

Minutes of the meeting of the Maine Criminal Justice Academy Board of Trustees held at the Maine Criminal Justice Academy in the Brian MacMaster Board Room on **Friday, September 15, 2023.**

Board Members Attending:

Mr. Brian Pellerin – Chair
Commissioner Michael Sauschuck
Director Anna Love
Chief Charles Rumsey IV
Deputy Chief David Bushey
Deputy Chief Eric Small
Colonel William Ross
Captain Shon Theriault
DA Kathryn Slattery
Mr. Mateo Mendoza
Ms. Marie Hansen
Ms. Elizabeth Ward Saxl
Ms. Kimberly Russell

Board Members Excused:

Officer Matthew Dana
Ms. Francine Stark
Mr. Nathan Poore
Commissioner Randall Liberty
Sheriff Scott Nichols

Participants:

Director Jack Peck
Assistant Director Lincoln Ryder
AG Andrew Black
Karen Green, Board Clerk

Guests:

Scott Landry - DOC
Laura Rodas – DOC
Kevin Kidd – DOC/MCJA
Rosalie Morin – DOC-MVCF

I. Item One on the Agenda: Call to Order

Chair Pellerin called the meeting to order at 9:05 a.m.

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

Chair Pellerin requested that roll call be conducted and after, led in saying the Pledge of Allegiance.

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

MOTION: To accept the minutes of the July 14, 2023 Board of Trustees meeting and to have it be placed on file with the secretary.

Motion made by Commissioner Sauschuck and seconded by Director Love. **Motion Carried.**

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

A. Basic Law Enforcement Training Program Waiver Requests:

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

1. Officer Austin Beckett – Presque Isle Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of Maine Crash Reporting Training and the Maine Law Enforcement Officer's Certification Examination by 6/19/2024.

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

2. Officer Michael Cyr – Orono Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of Maine Crash Reporting Training and the Maine Law Enforcement Officer's Certification Examination by 7/10/2024.

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

3. Officer Jamie Dover – University of Main Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of Maine Crash Reporting Training, and the Maine Law Enforcement Officer's Certification Examination by 6/11/2024.

Moved by Chief Rumsey and seconded by Director Love. **Motion Carried.**

4. Officer Stephen Easley – Auburn Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Emergency Vehicle Operations Course, Maine Crash Reporting Training and the Maine Law Enforcement Officer's Certification Examination by 7/31/2024

Moved by Commissioner Sauschuck and seconded by DA. Slattery. **Motion Carried.**

5. Officer Nicholas Gould – Penobscot Nation Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of Maine Crash Reporting Training and the Maine Law Enforcement Officer's Certification Examination by 11/30/2023.

Moved by Chief Rumsey and seconded by Capt. Theriault. **Motion Carried.**

6. Officer Michael Kotsonis - Sanford Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine Crash Reporting Training and the Maine Law Enforcement Officer's Certification Examination by 7/24/2024.

Moved by Chief Rumsey and seconded by Director Love.
Motion Carried with Dep. Chief Small recusing himself.

B. Basic Law Enforcement Training Program Extension Requests:

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

1. Officer Matthew McDaniel - Dexter Police Department

MOTION: To approve the 180-day Basic Law Enforcement Training Program Waiver Extension so that he can attend the 46th BLETP in January 2024.

Moved by Dep. Chief Small and seconded by Chief Rumsey. **Motion Carried.**

2. Officer Hunter Farrell - Wiscasset Police Department

MOTION: To approve the 180-day Basic Law Enforcement Training Program Waiver Extension so that he can attend the January 2024 BLETP.

Moved by Commissioner Sauschuck and seconded by Mr. Mendoza.
Motion Carried.

3. Ranger Todd Phillips – Baxter State Park

MOTION: To approve the 180-day Basic Law Enforcement Training Program Waiver Extension so that he can attend the January 2024 BLETP.

Moved by Captain Theriault and seconded by Director Love. **Motion Carried.**

4. Officer Michael Boucher – Southwest Harbor Police Department

MOTION: To approve the 180-day Basic Law Enforcement Training Program Waiver Extension so he will have time to pass his PFT exam and attend the January 2024 BLETP.

Moved by Commissioner Sauschuck and seconded by DA Slattery. **Motion Carried.**

C. Basic Corrections Training Program Waiver Request:

Director Peck presented the following requests for Basic Correction Training waivers.

1. CO Aaron Robert Belcher – Cumberland County Jail

MOTION: To approve the Basic Corrections Training Program waiver, pending successful completion of the Basic Corrections Training Program Certification Examination by 4/10/2024.

Moved by Director Love and seconded by DA Slattery.

Motion Carried with Chair Pellerin recusing himself.

D. Basic Corrections Training Program Extension Requests:

None at the time.

E. Law Enforcement Pre-service Program Waiver Requests:

None at this time.

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

Director Peck presented the following Part-time Law Enforcement Officer 1040 Hour Extension Requests.

1. Officer Damon Dore – Pleasant Point Police Department

MOTION: To approve the Part-time Law Enforcement Extension Request of 200 hours.

Moved by Deputy Chief Bushey and seconded by Commissioner Sauschuck.

Motion Carried.

2. Officer Michael Mayer – Sabattus Police Department

MOTION: To approve the Part-time Law Enforcement Extension Request of 510 hours.

Moved by Commissioner Sauschuck and seconded by Deputy Chief Bushey.

Motion Carried.

3. Officer David Boxwell – Milo Police Department

MOTION: To approve the Part-time Law Enforcement Extension Request of 600 hours.

Moved by Commissioner Sauschuck and seconded by Mr. Mendoza. **Motion Carried.**

G. Course Certification Requests:

Kevin Kidd and Rosalie Morin of DOC gave overviews of three Basic Corrections Course Certification Requests.

1. Basic Corrections: Drill and Ceremony

MOTION: To approve the Basic Corrections 12-hour Certification Course: Drill and Ceremony.

Moved by Chief Rumsey and seconded by Mr. Mateo. **Motion Carried.**

2. Basic Corrections: Building an Inclusive Culture

MOTION: To approve the Basic Corrections 4-hour Certification Course: Building an Inclusive Culture.

Moved by Ms. Ward Saxl and seconded by Deputy Chief Bushey. **Motion Carried.**

3. Basic Corrections: Effective Supervision of an Aging Population

MOTION: To approve the Basic Corrections 2-hour Certification Course: Effective Supervision of an Aging Population

Moved by Ms. Ward Saxl and seconded by Ms. Hansen. **Motion Carried.**

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

Director Peck presented the list of the 102 certifications that were issued since the last Board Meeting on September 15, 2023.

MOTION: To accept the Certifications that were issued by Director Peck on behalf of the Board since the Board meeting held on September 15, 2023.

Motion made by Commissioner Sauschuck and seconded by Chief Rumsey. **Motion Carried.**

V. Item Five on the Agenda: Committee Reports

A. Complaint Committee: Chief Charles Rumsey

Chief Rumsey told the Board that the CRC met on August 17, 2023, and they held five Informal Conferences. He stated that they would be presenting seven cases today and that speaking with Director Peck, he found there are several cases pending. He said that the CRC will meet prior to the November Board meeting to hear some of those cases.

B. Administrative Rules Committee: Captain Shon Theriault

Captain Theriault passed out a handout on the proposed draft of the Maine Criminal Justice Board of Trustees Standards of Conduct. He told the Board that Colonel Scott, who couldn't be at the meeting, asked him to explain that there have been hours of discussion preparing this draft and that he was sure there will be some additional input. He said that the topic in 2-I in this draft was new and that the members could reach out to him with any suggestions or concerns.

C. Law Enforcement Training Committee: Chair Brian Pellerin

No report at this time.

D. Corrections Training Committee: Ms. Rosalie Morin

Ms. Morin stated that the Advisory Council for Corrections met on Wednesday, August 16, 2023, and again on Wednesday, August 30th via Zoom. The Committee is recommending the following topics for mandatory Corrections Training for 2024:

1. New Law Updates: - Material to be provided by the Attorney General's Office. If there are no new laws, then there will be a relevant case review.
2. Current Drug Trends
3. Emotional Intelligence
4. One (1) elective topic of choice. Each facility will choose one topic in an area of need for them. The topic cannot be topics required by OSHA, Department of Labor or by Detention and Corrections Standards for County Jails.

MOTION: To approve the 2024 Corrections Officers Mandatory Training.

Motion made by Ms. Ward Saxl and seconded by DA Slattery. **Motion Carried.**

E. Policy Standards Committee: Dep. Chief David Bushey

No report at this time.

VI. Item Six on the Agenda: Report from the Chair – Chair Brian Pellerin

VII. Item Seven on the Agenda: Report from the Director –Director Jack Peck

Assistant Director Lincoln Ryder officially started July 31st. His knowledge and work ethic have been incredible, and he is a welcome addition to our team.

With the passing of the State budget, we've been approved for additional staffing. We've been approved to hire a new Training Coordinator and two Office Associates. These are the first additional staff to be hired in over twenty years.

Sixty-seven Cadets representing forty-three state, local and county law enforcement agencies started the 44th BLETP on August 14th. This is the first time in years that we have not started a full class of seventy. In addition, there were no officers on a waiting list to attend this academy. Again, a first in several years. This is a well-rounded class with six females and eleven military service veterans. Represent the entire state from Madawaska to Eliot and Baileyville to Rumford.

We trained and graduated the second largest BCTP class on August 14th. Forty-five correctional professionals earned their full-time corrections certificate. One of the keynote speakers was DOC Deputy Commissioner Anthony Cantillo.

This class would not have been a success without volunteers and on-site supervisors. Thanks to all the Sheriffs, Commissioner Randall Liberty, and his staff, and BCTP Training Coordinator Darin Gilbert and DOC Staff Development Specialist Kevin Kidd.

The State of Maine is continuing to invest in the Academy, and we met with the architects on September 13th to discuss the next phase of renovations.

The new and expanded School Resource Officer Program graduated fifteen law enforcement professionals.

We want to make a concerted effort to attend the Maine Chiefs District meetings to meet with agency Police Chiefs, Sheriffs, and their command staffs to answer any questions regarding the academy.

The MCJA Strategic Plan was presented to Maine Chiefs of Police Association on September 13th.

Commissioner Sauschuck and I will present the MCJA Strategic Plan at the Maine Municipal Association's Annual conference on October 5 in Augusta.

We will also present the plan to the Maine Chiefs of Police Associations general assembly on November 9th in Bangor.

VIII. Item Eight on the Agenda: Report from the Assistant Director-Lincoln Ryder

Assistant Director Ryder spoke on the following topics.

Programs that were offered since last meeting:

77th BCTP graduated on August 14th:

It was 5 weeks long and had 208-hrs. of instruction.

Held at 6 regional training sites: MCC, MSP, MV, Aroostook, Somerset, Washington and
Graduated 47, 46 of which are corrections officers representing DOC and 5 County Jails.

78th BCTP graduated on August 14th: Long Creek's program, graduated 10 students.

School Resource Officer Training: Held 7/31 to 8/11 and had 16 students.

DRE Refresher training: Held 9/7 with 51 students.

Methods of Instruction: Started on 9/11 and continuing until 9/22 has 16 students.

Update on staff:

- Training Coordinator Alan Gregory is still out recovering from a medical event, and we are hoping he will return soon.
- We are looking to begin the hiring process at the end of October for the new positions that were added with the recent budget – 2 Office Associate IIs and a Training Coordinator

Building updates:

- We are working with staff to identify parts of the building and grounds that need attention. A list was generated and provided to Bureau of General Services and their staff is working to correct the issues.

My Work/Grants:

Pursuant to the strategic plan, we have begun the process of researching grants to supplement our needs not covered by the budget.

- We have applied for and received grant from the Harold Alfond Center for the Advancement of Maine's Workforce: 50% matching grant for training for frontline workers. Grant runs through 2025 and employees are eligible for up to \$1200 per year for training.
- Working on COVID Relief grant through DPS. Spending must have a nexus to reduce / mitigate the spread / effects of COVID-19. Tablets, additional training equipment, touchless water fountains / water bottle fillers, point of service kiosk for payment in the lobby, reorganization / spacing of workspace within the building are examples of needs that may be addressed through the grant. Purchases / grant close out by 1/2024.

Tuition students / 45th BLETP

Interest in starting program again to maximize number of certified officers given low numbers for 44th BLETP (67→60)

Initial conversations have been had with Thomas College, Husson University, and University of Maine at Augusta. Additional outreach is planned with other institutions in the future.

Currently 63 names on list for 45th BLETP.

IX. Item Nine on the Agenda: Old Business**A. Board Case 2020-012 Decision**

MOTION: To except the recommendation of the Hearing Officer as presented.

Motion made by Ms. Hanen and seconded by Commissioner Sauschuck.

Motion passed with Chief Rumsey, Mr. Mendoza and Ms. Russell recusing themselves. During the discussion Chief Rumsey, Mr. Mendoza and Ms. Russell left the room at 11:08 a.m. and returned at 11:14 a.m.

B. J-BCTP Course Approval

MOTION: To approve the J-BCTP Curriculum as presented.

Motion made by Ms. Ward Saxl and seconded by Commissioner Sauschuck. **Motion Carried.**

AMENDED MOTION: To approve the J-BCTP curriculum and have it take effect as soon as it is Statutorily approved.

Motion made by Ms. Ward Saxl and seconded by Commissioner Sauschuck. **Motion Carried.**

X: Item Ten on the Agenda: New Business

A. BCTP Application – Chief Charles Rumsey

Chief Rumsey told the Board that there have been issues where correction officers were hired and allowed to work up to a year before they were required to attend and pass the BCTP becoming certified corrections officers. He proposed that Academy staff create a Provisional Corrections Officer Certificate which would be issued to the correctional officer when the Academy receives their Notice of Employment. Should an allegation of disqualifying conduct occurred between the time they were hired and the time they graduated from the BCTP, the Board would have the ability to take action against that Provisional Certificate. Attorney Black stated that the correctional officer would have to apply to attend the BCTP. He suggested that at the time of hire, an application to attend the BCTP should be signed and sent to the Academy with the Notice of Employment. Chair Pellerin suggested that academy staff look into changing the wording in Specification S3 to require a new CO apply to the BCTP upon hire. He also said that the Statute would need to be changed to reflect that as well.

B. Complaint Committee Cases

At this time Chair Pellerin requested that the Board go 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 Director Love.

Motion Carried Unanimously at 11:54 a.m. The meeting reconvened at 12:30 p.m.

1. Board Case 2023-014

MOTION: To accept the recommendation of the Complaint Review Committee to take no further action due to insufficient evidence of disqualifying conduct and to issue a letter of guidance outlining the statutory and academy regulations.

Motion made by Director Love and seconded by Ms. Russell.

Motion Carried with DA Slattery recusing herself. During the discussion DA Slattery left the room at 11:54 a.m. and returned at 12:30 p.m.

2. Board Case 2023-029

MOTION: To accept the recommendation of the Complaint Review Committee to take no further action due to insufficient evidence of disqualifying

conduct and to issue a letter of guidance outlining the statutory and academy regulations.

Motion made by Director Love and seconded by Col. Ross.

Motion Carried with DA Slattery recusing herself. During the discussion DA Slattery left the room at 11:54 a.m. and returned at 12:30 p.m.

3. Board Case 2023-030

MOTION: To accept the recommendation of the Complaint Review Committee to take no further action due to insufficient evidence of disqualifying conduct and to issue a letter of guidance outlining the statutory and academy regulations.

Motion made by Chief Rumsey and seconded by Director Love.

Motion Carried with DA Slattery recusing herself. During the discussion DA Slattery left the room at 11:54 a.m. and returned at 12:30 p.m.

4. Board Case 2023-031

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

Motion made by Chief Rumsey and seconded by Director Love.

Motion Carried with DA Slattery recusing herself. During the discussion DA Slattery left the room at 11:54 a.m. and returned at 12:30 p.m.

5. Board Case 2023-024

MOTION: To accept the recommendation of the Complaint Review Committee to grant the waiver and issue a Letter of Guidance.

Motion made by Chief Rumsey and seconded by Ms. Russell.

Motion carried with 9 in favor and 2 in opposition.

6. Board Case 2023-025

MOTION: To accept the recommendation of the Complaint Review Committee to grant the waiver, enter into a consent Agreement which includes 1 year of probation.

Motion made by Director Love and seconded by Ms. Russell. **Motion carried.**

7. Board Case 2023-027

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the correctional officer's certification of eligibility.

Motion made by Chief Rumsey and seconded by Director Love. **Motion carried.**

XI. Item Eleven on the Agenda: Adjournment

Chair Pellerin called for a motion to adjourn.

MOTION: To adjourn the September 15, 2023 Maine Criminal Justice Academy Board of Trustees Meeting at 12:42 p.m.

Motion made by Ms. Ward Saxl and seconded by Chief Rumsey.

Motion Carried.

A handwritten signature in cursive script, reading "Kimberly Russell".

Ms. Kimberly Russell