

Minutes of the meeting of the Maine Criminal Justice Academy Board of Trustees held at the Maine Criminal Justice Academy on Friday, May 14, 2021.

Board Members Attending:

Special Agent Brian Pellerin – Chair
Detective Sgt. Lincoln Ryder – Vice Chair
Commissioner Randall Liberty – Via Zoom
Commissioner Michael Sauschuck
Colonel John Cote – Via Zoom
Ms. Elizabeth Ward Saxl
Chief Charles Rumsey IV – left at 12:02 p.m.
Colonel Dan Scott
Deputy Chief David Bushey
Detective Seth Blodgett
Sheriff Scott Nichols
Ms. Kimberly Russell
Chief Matthew Dana II – Via Zoom
DA Kathryn Slattery

Board Members Excused:

Ms. Marie Hansen

Board Members Absent:

Mr. Levon Travis

Participants:

Director Rick Desjardins
Assistant Director Jack Peck
Attorney Andrew Black
Debbie Dalzell, Assistant Board Secretary

Guests:

None

I. Item One on the Agenda: Call to Order

Chair Pellerin called the meeting to order at 9:08 a.m.

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

Chair Pellerin requested that Secretary Dalzell conduct a roll call and then he led in the Pledge of Allegiance.

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

MOTION: To accept the minutes of the March 12, 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 Col. Scott.

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 Daniel K. DuHamel – Rockland 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 1/11/2022.

Moved by Chief Rumsey and seconded by Sgt. Ryder.

AMENDED MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine Law Enforcement Officer’s Certification Examination and Maine Crash Training by 1/11/2022.

Moved by Dep. Chief Bushey and seconded by Ms. Ward
Motion Carried Unanimously.

2. Trooper Recruit Elijah Ellis-Hathaway – Maine State Police

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine Law Enforcement Officer’s Certification Examination by 5/10/2022.

Moved by Commissioner Sauschuck and seconded by Det. Blodgett.

AMENDED MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine State Police RTT or equivalent-content training, the Maine Law Enforcement Officer’s Certification Examination and Maine Crash Training by 5/10/2022.

Moved by Dep. Chief Bushey and seconded by Ms. Ward Saxl
Motion Carried with Col. Cote recusing himself from the vote.

3. Trooper Recruit Marcio Del Corson – Maine State Police

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine State Police RTT or equivalent-content training and the Maine Law Enforcement Officer’s Certification Examination by 5/10/2022.

Moved by Sgt, Ryder and seconded by Chief Rumsey.

AMENDED MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine State Police RTT or equivalent-content training, the Maine Law Enforcement Officer’s Certification Examination and Maine Crash Training by 5/10/2022.

Moved by Sgt, Ryder and seconded by Chief Rumsey.
Motion Carried with Col. Cote recusing himself from the vote.

B. Basic Law Enforcement Training Program Extension Requests:

Director Rick Desjardins presented the following Basic Law Enforcement Training Extension Requests due to the COVID-19 pandemic. The following 27 officers were granted an extension by the Board previously however, this 180-day extension will expire prior to the start of the next BLETP class.

Amanda Baker	Richard R. Patrie
Jamie R. Denbow	Cole Pelletier
Brett A. LeBlanc	Jarrold E. Wiswell
Linwood L. Sevrance, III	Lucas Gendreau
Rafael Sockabasin	Jessica L. Larose
James P. Butler	William Crawford
Jarrold D. Leonardi	Ryan A. McCloud
Samuel R. Pattee	Kyle Brown
Russell G. Socoby	Scott Entwistle
Billie Hatfield	Connor Grogan
Jacob J. Strout	Corey D. Larlee
Phillip Lynch	Brandon N. Van Wyk
Logan Rossignol	Robert W. Wright
Nicole Root	

The following 12 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. They are requesting 180-day extensions.

Rex Schweighofer	Robert M. Haseltine
Caleb Jandreau	Marcus Ramirez
Jerico Champagne	Logan Finnegan
Justine E. Rumaker	Joshua Chouinard
Brandon S. Pelton	Caleb J. Fortin
Kelsey M. Jacobs	Justin Crowley

MOTION: To approve the Basic Law Enforcement Training Program 180-day extension requests for these 39 officers.

Moved by Commissioner Sauschuck and seconded by Dep. Chief Bushey.
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 following request for an extension for the Basic Corrections Training Program.

1. C.O. Alan Medina – Hancock County Jail

MOTION: To approve the Basic Corrections Training Program extension until the July 2021 Basic Correction class.

Moved by Sgt. Ryder and seconded by Sheriff Nichols. **Motion Carried Unanimously.**

E. Law Enforcement Preservice Training Program Waiver Requests:

Assistant Director Peck presented the following request for a waiver of the Law Enforcement Preservice Training Program.

1. Deputy Timothy Robinson – Sagadahoc County Sheriff's Office

MOTION: To approve the Law Enforcement Preservice Training Program waiver.

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

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

None at this time.

G. Course Certification Requests:

Assistant Director Peck presented the following Course Certification requests.

1. De-escalation/Verbal Judo – 2021 Mandatory Corrections Training topic.

After a suggestion from Ms. Ward Saxl to remove the words “Verbal Judo” from the title, there was a discussion and the consensus was that “Verbal Judo” does not need to be in the course title.

MOTION: To approve the requested 2-hour block of De-escalation – 2021 Law Enforcement mandated topic.

Moved by Ms. Ward Saxl and seconded by Commissioner Sauschuck.

Motion Carried with those attending the meeting by Zoom abstaining from the vote as they could not read the handouts given to the other members attending in person.

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

Director Desjardins read the list of the 82 certifications that were issued since the last Board Meeting on March 12, 2021.

MOTION: To accept the Certifications that were issued by Director Desjardins on behalf of Board since the Board meeting held on March 12, 2021.

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

V. Item Five on the Agenda: Committee Reports

A. Complaint Committee: Det. Seth Blodgett

Det. Blodgett stated that he would present 9 cases today. As of this date the CRC has approximately 33 cases, some are pending in the courts, around 6 of them are waiting to go through the criminal justice process and since the end of April they have received 5 new cases. The CRC had a Zoom meeting at the end of April and are hoping to be able to meet in person at their next 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 had a meeting to work on the draft of how the SRO (School Resource Officer) Training Program 40-hr class should be presented. They plan on having another meeting on May 19th with subject matter experts (SME's). At that meeting they will breakout the different subjects and give the SMEs their portions so they can begin to build in the goals and objectives. It is hopeful that in a month the committee will have a complete lesson plan. Then the committee will review the lesson plan to make sure it's in the correct format. Sgt. Ryder stated that the ultimate goal is to be able to present the final lesson plan to the Board in July for a vote. Ideally, he said, they will want to hold a class or two in August before the schools open and the SMEs, who are employees of DOE are back to work and unavailable to teach this class.

D. Corrections Training Committee: Mr. Levon Travis
Nothing at this time.

F. 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

- Thank you to the members of this Board for your effort in attending today's meeting. As you know our Board's quorum is now 10 members. As of now we have 16 active appointed members. This does not leave us a lot of room for absences or recusals. Thank you to the Director and his Staff for making attendance possible through an online presence for those that have scheduling or other conflicts during the pandemic and this legislative session.
- As we all know the legislature is in full swing where the Maine Law Enforcement and Corrections communities are of significant interest. I am very appreciative of the strong and sensible representation we have with Director Desjardins, Commissioner Liberty and Commissioner Sauschuck representing not only public safety but also the MCJA and the Board itself. Director Desjardins will be briefing the Board on the Bills that could directly affect the Board. Bills that are currently under consideration include expanding the size of the Board and CRC,

expanding the authority of the Board's oversight beyond criminal conduct, and changing the composition of the Board and CRC to name a few.

- Throughout the process I do have sense that the Board's reputation has been portrayed positively and in a manner of trust in our ability to provide proper oversight. Having said all that however, I do have concerns of the Board's ability, in its present capacity, to take on these proposed changes and increased role in law enforcement and corrections oversight. The demands on the Academy's staff and volunteer Board, especially in regard to the CRC case load and investigative resources, will have to be part of the discussion.
- The work of the CRC continues to be in the spotlight not only here in Maine but nationally as well. This is illustrated in the press coverage relating to former Chief Joshua Potvin that went out on the AP wire. A member of this Board was contacted by Newsweek for a comment. Certainly, we are all equal members of the Board and free to speak as we see fit. I am cautious of what can and cannot be discussed legally and for that reason I would encourage the Board's members to direct all comments to our Board's executive Director, Rick Desjardins.
- I am very excited to present the new specification for the MCJA SRO certification before the Board today. I want to thank Sgt. Ryder and Assistant Director Peck for their help in creating this new program as well as the support provided by Director Desjardins and Deputy Chief Bushey. More will be discussed on this topic later in today's agenda, however with your approval of the specification, this certification will become a reality and our hope is to offer the first iteration of this program in August of this year.
- And finally, we will be holding our Board's elections this morning for the one-year terms for Board Chair, Vice Chair and Secretary. Once those positions have been established Board subcommittee assignments will be made by the Chair to be effective for our July 2021 meeting.

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

General Items.

- The Academy is continuing to adjust to the current Covid-19 restrictions and offer a combination of virtual, in-person and hybrid style classes. Based on improvement in infection rates and vaccinations, we have moved to more in-person training events while following best practices for PPE usage and other safety recommendations.
- Building renovations continue and the first phase of added security to the campus has been completed. The roof of the main BLETP classroom was completed and new LED lighting has been added to our residential dorm building (A) and the main office building (B) is happening over the next few weeks. In addition to energy savings, the lights are far brighter than the older fixtures. A new rubberized flooring has been added to the Tac Center weight room and will provide for a better and safer training environment.
- 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.
- Going forward our web site will continue to host job advertisements but for agencies who post openings on their own site, we will offer a link to their web pages as opposed to cutting and pasting the ads. The major issue for our antiquated web page is the inability to add the latest versions of employment ads. We are currently limited to Word documents as a posting.
- This week the State Police started their recruit training here at the Academy. The RTT group is housed in building C and will continue training here and off-site over the next several weeks.
- Department of Corrections held a 2-week Special Operations Group training. This is a highly trained group of DOC corrections officers and has been coming to the Academy for the past few years to increase training and conduct this intensive training.
- As described in my summation of several legislative bills, 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. Assistant Director Peck continues to work with the DOJ on Maine's law enforcement agency compliance for competitive Federal grants. At this point it appears the certification by the Academy will result in nearly all of Maine's law enforcement agencies being compliant.
- The current BLETP has just passed the halfway point and will begin range weeks starting Monday. 68 cadets remain with 16 of those cadets being females. Progress of this class even with the 3 weeks of virtual training is on or exceeding expectations. We have just conducted our mid-term exams and PT tests and I'm happy to report all cadets except 2 who were absent have passed and met the PT graduation standards at the 50th percentile. We will be holding class leadership elections over the next week or two and hope to begin the last phase of our transition to primarily self-governance. Our plan is to offer a Zoom call in the next couple weeks with the 39th BLETP agencies to update on the over-all status of the class and have a Q&A with staff and agency CEOs.
- The 40th BLETP will begin in mid-August and we will assess the options for a virtual start to the program and other adjustments to restrictions as we move forward with our planning. The 40th BLETP's list is growing but not nearly as high as the previous class. We will do our best to bring as many cadets as possible, but we will be looking at hire dates as a major factor in setting the next class.
- After more than 15 years here at the Academy, our Chef, Mark Sayers retired. The staff and others had a couple opportunities during his last weeks to share our appreciation and on Friday we gave a few parting gifts and a plaque to commemorate his achievement. Mark was passionate about his work here at the Academy and over the years received countless accolades from classes thanking Chef Mark for all he did while they were living here at MCJA.
- Conrad Olin has been selected by NexDine to replace Chef Mark. I had the opportunity to participate in the selection process and enjoyed meeting and hearing about Conrad's philosophy. Conrad is adjusting to the work at MCJA and getting to know the Academy and the challenges. Conrad grew up in Alaska and has worked in food services for many years. He has a terrific background in scratch, homemade cooking and looking forward to trying many new recipes and techniques. So far, the reviews are impressive!
- In addition to everything else that's going on in state government, other Academy programs continue to be held here and across the state. The LEPS, BCTP, MOI classes are currently underway. We just finished a New Chief's and Sheriff's seminar last week, as well as a MARC instructor development class. The 11 staff at the Academy are truly amazing! Each one of them work tirelessly to deliver the very best programming, support and guidance to our law enforcement and corrections professionals and continue to look for ways to add even more value to what this Board and Academy provide.

VIII: Item Eight on the Agenda: Old Business

A. School Resource Officer course update and specification approval – Chair Pellerin

Chair Pellerin gave an overview of the Specification for the School Resource Officer Certification program.

MOTION: To accept the School Resource Officer Certification Curriculum – Specification S-40, as presented.

Motion made by Ms. Ward Saxl and seconded by Sgt. Ryder. **Motion Carried Unanimously.**

B. Law Enforcement Pre-Service discussion – Chair Pellerin

Chair Pellerin told the Board that in February 2020 they had a meeting with agencies throughout the State and had a fairly positive response regarding the proposed new standards for LEPS. He said they are putting together a recommendation for the academy staff and it should be ready for the July meeting. He will send out the presentation that the committee did at the Feb. 2020 meeting to get a unified decision on the standards and a target date and would then bring it back to the Board in July.

C. Memorandum of Understanding for Lexipol/PoliceOne – Assistant Director Peck

Assistant Director Peck stated that he and Director Desjardins had written an MOU which would give the Academy the property rights and full ownership of all materials, including the lesson plans of any MCJA course, class or Mandatory Training Lexipol/PoliceOne, Dirigo Safety and JMPA published on their site. It would assure that changes to the curriculum could not be made without the consent of the Academy.

Director Desjardins told the Board that this MOU would be a standard which would have to be signed by any new or existing vendor so it would give us some control over the materials before they push them out online.

He also reminded the Board that at the March meeting, JPMMA gave the Board some proposals for solutions to their current presentation of the Phase I course. After discussions, the Academy Staff have decided not to go forward with their proposed upgrades at this time.

IX: Item Nine of the Agenda: New Business

A. Election – Officers of the Board of Trustees

Secretary of the Board, Chief Charles Rumsey called for nominations for the position of Board Chair.

MOTION: I nominate Brian Pellerin for the office of Board of Trustee Chair.

Motion made by Chief Rumsey and seconded by Col. Scott. **Motion carried unanimously.**

Secretary of the Board, Chief Charles Rumsey called for nominations for the position of Board Vice Chair.

MOTION: I nominate Lincoln Ryder for the office of Board of Trustee Vice Chair.

Motion made by Det. Blodgett and seconded by Commissioner Sauschuck. **Motion carried unanimously.**

Secretary of the Board, Chief Charles Rumsey called for nominations for the position of Board Secretary.

MOTION: I nominate Charles Rumsey IV for the office of Board of Trustee Secretary.

Motion made by Dep. Chief Bushey and seconded by Commissioner Sauschuck. **Motion carried unanimously.**

B. BLETP completion request for Officer Billie Hatfield – Skowhegan Police Department

Director Desjardins gave an overview of this request and explained to the Board members why the request had come before the Board.

MOTION: To accept the request to waive the completion of the BLETP.

Motion made by Seth Blodgett and second by Sheriff Nichols. **Motion Failed.**

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 11:16 a.m. The meeting reconvened at 12:15 p.m.

C. Complaint Committee Case:

1. Board Case 2020-035

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the officer's Full Time Corrections Certification of eligibility due to criminal conduct.

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

Motion Carried with DA Slattery and Commissioner Liberty recusing themselves.

During the discussion DA Slattery left the room from 11:17a.m. to 11:36 a.m. Comm. Liberty left the room at 11:17 and returned at 11:55 a.m.

2. Board Case 2020-011

MOTION: To accept the recommendation of the Complaint Review Committee to issue a letter of guidance.

Motion made by Sgt. Ryder and seconded by Sheriff Nichols.

Motion Carried with Commissioner Liberty recusing himself.

During the discussion Comm. Liberty left the room at 11:17 a.m. and returned at 11:55 a.m.

3. Board Case 2020-034

MOTION: To accept the recommendation of the Complaint Review Committee to deny the request of a waiver unless the requestor agrees to a 3-year consent agreement with conditions set forth by the CRC.

Motion made by Sgt. Ryder and seconded by Dept. Chief Bushey.

Motion Failed with the vote of 4 YES to approve and 7 to deny the recommendation.

Commissioner Liberty recused himself. During the discussion Comm. Liberty left the room at 11:17 a.m. and returned at 11:55 a.m.

Attorney Black suggested that to make the vote perfectly clear, the motion should show either “grant the waiver” or “deny the waiver” and bring the Consent Agreement in a different motion.

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

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

Motion Carried with Commissioner Liberty recusing himself.

Chair Pellerin requested that a motion to enter into a consent agreement with the requester to obtain their certification through the consent agreement process be brought forth.

Motion Failed as there was no one would make that motion or second it.

4. Board Case 2020-017

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

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

Motion Carried with Commissioner Liberty recusing himself.

During the discussion Comm. Liberty left the room at 11:17 a.m. and returned at 11:55 a.m.

5. Board Case 2020-016

MOTION: To accept the commendation of the Complaint Review Committee to take no further action due to insufficient evidence of decertifying conduct.

Motion made by Det. Blodgett and seconded by Col. Scott. Det. Blodgett rescinded his motion.

NEW MOTION: To table Board Case 2020-016 and refer it back to the CRC for further investigation and to again attempt to make contact with the victim.

Motion made by Sgt. Ryder and seconded by Dep. Chief Bushey.

Motion Carried Unanimously.

6. Board Case 2019-022

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 Sheriff Nichols and seconded by Sgt. Ryder.

Motion Carried Unanimously.

7. Board Case 2020-024

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 Sheriff Nichols and seconded by Col. Scott.

Motion Carried with DA Slattery, Commissioner Liberty and Chair Pellerin recusing themselves.

During the discussion DA Slattery and Chair Pellerin left the room from 11:17a.m. to 11:36 a.m. Comm. Liberty left the room at 11:17 and returned at 11:55 a.m. Vice Chair Sgt. Ryder took over for Chair Pellerin in his absence during the discussion and subsequent vote.

8. Board Case 2020-025

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 Commissioner Sauschuck and seconded by Sheriff Nichols.

Motion Carried with DA Slattery, Commissioner Liberty and Chair Pellerin recusing themselves.

During the discussion DA Slattery and Chair Pellerin left the room from 11:17a.m. to 11:36 a.m. Comm. Liberty left the room at 11:17 and returned at 11:55 a.m. Vice Chair Sgt. Ryder took over for Chair Pellerin in his absence during the discussion and subsequent vote.

9. Board Case 2020-026

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the officer's full-time Corrections Certification of eligibility.

Motion made by Col. Scott and seconded by Sheriff Nichols.

Motion Carried with DA Slattery, Commissioner Liberty and Chair Pellerin recusing themselves.

During the discussion DA Slattery and Chair Pellerin left the room from 11:17a.m. to 11:36 a.m. Comm. Liberty left the room at 11:17 and returned at 11:55 a.m. Vice Chair Sgt. Ryder took over for Chair Pellerin in his absence during the discussion and subsequent vote.

B. Update of Legislative Bills – Director Desjardins

Director Desjardins spoke about the handouts he provided regarding Bills that deal with the Academy's function and that of the Academy Trustees. He stated that new bills are being printed every day and he gets notices of the ones that have been issued for him. He said he is doing his best to keep the Academy Trustees positioned well so that we can move forward and make positive changes in either Standards in

conduct of officers or in some cases the composition of the Board. He told the Board that without question this Board's reputation is very strong and the work that we do is another example of how we take people's actions seriously and make hard decisions to move people out of this profession who do not belong here.


X. Item Ten of the Agenda: Adjourn Meeting

Chair Pellerin called for a motion to adjourn.

MOTION: To adjourn the May 14, 2021 Maine Criminal Justice Academy Board of Trustees Meeting at 12:50 p.m.

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

Motion Carried Unanimously.



Charles J. Rumsey, IV