

Minutes of the meeting of the Maine Criminal Justice Academy Board of Trustees held at the Maine Criminal Justice Academy Brian MacMaster Board Room on Friday, November 17, 2017.

**Board Members Attending:**

Special Agent Brian Pellerin - Chair  
Detective Sgt. Lincoln Ryder – Vice-chair  
Sheriff Scott Nichols  
Chief Charles Rumsey IV  
Ms. Elizabeth Ward Saxl  
Ms. Marie Hansen  
Ms. Kimberly Gore  
Dir. Larry Austin  
Mr. Richard Davis  
Officer Levon Travis  
Mr. Tom Peters II, Esq.  
Major Chris Cloutier for Colonel Joel Wilkinson  
Deputy Chief Amy Berry  
District Attorney Kathryn Slattery  
Det. Seth Blodgett

**Board Members Excused:**

Colonel Joel Wilkinson  
Commissioner John E. Morris  
Colonel Robert Williams

**Participants:**

Director John Rogers  
Asst. Director Rick Desjardins  
AAG Andrew Black

**Guests:**

Chief Damien Pickel, Milo Police Department  
Officer Bryce Linskey, Milo Police Department  
Chief Timothy Deluca, Houlton Police Department  
Officer Charles T. Heath, Houlton Police Department  
Chief Mark Lopez, Carrabassett Valley Police Department  
Officer Corrado Ceccarelli, Carrabassett Valley Police Department

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

Chair Pellerin called the meeting to order at 9:07 a.m.

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

Chair Pellerin introduced the new Board Clerk, Karen Green and conducted a roll call. Chair Pellerin noted a quorum was present. The Board members introduced themselves for the benefit of guests in attendance.

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

**MOTION:** To accept the minutes of the September 15, 2017 Board of Trustees meeting and to be placed on file with the secretary.

Moved by Det. Sgt. Ryder and seconded by Dep. Chief Berry. **Motion carried.**

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

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

Assistant Director Rick Desjardins presented a request for the following officers to receive a Basic Law Enforcement Training Program Waiver:

1. Officer Bryce Linskey, Milo Police Department

**MOTION: To approve the above-listed officer for BLETP waiver.**

Moved by Dep. Chief Berry seconded by Ms. Ward Saxl. **Motion carried.**

2. Officer Corrado M. Ceccaelli, Carrabassett Valley Police Department

**MOTION: To approve the above-listed officer for BLETP waiver.**

Moved by Mr. Tom Peters and seconded by Ms. Ward Saxl. **Motion carried.**

3. Officer Charles T. Heath, Houlton Police Department.

**MOTION: To approve the above-listed officer for BLETP waiver.**

Moved by Det. Blodgett seconded by Mr. Davis. **Motion carried.**

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

Asst. Director Rick Desjardins presented the following officers for training program extensions.

1. Officer Alyshia D. Canwell, Dexter Police Department

**MOTION: To approve the above-listed officer for Training Program Extension Request.**

Moved by Dep. Chief Berry and seconded by Officer Travis. **Motion carried.**

2. Investigator Sarosh Y. Sher, Kennebec/Somerset County DA's Office

**MOTION: To approve the above-listed officer for Training Program Extension Request.**

Moved by Mr. Davis and seconded by Dep. Chief Berry. **Motion Carried.**

3. Officer Wayne A. Robbins, of the Machias Police Department

**MOTION: To approve the above-listed officer for Training Program Extension Request.**

Moved by Dep. Chief Berry and seconded by Dir. Austin. **Motion carried.**

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

1. None at this time.

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

Director John Rogers presented a request for the following officers to receive a Basic Corrections Training Program extensions.

1. Officer Richard B. Bronson Jr., Hancock County Jail.

**AMENDED MOTION:**           **To approve and extension for Officer Richard B. Bronson, Jr. retroactive from 8/8/2017 until the next BCTP on January 22, 2018.**

Moved by Dep. Chief Berry, seconded by Director Austin. **Motion carried.**

2. Officer Noah Lewey, Hancock County Jail.

**MOTION:**                   **To approve an extension for above officer to extend retroactive from 10/8/2017 to 1/22/2018.**

Moved by Mr. Peters, seconded by Ms. Hansen **Motion carried.**

3. Officer Ashley E. Smith, Hancock County Jail
4. Officer Anthony A. Moore, Hancock County Jail

**MOTION:**                   **To approve the above-listed officers for Basic Corrections Training Program extension from 3/5/2018 – 5/21/18**

Moved by Dep Chief Berry, seconded by Det. Blodgett. **Motion carried.**

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

Assistant Director Rick Desjardins discussed recommendations for Preservice waiver.

1. Officer Bruce Skehan, Lincoln County Sheriff's Office.

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

Moved by Chief Rumsey and seconded by Sheriff Nichols. **Motion carried.**

2. Leslie A. Miller, Officer of the State Judicial Marshal

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

Moved by Mr. Davis and seconded by Dir. Austin. **Motion Carried.**

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

Dir. Rogers presented a request for the following officers to receive a Part-time Law Enforcement 1040 Hour Extension:

1. Officer Trevor J. Bellefleur, Madawaska Police Department

**MOTION:**                   **To approve the above-listed officer for Part-time Law Enforcement 1040 Hour Extension up to an extra 400 hours.**

Moved by Mr. Davis and seconded by Dep. Chief Berry. **Motion carried.**

2. Officer Tyler S. Fournier, Livermore Falls Police Department

**MOTION:**                   **To approve the above-listed officer for Part-time Law Enforcement 1040 Hour Extension up to an extra 448 hours.**

Moved by Dir. Austin and Seconded by Det. Blodgett. **Motion carried.**

3. Officer Thomas A. Thibodeau, Penobscot Nation Police Department

**MOTION:**                   **To approve the above-listed officer for Part-time Law Enforcement 1040 Hour Extension up to an extra 130 hours.**

Moved by Chief Rumsey and seconded by Ms. Ward Saxl. **Motion carried.**

4. Officer Laney Merchant, Washburn Police Department

**MOTION:**                   **To approve the above-listed officer for Part-time Law Enforcement 1040 Hour Extension up to an extra 302 hours.**

Moved by Mr. Peters and seconded by Chief Rumsey. **Motion carried.**

**G. Course Certification Requests:**

1. None at this time.

**VI. Item Six on the Agenda: Committee Reports**

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

Mr. Peters reported the Complaint Review Committee has 4 cases to review in executive session. He advised that there were 15 outstanding cases, 1 would be taken care of in Old Business and at this time 8 cases will be going to jury trials (3 LEO's and 5 CO's). When those trails are done, they will make a recommendation to the Board of Trustees to decertify or not. The other 6 cases (4 LEO's and 2 CO's), will be processed at a later time.

## **B. Administrative Rules Committee: Deputy Chief Amy Berry**

Dep. Chief Berry advised that one of the things the committee is looking into is LEO recertification and have Corrections recertification to go along with the way LEO recertification's are handled. They are looking for all recertification document be turned in by the person requesting the recertification, which puts the burden on the that person and that the recertification test be given within 6 months instead of allowing a full year. This process will be for both Full-time and Part-time recertifications and the committee plans to do a review every three years to keep current.

**Motion: to accept this proposal.** Motion made by Ms. Saxl, seconded by Mr. Peters – **Motion carried.**

Discussion regarding Crisis Intervention Teams (CIT) – Dep. Chief Berry was asked by AG Brian MacMaster to come up with specifications for CIT training. This training would follow the same track as other certification where those who had at least 40 hours of specialized training over and above the normal CPR/First Aid training. These officers must be designated as a CIT officer by their department and must keep up with 30 hours of refresher training. There would be no grandfather clause for this training. There was discussion regarding cost of this certification by departments and the training being very time consuming, especially to smaller departments with limited staffing. It was also proposed that this certification program may be better if it were put on by NAMI and maintained by NAMI.

**MOTION: To Table CIT Training Certification at this time.**

Moved by Mr. Peters, seconded by Det. Sgt. Ryder. **Motion carried (10-3).**

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

The Committee is working on the New Investigator Detective Training Program with the help of Asst. Dir. Rick Desjardins. They are looking into working with SMEs (Subject Matter Experts) to develop and instruct this program.

Asst. Dir. Desjardins advised The Leadership and Supervision program is nearly completed and that they have been working with SME's and will hopefully get this program finished so it can be offered in the upcoming 2018 In-Service Classes.

## **D. Corrections Training Committee: Director Larry Austin**

Director Austin discussed a proposed change that the committee was working on that would require training as part of the new hire process that would make sure that CO's complete 40 hours of training prior to the BCTP and assuming a post within their agency.

He also spoke in regards to the committee still discussing the recertification process to be more in line with LEO recertification before requesting a waiver.

He discussed the (Sub-Committee) Curriculum Committee's meeting where he met with the Jail Administrators and requested they get a meeting together with training coordinators to improve 13 lesson plans. A meeting was held and 24 members were in attendance. It was a very productive meeting and they plan to meet again in January 2018. Dir. Austin then met with Dir. Rogers and the Maine Sheriff's Association and it was suggested the BCTP be extended 1 week as the only way to include the CIT training.

#### **E. Policy Standards Committee: Chief Charles J. Rumsey IV**

Discussion on the Response to Mental Illness & Involuntary Commitment Policy Chief Rumsey recommended a change in wording (Pg. 3, I. 7 and 8) striking “blue paper” and substituting “involuntary commitment”. Mr. Tom Peters requested a change in wording (page 1, b. 1) to strike the words “mental hospital” and add instead, “to a hospital qualified to provide mental health services.”

**MOTION: To accept the amended changes recommendation as outlined by Chief Rumsey.**

Moved by Ms. Ward Saxl and seconded by Dep. Chief Berry. **Motion carried.**

Chief Rumsey withdrew his recommendation to delete the words “Chemical mace” from the Use Of Physical Force Policy, as those words are still referred to in the statute. Director Rogers recommended that a comma be placed after “Chemical mace”.

**MOTION: To amend 2.b. of the Use of Physical Force Policy to read: “Chemical Agents: Chemical mace, Oleoresin Capsicum spray (commonly referred to as “pepper spray” or OC) or any similar substance composed of a mixture of gas and chemicals that has or is designed to have a disabling effect upon human beings.”**

Moved by Mr. Peters, seconded by Dep. Chief Berry. **Motion carried.**

**MOTION: To accept the remaining 11 statutorily required minimum standards.**

Made by Chief Rumsey. Moved by Ms. Ward Saxl and seconded by Mr. Davis. **Motion carried.**

#### **VII. Item Seven on the Agenda: Report Board Chair: Special Agent Chair Pellerin:**

1. York County District Attorney Katherine Slattery has been appointed by Governor LePage as the Prosecutor’s Representative to the Board, replacing former DA and current Judge Geoffrey Rushlau. DA Slattery has been a career prosecutor since 1987 and in 2010 was elected as York County’s District Attorney. She has a wealth of knowledge and experience, and her perspective as a prosecutor will certainly be an asset to the Board. Kathy and her husband Bob, a Maine State Trooper, reside in Old Orchard Beach with their children and I have known and worked with both of them for many years. Please join me in welcoming DA Slattery this Friday.
2. As many of you know, Sue Warner, the Board’s clerk recently retired. Karen Green, a member of the Academy’s office staff has been promoted to Office Associate II Supervisor, and will be replacing Sue as our new Board clerk. Welcome Karen and congratulations on the promotion.
3. As previously mentioned in my email earlier this week, the Pledge of Allegiance has been added under item II. I’ve asked Director Rogers to include this in this month’s agenda after the Roll Call and Introduction of Board Members. I’d like to say that by including the Pledge as part of our Board’s regular meetings we would be setting a good example for the students and officers training at the Academy. However, in this case the opposite is true. The Pledge of Allegiance is a daily protocol for students enrolled in both the Basic Police and Corrections programs as well as the Maine Chiefs of Police Executive Board’s meetings held at the Academy. The Pledge of Allegiance is a common protocol in many State, County and Municipal meetings throughout Maine. By their example, I think it’s important that we as a Board include it as part of our regular meetings.
4. Congratulations to Levon Travis, Chief Rumsey, Mr. Tom Peters and Mr. Richard Davis on their successful reappointments to the Board.

5. On November 2, 2017, I attend the District 6 MCOPA meeting held at Rockland PD. The Chiefs shared their concerns about a lack of opportunities for Phase 2 LEPS training in their district. Not necessarily for training part time staff but many of their new full time hires need the training to begin working prior to their attendance in the BLETP. The Chiefs were interested in organizing LEPS Phase II in their District. There was some discussion about the time frame allowed to complete Phase III training of the LEPS requirement (80 hours of Supervised FTO). They were under the impression that the time frame to complete the training was being reduced from 1 year to 6 months. In my discussions with the Director, this is in fact not the case and there is not going to be a reduction in time as understood by the District 6 membership.

The Chiefs shared their concerns about the Academy's tight and limited budget and asked several questions about the process. They offered their support in organizing a statewide initiative in getting the Academy the staff and resources it needs to function effectively.

6. Director Rogers and I have had some recent contacts with law enforcement representatives with the Bureau of Indian Affairs in Nashville, TN. ASAC Terry Leonard and SA Les Johns advise that they can be a resource to the board regarding Internal Affairs matters involving Indian police personnel in Maine. Director Rogers has also had some discussions with the BIA regarding the Maine academy's certification standards and waiver process for graduates of the US Indian Police Academy in New Mexico.
7. A reminder that the 33<sup>rd</sup> BLETP will be having their graduation ceremony on Friday December 15<sup>th</sup> at 10 am.
8. Board Group Photo for the Academy and Website. Last one taken was in 2008. Plan for it in March.

#### **VIII. Item Eight on the Agenda: Report from the Director John Rogers:**

##### **1. General Items:**

- Karen Green is our new Board Secretary replacing Susan Warner who retired from State government on August 25, 2017. We held a promotional process and interviewed multiple candidates from both inside and outside. Karen was selected as the top candidate. She has 5 years' experience working as an Office Associate II at MCJA and had 8 years' experience at SBI at a similar position. I need to thank Board Vice Chair Lincoln Ryder and Assistant Director Desjardins for being on the interview panel.
- Training Coordinator Debra Annese will officially retire on November 30, 2017, due to a significant medical diagnosis. Deb has worked for MCJA for 11 years and has been the MCJA Training Coordinator of the LEPS program, the LE Recertifications, the K-9 Teams and Crisis Negotiators. She will be sorely missed. Commissioner Morris has approved the replacement for both the vacant Office Associate II and this MCJA Training Coordinators position. This must be approved by Gov. LePage next and then we can start the process. I will work with Chair Pellerin regarding any Board member participation on the potential interview panels.
- I told you about a \$27K grant we were receiving from DHHS to train 15 people as MHFA Instructors at the last Board meeting. Everything was, and still is a go at our end, including DHHS, however the MHFA company is trying to negotiated different contract language other than the standard State contract language. I have gone to Plan B and brought in a mental health trainer that DOC uses to teach an equivalent 8-hour class in the current BLETP. This still meets the requirements set by the mandatory Board standard.
- On October 19, 2017, I addressed the Maine Sheriffs Association along with Board member Larry Austin. I spoke to them about several issues including: the new MCJA background form because of deferred dispositions, reporting decertifiable conduct in a timely manner, civil deputies and a potential problem that could affect MCJA, MHFA, Cadre for the BLETP, Redman training weapons, and the Basic Corrections Training Program. Some Sheriffs and Jail Administrators have some concerns regarding class minimums of 10, training part-time COs, and the cost and logistics for the COs to training at MCJA.

## 2. Basic Law Enforcement Training Program (BLETP):

- The 33<sup>rd</sup> BLETP started on August 14, 2017 and will end on December 15, 2017. Of the 60 that officially started, I lost 3 Cadets for personal reasons, 3 Cadet for medical reasons and 2 Cadets for academic reasons.
- Sheriff Wayne Gallant of Oxford County SO and current President of the MSA will be the commencement speaker.
- This will also be Rev. Donald Williams last BLETP graduation as he is stepping down for medical reasons. I will honor him on stage with a plaque for all that he has done for MCJA and the Chaplain program and then officially name Rev. Kevin Brooks as the new MCJA Chaplain. Don and I have been working with Kevin to smoothly pass the torch.
- Det. Kenneth Charles from Franklin County SO will be going back to his agency after 2 BLETP as Cadre and Ptl. Jonathan Rogers of York PD will be going back to his agency after 1 BLETP as Cadre. Both have done a great job and we would have them back anytime. In 2 weeks, I will be interviewing potential candidates for Cadre for January BLETP.
- I have received permission to increase the singular Cadre contract from \$12K per class to \$15K per class to help offset the local rising cost of replacement. We have been at \$12K for the past 17 years.
- As of today, I have 117 names and/or John Doe slots down from 146 for the 34<sup>th</sup> BLETP that starts on January 16, 2017.

## 3. MCJA Budget Issues:

- None at this time.

## 4. Other Issues:

- **Need Vote:** I would propose that you officially vote for all the certifications that I issued on your behalf, between the last Board meeting and this Board meeting under New Business that are included in a handout. In summary, they are as follows: (**See handout**)
  - a. 21– Basic Corrections Training Program Certifications
  - b. 1 – Basic Corrections Officer Recertification
  - c. 1 – Crash Reconstruction Specialist Certification
  - d. 1 – Crisis Negotiator Certification
  - e. 20 – Instructor Certifications
  - f. 30 – Preservice Law Enforcement Course Completions
  - g. 4 – K-9 Drug Detector Team Certifications
  - h. 1 – Basic Law Enforcement Training Program Certification
- I'm working on the annual report forms to be sent out via email on December 10, 2017 to all law enforcement and corrections agency CEO's.
- On November 21, 2017, Rick and I will be meeting with officials from UMA regarding a MOU for BLETP tuitions students. This will be my 4<sup>th</sup> attempt over the past 5-6 years at this, but now it is UMA who call for the meeting.

Moved by Mr. Peters and seconded by Dep Chief Berry. **Motion carried.**

## IX. Item Nine on the Agenda: Old Business: Chair Brian Pellerin:

A. Board Case 2016-014.

**MOTION:**                    **The Board of Trustees of the Maine Criminal Justice Academy, having previously voted to revoke the certificate holder's certification of eligibility on Board Case 2016-014, hereby moves to affirm the decision of the Trustees to revoke the certificate holder's certification of eligibility to act as a corrections officer in the State of Maine pursuant to 25 M.R.S. §2806-A(5)(F) and (6).**



Motion made by Mr. Tom Peters, seconded by Det. Sgt Ryder. **Motion carried.** Dir. Austin and Ms. Slattery recused.

**X. Item Ten on the Agenda: New Business: Chair Brian Pellerin:**

A. Action on CRC Case Recommendations

**MOTION:**                   **To move the Maine Criminal Justice Academy Board of Trustees in Executive Session pursuant to 25 M.R.S. § 2806-A (10) to discuss confidential business matters.**

Motioned by Mr. Davis, seconded by Det. Sgt. Ryder. **Motion carried.**

The Board moved into Executive Session at 11:40 a.m. and reconvened Public Session at 11:52 am.

**Complaint Committee Cases:**

1.       Board Case 2017-035

**MOTION:**                   **To accept the recommendations of the Complaint Committee to revoke certification.**

Motion made by Sgt. Ryder and seconded by Mr. Davis. **Motion carried.** Dir. Austin recused.

2. Board Case 2017-037

**MOTION:**                   **To accept the recommendations of the Complaint Committee to grant a Waiver with Conditions.**

Motion made by Mr. Davis and seconded by Sheriff Nichols. **Motion carried.** Dir. Austin recused. Deputy Chief Berry and Ms. Ward Saxl voted no.

3. Board Case 2017-042

**MOTION:**                   **To accept the recommendations of the Complaint Committee to accept a voluntary surrender of certification.**

Motion made by Chief Rumsey and seconded by Sgt. Ryder. **Motion carried.** Sheriff Nichols recused.

4. Board Case 2017-043

**MOTION:**                   **To accept the recommendations of the Complaint Committee of no further action due to insufficient evidence of disqualifying conduct.**

Motion made by Dep. Chief Berry and seconded by Sgt. Ryder. **Motion carried.** Dir. Austin recused.

**X. Item Eleven on the Agenda: Adjournment**

**MOTION:**               **To adjourn the Maine Criminal Justice Academy Board of Trustees Meeting.**

Moved by Sheriff Nichols and seconded by Commissioner Morris.

**Motion carried.**

Chair Pellerin adjourned the meeting at 11:58 a.m. The next meeting is scheduled for 9:00 a.m. on Friday, January 12, 2018 at the Maine Criminal Justice Academy in Vassalboro, Maine.

A handwritten signature in black ink that reads "Richard P. Davis". The signature is written in a cursive style with a large, stylized 'R' and 'D'.

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Richard P. Davis