



# Oregon

John A. Kitzhaber, MD, Governor

## Department of Public Safety Standards and Training

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EXHIBIT: 4 SB 1525  
2012 SESSION SEN. JUDICIARY  
DATE: 2-1-12 PAGES: 2  
SUBMITTED BY: Gablks

**DATE:** February 1, 2012

**TO:** Senate Judiciary Committee  
Floyd Prozanski, Chair  
Jeff Kruse, Vice-Chair  
Peter Courtney  
Jackie Dingfelder  
Doug Whitsett

**FROM:** Eriks Gabliks, Director

**SUBJECT:** Requested amendment to Senate Bill 1525, regarding FBI representation on the Board on Public Safety Standards and Training

One of the statutorily identified members of the 24-person Board on Public Safety Standards and Training is the Special Agent in Charge (SAC) of the Federal Bureau of Investigation (FBI) for Oregon. The individuals in this position play an important role in the Board on Public Safety Standards and Training's (Board) policy discussions regarding law enforcement in Oregon.

The Department of Public Safety Standards and Training (DPSST) has been in recent conversation with the current SAC for Oregon regarding guidance that he has recently been given. That guidance provides that as a representative of the FBI, he should not be a voting member of bodies such as the Board, which involve state licensing or certification decisions affecting state and local law enforcement officers. A copy of his letter is attached to this testimony.

Based on these recent discussions, DPSST requested that amendment language be prepared for legislative consideration during the 2012 legislative session, providing that the position held by the Special Agent in Charge of the FBI for Oregon be a non-voting position. It is our understanding that this language has been drafted as an amendment to SB 1525. DPSST requests that this Committee consider including this amendment in its consideration of SB 1525.





U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

1500 SW 1st Avenue, Suite 400  
Portland, Oregon 97202  
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November 8, 2011

Eriks Gabliks  
Director  
Oregon Department of Public Safety Standards & Training  
4190 Aumsville Highway Southeast  
Salem, Oregon 97317

RE: Board on Public Safety Standards and Training (BPST)

Dear Director Gabliks:

Thank you for inviting me to participate on the DPSST's Public Safety Standards and Training Board (BPST), as well as the Police Policy Committee (PPC). I realize under Oregon Revised Statute (ORS) 181.630 and ORS 181.620(1) the Special Agent-in-Charge for the FBI in Oregon is a designated member of both boards. While several of my predecessors may have been actively involved in the work performed by these DPSST components, I was recently advised there have been updates to the applicable FBI guidelines regarding an employee's official-capacity participation in an outside organization.

In sum, FBI employees are often restricted from official participation in outside organizations that exceed passive membership. This includes serving as an officer, director or similar position having a fiduciary duty, or serving as an official representative of the FBI or Department of Justice. Therefore, I must recuse from voting on BPST and PPC matters such as individual law enforcement officer disciplinary proceedings or budget related decisions. I would, however, be happy to offer my prospective on issues related to the law enforcement community in Oregon and serve as an advisor to both the BPST and PPC.

Should you have any questions or concerns, I would be happy to discuss the matter with you at your earliest convenience.

Sincerely,

Gregory Alan Fowler  
Special Agent-in-Charge