

**State of Maine
Maine Criminal Justice Academy Board of Trustees**

Complaint Review Committee
Minutes of August 28, 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 0845.

APPROVAL OF MINUTES

The proposed minutes for the CRC Meeting of June 19, 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 0852 and held conferences in the following cases:

- Case No. 2019-010
- Case No. 2019-023
- Case No. 2019-024
- Case No. 2019-021
- Case No. 2018-029

From 1129 to 1201 the CRC recessed for lunch and at 1201 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. 2018-029
- Case No. 2018-033
- Case No. 2019-014
- Case No. 2019-018
- Case No. 2019-021
- Case No. 2019-023
- Case No. 2019-024

The CRC came out of executive session at 1325.

CASE RECOMMENDATIONS

Case No. 2018-029. On a motion by Blodgett seconded by Peters, the CRC voted 3-0 to present this case to the Board and recommend that the Board take no further action on this case.

Case No. 2018-033. 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 issue a summary revocation to this full-time law enforcement officer pursuant to 25 M.R.S. § 2806-A(5)(C) for being convicted of a Class D crime (tampering with public records 17-A M.R.S. § 456(1)(C)) .

Case No. 2019-010. 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 a consent agreement to this corrections officer pursuant to 25 M.R.S. § 2806-A(5)(C) for being convicted of a Class D crime (OUI 29-A M.R.S. § 2411(1-A)(A)(1)). The consent agreement would impose a warning and a 3-year period of probation.

Case No. 2019-014. 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 notice of revocation to this corrections officer and PT 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 B crime (unlawful sexual contact 17-A M.R.S. § 255-A(1)(E-1)).

Case No. 2019-018. 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 notice 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 (domestic violence assault 17-A M.R.S. § 207(1)(A)).

Case No. 2019-021. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that the Board deny the waiver request of and issue a notice of revocation to this PT law enforcement officer pursuant to 25 M.R.S. § 2806-A(5)(F) for engaging in conduct that is prohibited or penalized by state law as a Class D crime:

1. failure to pay tax 36 M.R.S. § 5332(1)(A);
2. failure to file tax return 36 M.R.S. § 5332(1)(B);
3. filing a false tax return 36 M.R.S. § 5333(1);
4. operating under the influence 29-A M.R.S. § 2411(1-A)(A);
5. possession of a schedule W drug 17-A M.R.S. § 1107-A(C);
6. night hunting 12 M.R.S. § 11206(1)(A);
7. criminal mischief 17-A M.R.S. § 17-A M.R.S. § 806(A);
8. receiving stolen property 17-A M.R.S. §359(B)(5)

Case No. 2019-023. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to table this matter and request that this applicant for a waiver obtain an alcohol abuse evaluation from a licensed counselor and provide a report from the counselor.

Case No. 2019-024. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to approve the application for a waiver (OUI) for this candidate for the BLETP.

ADJOURN

There being no further business, the CRC adjourned at 1340.