

Minutes of the meeting of the Maine Criminal Justice Academy Board of Trustees held at the Maine Criminal Justice Academy on Friday, March 12, 2021.

Board Members Attending:

Special Agent Brian Pellerin – Chair
Detective Sgt. Lincoln Ryder – Vice Chair
Commissioner Randall Liberty
Colonel John Cote
Major Chris Cloutier
Deputy Chief David Bushey
Detective Seth Blodgett
Ms. Marie Hansen (via Teams)
Ms. Kimberly Russell
Chief Matthew Dana II

Board Members Excused:

Sheriff Scott Nichols
Chief Charles Rumsey IV
DA Kathryn Slattery
Ms. Elizabeth Ward Saxl
Mr. Levon Travis

Participants:

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

Guests:

Rachel Frost – President, JPMA
Marco DeLeon – Director of Strategic Sales, Lexipol/Police 1
Lisa Reagan – Lexipol/Police 1
Colin O'Neill – Associate Commissioner, MDOC
Sonja Morse – Data & Research Coordinator, MDOC

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 he requested that the members of the Board and the guests who were present to introduce themselves. 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 January 15, 2021 Board of Trustees meeting that were sent out prior to the meeting and to be placed on file with the secretary.

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

Due to the several guests who were present to address the Board, Chair Pellerin requested that the Board take Old and New Business out of order.

VIII. Item Eight on the Agenda: Old Business

B. Ms. Rachel Frost, Owner JPMA – LEPS Training Discussion

Ms. Frost gave a short history of JPMA and getting the 40-hour MCJA LEPS program up and has provided this program online. There are 39 classes that make up the 40-hour program and over the past 13 years 19 of those classes have been updated in a user friendly, interactive format. The remaining 20 classes have not been updated since 2008. She explained that this is concerning, as the material that makes up these classes might well be outdated. She said that the updating came to a head in January, as the program that supports the JPMA e-learning system is no longer supported by the system they had been using. JPMA has now converted to another system, but the 20 classes that have not been updated will only be shown as a PDF which is a “read only” file. Ms. Frost then presented 3 proposal options for updating the remaining 20 classes. Two of the options would include revisions at an additional cost and the third option would be to leave the PDF classes the way they are written right now.

Ms. Frost concluded with explaining that one of the updates that JPMA instituted this past week is a certificate of completion, which will make it easier for MCJA staff to see if a person had actually taken and passed the full program. Before this certificate was introduced, MCJA staff would have to call up all the 39 classes individually to see if each class was completed by the student.

C. Ms. Lisa Reagan and Marco DeLeon – Representative Lexipol/Police 1 – Mandatory Training

Mr. DeLeon gave an in-depth overview of Police 1 and its many programs and extensive library of classes that some Maine agencies already subscribe to. He stated that his company would like to be able to provide the agencies with the MCJA yearly Mandatory Training also.

Chair Pellerin said that a concern of the Board would be the ownership and integrity of the material. If Police 1 is distributing MCJA material that it is under the direction of the Board and it meets all of the Boards criteria and standards. Mr. DeLeon assured the Board members that Police 1 would work with MCJA staff and the Board, giving them free access to the programs so they could make sure that the system has everything in place to keep the integrity of the material secure. He also stated that there were things built into their system to assure that students didn't skip to the end without doing the whole class.

Mr. DeLeon stated that over the past 2 years, he estimates that Police 1 has been in contact with one third to one half of all the Law Enforcement agencies in Maine wanting to use their product if Police 1 could get permission to provide Maine's yearly Mandatory Training also.

A. Associate Commissioner Colin O'Neill – Juvenile Specific Certification

Associate Commissioner O'Neill spoke about the letter he had written to the Board requesting a separate Certification for Juvenile Correction Officers. He went on to explain the difference in the way Juvenile inmates and Adult inmates are handled by correction officers and that, although he feels the current correction program is fine, it mainly focuses on the adult inmate. He told the Board that less than 8 States use the same training for both juvenile and adult populations. He then reviewed a proposed curriculum he had for a Juvenile Corrections Program. He told the Board that officers who have been trained in specialized handling of juvenile offenders would be able to interact with the juveniles during recreational programs, educational programs and on a one-to-one basis whether in a secure or non-secure setting, such as community based housing.

Director Desjardins asked how a corrections officer's authority would be applied to community satellite sites. Commissioner Liberty stated that any community residential facility would be mentioned in the statute and the

officers assigned to that facility would have the same authority as an officer assigned to any other State Correctional facility.

When asked about having a post-school, for those officers who were assigned to a juvenile facility, O'Neill stated that DOC already has a 3-week training period, for officers completing the 5-week Corrections Academy. With the new curriculum, it would be 6 weeks and using MCJA certified trainers in-house at Long Creek they could train a newly hired CO quicker than having them wait for another Corrections Academy at MCJA.

Chair Pellerin requested a short break at 10:32 a.m. The meeting reconvened at 10:43 a.m.

IV. CERTIFICATIONS, WAIVERS AND EXTENSIONS:

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 Kyle M. Hayward – Belfast Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of Maine Crash Training and the Maine Law Enforcement Officer's Certification Examination by 10/22/2021.

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

2. Officer Jason MacLeod – South Berwick Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of Maine Crash Training and the Maine Law Enforcement Officer's Certification Examination by 9/15/2021.

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

3. Officer Paul E. Coronite – University of Southern Maine Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine Law Enforcement Officer's Certification Examination by 7/6/2021.

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

4. Officer Philippe Tessier - Damariscotta Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of Maine Crash Training and the Maine Law Enforcement Officer's Certification Examination by 10/1/2021.

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

5. Officer William J. Nicholas, Jr. – Passamaquoddy Indian Township Warden Service

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of Maine Crash Training and the Maine Law Enforcement Officer's Certification Examination by 11/6/2021.

Moved by Col. Cote and seconded by Sgt. Ryder. **Motion Carried with Chief Dana recusing himself.**

B. Basic Law Enforcement Training Program Extension Requests.

Director Desjardins presented the Basic Law Enforcement Program Extension Requests.

1. Officer Matthew Cummings – Pleasant Point Police Department

MOTION: To approve the Basic Law Enforcement Training Program Extension of 180 days because of postponements related to the COVID-19 Pandemic.

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

2. Officer Russell G. Socoby – Houlton Police Department

MOTION: To approve the Basic Law Enforcement Training Program Extension of 180 days so that he may attend the 40th BLETP in August 2021.

Moved by Com. Sauschuck 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:

Director Desjardins presented the Basic Corrections Training Program Extension Requests.

1. Corrections Officer Brooke Keach – Two Bridges Regional Jail

MOTION: To approve the Basic Corrections Training Program Extension so that she may attend the next BCTP.

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

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:

Asst. Director Peck presented the following Course Certification requests.

1. Implicit Bias – 2021 Mandatory Corrections Training topic.

MOTION: To adjust and modify the Course Certification to include “Role Playing” in the requested Implicit Bias – 2021 Law Enforcement mandated topic.

Moved by Sgt. Ryder and seconded by Com. Liberty. **Motion Carried Unanimously.**

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

Director Desjardins read the list of the 70 certifications that were issued since the last Board Meeting on January 16, 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 Com. Sauschuck **Motion Carried Unanimously.**

Director Desjardins then commented on the handout lists of 82 Certifications that had been suspended on behalf of the Board on 1/1/2021. Each officer on the list failed to provide proper documentation by 12/31/2020 that they had met the requirements of the Board Specifications for the certifications for which they held.

V. Item Five on the Agenda: Committee Reports

A. Complaint Committee: Det. Seth Blodgett

Det. Blodgett told the Board as of today, the CRC has 23 cases pending. Many of those cases are on hold as they are awaiting adjudication and there are new cases that the CRC are waiting for the reports to be sent to them.

Det. Blodgett stated that he would present 1 case at today’s meeting. Attorney Black interjected that today’s case would need to be tabled as there would not be a quorum with one member of the Board recusing himself. That case will be brought to the May 14, 2021 meeting.

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 were still working on the SRO (School Resource Officer) Training Program certification. He stated that the committee had met two times after the January Board meeting, once on February 10 and again on March 11th. In February they met with Robert Susi and Jonathan Shapiro of the Maine Center for School Safety. The goal of the meeting was to combine resources to finalize the curriculum. On 3/11 they met with members of the Dept. of Education, School administrators from different districts, and an SRO from S. Berwick PD. With all the information given, regarding threat assessment, cultural engagement, disaster response, social and emotional learning the committee plans to meet in another three weeks as a group and start to develop lesson plans. He said he was hopeful that all this could be ready by the July Board meeting.

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

- The Board welcomes its newest member, Chief Matthew Dana of the Passamaquoddy Indian Township Police Department. Chief Dana is a graduate of the 96th Municipal County Basic Police School and has worked in law enforcement in Maine for than 20 years.
- We are all saddened by the sudden and unexpected death of former Board Trustee Linda Smithers. Linda served on the Board since it's inception as a citizen representative. Linda was tough, caring and smart. She will be missed by everyone who was fortunate enough to know her.
- The SRO Certification working group continues to develop a new specification and course outline for the program. This has been a collaborative effort with the Maine Center for School Safety, active SRO's in Maine as well as our partnering school administrators. Our hope is to get this program underway by the late summer of 2021 before the next school year begins.
- Assistant AG Black will be providing us with an overview of our newly acquired rule making authority. There have been several items before the Board that are pending action which will require us to proceed with the rule making process. I look forward to beginning this process this summer on issues relating to the LEPS program and the Board mandated policy standards.

VII. Item Seven on 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. Based on improvement in infection rates and vaccinations, we have begun to open more in-person training events while following best practices for PPE usage and other safety recommendations.

- We did our first virtual orientation for the 39th BLETP on March 10, 2021. The orientation was attended by 70 cadets that have been accepted to the 39th BLETP class along with 10 alternative cadets who are next in-line on our wait list. Training coordinator, Dave Tyrol, Sgt. Joe Mills and I did the presentation and covered all the requirements for attending the program. The entire cadre staff assigned to the 39th BLETP and other MCJA members attended the orientation. All indications are the needed material was delivered efficiently and the feedback so far has been positive.
- We are looking at the Academy's web site and funding for upgrades that will need to be accomplished to continue to use our site, add content and improvements. This current budget is very tight to accomplish any improvements, but I will continue to work with the Commissioner's office to find the resources necessary.
- 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 have completed the end of year reporting and for the first time, we had posted all the necessary form on our web site for agencies who had trouble retrieving the attachments in our e-mail notifications. We will report summaries of the reporting under new business, but I want to express my appreciation to MCJA staff and acknowledge how challenging this event is for our staff here at the Academy to manage this complex (analog) process and to extract the data for a variety of usages and ultimately keep officers certified and agencies in compliance. AD Peck and Karen did yeoman's work to pull this off.
- I will be completing the Legislative report for the Criminal Justice/Public Safety Committee as well as distributing copies to the State Library and posting the report on our site.
- We are in the midst of adding additional access control and monitoring to our Academy. This is the first stage a multi phased project. Several construction projects are underway, and we hope to get most of the major items completed over the next few weeks, prior to the BLETP and RTT.
- 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 saw significant interest in agencies reflecting compliance. The response far exceeded our expectations and nearly 98% of law enforcement agencies in Maine certified compliance with the National standard.

VIII. Item Eight on the Agenda: Old Business

- A. Associate Commissioner Colin O'Neill – Juvenile Specific Certification**
Taken out of order and heard at the beginning of the meeting.
- B. Ms. Rachel Frost, Owner of JPMA – LEPS Training Discussion**
Taken out of order and heard at the beginning of the meeting.
- C. Ms. Lisa Reagan, Representative Lexipol/PoliceOne – Mandatory Training**
Taken out of order and heard at the beginning of the meeting.
- D. AAG Andrew Black – Rulemaking Presentation**

AAG Black gave the Board an overview of the overall process of how a Rule becomes a law. First it needs to be determined whether you have the authority to adopt a Rule. If you do, then the Rule needs to be drafted and put out for public comment. When it comes back the Board finalize the draft can adopt the Rule. The final stage is where the Rule goes to the AG's Office for review and approval. Once it has

passed all of that, the Rule would then need to be filed with the Secretary of State's Office where it will become law.

IX: Item Nine on the Agenda: New Business

A. End of the year report summary: Director Desjardins and Asst. Director Peck

Assistant Director Peck reported that the Academy had sent out 191 end-of-the-year packets to law enforcement agencies and correctional facilities. He gave the Board some of the 2020 year-end statistics which included the decline in the numbers of Law Enforcement and Correction Officers, full and part time since the end of 2019. He also touched on the percentages of female law enforcement officers in 2020 being lower than 2019, but that the percentage of female correction officers went up slightly in 2020. He reported that within that packet were forms for departments to send back to us regarding the Federal Safe Policing Ban on Chokehold. He stated that he had received attested confirmation from approximately 98% of all departments that it was sent to.

Director Desjardins told the Board that the year-end report generates non-compliance lists of officers who have not completed their Mandatory Training, or PT officers that have exceeded their 1040 hours without prior approval from the Board, which will in turn generate cases for the CRC.


Chair Pellerin called for a motion to adjourn.

X. Item Ten on the Agenda: Adjournment

MOTION: To adjourn the 3/12/2021 Maine Criminal Justice Academy Board of Trustees Meeting at 12:17 p.m.

Motion made by Sgt. Ryder and seconded by Interim Chief Dana.

Motion Carried Unanimously.


Charles J. Rumsey, IV