

State of Maine
Maine Criminal Justice Academy Board of Trustees

Complaint Review Committee
Minutes of February 21, 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

CALL TO ORDER

Chair Peters called the meeting to order at 0852.

APPROVAL OF MINUTES

The minutes for the CRC Meeting of October 25, 2018 meeting, were reviewed and approved by a vote of 3-0.

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 0854 and held conferences in the following cases:

- Case No. 2018-022
- Case No. 2018-032
- Case No. 2019-001

No conference was held in Case No. 2018-033. The certificate holder was unable to attend.

From 1110 to 1140 the CRC recessed for lunch and at 1140 reconvened in executive session to discuss open cases.

CASE DISCUSSIONS

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

- Case No. 2018-004
- Case No. 2018-017
- Case No. 2018-018
- Case No. 2018-027
- Case No. 2018-032
- Case No. 2019-004

The CRC came out of executive session at 1225.

CASE RECOMMENDATIONS

Case No. 2018-004. On a motion by Rumsey seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that it offer this corrections officer a consent agreement pursuant to 25 M.R.S. § 2806-A(5)(F) for engaging in conduct that is prohibited or penalized as a Class D crime (OUI 29 M.R.S. § 2411(1-A)(A)). The consent agreement would impose a warning and a 3-year probation.

Case No. 2018-017. On a motion by Rumsey seconded by Peters, the CRC voted 3-0 to present this case to the Board and recommend that it offer this corrections officer a consent agreement pursuant to 25 M.R.S. § 2806-A(5)(F) for engaging in conduct that is prohibited or penalized as a Class D crime (OUI 29 M.R.S. § 2411(1-A)(A)). The consent agreement would impose a warning and a 3-year probation.

Case No. 2018-018. On a motion by Peters seconded by Rumsey, the CRC voted 3-0 that, to offer this law enforcement officer an opportunity to surrender his certificate. If he does not agree to surrender then to present the case to the Board and recommend that it issue a letter of guidance advising the officer of appropriate practices for an off-duty officer who comes upon a stranded motorist/pedestrian in the middle of the night. The most prudent course of action is to notify the appropriate law enforcement agency immediately. Officers who fail to do so and instead choose to drive around with wayward pedestrian and engage in sexual acts with the individual risk compromising the integrity of their position exposing themselves to accusations of misconduct.

Case No. 2018-027. On a motion by Rumsey seconded by Blodgett, the CRC voted 3-0 to present this case to the Board with a recommendation that it offer the corrections officer a consent agreement pursuant to 25 M.R.S. § 2806-A(5)(F) for engaging in conduct that is prohibited or penalized as a Class B crime (trafficking in a scheduled drug 17-A M.R.S. § 1103(1-A)(A)). Pursuant to the consent agreement, the officer would surrender her certificate of eligibility.

Case No. 2018-032. On a motion by Peters seconded by Rumsey, the CRC voted 3-0 to present this case to the Board and recommend that it offer this corrections officer a consent agreement pursuant to 25 M.R.S. § 2806-A(5)(F) for engaging in conduct that is prohibited or penalized as a Class C crime (aggravated criminal mischief 17-A M.R.S. § 805(1)(A)). The consent agreement would impose a reprimand and a 3-year period of probation.

Case No. 2019-004. On a motion by Rumsey seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that the Board issue a letter of revocation to this law enforcement officer pursuant to 25 M.R.S. § 2806-A(5)(F) for engaging in conduct that is prohibited or penalized as a Class D crime (OUI 29 M.R.S. § 2411(1-A)(A)).

ADJOURN

There being no further business, the CRC adjourned at 1235.