

Minutes of the meeting of the Maine Criminal Justice Academy Board of Trustees held at the Maine Criminal Justice Academy in the Brian MacMaster Board Room on **Friday, March 8, 2024.**

Board Members Attending:

Chief Deputy Brian Pellerin – Chair
Commissioner Michael Sauschuck
Commissioner Randall Liberty
Chief Charles Rumsey IV – Vice Chair
Detective Seth Blodgett
Colonel Dan Scott
Sheriff Scott Nichols
DA Kathryn Slattery
Mr. Mateo Mendoza
Deputy Chief Eric Small
Ms. Elizabeth Ward Saxl
Ms. Francine Stark
Ms. Kimberly Russell
Mr. Nathan Poore

Board Members Excused:

Deputy Chief David Bushey
Colonel William Ross
Ms. Marie Hansen
Officer Matthew Dana

Participants:

Director Jack Peck
Assistant Director Lincoln Ryder
AAG Andrew Black
Karen Green, Board Clerk

Guests:

Lt. Jason Stuart – Bangor Police Department
Tanner Favreau – Bangor Police Department
John Lappin – Department of Corrections
Rafael Garza – Maine Criminal Justice Academy

I. Item One on the Agenda: Call to Order

Chair Pellerin called the meeting to order at 9:00 a.m.

II. Item Two on the Agenda: Roll Call and Introduction of Board Members

Chair Pellerin requested that roll call be conducted and that introductions be made to the guests. He then led the Pledge of Allegiance.

Chair Pellerin asked that item IX-E be taken out of order.

IX-E on the Agenda: Petition for Certification Exam

Director Peck told the Board Members that he had been contacted by Deputy Chief Bushey of the Bangor Police Department requesting to petition the Board on Ms. Favreau's behalf to allow her the opportunity to take the certification exam a 4th time, as Bangor Police Department is still interested in hiring her. He then asked Lt. Stuart and Ms. Favreau to speak about this request.

Lt. Stuart recognized this is an unusual request, but he is asking that Ms. Favreau to be able to take the Certification test a 4th time. He stated that she is a proven police officer in GA and at the Brewer Police Department and would be a good police officer with the Bangor Police Department. He spoke about her academic performance in GA, how she passed all the quizzes/tests in their 28-week academy and the many positive references she has gotten from her department in GA and from Brewer Police Department.

Ms. Favreau stated her case for wanting to re-take the Certification Test and her desire to work as a Police Officer in Maine. She also answered a number of questions from Board members regarding her academy in GA and her work experience there.

MOTION: To approve the request allowing Ms. Favreau to retake the Certification Exam a 4th time.

Motion made by Commissioner Sauschuck and seconded by Mr. Mendoza.

Motion Carried with one opposed.

III. Item Three on the Agenda: Minutes of the Previous Meeting

MOTION: To accept the minutes of the January 19, 2024, Board of Trustees meeting and to have it placed on file with the secretary.

Motion made by Ms. Ward Saxl and seconded by Chief Rumsey.

Motion Carried with Deputy Chief Small and Det. Blodgett abstaining.

Chair Pellerin requested that they take Item Ten-C out of order and that the Board go into Executive Session to discuss CRC confidential matters.

X. Item Ten of the Agenda: New Business

C. Complaint Review Committee Cases

MOTION: To move the Maine Criminal Justice Academy Board of Trustees into Executive Session pursuant to Title 25 MRS§ 2806-A (10) to discuss confidential business matters.

Motion made by Ms. Russell and seconded by Dep. Chief Small.

Motion Carried Unanimously at 9:30 a.m. The meeting was reconvened at 10:46 a.m.

1. Board Case 2021-018

MOTION: To accept the recommendation of the Complaint Review Committee to take no further action due to no evidence of criminal conduct.

Motion made by Commissioner Liberty and seconded by Ms. Stark.

Motion Carried with Chair Pellerin recusing himself.

For the discussion Chair Pellerin left the room at 9:30 a.m. and returned at 9:35 a.m.

2. Board Case 2023-033

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the officer's full time law enforcement certification.

Motion made by Mr. Mendoza and seconded by Ms. Stark. **Motion Carried.**

3. Board Case 2023-039

MOTION: To accept the recommendation of the Complaint Review Committee to deny the application for the Basic Corrections Training Program.

Motion made by Ms. Stark and seconded by Mr. Mendoza. **Motion Carried**

4. Board Case 2023-043

MOTION: To accept the recommendation of the Complaint Review Committee to take no further action due to insufficient evidence of disqualifying conduct.

Motion made by Det. Blodgett and seconded by Ms. Stark.

Motion Carried with one in opposition.

5. Board Case 2023-044

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the corrections officer's certification.

Motion made by Ms. Stark and seconded by Mr. Mendoza. **Motion Carried.**

6. Board Case 2023-045

MOTION: To accept the recommendation of the Complaint Review Committee to take no further action and to issue a letter of guidance.

Motion made by Ms. Stark and seconded by Commissioner Sauschuck.

Motion Carried.

7. Board Case 2023-046

MOTION: To accept the recommendation of the Complaint Review Committee to take no further action due to insufficient evidence of disqualifying conduct.

Motion made by Ms. Stark and seconded by Commissioner Liberty.

Motion Carried with one in opposition.

8. Board Case 2023-049

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the correction officer's certification.

Motion made by Ms. Stark and seconded by Commissioner Sauschuck. **Motion Carried.**

9. Board Case 2023-053

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the law enforcement officer's Certification.

Motion made by Commissioner Sauschuck and seconded by Ms. Stark. **Motion Carried.**

10. Board Case 2023-055

MOTION: To accept the recommendation of the Complaint Review Committee to issue a letter of guidance.

Motion made by Ms. Stark and seconded by Dep. Chief Small.

Motion Carried with Commissioner Liberty and Mr. Mendoza recusing themselves.

For the discussion Commissioner Liberty and Mr. Mendoza left the room at 10:10 a.m. and returned at 10:16 a.m.

11. Board Case 2023-059

MOTION: To accept the recommendation of the Complaint Review Committee to take no further action due to insufficient evidence of disqualifying conduct.

Motion made by Ms. Stark and seconded by Commissioner Sauschuck.

Motion Carried with Commissioner Liberty and Mr. Mendoza recusing themselves.

For the discussion Commissioner Liberty and Mr. Mendoza left the room at 10:10 a.m. and returned at 10:16 a.m.

12. Board Case 2023-063

MOTION: To accept the recommendation of the Complaint Review Committee to Administratively close the case with no further action.

Motion made by Commissioner Sauschuck and seconded by Ms. Stark. **Motion Carried.**

13. Board Case 2023-064

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the correction officer's certification.

Motion made by Mr. Mendoza and seconded by Ms. Stark. **Motion Carried.**

14. Board Case 2023-065

MOTION: To accept the recommendation of the Complaint Review Committee to take no further action due to insufficient evidence of disqualifying conduct.

Motion made by Ms. Stark and seconded by Mr. Mendoza. **Motion Carried.**

15. Board Case 2023-066

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the correction officer's certification for the crime of Tampering with public records.

Motion made by Ms. Stark and seconded by Mr. Mendoza.

Motion Carried with Chair Pellerin recusing himself.

During the conversation regarding this case Chair Pellerin left the room at 10:27 a.m. and returned at 10:31 a.m.

16. Board Case 2023-068

MOTION: To accept the recommendation of the Complaint Review Committee to deny the waiver.

Motion made by Ms. Stark and seconded by Commissioner Sauschuck.

Motion Carried with one in opposition.

17. Board Case 2023-069

MOTION: To accept the recommendation of the Complaint Review Committee to grant the waiver.

Motion made by Commissioner Liberty and seconded by Ms. Stark.

Motion Carried with one in opposition.

At 10:55 a.m. Chair Pellerin requested the Board take a short break. The meeting resumed at 11:07 a.m.

IV. Item Four on the Agenda: Certifications, Waivers and Extensions

A. Basic Law Enforcement Training Program Waiver Requests:

Director Peck presented the following Basic Law Enforcement Training Program Waiver Request.

1. Officer Dalton Geisel – Auburn Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of Maine Crash Reporting

**Training, and the Maine Law Enforcement Officer's Certification
Examination by 1/24/2025.**

Moved by Chief Rumsey and seconded by Commissioner Sauschuck. **Motion Carried.**

B. Basic Law Enforcement Training Program Extension Requests:

Director Peck presented the following Basic Law Enforcement Training Program Extension Requests.

1. Officer Xavier Denis – Madawaska Police Department

MOTION: To approve the 180-day Basic Law Enforcement Training Program Waiver Extension so that he can attend the BLETP in August 2024.

Moved by Dep. Chief Small and seconded by Chief Rumsey. **Motion Carried.**

2. Officer Austin Roy – Madawaska Police Department

MOTION: To approve the 180-day Basic Law Enforcement Training Program Waiver Extension so that he can attend the BLETP in August 2024.

Moved by Mr. Mendoza and seconded by Ms. Ward Saxl. **Motion Carried.**

3. Officer Trevor Gagnon – Livermore Falls Police Department - Town Manager

MOTION: To approve the 180-day Basic Law Enforcement Training Program Waiver Extension so that he can attend the August 2024 BLETP.

Moved by Commissioner Liberty and seconded by Ms. Ward Saxl.
Motion Carried.

4. Officer Skyler Paradis – Ashland Police Department

MOTION: To approve the 180-day Basic Law Enforcement Training Program Extension so that he can attend the 45th BLETP in August 2024.

Moved by Chief Rumsey and seconded by Commissioner Sauschuck. **Motion Carried.**

5. Officer Doran Hurlburt-Labree - Ashland Police Department

MOTION: To approve the 180-day Basic Law Enforcement Training Program Extension so that he can heal from an injury and attend the January 2025 BLETP.

Moved by Ms. Ward Saxl and seconded by Dep. Chief Small. **Motion carried.**

6. Officer Trevor Fowler - Penobscot Nation Police Department

MOTION: To approve the 180-day Basic Law Enforcement Training Program Extension so that he can attend the August 2024 BLETP.

Moved by Chief Rumsey and seconded by Dep. Chief Small. **Motion Carried.**

7. Deputy Cooper Twitchell – Knox County Sheriff’s Office

MOTION: To approve the 180-day Basic Law Enforcement Training Program Extension so that he can heal from an injury to attend the August 2024 BLETP.

Moved by Mr. Poore and seconded by Chief Rumsey. **Motion Withdrawn.**

MOTION: To table this request until more information is gathered regarding the officer’s employment status.

Moved by Ms. Ward Saxl and seconded by Chief Rumsey. **Motion carried.**

C. Basic Corrections Training Program Waiver Request:

None at this time.

D. Basic Corrections Training Program Extension Requests:

Director Peck presented the following requests for a Basic Correction Training Extension.

1. Officer Brittany Villar – Hancock County Jail

MOTION: To table this extension request until the CRC receives a waiver request.

Moved By Ms. Ward Saxl and seconded by Mr. Poore. **Motion carried.**

2. Officer Trevin R. Ritchie – Androscoggin County Jail

MOTION: To approve the 180-day extension so he can go to the Basic Corrections Training Program which will start on July 15, 2024.

Moved by Chief Rumsey and seconded by Mr. Mendoza. **Motion carried.**

E. Law Enforcement Pre-service Program Waiver Requests:

Director Peck presented the following request for a Law Enforcement Pre-service waiver.

1. Officer Angela Banta – Biddeford Police Department.

MOTION: To approve the Law Enforcement Pre-Service Program Waiver pending successful completion of at least 80 hours of field training by 1/19/2025.

Moved by Ms. Ward Saxl and seconded by Mr. Mendoza. **Motion carried.**

F. Part-time Law Enforcement Officer 1040 Hour Extension Requests:

None at this time.

G. Course Certification Requests:

None at this time.

H. Course/Program completion Certifications issued by the Director.

Director Peck presented the list of the 42 certifications that were issued since the last Board Meeting on January 19, 2024.

MOTION: To accept the 116 Certifications that were issued and the 46 Certifications that were suspended by Director Peck on behalf of the Board since the Board meeting held on January 19, 2024.

Motion made by Chief Rumsey and seconded by Commissioner Sauschuck. **Motion Carried.**

Chair Pelerin requested that the Board members break for lunch at 11:40 a.m. and resumed the meeting at 12:18 p.m.

V. Item Five on the Agenda: Committee Reports

A. Complaint Committee: Chief Charles Rumsey

Chief Rumsey told the Board that the Committee met on February 5th and February 20th to address the large caseload. Twenty invitations to certificate holders were sent out, a number of those ended up being postponed to future meetings. There were 8 informal conferences held. He said that the Committee would present 17 cases at this meeting for the Board's consideration. The Committee will meet again on April 9, 2024 to hear another 10 cases. That would leave the remaining cases in the low 20's.

B. Administrative Rules Committee: Colonel Dan Scott

Colonel Scott spoke to the Board about the updates made on the Conduct Rules from the January 19, 2024, Board meeting, and stated that those updates were sent to Assistant Director Ryder to move forward in the Rulemaking process.

C. Law Enforcement Training Committee: Dep. Chief David Bushey

Assistant Director Ryder told the Board that Dep. Chief Bushey had let him know that their committee had another conversation regarding the ALERT Test and whether it should continue to be administered. The Committee voted to take the recommendation of the Academy Staff to eliminate the ALERT Test.

Commissioner Liberty stated that the Corrections Training Committee endorsed the elimination of the ALERT test for corrections.

Ms. Ward Saxl wanted to know if anyone had ideas on how to make up for the lost revenue for administering the ALERT Test. Assistant Director Ryder told the Board that the test generated approximately \$39,000 in 2023 for the Academy and that Academy staff would be meeting to discuss this matter.

Attorney Black spoke about the present rule that requires some sort of test, but that rule could be changed by publishing an amendment to the rule that would change the language in Chapter 3, Entrance Standards, sections 2-K and 3-I.

MOTION: To begin the Rule Making Process to remove the requirement for the basic reading and writing test as currently realized by the Academy.

Motion made by Ms. Ward Saxl and seconded by Chief Rumsey. **Motion Carried.**

MOTION: To eliminate the ALERT Test for acceptance into the Basic Corrections Training Program.

Motion made by Ms. Ward Saxl and seconded by Mr. Mendoza. **Motion Carried.**

D. Corrections Training Committee: Commissioner Randall Liberty

Commissioner Liberty told the Board that they have been doing a lot of work around Officer Wellness and had the Baltimore Law Enforcement Wellness Center give a presentation at MCC which was well attended. He also said that they would be doing specific Corrections Wellness training in June at MCC.

He explained that corrections now have regional training sites to accommodate the current class of 72 officers. Those certified sites outside the Academy are Maine State Prison, Maine Correctional Center, and Mountain View and each site has their own cadre staff and full-time training coordinator.

The Commissioner said that through legislation, Probation now falls under the umbrella of the Academy for certification and training coordinators are working on curriculum for that certification course. In the upcoming session, he would like the legislature to consider amending the statutes for Juvenile Correctional Care Officers and Transport Officers.

E. Policy Standards Committee: Dep. Chief Eric Small

As Deputy Chief Small was not able to attend the last meeting, Chief Deputy Pellerin told the Board under the annual requirement for agencies there was a paragraph that the Committee was not aware of. Dep. Chief Small wrote up the Board Standard requirement and will present it to the Committee for finalization so it can be presented to the Board's next meeting.

VI. Item Six on the Agenda: Report from the Chair – Chair Brian Pellerin

Chair Pellerin discussed with the Board following through with the rulemaking process for the 15 minimum Board standards, to include the newest standard relating to attorney client privilege. This would also be necessary for the new code of conduct, rescinding the alert test standard, and polygraph for LEPS candidates. The process is difficult, but the goal is to move forward and hopefully complete this process by year's end.

VII. Item Seven on the Agenda: Report from the Director – Director Jack Peck

Director Peck told the Board that today marked the last day of week eight of the 45th BLETP that started on January 16, 2024. All but one full-time provisional officer did not make it into the program as we could only

accept seventy-two Cadets, our maximum capacity. The last officer to make it into the BLETP was hired on January 8, 2024.

The BLETP now has sixty-nine Cadets due to voluntary withdrawals. The class has seven females, twenty-four military veterans and representation from forty-three law enforcement agencies from across the state.

Graduation is scheduled for Friday, May 17, 2024 at 1000 hours exactly one week after our next Board of Trustees meeting.

The 80th Basic Corrections Training Program (BCTP) graduated on February 23, 2024. The keynote speakers were none other than our Chair, Chief Deputy Brian Pellerin and DOC Commissioner Randall Liberty.

The program graduated 66 correctional professionals representing 14 correctional facilities in the State of Maine and was held under the new format using four Board approved and supervised sites.

Those sites are the MCJA, the Maine State Prison, Mountain View Correctional Facility, and the Maine Correctional Center. We wish to thank the Aroostook and Cumberland County Sheriff's Department's for providing full-time Cadre without remuneration to the BCTP. ASO Sgt. Stephen Wright and CCSO Sgt. Dani Demers have been a welcome and needed addition to the program.

For the first time in over twenty years the Academy has been authorized to hire new positions that include a Training Coordinator and two Office Associates. We are excited to announce the addition of Rafael Garza as a training coordinator.

Rafael started this past Monday and comes to us from Maine DOC Community Corrections where he served as a Probation Officer for the past nine years. Prior to that, Rafael worked as a Corrections Officer, then Corporal / shift supervisor at the Kennebec County Correctional Facility for approximately 2.5 years. Additionally, Rafael is a US Navy veteran having served five years as an Aircrew Survival Equipmentman.

Rafael holds a Master's Degree in Criminology from Thomas College and a Bachelor's Degree in Public Administration with a focus in Criminal Justice from the University of Maine at Augusta. Rafael is a Mechanics of Arrest, Restraint, and Control instructor and he serves on the Maine DOC MARC Instructor team and is the lead instructor for the Community Corrections Office. Rafael's background and experience in both corrections and probation make him an excellent addition to our team.

In addition, Karen and Lincoln have been busy conducting interviews for the two office associate positions. Twenty-four had originally applied. The applicant pool was narrowed down and the positions were offered and accepted by Cassandra Pierce and Amber Cartier. They will start on Monday, March 11th. Staff are excited and looking forward to the additional help with their ever-increasing workload.

The monthly recruiting events that coincide with our on-site ALERT and physical fitness testing have been going well.

Lincoln and I have been making a concerted effort to attend some of the District Chiefs meetings to answer questions or concerns that agencies might have. We even met with our Canadian counterparts when we crossed over the border and landed at Canadian customs.

VIII. Item Eight on the Agenda: Report from the Assistant Director-Lincoln Ryder

Assistant Director Ryder spoke on the following topics.

Rulemaking:

Chapter 5: Training Standards went into effect on 2/13/2024 & is posted on our website.

Chapter 13: DV Min policy standards approved by AGs Office and filed with Secretary of State's Office/ Board of Corporations, Elections, & Commissions on 3/5/2024.

Building Update:

We continue to have issues with the roof in the latest storm. At least 4 leaks were identified so far, 2 in A Building billets impacting student or cadre rooms. Reports made to Bureau of General Services.

Recent Programs:

Drug Recognition Expert, 2/20/24 to 3/1/24 -- 11 students

Methods of Instruction, 1/29/2024 to 2/9/24 -- 18 students

IX. Item Nine on the Agenda: Old Business

None at this time.

X: Item Ten on the Agenda: New Business

A. Mandatory Training (non-complaint) – Assistant Director Ryder

1. Farmingdale Police Department
2. State Fire Marshal’s Office

Assistant Director Ryder explained that with the change in the mandatory MARC training, there were a few departments that did not understand that part of this training was an in-person class, but they are in the process of getting that done. Two of the departments that are still trying to set up an in-person class are Farmingdale PD and the State Fire Marshal’s Office. Both departments should be able to complete this training by the end of March.

B. Mandatory Policy (non-compliance) – Assistant Director Ryder

1. Rangeley Police Department

Assistant Director Ryder explained to the Board that agencies are required to report that they have the model policies in place, and it was found that Rangeley PD did not have updated policies. He said they he worked with the Town manager and the Selectboard and they have since come into compliance.

C. Mental Health Identification Awareness (non-compliance) – Assistant Director Ryder

1. University of Maine at Presque Isle Police Department

Assistant Director Ryder explained to the Board that this agency has one person who is a non-sworn officer and he had not been able to attend the 8-hour block of the mandatory training.

D. BLETP Reimbursement Rates – Director Peck

Director Peck told the Board that the CPI-U-Northeast increased 2.6% in 2023 according to the US Bureau of Labor statistics. He requested that the Board adopt the 2.6% increase to the BCTP Reimbursement Rates.

MOTION: To accept the Reimbursement Rate increase of 2.6% and to review this rate annually.

Moved by Commissioner Liberty and seconded by Ms. Ward Saxl. **Motion Carried.**

E. Petition for Certification Exam – Director Peck

1. Heard earlier in the meeting.

XI. Item Eleven on the Agenda: Adjournment

Chair Pellerin called for a motion to adjourn.

MOTION: To adjourn the March 8, 2024 Maine Criminal Justice Academy Board of Trustees Meeting at 1:55 p.m.

Motion made by Ms. Ward Saxl and seconded by Det. Blodgett. **Motion Carried.**



Ms. Kimberly Russell