

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 9, 2018.

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
Director Larry Austin
Major Chris Cloutier for Col. Joel Wilkinson
Mr. Tom Peters II, Esq.
Deputy Chief Amy Berry
Det. Seth Blodgett
Col. John Cote
District Attorney Kathryn Slattery – arrived 9:05am
Mr. Richard Davis
Mr. Levon Travis

Board Members Excused:

Commissioner John Morris

Participants:

Director John Rogers
Asst. Director Rick Desjardins
Attorney Christopher Mann
Board Secretary Karen Green

Guests:

Chief Richard LaHaye, Jr., Searsport Police Department

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

Chair Pellerin called the meeting to order at 09:02 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. Chair Pellerin noted a quorum was present. Board members were asked to introduce themselves to guest Chief Richard LaHaye of the Searsport Police Department. Following the introductions, the Pledge of Allegiance was led by Chair Pellerin.

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

MOTION: To accept the minutes of the September 14, 2018 Board of Trustees meeting that were handed out prior to the meeting and to be placed on file with the secretary.

Moved by Dep. Chief Berry and seconded by Sgt. Ryder. Mr. Tom Peters abstained as he was not present at that meeting. **Motion Carried.**

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

Part-time Law Enforcement 1040 Hour Extension Request:

Director John Rogers requested the Board take the following case, G-2, out of order as Chief LaHaye was in attendance regarding this special request.

1. Officer Eric Bonney of the Searsport Police Department.

MOTION: To approve the Part-time Law Enforcement 1040-hour extension of another 400 hours, bringing the total for this year 2100 hours for the above-listed officer.

Moved by Dep. Chief Berry and seconded by Ms. Ward-Saxl. **Motion Carried Unanimously.**

* * * * *

The meeting was suspended for a short break at 9:18am, so the Board Photo could be taken. The meeting resumed at 9:42 am.

* * * * *

A. Basic Law Enforcement Training Program Waiver Requests:

1. None at this time.

B. Basic Law Enforcement Training Program Extension Requests:

Director John Rogers presented the following offices for Basic Law Enforcement Training Program extensions.

1. Officer Laney M. Merchant – Ashland Police Department

MOTION: To approve the Basic Law Enforcement Training Program Extension from 1/1/2019 to 1/22/2019 for above-listed officer.

Moved by Chief Rumsey and seconded by Ms. Ward-Saxl. **Motion Carried Unanimously.**

2. Deputy Toni Bridges – Washington County Sheriff's Office

MOTION: To approve the Basic Law Enforcement Training Program Extension from 12/10/2018 up to 180 days (6/10/2019) for above-listed officer to become medically cleared and finish the MARC requirement.

Moved by Dep. Chief Berry and seconded by Ms. Ward-Saxl. **Motion Carried Unanimously.**

C. Basic Corrections Training Program Waiver Requests:

None at this time.

D. Basic Corrections Training Program Extension Requests:

None at this time.

E. Law Enforcement Preservice Program Waiver Requests – to be taken out of order near the end of the meeting.

F. Judicial Marshal Program Extension Requests:

Director John Rogers presented the following officer for the Judicial Marshal Program Extension.

1. Judicial Marshal Dennis A. Dyer – Office of the State Judicial Marshal.

MOTION: To approve the request for a Judicial Marshal Program extension of 180 days from 8/1/2018 to 2/1/2019.

Moved by Ms. Ward-Saxl and seconded by Dep. Chief Berry. **Motion Passed Unanimously.**

G. Part-time Law Enforcement 1040 Hour Extension Requests:

Director John Rogers presented the following officer for Part-Time Law Enforcement 1040 extension.

1. Officer Christopher J. Martinez of the Hallowell Police Department.

MOTION: To approve the Part-time Law Enforcement 1040-hour extension of 500 hours for the above-listed officer.

Moved by Ms. Ward-Saxl and seconded by Mr. Davis. **Motion Carried Unanimously.**

H. Course Certification Requests:

1. None at this time.

V. Item Five on the Agenda: Committee Reports

A. Complaint Committee: By Mr. Tom Peters

Mr. Peters told the Board that out of the 16 pending cases, 4 cases will be brought to the Board today. Three of the 12 remaining cases are going to trial, two cases are OUI with no recommendations yet, one case is awaiting the AG's decision whether to prosecute, one case is still with the committee in the process of conducting interviews and five cases are new and are going through discovery in informal conferences.

B. Administrative Rules Committee: Deputy Chief Amy Berry

Dep. Chief Berry and Director Rogers discussed Specification S-42A: Waiver of Law Enforcement Preservice Program. The changes would make it consistent with other waivers and to establish the requirements for a Board of Trustee's waiver of the Law Enforcement Preservice Program for law enforcement officers who have successfully completed training in another state or a United States government agency's full-time Basic Law Enforcement Training Program. It also clarifies the testing procedure that part-time officers would have to complete.

The Board members discussed the Specification and requested the deletion of the word “are” in paragraph 4, a spelling correction of “United” instead of “Untied” in paragraph 4 and change the wording under Procedures #3, sentence #2 to read: “Other reasonable conditions can be made such as: “Approval of the Waiver of Law Enforcement Preservice Program, pending successful completion of the Maine hiring law enforcement agencies Field Training Program, if the applicant has less than 2 years of full-time law enforcement experience.”

MOTION: To accept the changes of Specification S-42A as discussed.

Moved by Ms. Ward-Saxl and seconded by Mr. Peters. **Motion Carried Unanimously.**

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

Asst. Dir. Desjardins spoke briefly about the new Supervisory Leadership Development Program which started on 9/21/2018 and will end on 12/28/2018. He gave a summary of the 3-phase program and touched on the progress reached so far.

He also talked about the new Investigation Class’ progress. He mentioned that Jim Gioia of the AG’s Office is currently working on a computer program, which will benefit the instruction of Investigations in the Basic Law Enforcement Program. He is hopeful that this Investigations Class will be up and running so that it can be added to the 2019 academic calendar of In-Service Classes.

D. Corrections Training Committee: Dir. Austin

1. None at this time.

E. Policy Standards Committee: Chief Charles Rumsey

1. None at this time.

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

- A.** A congratulations was offered to York County District Attorney Kathryn Slattery for her successful re-election this past week and continued tenure as a member of the Board of Trustees.
- B.** A reminder to the Board that the 35th BLETP is scheduled for December 14, 2018 at 10:00 am. Governor Paul R. LePage is scheduled to be the graduation keynote speaker.
- C.** Lt. Robert Bishop of the Bangor Police Department recently retired. Lt. Bishop was very active in the Academy’s Firearms Training Program for many years and his service is greatly appreciated by this Board and the Officer’s who trained under him. Director Rogers was able to attend the retirement ceremony in Bangor and presented Lt. Bishop with a plaque recognizing his service.
- D.** I plan to attend several more District Chief’s Meetings this coming winter and spring to continue my efforts in establish a greater outreach and dialog with the Chief’s and the Board.
- E.** I will be speaking to Det. Sgt. Ryder, the Law Enforcement Training Committee’s Chair, regarding the Board’s recent discussions of the current Academy training standards for part-time/reserve police officers. My intention is to involve the LE Training Committee in the analysis of the current Board Standard and what potential there is to improve the standards and their potential impact on departments in Maine.

VII. Item Seven on the Agenda: Report from the Director John Rogers:

1. General Items:

- At the July and September Board meeting, I discussed I may change the way John Doe slots are given out to agencies for the BLETP, still with a priority of officers currently employed and those agencies that provide Cadre. On 9/7/2018, I addressed the membership of the Maine Chiefs and asked for suggestions from their district membership to see if there was a better way of doling out these spots. I received none. After further discussion with staff, I have decided to grant John Doe slots on Day 1 at the rate of 1 John Doe slot per every 100 hours of donated instructor/role player time taught statewide for the previous year in any of our MCJA programs. On Day 2, it would be first come/first serve via email, just as before. I will address the Maine Chiefs next week and then send out an email reminder to all CLEO's in January of 2019, prior to the John Doe start date. This process will reward agencies for helping the Academy teach all their programs with John Doe slots.
- I have 2 vacancies for an Office Associate II that has been approved to be filled. We have interviewed the people on the list and are now conducting background checks on the top 4 people. I anticipate having the positions filled by the end of the month.
- I attended the IACP convention in October held in Orlando along with other Board members, Col. Cote and Chief Rumsey. It was great training and great convention.
- I attend the BCTP graduation on November 6, 2018 held here at the Academy with 38 graduating. Superintendent Caroline Raymond from Long Creek Youth Development Center and Deputy Warden Matthew Magnussen from the Maine State Prison were the guest speakers.

2. Basic Law Enforcement Training Program (BLETP):

- The 35th BLETP started on August 13, 2018 with graduation on December 14, 2018. At this point, I anticipate 62 will graduate. I had another Cadet quit during week 9 for personnel reasons. Gov. LePage has committed to be the keynote speaker. If you plan on attending, please let me know and I will have reserved seating for you.
- As of today, I have 127 names and/or John Doe slots down from 143 for the 36th BLETP, which will start on 1/22/2019. The Orientation and PFT date is 12/19/2018.

3. MCJA Budget Issues:

- As of this point, we have no budget issues for the FY 20/21 budget year and are awaiting potential changes as the new administration takes office in January.
- I have entered into a contract with Dirigo Safety LLC for FY 20/21 to continue the BLETP curriculum writing project. This was as a result of an RFP.

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. 38 – Basic Corrections Training Officer Certifications
 - b. 1 – K-9 Patrol Team Certification
 - c. 4 – Drug Detector Teams Certifications
 - d. 2 – Law Enforcement Intermediate Certifications
 - e. 1 – Law Enforcement Advanced Certification
 - f. 2 – Law Enforcement Executive Certifications
 - g. 1 – Firearms Instructor Certification
 - h. 15 – Instructor Certifications
 - i. 18 – Law Enforcement Phase II Completions
- **Need Vote:** Under New Business, I would like to recommend that the Board accept the donation of 6 pieces of slightly and never used MMA headgear and gloves donated by Mr. Steven Inserra of Vassalboro, Maine. This equipment will be used in the MARC program. The donation must be accepted by the Board per, 25 M.R.S. §2803-A(17).

MOTION: To accept the Certifications that were issued by Director Rogers on behalf of the Board since the last Board meeting on September 14, 2018.

Motion made by Chief Rumsey, seconded by Ms. Ward-Saxl **Motion Carried Unanimously.**

MOTION: To accept the donation of 6 pieces of MMA equipment that will be used for MARC Training.

Motion made by Chief Rumsey, seconded by Ms. Ward-Saxl. **Motion Carried Unanimously.**

VIII: Item Eight on the agenda: Old Business

1. None at this time.

* * * * *

Chair Pellerin requested that the Board move into Executive Session at 11:07am.

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

Motion made by Mr. Davis, seconded by Chief Rumsey. **Motion Carried Unanimously.**

* * * * *

Resumed Public Session at 11:33am.

IX. Item Nine on the agenda: New Business

A. Complaint Committee Cases:

1. Board Case 2018-025:

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

Motion made by Chief Rumsey and seconded by Sgt. Ryder. **Motion Carried with Dir. Austin recusing himself from the vote.**

2. Board Case 2018-020:

MOTION: To accept the recommendation of the Complaint Review Committee to issue a consent agreement with a written warning and 3 yrs. probation.

Motion made by Sgt. Ryder and seconded by Mr. Davis. **Motion Passed with Dir. Austin and DA Slattery recusing themselves.**

3. Board Case 2018-030:

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

Motion made by Sgt. Ryder and seconded by Mr. Davis. **Motion Passed with Dep. Chief Berry and Mr. Travis opposing.**

4. Board Case 2017-026

MOTION: To accept the recommendation of the Complaint Review Committee to revoke the certificate of eligibility to act as a full-time law enforcement officer in the State of Maine, and send so in writing.

Motion made by Sgt. Ryder and seconded by Dep. Chief Berry. **Motion Passed Unanimously.**

Chair Pellerin then requested to returned to Section IV, sub-section E – Law Enforcement Preservice Program Waiver Request.

1. Officer Peter J. Dennis of the Dover-Foxcroft Police Department.

MOTION: To approve the request for a Law Enforcement Preservice Program waiver.

Moved by Sgt. Ryder and seconded by Chief Rumsey. **Motion Carried with Mr. Travis and Dep. Chief Berry opposing.**

Chair Pellerin asked for a motion of adjournment.

Moved by Sgt. Ryder and seconded by Chief Rumsey. Motion Passed Unanimously.

Meeting adjourned at 11:38am.



Richard P. Davis