**State of Maine**

**Maine Criminal Justice Academy Board of Trustees**

Complaint Review Committee

Minutes of August 28, 2019 Meeting

**MEMBERS PRESENT**

Thomas Peters II, Esq., Public Member, Chairman

Detective Seth Blodgett, Office of the Attorney General

Chief Charles J. Rumsey, IV, Cumberland Police Department

**STAFF PRESENT**

Andrew Black, AAG, Legal Counsel

**CALL TO ORDER**

Chair Peters called the meeting to order at 0845.

**APPROVAL OF MINUTES**

The proposed minutes for the CRC Meeting of June 19, 2019, were reviewed and approved by a vote of 3-0.

**INFORMAL CONFERENCES**

The CRC voted unanimously to go into executive session pursuant to 1 M.R.S. § 405(6)(F) for the purpose of discussing information pertaining to allegations of certificate holder misconduct, which information and records are expressly made confidential under 25 M.R.S. § 2806-A(10).

The CRC went into executive session at 0852 and held conferences in the following cases:

* Case No. 2019-010
* Case No. 2019-023
* Case No. 2019-024
* Case No. 2019-021
* Case No. 2018-029

From 1129 to 1201 the CRC recessed for lunch and at 1201 reconvened in executive session to discuss open cases.

**CASE DISCUSSIONS**

The CRC discussed all open cases and possible resolutions for the following matters:

* Case No. 2018-029
* Case No. 2018-033
* Case No. 2019-014
* Case No. 2019-018
* Case No. 2019-021
* Case No. 2019-023
* Case No. 2019-024

The CRC came out of executive session at 1325.

**CASE RECOMMENDATIONS**

Case No. 2018-029. On a motion by Blodgett seconded by Peters, the CRC voted 3-0 to present this case to the Board and recommend that the Board take no further action on this case.

Case No. 2018-033. On a motion by Rumsey seconded by Peters, the CRC voted 3-0 to present this case to the Board and recommend that the Board issue a summary revocation to this full-time law enforcement officer pursuant to 25 M.R.S. § 2806-A(5)(C) for being convicted of a Class D crime (tampering with public records 17-A M.R.S. § 456(1)(C)) .

Case No. 2019-010. On a motion by Rumsey seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that it offer a consent agreement to this corrections officer pursuant to 25 M.R.S. § 2806-A(5)(C) for being convicted of a Class D crime (OUI 29-A M.R.S. § 2411(1-A)(A)(1)). The consent agreement would impose a warning and a 3-year period of probation.

Case No. 2019-014. On a motion by Rumsey seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that it issue a notice of revocation to this corrections officer and PT law enforcement officer pursuant to 25 M.R.S. § 2806-A(5)(E) based on a guilty plea pursuant to a deferred disposition to a Class B crime (unlawful sexual contact 17-A M.R.S. § 255-A(1)(E-1)).

Case No. 2019-018. On a motion by Rumsey seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that the Board issue a notice of revocation to this FT law enforcement officer pursuant to 25 M.R.S. § 2806-A(5)(E) based on a guilty plea pursuant to a deferred disposition to a Class D crime (domestic violence assault 17-A M.R.S. § 207(1)(A)).

Case No. 2019-021. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that the Board deny the waiver request of and issue a notice of revocation to this PT law enforcement officer pursuant to 25 M.R.S. § 2806-A(5)(F) for engaging in conduct that is prohibited or penalized by state law as a Class D crime:

1. failure to pay tax 36 M.R.S. § 5332(1)(A);
2. failure to file tax return 36 M.R.S. § 5332(1)(B);
3. filing a false tax return 36 M.R.S. § 5333(1);
4. operating under the influence 29-A M.R.S. § 2411(1-A)(A);
5. possession of a schedule W drug 17-A M.R.S. § 1107-A(C);
6. night hunting 12 M.R.S. § 11206(1)(A);
7. criminal mischief 17-A M.R.S. § 17-A M.R.S. § 806(A);
8. receiving stolen property 17-A M.R.S. §359(B)(5)

Case No. 2019-023. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to table this matter and request that this applicant for a waiver obtain an alcohol abuse evaluation from a licensed counselor and provide a report from the counselor.

Case No. 2019-024. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to approve the application for a waiver (OUI) for this candidate for the BLETP.

**ADJOURN**

There being no further business, the CRC adjourned at 1340.