates a serious concern for the integrity of the profession and violates the Code of Ethics. His conduct also showed a complete disregard for a fellow officer.			
Matt English makes a motion that Rava's Misuse of Authority warrants an ineligibility period of 10 years.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.
Kristin Hanthorn makes a motion that Rava's Dishonesty warrants an ineligibility period of a lifetime.	Rob Perrson	10 ayes; 0 nays	Motion passes unanimously.

**15. \*Severe, Billy DPSST #51493, DOC/Snake River Correctional Institution – Basic Corrections Certification**

Presented by Kristen Hibberds

Issue: In December 2017, DOC notified DPSST of Severe's arrest for Assault in the Fourth Degree, Menacing and two counts of Recklessly Endangering Another Person. Severe pled guilty to Fourth Degree Assault and received a deferred sentence.

<b>Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Matt English moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Severe's conduct did involve <b>Gross Misconduct</b> as defined in Administrative Rule when he threatened the safety of family members and struck his wife while she held a baby.  Jeanine Hohn moved that this <b>Gross Misconduct</b> when considered alone rises to the level to warrant action against the officer's certifications. .	Nadine Purington	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Severe's conduct did not involve <b>Misuse of Authority</b> as defined in Administrative Rule.			
Consensus reached that Severe's conduct did not involve <b>Disregard for the Rights of Others</b> as defined in Administrative Rule.			
Consensus reached that Severe's conduct did involve <b>Dishonesty</b> as defined in Administrative Rule by attempting to	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.

cover up the struggle and hide the gun used and misleading the police in their investigation of the incident.  Kristen Hanthorn moved that this <b>Dishonesty</b> when considered alone rises to the level to warrant action against the officer's certifications.			
The Corrections Policy Committee reviewed and considered the <b>Aggravating</b> and <b>Mitigating</b> circumstances specific to this case as required by OAR 259-008-0070(4)(f)(B).  By consensus the Committee found as additional aggravating circumstances Mr. Severe committed an act of domestic violence in front of his child, lied during the police investigation and had demonstrated a pattern of violent behavior.  The Committee found no additional mitigating circumstances.			
Matt English makes a motion that after considering the totality of the case that Board action be taken on Severe's certifications.	Nadine Purington	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Severe's lack of integrity and dishonesty erodes the public trust and his violence towards his family is an egregious violation of the Code of Ethics.			
Mike Gower makes a motion that Severe's Gross Misconduct warrants an ineligibility period of 10 years.	Kristen Hanthorn	10 ayes; 0 nays	Motion passes unanimously.
Matt English makes a motion that Severe's Dishonesty warrants an ineligibility period of a lifetime.	Nadine Purington	10 ayes; 0 nays	Motion passes unanimously.

**16. \*Trono, Robert DPSST #42442, Deschutes County Sheriff's Office – Basic, Intermediate, Advanced, Supervisory and Management Corrections Certifications**

Presented by Kristen Hibberds

*Jeanine Hohn recused herself due to conflict of interest.*

Issue: In April 2017, DPSST received an F-4 indicating that Trono had been discharged for cause.

<b>Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Matt English moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based.	Mike Gower	9 ayes; 0 nays; Jeanine Hohn abstaining	Motion passes.
Consensus reached that Trono's conduct did involve <b>Gross Misconduct</b> as defined in Administrative Rule when he repeatedly created a hostile work environment and, as a supervisor, created a fear amongst subordinates to keep them from filing complaints.  Matt English moved that this <b>Gross Misconduct</b> when considered alone rises to the level to warrant action against the officer's certifications.	Mike Gower	9 ayes; 0 nays; Jeanine Hohn abstaining	Motion passes.
Consensus reached that Trono's conduct did involve <b>Misuse of Authority</b> as defined in Administrative Rule when he attempted to intimidate subordinates using his position of authority.  Kristen Hanthorn moved that this <b>Misuse of Authority</b> when considered alone rises to the level to warrant action against the officer's certifications.	Mike Gower	9 ayes; 0 nays; Jeanine Hohn abstaining	Motion passes.
Consensus reached that Trono's conduct did not involve <b>Disregard for the Rights of Others</b> as defined in Administrative Rule.			
Consensus reached that Trono's conduct did not involve <b>Dishonesty</b> as defined in Administrative Rule.			
The Corrections Policy Committee reviewed and considered the <b>Aggravating</b> and <b>Mitigating</b> circumstances specific to this case as required by OAR 259-008-0070(4)(f)(B).  By consensus the Committee found as additional aggravating circumstances Mr. Trono's years experience and experience as a supervisor.  The Committee found no additional mitigating circumstances.			

Matt English makes a motion that after considering the totality of the case that Board action be taken on Trono's certifications.	Nadine Purington	9 ayes; 0 nays; Jeanine Hohn abstaining	Motion passes.
Consensus reached that Trono's behavior impacted the efficient operations as a supervisor because eroded trust as a supervisor and that his behavior created a disrespectful workplace.			
Matt English makes a motion that Trono's Gross Misconduct warrants an ineligibility period of 10 years.	Nadine Purington	9 ayes; 0 nays; Jeanine Hohn abstaining	Motion passes.
Rob Perrson makes a motion that Trono's Misuse of Authority warrants an ineligibility period of a 10 years.	Mike Gower	9 ayes; 0 nays; Jeanine Hohn abstaining	Motion passes.

**17. \*Groucher, Steven DPSST #40781, Not Currently Employed – Basic Corrections Certification**

Presented by Kristen Hibberds

Issue: In June 2017, DPSST received a LEDS hit that Groucher was arrested for DUII. He was subsequently convicted on August 15, 2017.

<b>Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Matt English moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Groucher's conduct did involve <b>Gross Misconduct</b> as defined in Administrative Rule when he was convicted of DUII and had open containers of alcohol in his vehicle.  Matt English moved that this <b>Gross Misconduct</b> when considered alone rises to the level to warrant action against the officer's certifications.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Groucher's conduct did not involve <b>Misuse of Authority</b> as defined in Administrative Rule.			



Consensus reached that Groucher's conduct did not involve <b>Disregard for the Rights of Others</b> as defined in Administrative Rule.			
Consensus reached that Groucher's conduct did not involve <b>Dishonesty</b> as defined in Administrative Rule.			
<p>The Corrections Policy Committee reviewed and considered the <b>Aggravating and Mitigating</b> circumstances specific to this case as required by OAR 259-008-0070(4)(f)(B).</p> <p>By consensus the Committee found as additional aggravating circumstances Mr. Groucher's failure to comply with the court requirements, his high BAC, the firearms that were found in the vehicle, his petition to the administrative law judge challenging the arrest, the fact that he held a commercial driver's license at the time of arrest.</p> <p>The Committee found that he admitted the number of drinks he had as mitigation.</p>			
Jeanine Hohn makes a motion that after considering the totality of the case that Board action be taken on Groucher's certifications.	Mike Gower	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Groucher's behavior violated the law and was not representative of law enforcement in Oregon.			
Jeanine Hohn makes a motion that Groucher's Gross Misconduct warrants an ineligibility period of 3 years.	Matt English	10 ayes; 0 nays	Motion passes unanimously

**18. \*Hein, Brenda DPSST #48399, Clackamas County Community Corrections – Basic and Intermediate Corrections Certifications**

Presented by Kristen Hibberds

Issue: In August 2017, DPSST was notified that Hein resigned during an investigation into her contact with an offender.

<b>Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Jeanine Hohn moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based.	Matt English	10 ayes; 0 nays	Motion passes unanimously.
<p>Consensus reached that Hein’s conduct did involve <b>Gross Misconduct</b> as defined in Administrative Rule when she shared sensitive information with an offender creating a potential danger to the safety and security of the agency.</p> <p>Matt English moved that this <b>Gross Misconduct</b> when considered alone rises to the level to warrant action against the officer’s certifications.</p>	Mike Gower	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Hein’s conduct did not involve <b>Misuse of Authority</b> as defined in Administrative Rule.			
Consensus reached that Hein’s conduct did not involve <b>Disregard for the Rights of Others</b> as defined in Administrative Rule.			
<p>Consensus reached that Hein’s conduct did involve <b>Dishonesty</b> as defined in Administrative Rule when she denied contact with offender and when she claimed she reported the contact with another officer.</p> <p>Matt English moved that this <b>Dishonesty</b> when considered alone rises to the level to warrant action against the officer’s certification.</p>	Carol Dishon	10 ayes; 0 nays	Motion passes unanimously
<p>The Corrections Policy Committee reviewed and considered the <b>Aggravating</b> and <b>Mitigating</b> circumstances specific to this case as required by OAR 259-008-0070(4)(f)(B).</p> <p>By consensus the Committee found as additional aggravating circumstances Ms. Hein’s accepted no responsibility in her mitigating letter and that she was</p>			

uncooperative during the investigation.			
Matt English makes a motion that after considering the totality of the case that Board action be taken on Hein's certifications.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Hein's behavior is indicative judgement that put the agency at risk, that she failed to accept responsibility and violated her Code of Ethics.			
Matt English makes a motion that Hein's Gross Misconduct warrants an ineligibility period of 10 years.	Kristen Hanthorn	10 ayes; 0 nays	Motion passes unanimously
Kristen Hanthorn makes a motion that Hein's Dishonesty warrants an ineligibility period of Lifetime	Nadine Purington	10 ayes; 0 nays	Motion passes unanimously

**19. \*Szabo, Brandon DPSST #48987, Deschutes County Sheriff's Office – Basic, Intermediate and Advanced Corrections Certifications**

Presented by Kristen Hibberds

Issue: In July 2017, DPSST received a Personnel Action Report (F-4) from the Deschutes County Sheriff's Office reporting Szabo's resignation during an investigation.

<b>Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Matt English moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based.	Mike Gower	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Szabo's conduct did not involve <b>Gross Misconduct</b> as defined in Administrative Rule.			
Consensus reached that Szabo's conduct did not involve <b>Misuse of Authority</b> as defined in Administrative Rule.			
Consensus reached that Szabo's conduct did not involve <b>Disregard for the Rights of Others</b> as defined in Administrative			

Rule.			
<p>Consensus reached that Szabo's conduct did involve <b>Dishonesty</b> as defined in Administrative Rule when he originally denied recording a meeting and later admitted to lying.</p> <p>Mike Gower moved that this <b>Dishonesty</b> when considered alone rises to the level to warrant action against the officer's certification.</p>	Rob Perrson	10 ayes; 0 nays	Motion passes unanimously
<p>The Corrections Policy Committee reviewed and considered the <b>Aggravating</b> and <b>Mitigating</b> circumstances specific to this case as required by OAR 259-008-0070(4)(f)(B).</p> <p>By consensus the Committee found no additional aggravating or mitigating circumstances.</p>			
Matt English makes a motion that after considering the totality of the case that Board action be taken on Szabo's certifications.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Szabo's dishonesty undermines the Code of Ethics for public safety officers and is unacceptable within the public safety profession.			
Rob Perrson makes a motion that Szabo's Dishonesty warrants an ineligibility period of Lifetime	Kristen Hanthorn	10 ayes; 0 nays	Motion passes unanimously

**20. \*Torres, Hector DPSST #38280, Department of Corrections/TRCI – Basic and Intermediate Corrections Certifications**

Presented by Kristen Hibberds

Issue: In April 2017, DPSST learned that Torres had resigned in lieu of termination on September 22, 2015.

Vote/Consensus	Second	Vote	Outcome
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<p>Mike Gower moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based.</p>	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.
<p>Consensus reached that Torres' conduct did involve <b>Gross Misconduct</b> as defined in Administrative Rule when he failed to supervise an inmate work crew allowing additional felony crimes to be committed.</p> <p>Jeanine Hohn moved that this <b>Gross Misconduct</b> when considered alone rises to the level to warrant revocation of the officer's certification.</p>	Carol Dishon	10 ayes, 0 nays	Motion passes unanimously.
<p>Consensus reached that Torres' conduct did involve <b>Misuse of Authority</b> as defined in Administrative Rule when he altered records to cover up his failure to supervise inmates.</p> <p>Mike Gower moved that this <b>Misuse of Authority</b> when considered alone rises to the level to warrant revocation of the officer's certification.</p>	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously
<p>Consensus reached that Torres' conduct did not involve <b>Disregard for the Rights of Others</b> as defined in Administrative Rule.</p>			
<p>Consensus reached that Torres' conduct did involve <b>Dishonesty</b> as defined in Administrative Rule when he deliberately changes the times of the logs and later admitted to his falsifications.</p> <p>Matt English moved that this <b>Dishonesty</b> when considered alone rises to the level to warrant action against the officer's certification.</p>	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously
<p>The Corrections Policy Committee reviewed and considered the <b>Aggravating</b> and <b>Mitigating</b> circumstances specific to this case as required by OAR 259-008-0070(4)(f)(B).</p> <p>By consensus the Committee found additionally aggravating Torres' lack of supervision leading to additional victims, his creation of a risk to himself and the</p>			

agency and that he had previously been counseled on this type of behavior.			
Mike Gower makes a motion that after considering the totality of the case that Board action be taken on Torres' certifications.	Rob Perrson	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Torres' behavior was egregious and lacked integrity, compromising the safety and security of the institution in direct violation of the Code of Ethics and contained elements of Official Misconduct.			
Matt English makes a motion that Torres' Gross Misconduct warrants an ineligibility period of 10 years.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously.
Mike Gower makes a motion that Torres' Misuse of Authority warrants an ineligibility period of 10 years.	Carol Dishon	10 ayes; 0 nays	Motion passes unanimously.
Rob Perrson makes a motion that Torres' Dishonesty warrants an ineligibility period of Lifetime	Nadine Purington	10 ayes; 0 nays	Motion passes unanimously

**21. \*Nungaray, Robert DPSST #55334, DOC – Eastern Oregon Correctional Institution –  
Basic Corrections Certification**

Presented by Kristen Hibberds

Issue: In October 2016, DPSST received a LEADS hit that Nungaray was arrested for DUII. In November of 2016 Nungaray entered into a Diversion Agreement. On July 5, 2017, Nungaray was arrested for DUII again. His diversion was revoked and he was convicted of two DUII's on September 25, 2017.

<b>Vote/Consensus</b>	<b>Second</b>	<b>Vote</b>	<b>Outcome</b>
Jeanine Hohn moved that the Corrections Policy Committee adopts the staff report as the record upon which its recommendations are based.	Mike Gower	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Nungaray's conduct did involve <b>Gross Misconduct</b> as defined in Administrative Rule when he was convicted of two DUIIs, when he failed to take a breathalyzer test and when he switched vehicle license plates.	Carol Dishon	10 ayes, 0 nays	Motion passes unanimously.

Mike Gower moved that this <b>Gross Misconduct</b> when considered alone rises to the level to warrant revocation of the officer's certification.			
Consensus reached that Nungaray's conduct did not involve <b>Misuse of Authority</b> as defined in Administrative Rule.			
Consensus reached that Nungaray's conduct did not involve <b>Disregard for the Rights of Others</b> as defined in Administrative Rule.			
Consensus reached that Nungaray's conduct did involve <b>Dishonesty</b> as defined in Administrative Rule when he stated to law enforcement that he didn't drink and that he walked to his parents house.  Mike Gower moved that this <b>Dishonesty</b> when considered alone rises to the level to warrant action against the officer's certification.	Jeanine Hohn	10 ayes; 0 nays	Motion passes unanimously
The Corrections Policy Committee reviewed and considered the <b>Aggravating</b> and <b>Mitigating</b> circumstances specific to this case as required by OAR 259-008-0070(4)(f)(B).  By consensus the Committee found additionally aggravating Nungaray's failure to complete diversion and fail to comply during his court-ordered supervision.			
Matt English makes a motion that after considering the totality of the case that Board action be taken on Nungaray's certifications.	Mike Gower	10 ayes; 0 nays	Motion passes unanimously.
Consensus reached that Nungaray's behavior violated multiple laws and is indicative of poor judgement and lack of integrity, which are required in law enforcement disciplines.			
Matt English makes a motion that Nungaray's Gross Misconduct warrants	Nadine Purington	10 ayes; 0 nays	Motion passes unanimously.

an ineligibility period of 10 years.			
Mike Gower makes a motion that Nungaray's Dishonesty warrants an ineligibility period of Lifetime	Carol Dishon	10 ayes; 0 nays	Motion passes unanimously

## **22. Department Update**

- DPSST is continuing to explore technology that would allow Board and Committee meetings to be streamed over the internet in an effort to increase transparency and bolster room security.
- DPSST is working with the Board chair on selection a voting public member for the CPC.
- The Management/Executive Certification Workgroup is continuing its work reviewing the Management and Executive level certification and training requirements.
- Professional Standards is continuing to explore and examine how professional standards cases are handled and presented to the Policy Committees and Board.
- Eriks gave an update on the revised Basic Parole and Probation Course that was reviewed and approved by the CPC at its last meeting and BPSST last month. The revised class was delivered as a pilot with good feedback from students and instructors. DPSST staff will be working with parole and probation managers to seek their feedback. Staff will collate the information and give an update to the CPC at its next meeting. Eriks shared that two students in this class were dismissed because of off-campus conduct and the matter will be shared with DPSST's Professional Standards Division to evaluate if further action is warranted.
- DPSST was asked to give an update on changes made in the criminal justice professional standards program to a joint meeting of House and Senate Judiciary Committee in January.
- During the 2018 session, DPSST has requested funds for five additional basic police and one additional basic corrections class. DPSST has also provided assistance and testimony on a bill that was introduced to provide tuition assistance to children of fallen public safety officers (police, corrections, parole and probation, fire, etc.) who desire to attend college.
- DPSST is working on its 2019-2021 Agency Request Budget. Enrollment to address retirements will be a primary focus of the agency. DPSST will also request funds to address infrastructure issues as the campus is getting close to twelve years old and items are starting to wear out. DPSST is also discussing with the Oregon Department of Corrections a request to return basic training for newly hired DOC officers to the Academy.
- Academy enrollment continues to be strong. The largest numbers are in the basic police course where the statewide estimate is that 1,000 officers are eligible to retire over the next three years. The Basic Corrections class also continues to see strong numbers. The April and June Basic Corrections classes are full with 40 students each. The next available class in October, 2018. DPSST staff is tracking this situation and will work with the Oregon State Sheriff's Association jail Command Council to evaluate if a class offered sooner than October is warranted. Parole and Probation just graduated a class last week with the Basic course scheduled for May, 2018 which has 12 of the 24 seats reserved.



- DPSST is working with a group of chaplains who are developing a class specifically for public safety chaplains. The closest class is in Washington and is high demand which means slots for Oregon chaplains are limited. The chaplains group will develop and deliver the class for public safety chaplains who support law enforcement, fire, EMS, and 9-1-1 centers, their staff, and their customers. DPSST will host the class at the Academy free of charge and offer meals and lodging as well.
- DPSST's leadership team recently completed a statewide listening tour that focused on its criminal justice partners. This was done because there are so many changes occurring in both standards and training for police, corrections, parole and probation, and 9-1-1 that the specific focus was necessary. More than 80 of the 208 criminal justice agencies DPSST attended. More than 150 attendees participated. The feedback was very good with a common theme statewide regarding increased communications from DPSST to agencies while their students were in the Academy. There was also feedback regarding updating the supervision and middle management training courses.
- DPSST has funds available through the Oregon Health Authority to assist with deliver of classes specifically for public safety personnel responding to incidents with people in crisis.
- DPSST will host the State's fallen officer memorial ceremony at the Academy on May 8, 2018 at 1 PM. Everyone is very thankful that no names are being added to the memorial this year.

Meeting adjourned at 2:47 p.m.

### **23. Next Corrections Policy Committee Meeting May 8, 2018**

#### *Administrative Notes:*

- *The CPC went on break at 11:45, coming back on the record at 12:17.*
- *The CPC went on break at 1:22, coming back on the record at 1:32.*
- *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.*