

State of Maine
Maine Criminal Justice Academy Board of Trustees

Complaint Review Committee
Minutes of May 2, 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 0850.

APPROVAL OF MINUTES

The minutes for the CRC Meeting of February 21, 2019, 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 0900 and held conferences in the following cases:

- Case No. 2018-033
- Case No. 2019-003
- Case No. 2019-008

From 1115 to 1135 the CRC recessed for lunch and at 1135 reconvened in executive session to hold a conference in the following matter:

- Case No. 2019-009

No conferences were held in Case Nos. 2019-011; 2019-002; 2019-005; and 2019-009 because the certificate holders elected not to come.

The CRC remained in executive session to discuss open cases.

CASE DISCUSSIONS

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

- Case No. 2018-022
- Case No. 2018-024
- Case No. 2018-033
- Case No. 2019-002

- Case No. 2019-003
- Case No. 2019-004
- Case No. 2019-005
- Case No. 2019-006
- Case No. 2019-007
- Case No. 2019-009
- Case No. 2019-012
- Case No. 2019-013

The CRC came out of executive session at 1230.

CASE RECOMMENDATIONS

Case No. 2018-022. 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 FT 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 (possession of firearm in licensed establishment 17-A M.R.S. § 1057(1)(B)).

Case No. 2018-024. On a motion by Blodgett seconded by Rumsey, the CRC voted 3-0 to present this case to the Board and recommend that it issue a letter of revocation to this FT law enforcement officer pursuant to 25 M.R.S. § 2806-A(5)(E) based on a guilty plea pursuant to a deferred disposition to a Class D crime (assault 17-A M.R.S. § 207(1)(A)).

Case No. 2018-033. 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 take no further action. (On May 9, 2019, prior to the Board meeting, the CRC agreed to delay presentation of complaint in order to reconsider recommendation.)

Case No. 2019-002. On a motion by Blodgett seconded by Rumsey, the CRC voted 3-0 to present this case to the Board and recommend that the Board take no further action.

Case No. 2019-003. 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 offer this PT law enforcement officer a consent agreement pursuant to 25 M.R.S. § 2806-A(1)(A) for failing to meet the annual recertification requirements. The consent agreement would impose a \$300 civil penalty.

Case No. 2019-004. On a motion by Rumsey seconded by Blodgett, the CRC voted 3-0 to deny the request of this FT law enforcement officer to annul the Board's Notice of Decision to Revoke.

Case No. 2019-005. 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 offer this FT law enforcement 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 (theft by deception 17-A M.R.S. § 354(1)(B)(4). The consent agreement would require the permanent surrender of the certificate.

Case No. 2019-006. On a motion by Blodgett seconded by Rumsey, the CRC voted 3-0 to present this case to the Board and recommend that the Board offer this PT law enforcement officer a letter of guidance pertaining to working in excess of 1040 hours.

Case No. 2019-007. On a motion by Blodgett seconded by Rumsey, the CRC voted 3-0 to present this case to the Board and recommend that the Board offer this PT law enforcement officer a letter of guidance pertaining to working in excess of 1040 hours.

Case No. 2019-009. 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 offer a consent agreement to this corrections 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 (criminal threatening 17-A M.R.S. § 209(1)).

Case No. 2019-012. On a motion by Rumsey seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that it issue a letter of revocation to this corrections officer pursuant to 25 M.R.S. § 2806-A(5)(E) based on a guilty plea pursuant to a deferred disposition to a Class D crime (DV assault 17-A M.R.S. § 207-A(1)(A)).

Case No. 2019-013. On a motion by Blodgett seconded by Rumsey, the CRC voted 3-0 to present this case to the Board and recommend that the Board offer this FT law enforcement officer a consent agreement pursuant to 2806-A(5)(H) for engaging in conduct in another state that is prohibited or penalized by Maine law as a Class B crime and which is punishable as a crime in the other state (gross sexual assault 17-A M.R.S. § 253(2)(D)). The consent agreement would require the permanent surrender of the certificate.

ADJOURN

There being no further business, the CRC adjourned at 1306.