

Meeting Minutes

Commission on Statewide Law Enforcement Standards of Conduct and Discipline

Date: September 27, 2022

Time: 8:00 am to 10:00 am

Location: Virtual via Zoom

Call to Order, Roll Call

Attendees

Members in attendance: Chief Timothy Addleman, Tarron Anderson, Sheriff Angela Brandenburg, Laura Fine (arrived shortly after roll call and left the meeting early), Brian Henson (left the meeting early), Anil Karia, Mark Makler, Representative Ron Noble, Steven Schuback, Umatilla County Commissioner John Shafer, Michael Slauson, Chief John Teague, Benny Williams, Michael Wu

Staff in attendance: Fred Boss, Joshua Nasbe, Kristen Gilman, Toni Kemple, Michelle White

Members not in attendance: Senator Floyd Prozanski

SUBSTANTIVE DISCUSSIONS:

The meeting was recorded in full and is available online at the Commission on Statewide Law Enforcement Standards of Conduct and Discipline website: <https://justice.oregon.gov/lesc/>

MOTION

Motion to approve the minutes for the September 21, 2022, Commission meeting was made by Commissioner Williams and seconded by Commissioner Karia. There were no objections. Motion was approved.

PRESENTATIONS:

Discussion Item – Continue discussion from September 21, 2022, meeting regarding revisions to rules. – *Video time stamp 0:02:49*

1. Discussion - Untruthfulness

The Commission was informally polled, by show of hands, whether to continue the discussion about the definition of truthfulness. Eight of the fourteen commissioners present indicated they would support continuing the discussion (*see video time stamp 0:05:45*)

- Commissioner Makler's proposed edits. (*see video time stamp 0:07:10*)

The Commission was informally polled, by show of hands, to include additional edits which includes "dishonest or untruthful in a manner that reflects adversely on the ability of a law

enforcement officer to perform their official duties, which includes” and retains “temporary in nature”. Six of the fourteen commissioners present indicated they would support the additional edits and retaining “temporary in nature”. (see video time stamp 0:51:10)

The Commission was informally polled, by show of hands, to remove “temporary in nature”. Eleven of the fourteen commissioners present indicated they would support the additional edits and removing “temporary in nature”. (see video time stamp 0:51:55)

MOTION

Motion to adopt definition of untruthfulness was made by Commissioner Karia and seconded by Commissioner Makler. The motion was unanimously carried with 13 in favor by roll call vote. (see Video time stamp 0:53:02).

Name	Yes	No	Abstain	Not in Attendance
Chief Timothy Addleman	✓			
Tarron Anderson	✓			
Sheriff Angela Brandenburg	✓			
Laura Fine	✓			
Brian Henson	✓			
Anil Karia	✓			
Mark Makler	✓			
Steven Schuback	✓			
Umatilla County Commissioner John Shafer	✓			
Michael Slauson	✓			
Chief John Teague	✓			
Benny Williams	✓			
Michael Wu	✓			

2. Discussion - BAC

The Commission was informally polled, by show of hands, whether to continue the discussion about the BAC. Seven of the fourteen commissioners present indicated they would support continuing the discussion. (see video time stamp 0:58:00)

The Commission was informally polled, by show of hands, to retain original rule that includes “having a BAC greater than 0.00”. Six of the fourteen commissioners present indicated they would support retaining the original rule that includes “having a BAC greater than 0.00” (see video time stamp 1:09:50)

The Commission was informally polled, by show of hands, to include “noticeable or perceptible degree” without any reference to a BAC. None of the fourteen commissioners present

indicated they would support including “noticeable or perceptible degree” with no stated BAC. (see video time stamp 1:19:43)

MOTION

Motion to include “impaired to a noticeable or perceptible degree includes a BAC of greater than 0.02” was made by Commissioner Karia and seconded by Commissioner Makler. The motion was carried with 10 in favor, 1 opposed, and 2 not in attendance, by roll call vote. (see Video time stamp 0:44:10).

Name	Yes	No	Abstain	Not in Attendance
Chief Timothy Addleman	✓			
Tarron Anderson	✓			
Sheriff Angela Brandenburg	✓			
Laura Fine				✓
Brian Henson				✓
Anil Karia	✓			
Mark Makler	✓			
Steven Schuback		✓		
Umatilla County Commissioner John Shafer	✓			
Michael Slauson	✓			
Chief John Teague	✓			
Benny Williams	✓			
Michael Wu	✓			

3. Discussion – Multiple Instances of Misconduct

Review of edits made to Multiple Instances of Misconduct and the addition of Arbitrary and Capricious Discipline. (see video time stamp 1:27:41)

ADOPTION OF RULES:

MOTION

Motion to adopt rules as revised by the Commission was made by Commissioner Karia and seconded by Commissioner Makler. The motion was carried with 11 in favor and 2 not in attendance, by roll call vote. (see Video time stamp 1:30:44).

Name	Yes	No	Abstain	Not in Attendance
Chief Timothy Addleman	✓			
Tarron Anderson	✓			
Sheriff Angela Brandenburg	✓			

Name	Yes	No	Abstain	Not in Attendance
Laura Fine				✓
Brian Henson				✓
Anil Karia	✓			
Mark Makler	✓			
Steven Schuback	✓			
Umatilla County Commissioner John Shafer	✓			
Michael Slauson	✓			
Chief John Teague	✓			
Benny Williams	✓			
Michael Wu	✓			

DOCUMENTS REFERRED TO:

The following documents were discussed at the meeting and are available on request by emailing ORLawEnfCommission@doj.state.or.us or visiting the website at: <https://justice.oregon.gov/lesc/>

- Commissioner Makler Email – Proposed edits to truthfulness rule

Next Meeting:

Date: TBD