

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 9, 2022.

Board Members Attending:

Special Agent Brian Pellerin – Chair
Detective Sgt. Lincoln Ryder – Vice Chair
Commissioner Michael Sauschuck
Commissioner Randall Liberty
Colonel Dan Scott
Colonel John Cote
Chief Charles Rumsey IV
Deputy Chief David Bushey
Mr. Nathan Poore
Sheriff Scott Nichols
Detective Seth Blodgett
Chief Matthew Dana
Ms. Elizabeth Ward Saxl
Mr. Mateo Mendoza

Board Members Excused:

Ms. Kimberly Russell
Ms. Marie Hansen
DA Kathryn Slattery
Ms. Francine Stark

Participants:

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

Guests - Visitors:

Kevin Kidd – Department of Corrections
Laura Rodas – Department of Corrections
Rosalie Morin – DOC – Mountain View Correctional
Chief Jason Moen - Auburn Police Department
Matt Tift – Central Maine Community College

I. Item One on the Agenda: Call to Order

As there was a quorum, 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 requested that Secretary Green conduct a roll call, requested that the members introduce themselves to the visitors, and then 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 15, 2022 Board of Trustees meeting and to be placed on file with the secretary.

Sgt. Ryder requested an amendment to the motion to reflect that Mr. Jim Lyman's name had been misspelled on Page 5, V.- C. and requested that be changed.

AMENDED MOTION: To accept the minutes of the July 15, 2022 Board of Trustees meeting with the typo fixed, and have it placed on file with the secretary.

Moved by Commissioner Liberty and seconded by Commissioner Sauschuck.

Motion Carried.

As there was a quorum and there were members who had to leave the meeting a little early today, Chair Pellerin requested that the Board move into Executive Secession to hear matters involving the CRC.

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 Chief Dana.

Motion Carried Unanimously at 9:13 a.m.

Chair Pellerin asked the guests to leave the room and wait in the conference room across the hall.

The meeting reconvened at 10:17 a.m. to vote on the CRC cases.

VIII. OLD BUSINESS

A. Complaint Committee Cases

1. Board Case 2019-033

MOTION: To revoke the Corrections Certificate based on disqualifying conduct.

Motion made by Commissioner Sauschuck and seconded by Col. Cote.

Motion Carried with 1 opposed and with Commissioner Liberty and Mr. Mendoza recusing themselves.

For the discussion, Commissioner Liberty and Mr. Mendoza left the room at 9:14 a.m. and returned at 9:31 a.m.

2. Board Case 2022-002

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

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

Motion Carried with Commissioner Liberty and Mr. Mendoza recusing themselves.

For the discussion, Commissioner Liberty and Mr. Mendoza left the room at 9:14 a.m. returned at 9:31 a.m.

3. Board Case 2022-010

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the officer's full time Law Enforcement certificate of eligibility.

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

4. Board Case 2022-022

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

Motion made by Chief Rumsey and seconded by Commissioner Liberty.
Motion carried.

5. Board Case 2022-023

MOTION: To accept the recommendation of the Complaint Review Committee to take no further action in this matter.

Motion made by Sgt. Ryder and seconded by Colonel Cote. **Motion carried.**

6. Board Case 2022-024

MOTION: To accept the recommendation of the Complaint Review Committee to grant the waiver without conditions.

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

7. Board Case 2022-026

MOTION: To accept the recommendation of the Complaint Review Committee to take no further action with the exception of issuing a Letter of Guidance.

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

Motion Carried with one opposed.

8. Board Case 2022-027

MOTION: To accept the recommendation of the Complaint Review Committee to enter into a Consent Agreement for a 3-year period and to grant the waiver.

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

Motion Carried with Sheriff Nichols recusing himself.

For the discussion, Sheriff Nichols left the room at 10:00 a.m. and returned at 10:11 a.m.

9. Board Case 2020-030

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the full-time law enforcement certificate of eligibility.

Motion made by Dep. Chief Bushey and seconded by Commissioner Sauschuck.

Motion Carried with Commissioner Liberty, Sgt. Ryder, Chief Rumsey, and Det. Blodgett recusing themselves.

For the discussion, Commissioner Liberty, Sgt. Ryder, Chief Rumsey, and Det. Blodgett left the room at 10:12 a.m. and returned at 10:17 a.m.

Chair Pellerin requested the public portion of the meeting be conducted as there were guests present. He introduced Chief Jason Moen of the Auburn Police Department.

IX. NEW BUSINESS

1. Alternative BLETP Training Academy – Chief Jason Moen

Chief Moen introduced Matt Tifft the Director of the Criminal Justice Program at Central Maine Community College and told the Board that they were here today representing a committee of Chiefs from District I, II and III that have been working the last few months on an alternate strategy that would address the back log of students trying to attend the BLETP. He explained that for large agencies a new hire might have to wait 8-9 months before he could go to the BLETP. In the meantime, he's getting paid, but can't work. This is a drain of both the individual and the agency. He stated that the committee was looking into a daytime, 9-5 Academy, which he said was fairly successful back in the 90's. The last two weeks would be residential, and students would stay at CMCC for those weeks with Portland PD providing on-site liaisons. Chief Moen acknowledged the difficulty of scheduling some classes such as Firearms Training but would try to "Piggyback" those classes with MCJA's classes.

Dep. Chief Bushey said he understands the frustration of not being able to hire and put people out on the street quickly to work, as Bangor PD is having the same trouble.

Director Desjardins explained the way the BLETP draft worked in years past, and how it worked now. He stated that the backlog of applicants is in all reality quite low right now.

Chair Pellerin voiced his concerns about the consistency of the training, as many very important lessons are taught after hours at MCJA.

Chief Moen stated that the Maine Chiefs and Sheriffs would be meeting next week, and they would be discussing and voting on this proposal.

Chair Pellerin recommended that after that meeting next week, the full proposal should be submitted to the Law Enforcement Training Committee for review and advisement.

2. Corrections Advisory Council Training recommendations for 2023 – Ms. Rosalie Morin

Ms. Morin told the Board that the Corrections Advisory Council met on August 16, 2022, and on behalf of the Council recommends the following Corrections training for 2023.

1. New Law Updates or relevant case review.
2. Evidence Collection Basics
3. One elective on Wellness
4. One elective topic of choice – each facility will choose one topic in an area that is needed for their facility.

MOTION: To approve the recommendations of the Corrections Advisory Council.

Motion made by Ms. Ward Saxl and seconded by Commissioner Liberty.

Motion Carried.

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 Lorenzo Bacchi – South Portland 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 1/14/2023.

Moved by Commissioner Liberty and seconded by Det. Blodgett. **Motion Carried.**

2. Officer Kelly Bell – South Portland 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 6/6/2023.

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

3. Chief Matthew Clancy – Capital 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 10/18/2022.

Moved by Commissioner Liberty and seconded by Sgt. Ryder. **Motion Carried with Commissioner Sauschuck recusing himself.**

4. Chief Robert Cormier – Belfast 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 5/18/2023.

Moved by Det. Blodgett and seconded by Dep. Chief Bushey. **Motion Carried.**

5. Officer Lance Ferguson – Fort Fairfield 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 5/13/2023.

Moved by Commissioner Liberty and seconded by Sgt. Ryder. **Motion Carried.**

6. Officer Jacob Garza – South Portland Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine Crash reporting Training, and Maine Law Enforcement Officer's Certification Examination by 2/7/2023.

Moved by Sgt. Ryder and seconded by Chief Dana. **Motion Carried.**

7. Ranger Martin Huysman – Maine Forest Service

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine Crash Reporting Training, and Maine Law Enforcement Officer's Certification Examination by 6/13/2023.

Moved by Colonel Cote and seconded by Commissioner Sauschuck.
Motion Carried.

8. Officer Morgan Kukla - Portland Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine Crash Reporting Training and Maine Law Enforcement Officer's Certification Examination by 6/5/2023.

Moved by Commissioner Sauschuck and seconded by Det. Blodgett.
Motion Carried.

9. Officer Jared Malatak – South Berwick 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 2/17/2023.

Moved by Commissioner Sauschuck and seconded by Dep. Chief Bushey.
Motion Carried.

10. Officer Sergio Martins - Auburn 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 5/9/2023.

Moved by Commissioner Liberty and seconded by Commissioner Sauschuck.
Motion Carried.

11. Officer Brett Morava - Westbrook 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 5/23/2023.

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

12. Officer Ian Woods – University of Maine at Orono Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the Maine Crash Reporting Training, Maine Emergency Vehicle Operations Course training and the Maine Law Enforcement Officer's Certification Examination by 4/13/2023.

Moved by Commissioner Sauschuck and seconded by Sgt. Ryder. **Motion Carried.**

B. Basic Law Enforcement Training Program Extension Requests:

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

1. Officer Michael Paradis – Fort Kent Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver Extension of 180-days so he can attend the 43rd BLETP.

Moved by Commissioner Liberty and seconded by Sgt. Ryder. **Motion Carried.**

2. Deputy Stephen Cusson – Franklin County Sheriff's Office

MOTION: To approve the 180-day Basic Law Enforcement Training Program Waiver Extension so that he can attend the 43rd BLETP.

Moved by Commissioner Liberty and seconded by Commissioner Sauschuck.
Motion Carried and with Sheriff Nichols recusing himself.

C. Basic Corrections Training Program Waiver Request:

None at this time.

D. Basic Corrections Training Program Extension Requests:

None at this time.

E. Law Enforcement Pre-service Program Waiver Requests:

None at this time.

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

1. Officer Walter Fails – University of Maine at Farmington

MOTION: To approve a 144-hour extension until December 31, 2022.

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

G. Course Certification Requests:

None at this time.

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

Director Desjardins presented the list of the 95 certifications that were issued since the last Board Meeting on July 15, 2022.

MOTION: To accept the Certifications that were issued by Director Desjardins on behalf of the Board since the Board meeting held on March 4, 2022.

Motion made by Commissioner Liberty and seconded by Commissioner Sauschuck.

Motion Carried.

V. Item Five on the Agenda: Committee Reports

A. Complaint Committee: Chief Charles Rumsey

Chief Rumsey told the Board that with the 9 cases that were presented today, the committee has about 15 cases with more to come from the Director. The Complaint Review Committee plans to have their next meeting in October.

B. Administrative Rules Committee: Colonel Dan Scott

Colonel Scott stated that the committee has been meeting every month and are now talking about the Rule Making Process. As he is familiar with the process with regards to the Maine Warden Service, he told the Board that researching this, after filing and all the other things that happen after filing, the minimum time it will take is three months but, in all reality, it could be upwards to seven or eight months. He said that the committee may need to put together an Advisory Committee and look for guidance from Attorney Black, as he is not sure who would do the final sign-off - Would it be the Board Chair, the Commissioner of Public Safety or the Director of the Academy? This question and others need to be looked at so when going forward in the process it's done correctly the first time because once passed, the actual verbiage in the rule stands.

C. Law Enforcement Training Committee: Sergeant Lincoln Ryder

Sgt. Ryder told the Board that he didn't have a report other than that he will be reaching out to committee members to see what would work for them to meet in the next few weeks.

D. Corrections Training Committee: Commissioner Randall A. Liberty

Commissioner Liberty told the Board that the Corrections Training Committee has been meeting regularly and doing great work with York County and the MCC staff and during every cycle the quality of instruction has been enhanced. The Moss Group will be doing a site visit next month to observe and to evaluate our training curriculum. He stated that Kevin Kidd and Laura Rodas would talk about the proposed concept of having an extended BCTP, which would allow part-time employees from county jails and the DOC to attend over a period of time.

Laura Rodas gave an overview of this proposal and explained that this training would be broken up into morning blocks and afternoon blocks, so those officers who could attend the morning classes could stretch out this training over 2 or 3 consecutive BCTPs.

Director Desjardins again stressed that it will be hard to keep track of which students took what classes and to input this information into our system for the student's transcripts. Ms. Rodas stated that there would be a training Corporal or in-person instructors in each class to monitor the training. She also said that DOC has a tracking system to keep track of every class and how many hours a student has completed. Potentially with this extended format it might take a student 10-15 weeks to finish the BCTP. Director Desjardins again stated that he was concerned that all of this data of class hours and students taking classes all over the State has to be uploaded effectively and efficiently into the MCJA RMS. He said that it was up to the Board whether they wanted to vote on this type of BCTP training.

MOTION: To authorize a single pilot project to do an extended BCTP Academy with the caveat that all the technical concerns raised by the Director are addressed. And, with a clear message from the Board that this does not allow for additional academies to be created in random corners or additional academies be run concurrent with taking away from the regular academy

Motion made by Ms. Ward Saxl and seconded by Colonel Cote. **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 Richard Desjardins

VIII. Item Eight on the Agenda: Old Business

All items heard at the beginning of the meeting.

IX. Item Nine on the Agenda: New Business

All items heard at the beginning of the meeting.


X. Item Ten on the Agenda: Adjournment

Chair Pellerin called for a motion to adjourn.

MOTION: To adjourn the 9/9/2022 Maine Criminal Justice Academy Board of Trustees Meeting at 12:45 p.m.

Motion made by Commissioner Sauschuck and seconded by Commissioner Liberty.

Motion Carried.


Charles J. Rumsey, IV