

Minutes of the meeting of the Maine Criminal Justice Academy Board of Trustees held at the Maine Criminal Justice Academy John B. Rogers Multi-Purpose Room on Friday, July 31, 2020.

**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  
Chief Charles Rumsey IV  
Detective Seth Blodgett  
Ms. Kimberly Gore  
Mr. Richard Davis  
Ms. Elizabeth Ward Saxl  
Ms. Marie Hansen  
Sheriff Scott Nichols

**Board Members Excused:**

Mr. Tom Peters II, Esq.  
Mr. Levon Travis  
DA Kathryn Slattery  
Deputy Chief David Bushey

**Participants:**

Rick Desjardins, Director  
Attorney Andrew Black  
Karen Green, Board Clerk  
Debbie Dalzell, Assistant Board Clerk

**Guests:** University of Maine – Augusta:

Brenda McAleer - Dean of the College of Professional Studies & Associate Provost  
Noel March - Director of the Maine Community Policing Institute & Lecturer of Justice Studies

**I. Item One on the Agenda: Call to Order**

Chair Pellerin called the meeting to order at 9:06 a.m.

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

Chair Pellerin requested that Board Clerk Green conduct a roll call and declared a quorum. He acknowledged the guests from the University of Maine in Augusta and requested members of the Board introduce themselves and then led in the Pledge of Allegiance.

Chair Pellerin requested that the meeting go out of order and move to New Business so that the two guests from the University of ME could present information regarding potential collaboration of the Academy and UMA to promote MCJA Course development and on-line studies.

Noel March spoke to the Board, giving information of what could be accomplished with a MCJA partnership and the 31 University of Maine locations throughout the State. He also explained that UMA was currently giving students 15 credits for the completion of the Basic Law Enforcement Training Program and 6 credits for the Basic Correction Training Program completion. He and Brenda McAleer answered questions and passed out brochures outlining the partnership opportunities.

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

**MOTION:** To accept the minutes of the June 19, 2020 Board of Trustees meetings that were sent out prior to the meeting and to have them placed on file with the secretary.

Moved by Sgt. Ryder and seconded by Ms. Hansen. **Motion Carried Unanimously.**

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

**A. Basic Law Enforcement Training Program Waiver Requests:**

1. None at this time.

**B. Basic Law Enforcement Training Program Extension Requests:**

Director Desjardins presented the following Basic Law Enforcement Training Extension Requests. He explained that these officers were hired with anticipation of attending the 39<sup>th</sup> BLETP on May 26, 2020 but the program was postponed for the COVID-19 emergency.

1. Andrew R. Peterson – Dover-Foxcroft Police Department
2. Daniel Demers – Jay Police Department
3. Matthew Cummings – Pleasant Point Police Department
4. James P. Butler – Limestone Police Department
5. Connor J. Hrynuk – Millinocket Police Department
6. Dakota Willhoite - Fairfield Police Department

**MOTION:** To approve the 180-day extension of the Basic Law Enforcement Training Program for these six officers.

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

**C. Basic Corrections Training Program Waiver Requests:**

None at this time.

**D. Basic Corrections Training Program Extension Requests:**

None at this time.

**E. Law Enforcement Preservice Program Waiver Requests:**

Director Desjardins presented the following Law Enforcement Preservice Program Waiver Request.

1. Deputy Lucas Potts – 38<sup>th</sup> BLETP – Waldo County Sheriff's Office

**MOTION:** To approve the Law Enforcement Preservice Program Waiver Request for the above officer.

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

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

Director Desjardins presented the following request for a Part-time Law Enforcement Officer 1040-hour extension.

1. Officer Trevor Bellefleur – Fort Kent Police Department

**MOTION: To approve the Part-time Law Enforcement Officer 1040-hour Extension Request and grant Officer Bellefleur an additional 640 hours.**

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

**G. Course Certification Requests:**

None at this time.

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

Director Desjardins asked for approval for the following Program/Course Certifications issued on behalf of the Board since June 19, 2020.

1. Eight Full-time Corrections Certifications.
2. Nine Basic Corrections Training Program Certifications.
3. One Law Enforcement Preservice Phase II Waiver for F/T Academy.
4. Two Drug Recognition Expert Technician Certifications.
5. One Firearms Instructor Certification.

**MOTION: To accept the Certifications that were issued by Director Desjardins on behalf of the Board since the last Board meeting on June 19, 2020.**

Motion made by Chief Rumsey and seconded by Ms. Hansen. **Motion Carried Unanimously.**

**V. Item Five on the Agenda: Committee Reports**

**A. Complaint Committee: Mr. Tom Peters**

As Mr. Peters was not available to attend, Chief Rumsey stated that he would present 7 cases today which would leave 12 open cases. Those 12 cases consist of 5 OUI, 3 Domestic Assaults, 1 Gross Sexual Assault, 1 Unlawful Sexual Contact, 1 Manslaughter and 1 Failure to Treat. Six of those cases are waiting for trial and the remaining 6 will be reviewed at the next CRC meeting on August 27, 2020.

**B. Administrative Rules Committee: Mr. Richard Davis**

Nothing at this time.

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

Sgt. Ryder stated he did not have anything to report at this meeting but would try to put a Zoom meeting together with other members of the committee so he could go over the information that the two representatives of the University of Maine-Augusta presented this morning.

**D. Corrections Training Committee: Mr. Levon Travis**

Nothing at this time.

**E. Policy Standards Committee: Chief Charles Rumsey**

Nothing at this time.

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

This past June, shortly after our last Board Meeting, I was notified by the Director that Somerset County Corrections Officer Antonio Martinez was tragically killed in a motor vehicle accident. CO Martinez was enrolled in the BCTP program at the time of the accident and had completed a majority of the training curriculum. Director Desjardins contacted me and informed me of the accident and that he wanted to issue the certificate of completion and certification pin posthumously to his family. I told the Director that he had my full support and that I felt the Board would support this decision without hesitation.

Also, after our last meeting, where we approved changes to the Use of Force and Hate or Bias Crimes minimum standards, I had several discussions with Chief Nourse of the Freeport Police Department regarding her concerns and suggestions for those policies. Based on those discussions I feel that it would be important to develop and add the definitions for De-escalation and Excited Delirium Syndrome to the standards as those terms are discussed but not defined in the standards. I also had discussions with Chief Nourse regarding other factors involving the use of deadly and non-deadly force when a subject is unable to comply, for a variety of reasons (medical disability, hearing loss, etc...., that could result in the application of excessive force for being applied for compliance.

I am pleased to report that the position of Assistant Academy Director has been approved and is currently open to applications. This is a critical position at the academy and will be absolutely necessary when the BLETP and other on site programs resume at the Academy in the coming weeks and months.

I wanted to make you all aware that we have two long standing members of our Board who will be stepping down at the completion of their terms in October of this year. Tom Peters, Chair of the CRC and Richard Davis, the Board's Secretary have both played vital roles on the Board during their tenure. Both will be missed and very hard to replace. I want to congratulate both of them and thank them for their service to the Board and State of Maine. I am happy to know we will get to see them one more time during our September meeting.

In our previous Board meetings, we have had several discussions relating to the policy and statutory limitations the Academy has as it relates to having access to criminal record database information. Currently we are restricted from requesting or accessing criminal history records for those attending our programs or are involved in CRC matters. Earlier this month Director Desjardins recently wrote a letter to IADLEST supporting a move by DOJ to correct this issue at the national level where this is a systemic problem across the country.

Chair Pellerin requested that the Board take a short break at this time. 10:06 a.m. Back in session: 10:21 a.m.

**MOTION: To have the academy staff develop definitions of De-escalation and Excited Delirium Syndrome (ExDS) and add them to the Maine Criminal Justice Academy Board of Trustees Minimum Standards, Policy #1, Use of Physical Force Policy.**

Motion by Col. Cote and seconded by Chief Rumsey.      **Motion Carried Unanimously.**

**VII. Item Seven 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.
- Since our last meeting in June, we have completed a BCTP class at Somerset County (in-person), LEPS classes around the state and multiple alert testing both at the Academy and off-site using MOUs at host agencies.
- We are currently running a hybrid, in-person/virtual BCTP class here at the Academy.
- Next week we will be running an in-person LEPS class here and based on the interest we will have a good showing.
- 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.
- Remote testing continues to be improved upon and we are now starting to look for ways to better analyze test results and compare those to our learning objectives.
- We have re-engaged the use of NAMI Maine instructors to provide Mental Health First Aid training in our programs and hope this will continue. Currently these classes are in-person as the National Council's virtual solution has apparently had issues in reliability. NAMI has instructors that are trained in the virtual platform and once the platform is functional, the virtual offering will be available as well.
- The posting of the assistant director's position is soon to close, and we will be looking at the potential of filling that position if funding is available.
- The list continues to grow for seats in the 39<sup>th</sup> BLETP. I am looking at other states that have attempted to start residential programs and still see significant concerns for moving too quickly without adequate mitigation options.
- The 38<sup>th</sup> BLETP class has completed all the graduation requirements except for the EVOC and MARC Board standards. I have committed to find a solution and will work with the Commissioner, training staff and our partners to come to a resolution and present that solution to the Board.
- 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.
- It goes without saying, the work our dedicated staff here at MCJA does each and every day to continue to function in these difficult times makes me so proud to be part of this and I look forward to better times ahead and looking for ways to improve our training.

**VIII: Item Eight on the Agenda: Old Business: 38<sup>th</sup> BLETP progress.**

Covered in the Director's Report.

**IX: Item Nine on the Agenda: New Business: University of Maine presentation**

Covered at the beginning of the meeting.

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 Mr. Davis and seconded by Sgt. Ryder      **Motion Carried Unanimously at 10:52 a.m.**

Meeting moved to open session at 11:36 a.m.

**A. Complaint Committee Case:**

1. Board Case 2019-008

**MOTION: To accept the recommendation of the Complaint Review Committee to enter into a 3-year consent agreement along with a letter of reprimand.**

Motion made by Sgt. Ryder and seconded by Col. Cote.

**Motion Carried with 1 opposed and Commissioner Liberty recusing himself.**

2. Board Case 2020-001

**MOTION: To accept the recommendation of the Complaint Review Committee to enter into a 3-year consent agreement along with a letter of reprimand and conditions to continue with treatment until discharged.**

Motion made by Chief Rumsey and seconded by Col. Cote.

**Motion Carried with 2 opposed and commissioner Liberty recusing himself.**

3. Board Case 2020-009

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

Motion made by Mr. Davis and seconded by Commissioner Sauschuck.

**Motion Carried with Commissioner Liberty recusing himself.**

4. Board Case 2020-008

**MOTION: To accept the recommendation of the Complaint Review Committee to enter into a 3-year consent agreement along with a 90-day suspension of the officer's Full Time Law Enforcement Certificate and the condition that counseling be continued until discharged.**

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

**Motion Carried with 1 opposed and Col. Scott recusing himself.**

5. Board Case 2020-031

**MOTION: To accept the recommendation of the Complaint Review Committee to revoke the Full time Law Enforcement Officer's Certificate.**

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

**Motion Carried with Col Cote recusing himself.**

6. Board Case 2020-007

**MOTION: To accept the recommendation of the Complaint Review Committee grant the waiver with no conditions.**

Motion made by Col. Cote and seconded by Chief Rumsey. **Motion Carried unanimously.**

7. Board Case 2019-025

**MOTION: To revoke the Full time Law Enforcement Officer's Certification.**

Motion made by Sgt. Ryder and seconded by Col Cote. **Motion Carried Unanimously.**

Chair Pellerin reminded the members of the Board that the next meeting would be on September 18, 2020 followed by one on November 13, 2020. He then called for a motion to adjourn.

**MOTION: To adjourn the 7/31/2020 Maine Criminal Justice Academy Board of Trustees Meeting at 11:42 p.m.**

Motion made by Sgt. Ryder and seconded by Commissioner Sauschuck. **Motion Carried Unanimously.**

A handwritten signature in black ink that reads "Richard P. Davis". The signature is written in a cursive, flowing style.

Richard P. Davis