

Chapter 1: GENERAL PROVISIONS

Summary: Chapter 1 of the Maine Criminal Justice Academy Board of Trustees' rules sets out the objectives of the rules and defines terms used therein.

1. **Objectives.** The objectives of the Maine Criminal Justice Academy Board of Trustees are:
 - A. To raise the level of competence of law enforcement officers;
 1. by establishing minimum standards for training, and
 2. by providing or certifying law enforcement training courses;
 - B. To raise the level of competence of corrections officers;
 1. by establishing minimum standards for training, and
 2. by providing or certifying corrections training courses.
 - C. To promote cooperation among agencies at all levels of the criminal justice system.

2. **Definitions.**
 - A. "Academy" refers to the Maine Criminal Justice Academy, the central training facility for law enforcement, corrections, and criminal justice personnel in the State of Maine.
 - B. "Act" refers to 25 M.R.S.A. §§ 2801 - 2809.
 - C. "Basic Training Course" refers to the course of instruction for full-time law enforcement and corrections officers conducted at or by the Maine Criminal Justice Academy pursuant to 25 M.R.S.A. §2804-C and §2804-D.
 - D. "Board" refers to the Board of Trustees of the Maine Criminal Justice Academy as created pursuant to the provisions of 25 M.R.S.A. §2802.
 - E. "Chair" refers to the Chairperson of the Board of Trustees as elected by the Board pursuant to 25 M.R.S.A. §2804.
 - F. "Corrections Officer" for county, municipal and other agencies refers to an employee whose primary duties are the control, custody and care of individuals who are detained or sentenced to a municipal, county or state detention or correctional facility. For the

purpose of this definition, this shall not include individuals who are solely performing program services and who have no security responsibilities.

- G. "Department Head" refers to a Chief of Police, Sheriff, Warden or Chief Administrator of any law enforcement or correctional unit of the State.
- H. "Director" refers to the Director of the Maine Criminal Justice Academy, as appointed by the Commissioner of Public Safety with the approval of the Board, pursuant to 25 M.R.S.A. §2804-A.
- I. "Exemption." The provisions of the "Act" do not apply to any person who was employed as a full-time law enforcement officer in a municipality in Maine on September 23, 1971, in a county in Maine on July 1, 1972 or as specified in §2801-B, and §2804-C (5).
- J. "Full-time Corrections Officer" means a person who is employed as a corrections officer with a reasonable expectation of working at least 1,040 hours in any one calendar or fiscal year for performing corrections officer duties.
- K. "Full-time Law Enforcement Officer" means a person who is employed as a law enforcement officer with a reasonable expectation of working at least 1,040 hours in any one calendar or fiscal year for performing law enforcement officer duties.
- L. "In Service Training" refers to training designed to refresh or add to an individual's capability as a law enforcement or corrections officer in courses approved by the Board. "In-Service Training" as defined in this paragraph, does not include and is not a substitute for the "basic training course" defined in sub- paragraph (C) of this section.
- M. "Law Enforcement Officer" shall mean any person empowered by a municipality, county or state in the State of Maine to serve criminal process and to arrest and prosecute offenders of the law.
- N. "Waiver." The Board may waive the requirement for the completion of the basic training course required by 25 M.R.S.A. §2804-C and §2804-D upon presentation by an individual, of documentary evidence of successful completion of an equivalent course.
- O. "Conditional Waiver." The Board may require, as a condition to receiving a waiver, that within 1 year of Board action, an individual demonstrate knowledge of Maine Criminal Code, Maine Motor Vehicle Law, Maine Juvenile Law, and any other subject areas that the Board deems necessary by completing those courses at the Academy, or at another institution giving courses certified by the Board, or by passing written examination administered by the Academy.
- P. "Specification" refers to that part of the Academy Policy and Administrative Provision Manual in which information supplementary to these rules is set forth.
- Q. "Reserve Officer" shall mean a constable, reserve officer, or other part-time police officer employed, with or without compensation, less than full-time by the state or any county or municipality thereof, whose primary responsibility is to serve criminal process and to arrest and prosecute offenders of the law.

- R. "Certificate of Eligibility" shall mean a license issued to a full or part-time law enforcement officer or corrections officer who is employed by a state, county, or municipality , and has met the standards as approved by the Board. This certificate will be considered lapsed when the individual is no longer serving with the employing agency.
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STATUTORY AUTHORITY: 25 M.R.S.A. §2803-A

EFFECTIVE DATE:

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AMENDED:

December 25, 1979

July 25, 1982 - Sec. 2N

June 30, 1984 - Sec. 20

September 4, 1991

EFFECTIVE DATE (ELECTRONIC CONVERSION):

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AMENDED:

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AMENDED:

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