

Minutes of the meeting of the Maine Criminal Justice Academy Board of Trustees held at the Maine Criminal Justice Academy on Friday, July 30, 2021.

Board Members Attending:

Special Agent Brian Pellerin – Chair
Detective Sgt. Lincoln Ryder – Vice Chair
Commissioner Michael Sauschuck
Commissioner Randall Liberty
Colonel John Cote
Colonel Dan Scott
Deputy Chief David Bushey
Detective Seth Blodgett
Chief Charles Rumsey IV
Ms. Kimberly Russell
Sheriff Scott Nichols

Board Members Excused:

Chief Matthew Dana II
Ms. Elizabeth Ward Saxl
Ms. Marie Hansen
DA Kathryn Slattery

Participants:

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

Guests:

None

I. Item One on the Agenda: Call to Order

Chair Pellerin called the meeting to order at 9:02 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 led in the Pledge of Allegiance.

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

MOTION: To accept the minutes of the May 14, 2021 Board of Trustees meeting that were handed out prior to the meeting and to be placed on file with the secretary.

Moved by Chief Rumsey and seconded by Commissioner Sauschuck. **Motion Carried Unanimously.**

IV. Item Four on the Agenda: Certifications, Waivers and Extensions

A. Basic Law Enforcement Training Program Waiver Requests:

Assistant Director Peck presented the following Basic Law Enforcement Training Program Waiver Requests.

1. Officer Benjamin A. Moseley – Wilton Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of Maine Traffic Crash Reporting Training, and the Maine Law Enforcement Officer's Certification Examination by 4/2/2022.

Moved by Sheriff Nichols and seconded by Chief Rumsey. **Motion Carried Unanimously.**

2. Officer Christopher Walles – Portland Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of 2019 and 2020 MCJA Mandatory Trainings, Maine Traffic Crash Reporting Training, and the Law Enforcement Officer's Certification Examination by 2/12/2022.

Moved by Det. Blodgett and seconded by Colonel Cote. **Motion Carried Unanimously.**

3. Officer Jacob C. Gressler – Portland Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of 2019 and 2020 MCJA Mandatory Trainings, Maine Traffic Crash Reporting Training, and the Law Enforcement Officer's Certification Examination by 2/26/2022.

Moved by Colonel Cote and seconded by Commissioner Sauschuck.
Motion Carried Unanimously.

4. Officer Neil A. Vilhelmsen – Portland Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of 2019 and 2020 MCJA Mandatory Trainings, Maine Traffic Crash Reporting Training, and the Law Enforcement Officer's Certification Examination by 2/26/2022.

Moved by Commissioner Liberty and seconded by Det. Blodgett.
Motion Carried Unanimously.

5. Chief Johnnie Duane (JD) Sparks – Lincoln Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of 2019 and 2020 MCJA Mandatory Trainings and the Law Enforcement Officer's Certification Examination by 4/3/2022.

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

B. Basic Law Enforcement Training Program Extension Requests:

Director Rick Desjardins presented the following Basic Law Enforcement Training Extension Requests.

1. Officer Adam Brackett – Gouldsboro Police Department

MOTION: To approve Basic Law Enforcement Training Program 180-day extension request.

Moved by Commissioner Sauschuck and seconded by Colonel Cote.

Motion Carried Unanimously.

2. Officer Ryan McCloud – Bridgeton Police Department

MOTION: To approve Basic Law Enforcement Training Program 180-day extension request.

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

3. Officer Michael Godin – Rockland Police Department

MOTION: To approve Basic Law Enforcement Training Program 180-day extension request.

Moved by Commissioner Sauschuck and seconded by Sgt. Ryder.

Motion Carried Unanimously.

4. The following officers 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. The following are requesting additional 180-day extension to be able to attend the 41st BLETP scheduled to start on or around January 18, 2022.

Jessica L. Larose
James E. Reardon
Constantino Zenteno
Hunter I. Flynn
Michael D. Rioux
Justine E. Rumaker

James P. Butler
Martha L. Burnham
Hunter Christian
Samuel R. Pattee
Stefanie M. Jones

Jarrold D. Leonardi
Ian McKendry
Greg W. Gallaher
Elizabeth Jasper
William C. Towle

MOTION: To approve the additional 180-day extensions to the 16 officers who have not attended the Basic Law Enforcement Program due to the

postponements related to the COVID-19 Pandemic so they may attend the 41st BLETP in January 2022.

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

C. Basic Corrections Training Program Waiver Request:

None at this time.

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:

Director Rick Desjardins presented the following Part-time Law Enforcement Officer 1040 Hour Extension Request.

1. Officer Eric Marcotte – Fryeburg Police Department

MOTION: To approve an additional 720 hours extension.

Moved by Sgt. Ryder and seconded by Commissioner Sauschuck.
Motion Carried Unanimously.

G. Course Certification Requests:

Chair Pellerin presented the following Course Certification requests and gave a full overview of the subjects, topics and instructors of the program.

1. School Resource Officer

MOTION: To approve the requested 40-hour School Resource Officer Certification Course.

Moved by Dep. Chief Bushey and seconded by Commissioner Liberty.
Motion Carried Unanimously.

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

Director Desjardins read the list of the 185 certifications that were issued since the last Board Meeting on May 14, 2021.

MOTION: To accept the Certifications that were issued by Director Desjardins on behalf of the Board since the Board meeting held on May 14, 2021.

Motion made by Commissioner Liberty and seconded by Colonel Scott.

Motion Carried Unanimously.

V. Item Five on the Agenda: Committee Reports

A. Complaint Committee: Det. Seth Blodgett

Det. Blodgett stated that over the last 2 months the committee has kept busy and he would present 9 cases today. As of this date the CRC has 31 active cases, 8 of which are in some stage of the court system. On July 25th the CRC had a meeting and conducted 6 informal conferences and also met with a victim of one of the cases. He told the Board members that the CRC members would like to be able to do that more in the future. The next meeting of the CRC is scheduled for August 11, 2021.

B. Administrative Rules Committee: Dep. Chief David Bushey

No report at this time.

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

No report at this time.

D. Corrections Training Committee: Commissioner Randall Liberty

Commissioner Liberty told the Board that DOC had made an offer to a candidate of the open Corrections Training position who would be working here at the Academy. He also said that the committee was working on the modified Juvenile Corrections course and would hopefully be bringing the lesson plans before the Board in September. He further said that the Committee has been working on Corrections Mandatory Training.

E. Policy Standards Committee: Chief Charles Rumsey

No report at this time.

VI. Item Six on the Agenda: Report from the Board Chair: Special Agent Brian Pellerin

- After reaching out to and speaking with Mr. Levon Travis, I have received his resignation from the Board of Trustees as the non-supervisory corrections representative. Levon has served on the Board since 2011 and most recently as the Chair of the Corrections Training Committee. I thanked Levon for his service on the Board and wanted to pass along his well wishes to the Board membership.
- Please see the handout of the Standing Board Committees for the 2021-2022 year. Commissioner Liberty has agreed to Chair the Corrections Training Committee for this next year.

- Chief O'Malley of the Lewiston Police Department has reached out to the Academy's Director and staff as it relates to the Alert Test and potential candidates where English is their second language and the potential problems that could create for potential candidates in the local immigrant communities in Maine. This issue has come before the Board in years past. Chief O'Malley was not able to be present at today's meeting to discuss this further with the Board's membership. As you all know the Board has been opposed to reducing the entry standards for students entering the Academy for training and certification, however I have asked Director Desjardins to explore what standards and possible allowances other Academy's across the nation and other State entities/departments here in Maine are offering in these circumstances. We will continue to investigate this further and report back to the Board in the near future.
- The SRO Training and certification program is nearing its completion. The inaugural class is scheduled to begin on Monday August 16, 2021. We have 18 applicants enrolled in the program. Today we will present the lesson plan for the Board's approval. I can't thank Assistant Director Jack Peck and Sgt. Ryder enough for their hard work and commitment in getting this program up and running. I look forward to hearing how the program went at our next Board meeting in September.

VII. Item Seven of the Agenda: Report from Director Rick Desjardins

- Graduation of the 39th BLETP was held on July 16, 2021. We graduated 67 cadets on the parade deck of the academy.
 - Largest class in our history
 - Largest number of females to graduate
 - Class valedictorian (combination of academic/skills) Quincy Stewart- Brewer PD
 - Academic Proficiency award – Ranger Terri Teller – Maine Forrest Service
 - Fitness award- Mariah Gleaton- MSP
 - Ironwoman - Mariah Gleaton- MSP
 - MARC – Mia Durgin – Westbrook PD
 - First cadet to graduate from the Maine Forrest Service
- 40th BLETP is nearing the completion of the class selection and will begin on August 16.
 - Discussion on how we are currently selecting the classes using cadre assignments and date of hire are the deciding factor in selecting cadets due to the backlog.
 - Cadre assignments
 - Androscoggin S.O
 - Biddeford PD
 - Portland PD
 - Maine Warden Service
 - MSP
 - Date of hire
 - Oldest to the newest will be something we consider instead of first come first serve John Doe requests.
 - Discussion on process going forward.
 - John Doe slots, first come, first serve starting on the first day of the current BLETP.
 - Donated training hours for previous year will need to be added back in as a way to get seats in the BLETP.
- BUILDING ISSUES
 - Simmons group conducting a facilities assessment

- Physical plant
 - Operations assessment
- STAFFING
 - Staff are incredibly busy. Trying to get as many to take time off before we restart major programs in August.
 - Addition of DOC's Training Specialist.
 - Selection of a candidate was made in conjunction with DOC
 - A.D Jack Peck, T.C. Don Finnegan sat on the interview panel and selected Kevin Kidd.

Legislative changes

- Composition of the Complaint Review Committee
 - Expanded from 3 to 5 members
 - 2 citizen members
 - Expanded the definition of citizen member (No previous LEO experience)
- Requirement to move into rule making
 - Standards of conduct
 - Standards for unannounced search warrants
 - Officer conduct/accountability

Chair Pellerin requested that the Board take a short break at 10:31 a.m. Meeting reconvened at 10:38 a.m.

VIII: Item Eight on the Agenda: Old Business

A. Update on Legislative bills – Director Desjardins

Topic was covered in Director Desjardin's report.

IX: Item Nine of the Agenda: New Business

A. Accommodations for English second language applicants – Chief John O'Malley Lewiston Police Department.

Topic discussed during Chair Pellerin's report as representatives from Lewiston PD were not able to attend the BOT meeting.

B. Donation from the 39th BLETP.

Director Desjardins showed the Board members the printout of the physical fitness equipment (Steel racks for holding and storing weights, kettlebells and dumbbells) that the 39th BLETP would like to donate to the Academy as their legacy gift. He also explained that the 39th Class would like to donate the remainder of the money they had in their class account (\$1,980) to the Student Benefit Fund for purchases that would benefit the training of future cadets.

MOTION: To accept the Legacy Gift presented to the Academy and the monetary donation presented to the Student Benefit Fund by the 39th BLETP.

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

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 11:00 a.m.

Meeting reconvened at 11:23 a.m.

C. Complaint Committee Case:

1. Board Case 2021-002

MOTION: To accept the recommendation of the Complaint Review Committee to issue a consent agreement, which includes admission of the facts, to receive a reprimand, and to revoke the officer's full-time Law Enforcement certification.

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

Motion Carried Unanimously.

2. Board Case 2021-012

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

Motion made by Colonel Cote and seconded by Colonel Scott.

Motion Carried Unanimously

3. Board Case 2021-006

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.

4. Board Case 2021-005

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

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

Motion Carried Unanimously.

5. Board Case 2021-001

MOTION: To accept the recommendation of the Complaint Review Committee to grant the waiver along with a letter of guidance.

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

Motion Carried Unanimously.

6. Board Case 2020-027

MOTION: To accept the recommendation of the Complaint Review Committee to enter into a consent agreement where there is an admission of the conduct, a reprimand will be issued, a 90-day suspension followed by 3-years of probation.

Motion made by Chief Rumsey and seconded by Det. Blodgett.

Motion Failed – 3 for and 7 against.

MOTION: To recommend revocation of the officer's Part-time Law Enforcement Certification.

Motion made by Commissioner Sauschuck and seconded by Sheriff Nichols.

Motion Carried – 7 for and 3 against.

7. Board Case 2020-028

MOTION: To accept the recommendation of the Complaint Review Committee to issue a non-disciplinary letter of guidance due to insufficient evidence of disqualifying conduct.

Motion made by Chief Rumsey and seconded by Sheriff Nichols.

Motion Carried with Commissioner Liberty recusing himself. During the discussion of the case, Commissioner Liberty left the Boardroom at 11:35 a.m. and returned at 11:51 a.m.

8. Board Case 2020-032

MOTION: To accept the recommendation of the Complaint Review Committee to issue a non-disciplinary letter of guidance which will be placed in the officer's file for 10 years.

Motion made by Dep. Chief Bushey and seconded by Sheriff Nichols.

Motion Carried with Commissioner Liberty recusing himself

9. Board Case 2020-032

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the officer's Correction Certificate of Eligibility.

Motion made by Chief Rumsey and seconded by Sheriff Nichols.

Motion Carried with Commissioner Liberty and Sgt. Ryder recusing themselves.
During the discussion of the case, Commissioner Liberty left the Boardroom at 11:35 a.m. and returned at 11:51 a.m. Sgt. Ryder left the Boardroom at 11:46 and returned at 11:51 a.m.


X. Item Ten on the Agenda - ADJOURN

Chair Pellerin called for a motion to adjourn.

MOTION: To adjourn the 7/30/2021 Maine Criminal Justice Academy Board of Trustees Meeting at 11:58 a.m.

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

Motion Carried Unanimously.



Charles J. Rumsey, IV