

Minutes of the meeting of the Maine Criminal Justice Academy Board of Trustees held at the Maine Criminal Justice Academy on Friday, January 15, 2021.

Board Members Attending:

Special Agent Brian Pellerin – Chair
Detective Sgt. Lincoln Ryder – Vice Chair
Commissioner Randall Liberty
Sheriff Scott Nichols
Colonel John Cote
Colonel Dan Scott
Chief Charles Rumsey IV
Deputy Chief David Bushey
Detective Seth Blodgett
Ms. Marie Hansen
Ms. Kimberly Gore
DA Kathryn Slattery
Mr. Levon Travis
Ms. Elizabeth Ward Saxl

Board Members Excused:

Commissioner Michael Sauschuck

Participants:

Director Rick Desjardins
Assistant Director Jack Peck
Attorney Andrew Black
Karen Green, Board Secretary

Guests: Katie Haley, Town Manager, Fryeburg, Maine
Chief Aaron Mick, Fryeburg Police Department

I. Item One on the Agenda: Call to Order

Chair Pellerin called the meeting to order at 9:04 a.m.

II. Item Two on the Agenda: Roll Call and Introduction of Board Members

Chair Pellerin requested that Secretary Green conduct a roll call and then introduced Katie Haley, Town Manager of Fryeburg and Chief Aaron Mick of the Fryeburg Police Department. Chair Pellerin requested that the members of the Board introduce themselves to the two guests. He then led in the Pledge of Allegiance.

III. Item Three on the Agenda: Minutes of the Previous Meeting

MOTION: To accept the minutes of the November 13, 2020 Board of Trustees meeting that were handed out prior to the meeting and to be placed on file with the secretary.

Moved by Det. Blodgett and seconded by Sgt. Ryder. **Motion Carried Unanimously.**

IV. Item Four on the Agenda: Amended Minutes of the January 10, 2020 Meeting

Director Desjardins explained to the Board that the January 10, 2020 Board Meeting minutes had been approved at the March 13, 2020 meeting with a clerical typing error on a waiver request statement. He asked that the statement from IV (Item Four) A, 1 be amended by striking “pending successful completion of Maine Crash Training” and adding the correct date of completion of 9/23/2020. The Statement should have read: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Law Enforcement Officer’s Certification Examination by 9/23/2020.

MOTION: To accept the amended minutes of the January 10, 2020 Board of Trustees meeting.

Moved by Chief Rumsey and seconded by Sgt. Ryder. **Motion Carried Unanimously.**

V. Item Five on the Agenda: Certifications, Waivers and Extensions

A. Basic Law Enforcement Training Program Waiver Requests:

Director Desjardins presented the following Basic Law Enforcement Training Program Waiver Request.

1. Chief Aaron Mick – Fryeburg Police Department

There was a discussion regarding Chief Mick’s waiver and of a complaint that was emailed to many of the Board members. Elizabeth Ward Saxl requested a copy, as she did not receive one. Questions regarding the reasons for this waiver and the complaint were asked of Chief Mick and they were answered by him and Town Manager Katie Haley.

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine Law Enforcement Officer’s Certification Examination by 3/15/2021.

Moved by Sheriff Nichols and seconded by Det. Blodgett. **Motion Carried Unanimously.**

Assistant Director Peck presented the next Basic Law Enforcement Waiver Request.

2. Officer Eric S. Shean – Milo Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine Law Enforcement Officer’s Certification Examination, and the 2019 Mandatory training by 7/17/2021.

Moved by Chief Rumsey and seconded by Sgt. Ryder. **Motion Carried Unanimously.**

B. Basic Law Enforcement Training Program Extension Requests:

Assistant Director Rick Desjardins presented the following Basic Law Enforcement Training Extension Requests due to the COVID-19 pandemic. The first 21 officers were granted an extension by the Board previously however, this 180-day extension will expire prior to the start of the 39th BLETP class.

Joshua W. York
Troy Worster
Emily McPadden
Jeffrey Aeschlimann
Amanda Baker
Richard Patrie
Seth Rolfe
Jamie R. Denbow
Cole Pelletier
Lucas Gendreau
Jessica L. Larose

Jacob Feener
Brett LeBlanc
Elizabeth M. Jasper
Nicholas D. Foley
Terri A. Teller
Jarrod E. Wisell
Linwood L. Severance III
Kyle R. Haseltine
Mikayla Hodge
Robert J. Welch

The second list is made up of officers that are employed full-time but have not been able to attend the Basic Law Enforcement Training Program because of postponements related to the COVID-19 Pandemic.

Amanda Loeven
Eric Marcotte
Daniel J. Varnum
Jerod Winslow
Miranda R. Bernhard
Lucas Verrier
Anthony Balko
Tanner H. Mann
Joseph D. Dighton
Kaleb C. Marston
Michael C. Godin

Robert W. Wright
Haley Maguire
Joshua R. Lemoi
Megan E. Tribuzio
Martha Burnham
George A. Maxsimic
Andrew J. Fitzpatrick
Tyler J. Gray
Connor Grogan
Austin C. Cochran
Ian McKendry

MOTION: To approve the Basic Law Enforcement Training Program 180-day extension requests for these 43 officers.

Moved by Deputy Chief Bushey and seconded by Sgt. Ryder. **Motion Carried Unanimously.**

C. Basic Corrections Training Program Waiver Request:

Assistant Director Peck presented the Basic Corrections Training Program Waiver Request.

1. CO Ryan A. Buck – Penobscot County Jail

MOTION: To approve the Basic Corrections Training Program waiver pending successful completion of the 40-hour orientation curriculum and Certification Examination by 6/6/2021.

Moved by Officer Travis and seconded by Col. Cote. **Motion Carried Unanimously.**

D. Basic Corrections Training Program Extension Requests:

None at this time.

E. Law Enforcement Preservice Program Waiver Requests:

None at this time.

F. Part-time Law Enforcement Officer 1040 Hour Extension Requests:

None at this time.

G. Course Certification Requests:

Director Desjardins presented the following Course Certification requests.

1. Investigation of Electronic Evidence – 2021 Mandatory Corrections Training topic.

MOTION: To approve the requested Investigation of Electronic Evidence – 2021 Law Enforcement mandated topic.

Moved by Chief Rumsey and seconded by DA Slattery. **Motion Carried Unanimously.**

2. Diversity and Bias – 2021 Corrections Mandatory Training Topic

MOTION: To approve the 2021 Corrections Mandatory Training Topic, Diversity and Bias.

Moved by Sgt. Ryder and seconded by Dep. Chief Bushey. **Motion Carried Unanimously.**

H. Course/Program completion Certifications issued by the Director.

Director Desjardins read the list of the 50 certifications that were issued since the last Board Meeting on November 14, 2020.

MOTION: To accept the Certifications that were issued by Director Desjardins on behalf of the Board since the Board meeting held on November 14, 2020.

Motion made by Sgt. Ryder and seconded by Det. Blodgett. **Motion Carried Unanimously.**

VI. Item Six on the Agenda: Committee Reports

A. Complaint Committee: Det. Seth Blodgett

Det. Blodgett stated that he would present 3 cases today. As of this date the CRC has 21 cases, 7 are pending in the courts. On December 16, 2020 the CRC had a Zoom meeting and conducted 2 informal conferences. Chair Pellerin and Commissioner Liberty also joined the meeting via Zoom. Chair Pellerin provided an update on Legislation that will affect the Academy and the CRC.

B. Administrative Rules Committee: Dep. Chief David Bushey

No report at this time.

C. Law Enforcement Training Committee: Det. Sgt. Lincoln Ryder

Sgt. Ryder reported that the Law Enforcement Training Committee had a Zoom meeting to discuss the SRO (School Resource Officer) Training Program. Chair Pellerin had provided a framework for the committee to work from with topics for the 40-hour certification course. The committee members were able to review this and add their input into the many topics and to determine the qualifications to be an SRO.

D. Corrections Training Committee: Mr. Levon Travis

Nothing at this time.

D. Policy Standards Committee: Chief Charles Rumsey

1. Maine Criminal Justice Academy Board of Trustees Minimum Standards, Policy 5

Chief Rumsey told the Board that back last year the Board voted on Minimum Standard, Policy 5 – where updates were made and the title was changed by adding the words “and Protection From Substantial Threats” so that it read “Response to Mental Illness, Involuntary Commitment and Protection from Substantial Threats”. Since then the pandemic has made things very difficult. That wording was supposed to have been communicated to the Maine Chiefs to be added to their policies and these updates would have been made by the end of 2020. That, unfortunately, did not happen, so the Policy Committee will be asking for a vote to make the new effective date of Policy 5, April 14, 2021.

MOTION: To change the effective date of the Maine Criminal Justice Academy Board of Trustees Minimum Standard Policy 5 to April 15, 2021.

Motion made by Chief Rumsey and second by Sgt. Ryder. **Motion Carried Unanimously.**

2. Maine Criminal Justice Academy Board of Trustees Minimum Standards, Policy 13.

Chief Rumsey explained that the existing Policy 6 (Violations of the Maine Civil Rights Act/Hate or Bias Crimes Policy) had both topics “mashed together” into one policy. Given the weight of these two topics, the Committee worked with Margie Berkovich at the Attorney General’s Office over a few months and split it into 2 separate policies. Policy 6 would address Violations of the Maine Civil Rights Act. and Minimum Standard, Policy 13 would address a Bias-Based Profiling.

He then asked for the Board’s vote on these two Policies, so they could be sent out to the Maine Chief’s.

MOTION: To accept the change of the Maine Criminal Justice Academy Board of Trustees Minimum Standard Policy 13, Bias-Based Profiling and to establish an effective date of 7/1/2021.

Motion made by Chief Rumsey and second by Col. Cote. **Motion Carried Unanimously.**

MOTION: To accept the revision of the Maine Criminal Justice Academy Board of Trustees Minimum Standard Policy 6, Violations of the Maine Civil Rights Act and to establish an effective date of 7/1/2021.

Motion made by Sgt. Ryder and second by Det. Blodgett. **Motion Carried Unanimously.**

Chief Rumsey also stated that it was thought that the Policy regarding Voluntary Commitment Restrictions and Mental Illness might possibly be revised and split up into two separate policies in the near future.

Director Desjardins discussed Legislative Rulemaking and how it would affect the Board in the future.

Chair Pellerin asked that the Board take a short break at 10:30 a.m. The meeting resumed at 10:42 a.m.

VII. Item Seven on the Agenda: Report from the Board Chair: Special Agent Brian Pellerin

- I think it is important to bring it to the attention of the Board, that the three municipal departments have recently ceased operations. The Dixfield Police Department was dissolved this past fall by a vote of the Town's residents who voted in favor of contracting with the Oxford County Sheriff's Office. The Van Buren Police Department has shut down operations temporarily due to staffing shortages and Millinocket's municipal government disbanded their department and recently signed a contract with the Town of East Millinocket to provide police coverage for their community. Unfortunately, the pandemic has seemed to have a greater and more immediate impact on the financial and staffing aspects of Maine's smaller law enforcement organizations.
- Recently there has been a significant amount of media coverage of the Board of Trustee's and policing in general in Maine with several local news outlets. Director Desjardins and I had the opportunity to speak to a reporter with the Bangor Daily News last fall regarding the Board's work on police training and the certification process of law enforcement and corrections in Maine. I felt that we were both transparent and accommodating in our interviews. I was generally disappointed in the the portrayal of the Board and the work that has been accomplished over the last several decades. Instead of focusing on the Board's oversight and ability to take action on a certificate holder, the series chose to focus the story on issues and matters mostly beyond the Board's authority and purview. While I will always believe in being open and available to defend our actions and decisions, I felt that the coverage in this particular matter was less than fair from my perspective.
- There are several L.D.s on the legislative agenda coming before the Maine Legislature this session. Director Desjardins and I have had the opportunity to speak to several legislators regarding the several perspective bills that would impact the Maine Criminal Justice Academy as well as the Board of Trustees. We will maintain a close on eye on these bills and will continue to update the Board throughout the legislative process.
- We are moving forward with the School Resource Officer specification, training and certification process. I expect I will have more to share at our next Board meeting regarding the development of this program.
- Prior to the onset of the Pandemic this Board was preparing to take decisive action regarding the certification process of Part-Time Law Enforcement Officers and the training they receive in the Law Enforcement Preservice Training (LEPS). Since the Pandemic has set everything to near standstill, I am anxious to resume our progress in this evaluation and be prepared to take action on this topic by the spring of this year.

VIII. Item Eight of the Agenda: Report from Director Rick Desjardins

General Items.

- The Academy is continuing to adjust to the pandemic and offer a combination of virtual, in-person and hybrid style classes. Due to the complications of lodging students, we are not allowing in-service lodging currently.
- We had an issue this week with our LEPS Phase I course that is hosted on the JPMA web site. The issue involved antiquated software (Flash) associated with several of the older versions of the classes. A temporary fix for the classes removed the narration and the activities associated with the classes but most of the content remains and still has the knowledge quiz at the end. We are looking at a variety of options and I will brief the Board once we arrive at a workable solution.
- We are also looking the Academy's web site and will need to make plans for future improvements and how we add content and manage that important asset.
- As reported in my certifications issued on your behalf, all but 1 of the remaining 38th BLETP cadets have completed the graduation standards and are fully certified.
- We are actively working through end of year reporting and for the first time, we have posted all of the necessary form on our web site for agencies who had trouble retrieving the attachments in our e-mail notifications can visit our site and download these whenever they need.
- We are in the midst of adding additional access control and monitoring to our Academy. This is the first stage a multi phased project.
- Our yearly training calendar is on our web site and lists the upcoming classes. I would expect that list will change as we move through the year.
- I sent a letter in December to all agencies who have asked for slots for the 39th BLETP class. In the letter, I indicated the importance of completing all necessary paperwork and will be narrowing the list for the next class. Dates of hire, Cadre assignments and volunteer hours are factors that I will consider. Obviously, I want to move as quickly as possible but given our current spike in infection rates, limits on group sizes and vaccine availability has us concerns for safety.
- The activities of the Board and the CRC continue to generate both in-state and national interest. The certification and decertification process are of interest. I have provided several FOAA and informational items to the media and others studying the topic.
- As reported earlier the Maine Criminal Justice Academy has been selected by the Department of Justice to certify agencies that are following the Presidential order dealing with use of force and prohibition of choke holds. We included additional documents in our end of year reporting forms, and we are seeing significant interest in agencies reflecting compliance.

IX: Item Nine on the Agenda: Old Business

A. 38th BLETP Report – Director Desjardins

This topic was addressed in the Directors report.

B. LEPS Admissions and Training Standards – Director Desjardins

Director Desjardins led a very brief discussion regarding the LEPS admissions and training and told the Board members that this topic will be revisited, as it impacts hiring of officers.

X: Item Ten of the Agenda: New Business

A. 2021 Mandatory Training Topic to replace MARC

1. Implicit Bias
2. De-escalation/Verbal Judo

Assistant Director Peck told the Board that the Law Enforcement Advisory Committee met via ZOOM to reconsider the mandatory training topics, which had previously been set for 2020-2021. Due to the pandemic, the scheduled 4-hour block of MARC Instruction could not take place safely. The Committee reconvened and reviewed the required training topics from previous years, coupled with what we have seen transpire across the country, and have forwarded the recommendations for the Board to vote upon.

Proposed 2021 Mandated Training Topics to replace MARC would be: Bias Training and De-escalation Techniques.

MOTION: To accept the recommendations of the Law Enforcement Advisory Committee to replace the 2021 Mandatory MARC Training with a 2-hour block of Bias Training and a 2-hour block of De-escalation Techniques.

Motion made by Chief Rumsey and second by Sgt. Ryder. **Motion Carried Unanimously.**

Chair Pellerin called for a motion to move into Executive Session.

MOTION: To move the Maine Criminal Justice Academy Board of Trustees into Executive Session pursuant to Title 25 MRS§ 2806-A (10) to discuss confidential business matters.

Motion made by Chief Rumsey and seconded by Sgt. Ryder.

Motion Carried Unanimously at 12:34p.m.

Meeting reconvened at 12:50 p.m.

B. Complaint Committee Case:

1. Board Case 2020-023

MOTION: To accept the recommendation of the Complaint Review Committee to grant the waiver.

Motion made by Det. Blodgett and seconded by Commissioner Liberty.

Motion Carried with a count of 7-For and 3-Opposed.

2. Board Case 2020-022

MOTION: To accept the recommendation of the Complaint Review Committee to grant the waiver without conditions.

Motion made by Chief Rumsey and seconded by Commissioner Liberty.

Motion Carried Unanimously

3. Board Case 2020-015

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the officer's Full Time Law Enforcement Certification of eligibility.


Motion made by Sgt. Ryder and seconded by Mr. Travis. **Motion Carried Unanimously.**

Chair Pellerin called for a motion to adjourn.

MOTION: To adjourn the 1/15/2021 Maine Criminal Justice Academy Board of Trustees Meeting at 12:58 p.m.

Motion made by Sgt. Ryder and seconded by Commissioner Liberty.

Motion Carried Unanimously.



Charles J. Rumsey, IV