

Minutes of the meeting of the Maine Criminal Justice Academy Board of Trustees held at the Maine Criminal Justice Academy on Friday, September 17, 2021.

**Board Members Attending:**

Special Agent Brian Pellerin – Chair  
Detective Sgt. Lincoln Ryder – Vice Chair  
Commissioner Randall Liberty  
Chief Charles Rumsey IV  
Colonel Dan Scott  
Sheriff Scott Nichols  
Deputy Chief David Bushey  
Detective Seth Blodgett  
Ms. Marie Hansen  
Ms. Kimberly Russell  
Chief Matthew Dana II  
Ms. Elizabeth Ward Saxl  
DA Kathryn Slattery (10:07)

**Board Members Excused:**

Colonel John Cote  
Commissioner Michael Sauschuck

**Participants:**

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

**Guests:**

Ted Ross, Marshal - State of Maine Judicial Marshal Office

**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 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.

Chair Pellerin requested that item IX-B under New Business be taken out of order, as Marshal Ted Ross was present and available to present his topic for discussion at this time.

**IX-B. Item Nine on the Agenda: Judicial Marshal Training and Certification Standards – Ted Ross**

Marshal Ross stated he had two subjects he'd like to bring to the Board's attention for their consideration. The first was in the form of an FYI to make the Board aware that the Judicial Branch was going to approach the Legislature to request that the Judicial Marshals be represented on the Board of Trustees. He told the Board that

the agency has, right now, 102 members with 15 openings. He went on to explain that the Judicial Marshal Service, although not a traditional law enforcement agency, was made up of a 50/50 split of Blue and Green pin employees and the Judicial Branch felt that they would like to have an active role on the Board.

The second subject was the Judicial Marshal Training and hiring requirements. At this time all employees are either Blue or Green Pin certified, and they don't have the ability to hire through the traditional hiring process which would enable them to select applicants from a larger hiring pool. He suggested that the Board possibly consider modifying some the training using subjects that directly impact Judicial Marshals, i.e.: De-escalation techniques in a Courtroom environment, Violent persons in the workplace, Screening techniques vs. Highspeed Chases, EVOC and Traffic Control which wouldn't apply. He also stated that he would like to have the qualifications of the required Physical Fitness test be modified in a way that would not lessen the test but would allow alternative physical requirements. He suggested, as Portland PD does, using a step test or a candidate using a stationary bike while being monitored by a certified PT Instructor to see if he/she was able to fulfill the guidelines and show they were physically fit. He told the Board that they missed out on hiring an excellent candidate because although he passes everything else, he wasn't able to complete the 1 ½ mile run. As that run is a component of the required Physical Fitness test to take Phase II, it seriously hampers the ability to hire individuals who may be qualified and eager to work for the Judicial Marshal Service.

Marshal Ross also stated that they are developing a 40-hour Advanced Judicial Marshal School and that he would leave an outline of the 40-hour Basic Judicial Marshal School with the Director for the members of the Board to read.

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

**MOTION: To accept the minutes of the July 30, 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.**

### **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 Taylor Hill – Bangor 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 6/16/2022.**

Moved by Ms. Ward-Saxl and seconded by Chief Rumsey.

**Motion Carried with Deputy Chief Bushey recusing himself.**

2. Officer Zackery Kline – Ellsworth Police Department

**MOTION:** To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the previous two year's Mandatory Training, Maine Crash Reporting Training and the Maine Law Enforcement Officer's Certification Examination by 4/1/2022.

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

3. Officer Robert Schmidt – 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 4/5/2022.

Moved by Chief Dana and seconded by Chief Rumsey **Motion Carried Unanimously.**

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

1. None at this time.

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

Assistant Director Peck presented the Basic Corrections Training Program Extension Requests.

1. Christian R. Berard – Maine Department of Corrections.

**MOTION:** To approve the Basic Corrections Training Program Waiver Request pending successful completion of the Corrections Officer Certification Examination by 5/18/2022.

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

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

Director Desjardins presented the Basic Corrections Training Program Extension Requests.

1. C.O. Emma Freier – Kennebec County Jail
2. C.O. Haeden Landry – Kennebec County Jail
3. C.O. Aleczander Davis-Caire – Kennebec County Jail
4. C.O. Devin Donahue – Kennebec County Jail

**MOTION: To approve the Basic Corrections Training Program Extension requests for the above 4 individuals so that they may attend the next available BCTP.**

Moved by Sgt. Ryder and seconded by Ms. Hansen **Motion Carried.**

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

1. None at this time.

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

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

1. Officer Michael Beal – Holden Police Department

**MOTION: To approve the Part-time Law Enforcement Officer 1040 Hour Extension Request of 640 hours.**

Moved by Deputy Chief Bushey and seconded by Chief Rumsey **Motion Carried.**

**G. Course Certification Requests:**

1. None at this time.

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

Director Desjardins read the list of the 89 certifications that were issued since the last Board Meeting on July 30, 2021.

**MOTION: To accept the Certifications that were issued by Director Desjardins on behalf of the Board since the Board meeting held on July 30, 2021.**

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

**V. Item Five on the Agenda: Committee Reports**

**A. Complaint Committee: Det. Seth Blodgett**

Det. Blodgett told the Board that the committee met on August 11<sup>th</sup> and had two Informal Conferences. They also discussed 6 additional cases. The CRC has a couple of new cases that were given to them by Director Desjardins and several cases still going through the court system. He said he would be presenting 7 cases today.

**B. Administrative Rules Committee: Dep. Chief David Bushey**

Deputy Chief Bushey stated that the committee met with Director Desjardins and Assistant Director Peck on a Zoom meeting yesterday and they will be tackling the updates and getting them out for review.

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

Sgt. Ryder reported that although he had no formal report, he wanted to say that they would probably be looking at new Judicial Marshal training and working on the LEPS Program.

Director Desjardins told the Board that the Basic Investigations Class was ending today, and it appears to be a sustainable class with a lot of vital information.

Assistant Director Peck wanted to thank all those who helped with the SRO Program, stating that they received great evaluations, back on the class. They had 17 students, close to 30 instructors with 17 different blocks of instruction and that after 8 months of work putting it all together, this class was off to a great start.

**D. Corrections Training Committee: Commissioner Randall Liberty**

Commissioner Liberty told the Board that the Corrections Advisory Council met on August 3, 2021 and made recommendations for the 2022 Mandatory Training. 1. New Law Updates. 2. Officer Development, to include searches, contraband and report writing. 3. Leadership and 4. One elective topic of choice – chosen by the need at the facility. Commissioner Liberty requested a vote on these.

**MOTION: To accept the recommendation of the Corrections Advisory Council for the 2022 Mandatory Training.**

Motion made by Commissioner Liberty and seconded by Sheriff Nichols **Motion Carried.**

Commissioner Liberty discussed the assessment and review of the current Basic Corrections Training Program curriculum. The Council is in the beginning stages of seeing where we are right now and finding common ground and philosophies so we can move forward.

He also discussed Probation Officer training and the possibility of a Probation Officer Academy. They will be having a meeting to go over lesson plans and curriculum.

Another topic of discussion was that of Transport Officers, armed/unarmed and what additional training they should have. Dir. Desjardins explained the statue and questioned what authority a non-green pin officer would have transporting inmates outside their facility.

Ms. Ward-Saxl requested that Dir. Desjardins add Transport Officer Certifications to the list submitted by the Director of Certifications issued between Board meetings.

**E. Policy Standards Committee: Chief Charles Rumsey**

Chief Rumsey gave an overview of the draft of Policy 14, Execution of Unannounced Search Warrants and said that a draft had been sent out late Wednesday. On Thursday, Director Desjardins sent it out to Lt. Tripp and Major Scott of the State Police to look at the statutory language in the draft. He then spoke about exigent circumstances and officers wearing cameras if it is a policy of their department. Chair Pellerin brought up that there should be language regarding the expectations of full-time officers vs. part-time officers serving these warrants. It was agreed that only full-time officers would execute this type of warrant.

Chief Rumsey told the Board that the final draft would be sent to the ME Chiefs to work on a model policy for departments to accept and have by the end of the year.

**MOTION: To accept, as amended, the Policy Standards Committee’s draft of the Minimum Standard Policy #14 – Execution of Unannounced Search Warrants, with minor word changes in 2. and with the addition of the wording “Full-time Certified Officers”.**

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

**VI. Item Six on the Agenda: Report from the Board Chair: Special Agent Brian Pellerin**

- Chair Pellerin reiterated the previous comments regarding the success of the first School Resource Officer Certification class that was held at the Academy this past August. Putting a class together of that scope with the collaboration of many parties, including the Academy, Maine Center for School Safety, and the Maine Department of Education. The feedback was significantly positive, and we believe the program will continue to evolve and grow in the coming years. This program would not have been able to launch as we had hoped prior to the new school year starting in September and a special thanks to Assistant Director Peck, Director Desjardins and Sgt. Ryder was offered for their hard work on launching this program.
- As the pandemic slowly starts to wane and programs offered at the academy and in the field seem to be normalizing, Chair Pellerin would like to refocus the Board’s efforts on the LEPS program. A complete evaluation of the program was completed just prior to the start of the pandemic with several recommendations that were put on hold while the LE community navigated the pandemic. Chair Pellerin will be working with the LE Training Committee and the Academy staff to continue the Board’s goals revamping the LEPS program, specifically phase 3 and aligning the entrance standards for part time and full-time certified officers in Maine.
- Looking towards the future, Chair Pellerin discussed establishing a specification and training standard for Probation Officers, Revamping the training /certification for Transport officers where a modification to the BCTP program would clear up the inconsistency in training and certification in that field.

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

- 40<sup>th</sup> BLETP is doing well and began in person training on August 16.
  - Discussion on how we are currently situated with the existing list for the 41<sup>st</sup> BLETP and selecting the next classes using cadre assignments, date of hire and volunteer hours are the deciding factor in selecting cadets.
  - Updated the Board on the current 58 cadets in the class and the struggles regarding cadets returning with symptoms and sending them away until they get tested.
  - Updated the Board on the Cadet that had a medical emergency related to an infection (not Covid related) and the current medical prognosis.
    - Cadre assignments
      - Androscoggin S.O
      - Biddeford PD
      - Portland PD
      - Maine Warden Service
      - MSP
    - Date of hire

- Oldest to the newest will be something we consider instead of first come first serve John Doe requests along with Cadre assignments, and hours donated.
  - Discussion on process going forward.
    - Elimination of John Doe slots, first come, first serve starting on the first day of the current BLETP
    - Return to assigning value to donated training hours for previous year will need to be added back in to get seats in the BLETP.
  - I handed out as description of the selection process and discussed the elimination of the “John Doe” or “Ghost” slots.
- Building issues
    - Simmons group conducting a facilities assessment
      - Physical plant
      - Operations assessment
  - Staffing
    - Staff are incredibly busy. Trying to get as many to take time off before we restart major programs in August.
    - Addition of DOC’s Training Specialist. (Thanks to Commissioner Liberty)
      - Selection of a candidate was made in conjunction with DOC
        - A.D Jack Peck, T.C. Don Finnegan sat on the interview panel and selected Kevin Kidd.
        - Kevin addressed the Board and gave a brief introduction
          - Finished attending MOI
          - Stared the BCTP
  - Future issues around virtual training and meetings
    - Discussed the continued use of virtual training as an option but the goal would be to return to in-person training
      - Virtual training appears to be less effective compared to in-person training
      - BLETP is returning to full in-person training
    - Discussed the Alert test and the move to have an option for remote Alert testing
      - Still struggling with converting the paper format to our electronic testing platform
        - Coding issues have come up with our vendor
        - Hope to have a beta test in the next few weeks
    - Discussion regarding holding virtual meetings absent the Governor’s Executive Order
      - Need to establish a Board rule
      - AAG Black briefed the Board on the potential process and handed out a draft rule.

Chair Pellerin requested that the Board members take a short break at 12:08 p.m.

The meeting reconvened at 12:18 p.m.

**VII. Item Eight on the Agenda: Old Business**

**A. Update on LEPS certification and training.**

This topic was discussed during Chair Pellerin's report.

**IX. Item Nine of the Agenda: New Business**

**A. Accommodations for English as a second language (ESL) applicants (Sheriff Joyce's letter and discussions with the City of Lewiston).**

This topic was covered in the Director's Report.

**B. Maine Judicial Marshal training and certification standards.**

Taken out of order and heard at the beginning of the meeting.

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 12:34 p.m.** The meeting reconvened at 1:15 p.m.

**C. Complaint Committee Case:**

**1. Board Case 2020-019**

**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 Sgt. Ryder and seconded by Chief Rumsey.

**Motion Carried with Colonel Scott recusing himself.** During the discussion Col. Scott left the room at 12:35 p.m. and returned at 12:46 p.m.



2. Board Case 2020-020

**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 Colonel Scott recusing himself.** During the discussion Col. Scott left the room at 12:35 p.m. and returned at 12:46 p.m.

3. Board Case 2020-021

**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 Sgt. Ryder and seconded by Chief Rumsey.

**Motion Carried with Colonel Scott recusing himself.** During the discussion Col. Scott left the room at 12:35 p.m. and returned at 12:46 p.m.

4. Board Case 2020-033

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

5. Board Case 2020-029

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

Motion made by Chief Rumsey and seconded by Dep. Chief Bushey.

**Motion Carried.**

6. Board Case 2021-009

**MOTION: To accept the recommendation of the Complaint Review Committee to offer the part time officer a consent agreement and 3 years' probation with conditions.**

Motion made by Chief Rumsey and seconded by Dep. Chief Bushey.

**Motion Carried.**

7. Board Case 2021-013

**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 Dep. Chief Bushey and seconded by Chief Dana.

**Motion Carried with Chief Rumsey recusing himself.** Chief Rumsey left the room during the discussion of this case at 1:08 p.m. and returned at 1:15 p.m.

Chair Pellerin requested a vote regarding the additional matter of Board Case 2019-016.

**MOTION: To affirm the Board's decision to revoke the certificate**

Motion made by Sgt. Ryder and seconded by Det. Blodgett. **Motion Carried.**


Chair Pellerin called for a motion to adjourn.

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

**MOTION: To adjourn the 9/17/2021 Maine Criminal Justice Academy Board of Trustees Meeting at 1:22 p.m.**

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

**Motion Carried.**



Charles J. Rumsey, IV