

Minutes of the meeting of the Maine Criminal Justice Academy Board of Trustees held at the Maine Criminal Justice Academy John B. Rogers Tactical Center on Friday, September 18, 2020.

Board Members Attending:

Special Agent Brian Pellerin – Chair
Detective Sgt. Lincoln Ryder – Vice Chair
Commissioner Michael Sauschuck
Deputy Chief David Bushey
Colonel John Cote
Colonel Dan Scott
Chief Charles Rumsey IV
Detective Seth Blodgett
Ms. Kimberly Gore
Mr. Richard Davis
Ms. Elizabeth Ward Saxl
Ms. Marie Hansen
Sheriff Scott Nichols
Mr. Tom Peters II, Esq.

Board Members Excused:

Commissioner Randall Liberty
Mr. Levon Travis
DA Kathryn Slattery

Participants:

Director Rick Desjardins
Attorney Andrew Black
Karen Green, Board Clerk
Debbie Dalzell, Assistant Board Clerk

Guests:

Rosalie Morin, Department of Corrections
Callie Ferguson, Bangor Daily News

I. Item One on the Agenda: Call to Order

Chair Pellerin called the meeting to order at 9:04 a.m.

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

Chair Pellerin requested that Board Clerk Green conduct a roll call and declared a quorum. He acknowledged the guests who were present and then led in the Pledge of Allegiance.

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

MOTION: To accept the minutes of the June 19, 2020 Board of Trustees meetings that were sent out prior to the meeting and to have them placed on file with the secretary.

Moved by Sgt. Ryder and seconded by Col. Scott. **Motion Carried Unanimously.**

Chair Pellerin requested that the Board go out of order and move to New Business so that Rosalie Morin, from the Department of Corrections and Chair of the Corrections Advisory Council, could share the Recommended Corrections Training for 2021.

Ms. Morin told the Board that the Advisory Council for Corrections met on July 27, 2020 via Zoom and she then presented the Recommended Mandatory Corrections Training for 2021:

In 2021 all Corrections Officers will complete training in:

1. New Law Updates
2. Implicit Bias
3. One (1) elective topic on Use of Force Policy
4. One (1) elective topic of choice – each facility will choose one (1) topic in area of need.

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

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

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

A. Basic Law Enforcement Training Program Waiver Requests:

1. Officer Kyle Scott – Caribou Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of Maine Crash Training, and the Law Enforcement Officer’s Certification Examination by 6/23/2021.

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

2. Chief Timothy B. Sheehan – South Portland Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion the Law Enforcement Officer’s Certification Examination by 7/14/2021.

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

3. Deputy Tyler A. Leach – Cumberland County Sheriff’s Office

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of Maine Crash Training, and the Law Enforcement Officer’s Certification Examination by 7/20/2021.

Moved by Mr. Peters and seconded by Col. Cote. **Motion Carried Unanimously.**

4. Chief Todd D. Hand – Machias Police Department

MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion the Law Enforcement Officer’s Certification Examination by 6/8/2021.

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

B. Basic Law Enforcement Training Program Extension Requests:

Director Desjardins presented the following Basic Law Enforcement Training Extension Requests. He explained that these officers were hired with anticipation of attending the 39th BLETP on May 26, 2020 but the program was postponed for the COVID-19 emergency.

1. Zippora C. Velasco – Westbrook Police Department
2. Amber Prose – Old Orchard Beach Police Department
3. Quinci Stewart - Brewer Point Police Department
4. William Crawford - Waterville Police Department
5. Jarrod D. Leonardi - Thomaston Police Department
6. Kyle F. Brown – Cumberland County Sheriff's Office
7. Jesse Dow – University of Maine Police Department
8. Ryan A. McCloud - Bridgton Police Department
9. Joseph Murray, Jr. – University of Maine Police Department

MOTION: To approve the 180-day extension of the Basic Law Enforcement Training Program for these six officers.

Moved by Sgt. Ryder and seconded by Dept. Chief Bushey. **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:

Director Desjardins presented the following Law Enforcement Preservice Program Waiver Request.

1. Officer Phillippe L. Tessier – Damariscotta Police Department

MOTION: To approve the Law Enforcement Preservice Program Waiver Request for the above officer pending successful completion of 2018-2019 MCJA Mandatory Training by 7/22/2021.

Moved by Mr. Peters and seconded by Col. Cote. **Motion Carried Unanimously.**

2. Officer Kyle M. Hayward – Belfast Police Department.

MOTION: To approve the Law Enforcement Preservice Program Waiver Request for the above officer pending successful completion of 2018-2019 MCJA Mandatory Training by the end of 2020.

Moved by Sgt. Ryder and seconded by Chief Rumsey. **Motion Carried Unanimously.**

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

Director Desjardins presented the following request for a Part-time Law Enforcement Officer 1040-hour extension.

1. Officer Luke Toomey - Limestone Police Department

MOTION: To approve the Part-time Law Enforcement Officer 1040-hour Extension Request and grant Officer Toomey an additional 640 hours.

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

2. Officer Nicholas Johnson - Eastport Police Department

MOTION: To approve the Part-time Law Enforcement Officer 1040-hour Extension Request and grant Officer Johnson an additional 640 hours.

Moved by Col. Cote and seconded by Det. Blodgett. **Motion Carried Unanimously.**

3. Officer Carmen Cusick – York Police Department

MOTION: To approve the Part-time Law Enforcement Officer 1040-hour Extension Request and grant Officer Cusick an additional 640 hours.

Moved by Mr. Peters and seconded by Chief Rumsey. **Motion Carried Unanimously.**

G. Course Certification Requests:

1. None at this time.

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

Director Desjardins asked for approval for the following Program/Course Certifications issued on behalf of the Board since July 31, 2020.

1. Nine K-9 Detector Team Certifications (Specification S-25).
2. 3 Executive Certificates (Specification S-13)

3. Forty-seven Basic Corrections Training Program Certifications.
4. Thirteen Instructor Certifications (Specification S-6)
5. Fourteen Law Enforcement Preservice Phase II Completion (Specification S-2)
5. Twenty-one Firearms Instructor Certification. (Specification S-7)

MOTION: To accept the Certifications that were issued by Director Desjardins on behalf of the Board since the last Board meeting on July 31, 2020.

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

V. Item Five on the Agenda: Committee Reports

A. Complaint Committee: Mr. Tom Peters

Mr. Peters told the Board that there were 13 active case and that some of them would be ready for the CRC to present them at the Board's next meeting. He stated that looking back over the past 5 years on 259 cases he has heard, by being the Chair of the CRC, the majority of the cases were OUIs, Assaults and Sex Crimes. He suggested that teaching new cadets or CO's to know the triggers and to seek help and use the services that are available if they feel they need it would help keep the number of cases down. So far this year the CRC has only had 14 cases, which shows that the CRC and the Board have done a very good job getting the message out there that the CRC will be actively looking at people who don't do the things they are supposed to do or who violate statutes. He stated that as he steps down from the Board, he feels like the CRC is in good shape for the future.

B. Administrative Rules Committee: Mr. Richard Davis

Mr. Davis had no report at this time, but wanted to thank the Board, as this was his last meeting, for the opportunity to serve on this committee and the support, guidance and education he received. He said he had a lot of confidence in the training that our law enforcement officers are receiving here at the Maine Criminal Justice Academy.

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

Sgt. Ryder told the Board that a couple of weeks ago the committee met and the topic of discussion was to look at Specialized Training for the School Resource Officer program. They put together a rough outline of what that training might involve and once that is done, to develop a working committee of stakeholders to look over the proposed outline, get their input and from there look at our resources, such as instructors. We will be building this program from the ground up and implementing it here at the Academy. It will most probably be a 40-hour course depending on all the topics it will have to cover.

D. Corrections Training Committee: Mr. Levon Travis
Nothing at this time.

E. Policy Standards Committee: Chief Charles Rumsey

Chief Rumsey told the Board that over the last few months he's had conversation with Brian MacMaster and Margie Berkowitz of the AG's Office regarding the language in statute around the Hate Bias Crimes Minimum Standards. He said that standards 2, 5 and 10 were about Bias Based Policing whereas the rest dealt with accepting reports and conducting investigations of Hate Bias Crimes. It was a thought that because they were two different topics, they could separate the existing policy and make two policies from those standards. He's hopeful that he will be able to present some suggestions to the Board in early 2021 on how to divide the standards and then present it to the ME Chiefs for their consideration.

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

Board Membership and Committee Assignments

As we all know, today is Tom Peters and Richard Davis' last meeting with us. Both Tom and Richard are completing their final appointments to the Board. Tom has served as a citizen member since 2011 and Richard has served as the Municipal representative since 2006. I can't say enough good things about either one of them. Their contributions to the Board have been significant, they will be sorely missed and they will certainly be difficult to replace. We will have a short presentation for both of them at the conclusion of today's meeting to recognize their service.

Since my time began on the Board, Richard has served as our Board's Secretary. He has also served as the Chair of the Administrative Rules Committee among other assignments.

Tom has served on and Chaired the Complaint Review Committee for many years. We are all aware of the time and commitment it takes to not only serve on this committee but to also oversee and manage its operations.

Thank you both for your support and friendship over the years.

In lieu of Tom and Richard's departures I have made several new appointments to the five standing committees.

Det. Seth Blodgett will now Chair the CRC.

Ms. Kim Gore will be replacing Tom Peters as the committee's citizen member at this time.

Deputy Chief David Bushey will now Chair the Administrative Rules Committee.

Col. Dan Scott has been appointed as a member to the Policy Standards Review Committee.

With Richard's departure as Board Secretary we will hold an election at the end of today's meeting, under Title 25 Section 2804, to fill this vacancy until our annual Board Elections in May of 2021

Title 25 2805-C CRC Composure Discussion

The Educator and Municipal Official Representatives under the statute established under Title 25 section 2802, cannot have ever been a sworn member of a law enforcement agency. This is also the case for the 3 citizen members. The statute establishing the composure of the CRC, requires at least one citizen on the three person committee. Should we ask the legislature to alter section 2805-C to include or recognize an educator and municipal official as also a citizen representative. This would give the Board a pool of five candidates, who are citizens with no law enforcement background instead of the three presently identified. What are the Board's thoughts on seeking a legislative expansion of the CRC to five members with a meeting quorum of 3 members

for hearings. By expanding the CRC we could lesson the workload of the committee's three members and allow for circumstances when a member must recuse themselves from a potential conflict of interest.

A reminder to the Board that our next Board Meeting is scheduled for November 13, 2020

Chair Pellerin requested that the Board take a short break at this time. 10:06 a.m. Back in session: 10:21 a.m.

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

General Items.

- The Academy is continuing to adjust to the pandemic and offer a combination of virtual, in-person and hybrid style classes. Due to the complications of lodging students, we are not allowing in-service lodging currently.
- Since our last meeting in July, we have completed 2 BCTP class at Penobscot/Aroostook County and the Academy as a combination in-person and Teams, LEPS classes around the state and multiple alert testing both at the Academy and off-site using MOUs at host agencies.
- We are currently running an Urban Rifle Course and recently completed a Firearms Instructor development class here at the Academy.
- Our yearly training calendar is on our web site and lists the upcoming classes. I would expect that list will change as we move through the year.
- Remote testing continues to be improved upon and we are now starting to look for ways to better analyze test results and compare those to our learning objectives.
- The posting of the assistant director's position is closed, and we will be looking at future interviews for the potential of filling that position if funding is available.
- The list continues to grow for seats in the 39th BLETP. I am looking at other states that have attempted to start residential programs and still see significant concerns for moving too quickly without adequate mitigation options.
- The 38th BLETP class has completed all the graduation requirements except for the EVOC and MARC Board standards. I have submitted a potential solution to the Commissioner and will work with the Commissioner, training staff and our partners to come to a resolution and present that solution to the Board.
- The activities of the Board and the CRC continue to generate both in-state and national interest. The certification and decertification process are of interest. I have provided several FOIA and informational items to the media and others studying the topic.
- We are moving through the list of non-compliant officers and will do our best to work with agencies to complete any remaining training that has been missed.
- I shared a copy of a summary provided to the Governor's Office of the changes and impact to the Academy as result of Covid-19. It's hard to imagine the amount of changes we have seen in a short period of time and the continued efforts to react to changes.
- It goes without saying, the work our dedicated staff here at MCJA does each day to continue to function in these difficult times makes me so proud to be part of this and I look forward to better times ahead and looking for ways to improve our training.

VIII: Item Eight on the Agenda: Old Business: 38th BLETP progress.

Covered in the Director's Report.

IX: Item Nine on the Agenda: New Business:

A. Presentations

On behalf of the MCJA Board of Trustees, Director Desjardins presented Mr. Tom Peters and Mr. Richard Davis with a plaque and canvas print of the academy as recognition for all their dedication and many years of service to the Board, MCJA and the citizens of Maine.

B. 2021 Recommended Corrections Training for 2021 - Ms. Rosalie Morin

Covered at the beginning of the meeting.

C. Board Elections

Chair Pellerin requested nominations for Secretary of the Board and Mr. Davis, as his last duty, asked that nomination be opened.

MOTION: I nominate Chief Charles Rumsey.

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

Chair Pellerin reminded the members of the Board that the next meeting would be on November 13, 2020. He then called for a motion to adjourn.

MOTION: To adjourn the September 18th Maine Criminal Justice Academy Board of Trustees Meeting at 10:45 a.m.

Motion made by Sgt. Ryder and seconded by Mr. Tom Peters. **Motion Carried Unanimously.**


Charles J. Rumsey, IV