

State of Maine
Maine Criminal Justice Academy Board of Trustees

Complaint Review Committee
Minutes of October 24, 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
Rick Desjardins, Assistant Director

CALL TO ORDER

Chair Peters called the meeting to order at 0847.

APPROVAL OF MINUTES

The proposed minutes for the CRC Meeting of August 28, 2019, were reviewed and approved by a vote of 3-0.

MORNING 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 0850 and held conferences in the following cases:

- Case No. 2019-015
- Case No. 2019-025
- Case No. 2019-029
- Case No. 2019-020
- Case No. 2018-027

From 1135 to 1200 the CRC recessed for lunch and at 1200 reconvened in executive session to discuss the morning's informal conferences and possible recommendations. The CRC came out of executive session at 1210.

CASE RECOMMENDATIONS

Case No. 2019-015. On a motion by Peters seconded by Rumsey, the CRC voted 3-0 to present this case to the Board and recommend that the Board offer a consent agreement to this corrections officer pursuant to 25 M.R.S. § 2806-A(5)(E) for pleading guilty pursuant to a deferred disposition of the Class D crime of Criminal OUI 29-A M.R.S. § 2411(1-A)(C)(1)). The consent agreement would impose a warning and a 3-year period of probation during which she would have to comply with the conditions of her deferred disposition.

Case No. 2019-029. 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 grant without conditions a waiver for this corrections officer for being convicted of the Class D crime of allowing a minor to possess or consume liquor under 28-A M.R.S. § 2081(1)(B)(1) .

Case No. 2019-020. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that it take no disciplinary action against this full-time law enforcement officer but that it issue a letter of guidance pursuant to 25 M.R.S. § 2806-A(7) emphasizing the importance of communicating accurately and fully during official inquiries and of using appropriate communication channels when communicating with members of the public.

Case No. 2019-027. On a motion by Peters seconded by Rumsey, the CRC voted 3-0 to present this case to the Board and recommend that it take no disciplinary action against this full-time law enforcement officer but that it issue a letter of guidance pursuant to 25 M.R.S. § 2806-A(7) emphasizing the importance of adhering to laws and setting an example for the community.

AFTERNOON INFORMAL CONFERENCE

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 1220 and held a conference in the following case:

- Case No. 2019-032

CASE DISCUSSIONS

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

- Case No. 2016-034
- Case No. 2019-030
- Case No. 2019-032

The CRC came out of executive session at 1343.

CASE RECOMMENDATIONS

Case No. 2016-034. The CRC voted 3-0 to present this case to the Board and recommend that the Board issue a notice of revocation to this corrections officer pursuant to 25 M.R.S. § 2806-A(5)(F) for engaging in conduct that is prohibited or penalized under state law as a Class B or C crime (gross sexual assault 17-A M.R.S. § 253(2)(E) and unlawful sexual contact 17-A M.R.S. § 255-A(1)(J)).

Case No. 2019-030. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to grant this candidate's request for the withdraw of her application for a waiver.

Case No. 2019-032. On a motion by Rumsey seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that it grant a waiver for conduct constituting a

Class D crime to this law enforcement candidate on the condition that he obtain a substance abuse evaluation and comply with the recommendations of that evaluation.

ADJOURN

There being no further business, the CRC adjourned at 1352.