

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, May 10, 2024.**

Board Members Attending:

Deputy Director Brian Pellerin – Chair
Commissioner Michael Sauschuck
Commissioner Randall Liberty
Colonel William Ross
Chief Charles Rumsey IV – Vice Chair
Colonel Dan Scott
Deputy Chief David Bushey
Director Anna Love
Mr. Mateo Mendoza
Deputy Chief Eric Small
Ms. Elizabeth Ward Saxl
Ms. Francine Stark
Ms. Kimberly Russell
Officer Matthew Dana

Board Members Excused:

DA Kathryn Slattery
Sheriff Scott Nichols
Mr. Nathan Poore
Ms. Marie Hansen

Participants:

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

Guests:

William Nichols, Sr. – Indian Township Police Department-Passamaquoddy
E. Donald Finnegan - MCJA
Mark Dyer – Sanford Police Department
Eric Bernier – Rumford Police Department
Scott Landry – ME DOC

I. Item One on the Agenda: Call to Order

Chair Pellerin called the meeting to order at 9:03 a.m.

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

Chair Pellerin requested that roll call be conducted and then led the Pledge of Allegiance.
Chair Pellerin then requested that the Board members introduce themselves to the Guests who are attending the meeting.

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

MOTION: To accept the minutes of the March 8, 2024, Board of Trustees meeting and to have it placed on file with the secretary.

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

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

A. Basic Law Enforcement Training Program Waiver Requests:

Assistant Director Ryder presented the following Basic Law Enforcement Training Program Waiver Requests.

1. Officer Alex Helton – Bangor 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 4/5/2025.

Moved by Commissioner Sauschuck and seconded by Colonel Scott
Motion Carried with Deputy Chief Bushey recusing himself.

2. Officer Eric Magee – Maine State Police

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine Law Enforcement Officer's Certification Examination by 3/4/2025.

Moved by Commissioner Sauschuck and seconded by Colonel Scott.
Motion Carried with Colonel Ross recusing himself.

3. Officer Zachary Masse – Ogunquit Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of Maine Crash Reporting Training and the Maine Law Officer's Certification Examination by 3/22/2025.

Moved by Chief Rumsey and seconded by Colonel Scott **Motion Carried.**

4. Officer Brian McCully – Presque Isle 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 3/29/2025.

Moved by Director Love and seconded by Chief Rumsey. **Motion Carried.**

5. Officer Belaal Khan - Cumberland 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 4/16/2025.

Moved by Colonel Ross and seconded by Director Love.
Motion Carried with Chief Rumsey recusing himself.

6. Chief Grainne Perkins – University of Southern Maine Police Department

MOTION: To conditionally 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 5/10/2025.

Motion by Deputy Chief Small and seconded by Chief Rumsey.
Motion Passed to Deny the Waiver.

7. Officer William Sheiderer - Waterville 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 3/22/2025.

Moved by Commissioner Liberty and seconded by Commissioner Sauschuck.
Motion Carried.

8. Officer Zachary Wilson – Ogunquit 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 3/8/2025.

Moved by Director Love and seconded by Mr. Mendoza. **Motion Carried.**

B. Basic Law Enforcement Training Program Extension Requests:

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

1. Officer Jimmie Baccon – Berwick 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 Ms. Ward Saxl and seconded by Deputy Chief Small. **Motion Carried.**

2. Officer William Kettle - Veazie 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 Chief Rumsey and seconded by Deputy Chief Bushey. **Motion Carried.**

3. Officer Timothy Roy – USM Police Department

MOTION: To approve the 180-day Basic Law Enforcement Training Program Waiver Extension so that he can attend the January 2025 BLETP.

Moved by Director Love and seconded by Officer Dana.
Motion Carried with one opposed.

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 Alex Barnett – Penobscot County Sheriff's Office

MOTION: To approve this extension request until the graduation date of the July 2024 BCTP.

Moved By Chair Pellerin and seconded by Deputy Chief Bushey.
Motion carried.

E. Law Enforcement Pre-service Program Waiver Requests:

Assistant Director Ryder presented the following requests for a Law Enforcement Pre-service waiver. He introduced Chief Nicholas and asked him to give an overview of the reasons Indian Township Police Department was requesting this waiver.

Chief Nicholas explained that Officer Nicholas had gone through the Federal U. S. Customs and Border Protection Academy, was a Disabled Veteran, had a degree in Early Childhood Development and had recently been hired by the Passamaquoddy Township Police Department as their first-ever female Chief of Police. He had initially requested a full-time Law Enforcement BLETP waiver and gave why he'd like a vote on that request. After hearing explanations regarding Officer Nicholas' eligibility for the BLETP waiver from MCJA Training and Waiver Coordinator, Don Finnegan, the Board voted on the full-time BLETP Waiver.

1. Officer Julia Nicholas – Indian Township Police Department

MOTION: To grant the Basic Law Enforcement Training Program Waiver contingent upon the completion of the Federal Bridge program and any other additional training that the Academy Staff deems necessary to satisfy the standard.

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

Motion denied with a vote of 5 in favor of and 7 opposed.
Officer Dana Recused himself from the vote.

The Board then heard discussion regarding Officer Nicholas's eligibility of a Law Enforcement Pre-Service Program Waiver.

MOTION: To approve the Law Enforcement Pre-Service Program Waiver.

Moved by Deputy Chief Eric Small and seconded by Commissioner Sauschuck.

Motion passed unanimously with Officer Dana recusing himself from the vote.

At 10:25 a.m. Chair Pellerin suggested the Board take a short break. The meeting convened at 10:40 a.m.

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

Director Peck presented a request for a Part-time Law Enforcement Officer 1040 Hour Extension.

1. Officer Charles Ball – Calais Police Department

MOTION: To approve the request for an extra 500 hours to get him through the end of the year.

Moved by Commissioner Sauschuck and seconded by Deputy Chief Bushey. **Motion carried.**

G. Course Certification Requests:

Director Peck presented the request for a 2024 Mandatory Training Course for all Correction Officers.

1. Introduction to Emotional Intelligence

MOTION: To approve the 1.5-hour 2024 Mandatory Correction Training: Introduction to Emotional Intelligence as presented.

Moved by Ms. Ward Saxl and seconded by Director Love. **Motion carried**

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

Director Peck presented the list of the 76 certifications that were issued since the last Board Meeting on March 8, 2024.

MOTION: To accept the 76 Certifications that were issued by Director Peck on behalf of the Board since the Board meeting held on March 8, 2024.

Motion made by Ms. Ward Saxl and seconded by Director Love. **Motion Carried.**

V. Item Five on the Agenda: Committee Reports

A. Complaint Committee: Chief Charles Rumsey

Chief Rumsey told the Board that the Committee met on April 9th and invited 12 certificated holders to meet with us for Informal Conferences. Of those twelve invitations, eight chose to appear before the Committee. Today the Committee will present all 12 cases for the Board's consideration. The Committee will meet again on June 18, 2024 to hear cases and discuss a portion of the approximately 30 pending cases.

B. Administrative Rules Committee: Colonel Dan Scott

Colonel Scott told the Board he didn't have anything to report other than Assistant Director Ryder is still working on revisions moving forward in the Rulemaking process.

C. Law Enforcement Training Committee: Deputy Chief David Bushey

Dep. Chief Bushey stated he did not have a report for this meeting.

D. Corrections Training Committee: Commissioner Randall Liberty

Commissioner Liberty told the Board that they had a graduation last week with 67 graduates and the regional training site concept is going very well.

He again explained that they were continuing to evaluate the BCTP training, looking at each module and modifying them so they are more relevant and statutorily appropriate.

One of the things the Corrections Committee will be looking at is an additional class on Culture and Ethnic Awareness in the near future. The Commissioner said he was working with two researchers from the UK, as they have created some training blocks that cover the topics that he feels would benefit our COs, our correctional staff and our inmates. He said he'd be bringing new curriculum for the Board's approval in the coming months.

Associate Commissioner, Scott Landry said he was looking forward to establishing professionalism installed in the COs early in the BCTP program with coaching and peer discussion time to learn courtesy, respect and professionalism and to reinforce those principals throughout the whole academy.

Mr. Landry told the Board that to date, Corrections has spent around \$30,000 on upgrading technology enhancements at Maine Correctional Center as well as at MCJA.

E. Policy Standards Committee: Dep. Chief Eric Small

Deputy Chief Small told the Board he had nothing to report.

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

Chair Pellerin gave the following report:

This most recent BCTP graduation ceremony held at the Academy reflected a significant number of different cultures and languages. Eight of the ten new BCTP graduates for Cumberland County Sheriff's Association are new Americans.

I recently attended a New England Sheriff's Association meeting held at the New Hampshire Police Academy in Concord. Many of the same issues we are dealing with here in Maine are also being dealt with in the other New England states.

Board elections for Chair, Vice-Chair and Treasurer will be held at the end of this meeting today.

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

Director Peck spoke to the Board regarding the following topics.

The Cadets of the 45th Basic Law Enforcement Training Program (BLETP) are scheduled to graduate on Friday, May 17, 2024 and we hope to have it on the parade grounds. Our expectation is that all of the Cadets will meet or exceed the graduation standards and pass their certification exam. If this is accomplished the class will be the largest BLETP class ever to graduate from the Academy. The graduation keynote speaker will be Franklin County Sheriff Scott Nichols. Sheriff Nichols is the current President of the Maine Sheriffs Association and a MCJA Board member.

The class started on January 17, 2024, with 72 Cadets, and there are currently 68 remaining. Those who have separated from the program have all done so voluntarily, and there have been no academic or disciplinary issues.

This is a diverse class with 23 military veterans and 35 Cadets who have earned advanced educational degrees. There are 7 females in this class.

We held our traditional “Family Day” on April 23rd. Approximately 60 family members, spouses, significant others, and loved ones attended. Chaplain Kevin Brooks, Sarah Brooks the spouse of a retired MSP Lieutenant and MCJA staff spoke to the realities of being a law enforcement officer in today’s society. The program ended with an open dialogue with MCJA Cadre staff, lunch with their Cadet, and finished up with a guided tour of the Academy. This is one of the highlights of the program for family and was very well received.

The entire BLETP class and Cadre staff will be attending the Law Enforcement Memorial service in Augusta on May 14th to honor those Maine law enforcement officers who have fallen in the line of duty.

The 81st Basic Corrections Training Program (BCTP) that began on March 25, 2024 graduated on May 6th. This was also a large class that started with 72 correctional professionals. One of the keynote speakers was MCJA Board of Trustees Chair and Chief Deputy of the Cumberland County Sheriff’s Department, Brian Pellerin.

MCJA staff started a Law Enforcement Pre-Service (LEPS) program on April 1st and 24 students graduated from the program. Another class started this past Monday on May 6th, with this class being held at Central Maine Community College. The Bangor Police Department will also be hosting a LEPS class supervised by MCJA staff at their facility starting May 13, 2024.

During the month of May, MCJA staff will also be conducting training at multiple locations for Advanced Roadside Impairment Roadside Enforcement (ARIDE) and a two-week Methods of Instruction (MOI) class.

The MOI program prepares officers to develop MCJA Board approved lesson plans and advance as our future instructors at the Academy, at their host agencies, and in their communities.

Assistant Director Lincoln Ryder and I continue to attend and present at District Chief’s and Maine Sheriff’s Association meetings throughout the state.

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

Assistant Director Ryder spoke on the following topics.

Additional course offerings in progress / completed since March 2024 meeting:

Methods of Instruction, MCJA, DOC dedicated course, March 11 to 22. 13 students.

Crime Scene Investigation, MCJA, April 15 to 19. 14 students.

LEPS Phase II, Central Maine Community College, May 6 to 17. 11 students.

Staff update:

Staff have created a Training Calendar built out through June 30, 2026 to better serve our customer agencies for longer term planning purposes. Previous years' training calendars have run for 1 year at a time (July 1 to June 30) and were not updated until about March to May prior to the expiration in June of the same year. The goal is to keep the calendar updated for longer timeframes (not less than 1 year out). This will be published by the end of May, when finalized.

Building Update:

We continue to work with staff and Bureau of General Services to identify and correct issues with the building. Most notably are heating (over-heating) issues in some of the spaces. In the last month, adjustments were made to correct A and B Buildings from 80+F down to around 70 F.

Masonry work continues on face of building. Several more phases of renovation to complete and will likely continue through 2024.

Additional work will occur to the roofs of all buildings to control leaks and related building damage. Temporary patches are occurring first and an engineering study for the roof design. Part of the planned \$6.2 million that was slated for the C Building renovation will be used to replace the roofs on all 4 buildings as a result of the engineering study. A Building (the BLETP Billets) is the priority for this work.

Grants:

Work continues on the DPS COVID Relief grant. \$186,650 is available and an extension was recently granted on the project through June 30, 2024. The initial purchases have been made / submitted through the procurement process.

As a result, we have received:

200 10.9" 10th Generation iPads & protective cases, and 4/6 charging cabinets which will be housed at the 3 DOC BCTP sites to facilitate those trainings. The balance will be deployed at MCJA to support the BCTP here, as well as at the BLETP, and select in-service classes (as appropriate).

8 desktop scanners for staff.

The balance of the money will be used for procurement of fitness and training equipment for the Tac Center.

Rulemaking:

The previously approved Standard of Conduct rule packet is nearing completion is will likely be filed with the Bureau of Corporations, Elections, and Commissions in the next 2 weeks.

Working draft of revision to Chapter 3: Entrance Standards to eliminate the required reading and writing test and modify the language concerning General Education Development test to language inclusive of other Board approved high school equivalency test, such as the current test in Maine – the HISET.

Chair Pellerin requested that Old Business A. and B. be taken out of order.

IX. Item Nine on the Agenda: Old Business

A. BLETP Extension Request – Cooper Twitchell, Knox County Sheriff's Office

Director Peck gave the Board an update on the extension request from the Knox County Sheriff's Office that came in front of the Board in March and status of Deputy Cooper Twitchell recovery.

MOTION: To grant the extension for Deputy Cooper Twitchell.

Motion made by Commissioner Sauschuck and seconded by Director Love. **Motion Carried.**

B. BCTP Extension request – Brittany Villar, Hancock County Sheriff's Office

The Board heard the updates regarding this waiver request and Chair Pellerin called for a motion.

MOTION: To grant the extension for CO Brittany Villar to attend the BCTP.

Motion made by Deputy Chief Bushey and seconded by Director Love.

Motion Carried.

Chair Pellerin asked that the recommended decision of CRC Case # 2022-037 under New Business be taken out of order.

X. Item Ten of the Agenda: New Business

B. Recommended Decision of CRC Case # 2022-037

MOTION: To accept the Recommended Decision as written by the Hearing Officer to decertify the certificate holder.

Motion made by Commissioner Sauschuck and seconded by Deputy Chief Small.

Motion Carried with all members of the Complaint Committee recusing themselves.

For the discussion and vote on this matter, the CRC members, Chief Rumsey, Director Love, Kim Russell and Francine Stark left the room.

Chair Pellerin requested that the Board break for lunch at 11:30 a.m. The meeting resumed at 12:15 p.m.

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 Colonel Scott.

Motion Carried Unanimously at 12:17 p.m. The meeting was reconvened at 12:47 p.m.

1. Board Case 2023-038

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the Correction Officer's certification of eligibility.

Motion made by Deputy Chief Small and seconded by Colonel Ross.

Motion Carried with Commissioner Liberty and Mr. Mendoza recusing themselves and Commission Sauschuck abstaining.

For the discussion Commissioner Liberty and Mr. Mendoza left the room at 12:17 p.m. and returned at 12:27 p.m.

2. Board Case 2023-041

MOTION: To accept the recommendation of the Complaint Review Committee to enter into a Consent Agreement that includes 3 years of probation and a letter of reprimand.

Motion made by Director Love and seconded by Dep. Chief Small

Motion Carried with Commissioner Liberty and Mr. Mendoza recusing themselves and Commission Sauschuck abstaining.

For the discussion Commissioner Liberty and Mr. Mendoza left the room at 12:17 p.m. and returned at 12:27 p.m.

3. Board Case 2023-067

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 Colonel Scott and seconded by Colonel Ross.

Motion Carried with Commissioner Liberty and Mr. Mendoza recusing themselves and Commission Sauschuck abstaining.

For the discussion Commissioner Liberty and Mr. Mendoza left the room at 12:17 p.m. and returned at 12:27 p.m.

4. Board Case 2023-070

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

Motion made by Deputy Chief Bushey and seconded by Colonel Ross.

Motion Carried with one in opposition.

5. Board Case 2024-001

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

Motion made by Commissioner Sauschuck and seconded by Deputy Chief Bushey.

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

For the discussion Commissioner Liberty and Mr. Mendoza left the room at 12:17 p.m. and returned at 12:27 p.m.

6. Board Case 2024-003

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 Colonel Ross and seconded by Colonel Scott. **Motion Carried.**

7. Board Case 2024-005

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the officer's Full-time Law Enforcement Certification of eligibility.

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

8. Board Case 2024-009

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

Motion made by Director Love and seconded by Officer Dana. **Motion Carried.**

9. Board Case 2024-010

MOTION: To accept the recommendation of the Complaint Review Committee to grant the waiver to attend the August 2024 BLETP.

Motion made by Chief Rumsey and seconded by Director Love. **Motion Carried.**

10. Board Case 2024-012

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

Motion made by Director Love and seconded by Officer Dana. **Motion Carried.**

11. Board Case 2024-013

MOTION: To accept the recommendation of the Complaint Review Committee to grant the waiver to attend the August 2024 BLETP.

Motion made by Director Love and seconded by Colonel Ross. **Motion Carried.**

12. Board Case 2024-015

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 Chief Rumsey and seconded by Commissioner Sauschuck.

Motion Carried.

At his time Chair Pellerin asked Asst. Director Ryer to speak more about the work he has been doing on the revision to Chapter 3: Entrance Standards.

Assistant Director Ryder referred to the handout regarding Chapter 3 of the Maine Criminal Justice Academy Board of Trustees' rules of requirements for admission standards that he has been working on. For the Basic Corrections Training Course, the Law Enforcement Pre-Service Course (LEPS) and the Basic Law Enforcement Training Program (BLETP) he proposed that under each of those courses it should read: Shall be a high school graduate or have achieved a passing score on a high school equivalency test as approved by the Board. The Board liked the wording and requested that an end date for the Alert Test be added to the wording. They chose January 1, 2025 as the end date.

He also proposed that the (LEPS) mirror the Basic Law Enforcement Training Program's standard and that applicants shall be able to read and write at a level to successfully complete each of those two programs as determined by the hiring agency. That would allow the hiring agencies to do testing and review academic records to meet their agencies hiring standards.

Chair Pellerin stated that to be consistent with making the standards of LEPS and that of the BLETP mirror each other, wording should be added to the Pre-Service standards to include the requirements of polygraphs and psychological exams. After much conversation it was decided that a date of January 1, 2026 be chosen as the starting date for those tests to be part of the admission standards for LEPS.

X: Item Ten on the Agenda: New Business

A. Election of Board Officers

Secretary Russell called for nominations for the office of Chair of the Board of Trustees.

MOTION: I nominate Brian Pellerin as Chair of the Board of Trustees.

Motion made by Commissioner Sauschuck and seconded by Commissioner Liberty.

Motion Carried.

Secretary Russell called for nominations for the office of Vice Chair of the Board of Trustees.

MOTION: I nominate Charles Rumsey as Vice Chair of the Board of Trustees.

Motion made by Deputy Chief Bushey and seconded by Commissioner Liberty.

Motion Carried.

Secretary Russell called for nominations for the office of Secretary of the Board of Trustees.

MOTION: I nominate Kim Russell as Secretary of the Board of Trustees.

Motion made by Chair Pellerin and seconded by Deputy Chief Small. **Motion Carried.**

XI. Item Eleven on the Agenda: Adjournment

Chair Pellerin called for a motion to adjourn.

**MOTION: To adjourn the May 10, 2024 Maine Criminal Justice Academy
Board of Trustees Meeting at 1:35 p.m.**

Motion made by Ms. Ward Saxl and seconded by Commissioner Sauschuck. **Motion Carried.**

A handwritten signature in cursive script that reads "Kimberly Russell".

Ms. Kimberly Russell