

State of Maine
Maine Criminal Justice Academy Board of Trustees

Complaint Review Committee
Minutes of April 20, 2023 Meeting

MEMBERS PRESENT

Chief Charles J. Rumsey, IV, Cumberland Police Department, CRC Chair
Detective Seth Blodgett, Office of the Attorney General
Kimberly Russell, Citizen Member
Francine Stark, Citizen Member

MEMBERS ABSENT

Dr. Marie Hansen, Husson University, Educator Member

STAFF PRESENT

Andrew Black, AAG, Legal Counsel
Jack Peck, Assistant Director

CALL TO ORDER

Chair Rumsey called the meeting to order at 0908.

APPROVAL OF MINUTES

The proposed minutes for the CRC Meeting of February 16, 2023, were reviewed and on motion by Russell seconded by Stark were approved by a vote of 4 in favor and 0 opposed.

INFORMAL CONFERENCES

On a motion by Blodgett second by Russell, 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 0913 and held informal conferences in the following cases:

- Case No. 2023-006
- Case No. 2022-043
- Case No. 2022-037

The CRC recessed for lunch from 1125 until 1147. The CRC then held informal conferences in the following cases:

- Case No. 2023-008
- Case No. 2023-012
- Case No. 2021-015 (Certificate holder did not show)
- Case No. 2023-009 (Certificate holder did not show)
- Case No. 2023-011 (Certificate holder did not show)

The CRC then discussed open cases.

The CRC came out of executive session at 1333 and voted on case recommendations.

CASE RECOMMENDATIONS

Case No. 2022-037 On a motion by Stark seconded by Blodgett, the CRC voted 4-0 to present this case to the Board and recommend that it issue a letter of revocation with an opportunity to request a hearing to this full-time law enforcement officer for engaging in conduct constituting the Class D crimes of unlawful sexual contact under 17-A M.R.S. § 255-A(1)(A) and unlawful sexual touching under 17-A M.R.S. § 260(1)(A), which are bases for imposing discipline pursuant to 25 M.R.S. § 2806-A(5)(F).

Case No. 2022-043 On a motion by Russell seconded by Stark, the CRC voted 4-0 to present this case to the Board and recommend that it offer a consent agreement to this full-time law enforcement officer that would impose a reprimand and a 3-year period of probation for having possessed a short-barreled rifle and having manufactured a silencer for a firearm without a permit, which are federal felonies.

Case No. 2023-006 On a motion by Blodgett seconded by Stark, the CRC voted 4-0 to present this case to the Board and recommend that it grant a waiver to enter the BLETP to this candidate for conduct constituting theft, furnishing scheduled drugs, and possessing marijuana and to issue a letter of guidance addressing the use of marijuana by a law enforcement officer.

Case No. 2023-008 On a motion by Russell seconded by Stark, the CRC voted 4-0 to present this case to the Board and recommend that it deny the request for a waiver to enter the BLETP and issue a letter of revocation with an opportunity to request a hearing to this part-time law enforcement officer for having engaged in conduct constituting the Class A crime of gross sexual assault under 17-A M.R.S. § 253(1)(B), the Class D crime of DV assault under 17-A M.R.S. § 207-A(1)(A) and the Class E crime of theft under 17-A M.R.S. § 353(1)(A), which are bases for imposing discipline pursuant to 25 M.R.S. § 2806-A(5)(F).

Case No. 2021-015 On a motion by Blodgett seconded by Stark, the CRC voted 4-0 to present this case to the Board and recommend that it offer this full-time law enforcement officer a consent agreement that would impose a reprimand and 3-year period of probation for pleading guilty pursuant to a deferred disposition of the Class D crime of OUI under 29-A M.R.S. 2411(1-A)(A)(2) which is a bases for imposing discipline pursuant to 25 M.R.S. § 2806-A(5)(E).

Case No. 2023-009 On a motion by Stark seconded by Russell, the CRC voted 4-0 to present this case to the Board and recommend that it issue a letter of revocation with an opportunity to request a hearing to this law enforcement officer for failing to complete mandatory in-service training for 2022 after failing to have done so for 2 prior years, which is a basis for imposing discipline pursuant to 25 M.R.S. § 2806-A(5)(A).

Case No. 2023-011 On a motion by Russell seconded by Stark, the CRC voted 4-0 to present this case to the Board and recommend that it offer a consent agreement to this corrections officer

that would impose a reprimand and a \$50 civil penalty for failing to complete mandatory training for 2022, which is a basis for imposing discipline pursuant to 25 M.R.S. § 2806-A(5)(A).

Case No. 2023-012 On a motion by Blodgett seconded by Stark, the CRC voted 4-0 to present this case to the Board and recommend that it offer a consent agreement to this law enforcement officer that would impose a reprimand and a \$50 civil penalty for failing to complete mandatory training for 2022, which is a basis for imposing discipline pursuant to 25 M.R.S. § 2806-A(5)(A).

ADJOURN

There being no further business, on a motion by Russell seconded by Stark, the CRC voted 4-0 to adjourn at 1339.