

2013 Government to Government Agency Report

AGENCY NAME: Department of Public Safety Standards and Training

KEY CONTACTS: Eriks Gabliks, Director Tammera Hinshaw, Executive Assistant

The Oregon Department of Public Safety Standards and Training (DPSST) is responsible for training and certifying police, corrections, parole and probation officers; 9-1-1 telecommunicators and emergency medical dispatchers; career and volunteer fire-rescue personnel. It is also responsible for licensing of private security officers and managers and private investigators. DPSST serves more than 35,000 public safety professionals around the state.

Director Eriks Gabliks serves as the primary agency representative on the Government-to-Government Public Safety and Enforcement Cluster Group. Over the last year, DPSST regularly participated as a member of the Government-to-Government Public Safety and Enforcement Cluster Group and hosted Cluster meetings as needed at the Oregon Public Safety Academy in Salem. DPSST regularly provided information on its legislative concepts to members of the group in an effort to inform them of statutory changes that could impact members of the public safety community, including tribal law enforcement, corrections, and fire service agencies. Information from national associations and federal public safety agencies that is of potential interest to cluster group participants is provided on an on-going basis.

During 2013, DPSST continued to work with tribal law enforcement agencies to implement Senate Bill 412. SB 412, proclaimed by many as landmark legislation, was approved during the 2011 legislative session and gave participating tribal law enforcement officers the same police powers as city, county, and state law enforcement officers. Since passage of this legislation, DPSST has held a number of meetings with tribal police chiefs and tribal legal counsel to implement the new program.

The impact of this legislation was recently recognized by the Indian Law and Order Commission (ILOC). DPSST, along with other partners of the Public Safety Cluster, were invited to give testimony to the Indian Law and Order Commission (ILOC) when it held a regional hearing in Portland on November 2, 2012. ILOC recognized Oregon for its work on SB 412 and mentioned the challenges that were taking place in other states on this important issue. On November 12, 2013, to address the public safety crisis in Indian country, the Indian Law and Order Commission released its report, "A Roadmap for Making Native America Safer," detailing recommendations for law enforcement in Indian Country. The Tribal Law and Order Act (TLOA) of 2010 created the bipartisan Commission to develop a report with recommendations to strengthen tribal justice and to improve public safety for people living and working on and near American Indian and Alaska Native communities. The TLOA requires the ILOC to submit its findings and recommendations to the Congress and the President.

DPSST swiftly adopted rules for compliance with SB 412 and established a process to review, and approve, requests from tribal law enforcement agencies. Unfortunately, SB 412 inadvertently created a situation which only recognized tribal law enforcement officers who meet all of the elements of SB 412. DPSST's previous ability to train and certify tribal law enforcement officers was inadvertently taken away. This language change was not noticed

during the legislative session and only became apparent once the bill was filed in its final form. This impacted tribes that were either working toward meeting the SB 412 requirements but were not yet completed, or the tribal law enforcement agency that is located in an area where they already had deputization from the county sheriff and SB 412 was not desired by the tribe at the time. As a result, DPSST proposed a solution which would allow a tribal law enforcement agency which does not meet SB 412, to retain its DPSST certification and continue to attend DPSST training classes. DPSST was very aware of the sovereign nation concerns of the tribes and crafted a solution that did not open SB 412 and only opened DPSST statutes (Oregon Revised Statute 181). With agreement in place with the tribal law enforcement agencies and legal counsels, DPSST sought a legislative solution. DPSST, along with tribal representatives worked with members of the Oregon Legislative Assembly and the Governor's Office on the legislative solution. The solution was placed within SB 1525, approved by both the House and Senate, and signed by Governor Kitzhaber on March 5, 2012.

DPSST staff worked with members of the various statewide law enforcement agencies to share the legislative concept and gain support for SB 1525. The Oregon Association of Chiefs of Police, the Oregon State Sheriff's Association, and the Council of Police Associations were all contacted. DPSST staff also asked the Board on Public Safety Standards and Training (BPSST) to direct staff not take any actions against tribal law enforcement agencies or their law enforcement officers that were not in compliance with SB 412 while the February legislative session worked on a solution (SB 1525). The BPSST unanimously approved this request at its January 26, 2012 meeting.

We are pleased to report that each Oregon tribe with a law enforcement agency complies with SB 412 as of November 25, 2013. Below is a list of each tribal police agency in compliance with SB 412 and the date they achieved recognition.

- Coos, Lower Umpqua, Siuslaw Tribal PD - December 21, 2011
- Umatilla Tribal PD - January 6, 2012
- Warm Springs Tribal PD - April 9, 2012
- Grande Ronde Tribal PD - May 30, 2012
- Columbia River Inter-Tribal Fish Commission PD - September 21, 2012
- Coquille Indian Tribal PD - December 21, 2012
- Burns Paiute Tribal PD – November 25, 2013

In addition, DPSST continues to provide information on training opportunities for tribal public safety agencies including leadership training for managers and executives. DPSST hosted a variety of training sessions for public safety executives and field training officers (including tribal public safety agencies). DPSST also offered a number of National Incident Management System (NIMS) classes to help local, county, state, and tribal public safety agencies meet the requirements of the United States Department of Homeland Security. These training opportunities were provided free of charge at the Oregon Public Safety Academy in Salem and at locations through the state.

DPSST began delivery of the 16-week Basic Police Course on January 1, 2007. Local, county, tribal, and state law enforcement agencies have been very appreciative of the new course and are pleased with the quality of the training. The course continues to be updated on an on-going basis to meet the needs of all Oregonians including our tribal partners.

Budget reductions, due the economic downturn, had reduced the training opportunities offered by DPSST to law enforcement agencies statewide. There was good news during the 2013 legislative session, Oregon's law enforcement associations worked with the Oregon Legislative Assembly, and members of Governor Kitzhaber's Office, to craft House Bill 3194. HB 3194 was created to provide reinvestments in Oregon's public safety system and included the creation of the Center for Policing Excellence at DPSST. The Center embraces evidenced-based, data led policing principles and also restores the Leadership Training Program at DPSST through the addition of two dedicated employees. HB 3194 also restored two regional training coordinator positions that will coordinate off-campus criminal justice training classes in the Western region. These additions at DPSST will benefit tribal, state, city and county law enforcement agencies.

DPSST continues its commitment to provide the best training possible and search for innovative and progressive ways to carry out its mission. DPSST realizes that support from its constituents is critical to this endeavor and understands that only by working together can the ever-changing needs of Oregon's residents be addressed. DPSST remains committed to the Government to Government process and looks forward to continuing its efforts in 2014.