

Minutes of the meeting of the Maine Criminal Justice Academy Board of Trustees held at the Maine Criminal Justice Academy on Friday, January 14, 2022.

**Board Members Attending:**

Special Agent Brian Pellerin – Chair  
Detective Sgt. Lincoln Ryder – Vice Chair  
Commissioner Randall Liberty  
Commissioner Michael Sauschuck  
Sheriff Scott Nichols  
Colonel Dan Scott  
Detective Seth Blodgett  
Ms. Marie Hansen  
Colonel John Cote  
Chief Matthew Dana  
Ms. Francine Stark  
Ms. Kimberly Russell  
Mr. Mateo Mendoza  
DA Kathryn Slattery  
Elizabeth Ward Saxl

**Board Members Excused:**

Chief Charles Rumsey IV  
Mr. Nathan Poore  
Deputy Chief David Bushey

**Participants:**

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

**Guests - Visitors:**

None

**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 Secretary Green conduct a roll call and then he led in the Pledge of Allegiance.

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

**MOTION: To accept the minutes of the November 19, 2021 Board of Trustees meeting and to be placed on file with the secretary.**

Moved by Commissioner Sauschuck and seconded by Sgt. Ryder. **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 David J. Rosquete - Lewiston 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 9/8/2022.**

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

2. Officer Eric A. Ball - Kennebunk 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 7/14/2022.**

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

3. Deputy Timothy M. Robinson – Sagadahoc County Sheriff's Office

**MOTION: To approve the Basic Law Enforcement Training Program Waiver, pending successful completion of the MCJA Emergency Vehicle Operation Course Training, the Maine Crash Reporting Training, and the Maine Law Enforcement Officer's Certification Examination by 6/10/2022.**

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

4. Deputy Gary M. Moulton – Androscoggin County Sheriff's Office

**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 7/1/2022.**

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

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

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

1. Ranger Justine E. Rumaker – Baxter State Park Authority

**MOTION: To approve the 180-day Basic Law Enforcement Training Program Waiver Extension.**

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

**AMENDED MOTION: To approve a 90-day Basic Law Enforcement Training Extension.**

Moved by Sheriff Nichols and seconded by Col. Cote. **Motion Failed.** (4 For/10 Against)

**AMENDED MOTION: To deny the request for a Basic Law Enforcement Training Program Waiver.**

Moved by Commissioner Sauschuck and seconded by Commissioner Liberty. **Motion Carried.**  
(10 For/4 Against)

2. Officer Ethan Jacques – Houlton Police Department

**MOTION: To approve a 180-day Extension for the Basic Law Enforcement Training Program until the beginning of the August 2022 BLETP.**

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

**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:**

Director Desjardins presented the following Pre-Service Law Enforcement Training Program Waiver Request.

1. Officer Matthew S. Campbell – Boothbay Harbor Police Department

**MOTION: To approve the Law Enforcement Pre-Service Program Waiver, pending a Notice of Employment from the Boothbay Harbor Police Department or other Maine law enforcement agency.**

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

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

None at this time.

**G. Course Certification Requests:**

None at this time.

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

Director Desjardins presented the list of the 100 certifications that were issued since the last Board Meeting on November 19, 2021.

**MOTION: To accept the Certifications that were issued by Director Desjardins on behalf of the Board since the Board meeting held on November 19, 2021.**

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

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

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

Det. Blodgett told the Board that the committee has about 25 cases with 2 scheduled for judicatory hearings and 7 pending criminal court proceedings. He said that the committee met on December 22, 2021 and had four informal conferences scheduled. Two certificate holders failed to reply to the Director's invitation and did not appear. He stated that they would be presenting five cases today.

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

Nothing at this time.

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

Sgt. Ryder reported he had reached out to Attorney Black to clarify some procedural issues as they work on changes to the LEPS program.

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

Commissioner Liberty told the Board that the Corrections Advisory Council are continuing to work on the Juvenile Corrections Program curriculum and hope to have it ready for the Director's review in the

coming weeks. They are also working on the curriculum assessment of the BCTP to see if they can improve that training program. He asked the Board to think about having a Spring meeting at the Maine Correctional Center in Windham like they did a couple of years ago at the Maine State Prison in Warren. He said he'd like to give the members an opportunity to tour the new training facility as construction will be winding down by then. He stated that the committee is also looking at the Alert Test to see what the failure rate is for Corrections and how they might be able to mitigate that by having study guides or some type of pre-test.

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

Nothing at this time.

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

Nothing at this time.

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

**Director's Report January 14, 2022**

**General**

- Graduation of the 40<sup>th</sup> BLETP was scheduled to be held on Dec 17, 2021. We had hoped to hold an in-person graduation; however, the formal ceremony was canceled due to COVID. Of the 57 finishing the program 55 received full certification and 2 cadets will need to return for their final MARC scenario due to medical restrictions.
- The 41<sup>st</sup> BLETP will begin in-person training on January 18, 2022. We have 70 cadets scheduled to attend the program from State, County, and Municipal agencies.
  - Discussion on how we are currently selecting the classes was held via a Zoom call with over a hundred participants. We have also met with representatives of the Maine Chiefs and Sheriff's Associations to review the changes in selection.
    - Cadre assignments have been set and representatives from, Biddeford, Portland, Androscoggin S.O., Maine Wardens and MSP will lead this class.
    - The class selection relied primarily on date of hire (oldest to newest) and cadre assignments.
- Building issues
  - Simmons group continue to conduct facilities assessment
    - Physical plant study continues to progress and hopefully have the completed study by year's end.
    - March of 2022 we should have the first allotment of money available to begin work on the most emergent issues impacting the Academy.
    - Operations assessment is also progressing and should accompany the completed facility study.

- Staffing
  - Staff are incredibly busy with the quick turnaround for the 41<sup>st</sup> BLETP, continuing to run BCTP classes virtually, LEPS classes, MOI classes, and many other classes that are in the que.
  - Unfortunately, Office Associate II, Amy Kitchin has decided to leave the Academy for a position out-side of State service and our existing staff will need to pick up her programs while maintaining existing workload.
  - Addition of DOC's Training Specialist has begun to provide some relief for the corrections programs. Kevin Kidd continues to learn the operations here at the Academy and Kevin has attended both the BCTP and MOI programs as part of his orientation.
- DPS awards
  - Don Finnegan won the Employee of the Year
  - Josh Daley won the Unsung Hero award
  - Huge accomplishment considering the 800 plus DPS employees
- End of year reporting
  - All the existing law enforcement and correction agencies have received their end of year packets.
  - As required by statute, these agencies will need to complete the required documents and report on a variety of topics for our staff to compile.
  - We will report to the legislature the outcome of the reporting and provide copies of the final report to the Board during our March Board meeting.

### **Legislative changes**

- Composition of the Complaint Review Committee (CRC)
  - Expanded from 3 to 5 members and Marie Hansen and Francine Garland-Stark have agreed to join the CRC.
  - 2 citizen members added to our Board
  - Expanded the definition of citizen member (No previous LEO experience)
- Additional standards and policies are moving rapidly to completion
  - Special thanks to Chief Rumsey for his work in completing the added requirements and working with Maine Chiefs to help develop model policies.

### **Initiatives**

- Conversion of the Alert test to electronic version
  - Our RMS platform with Informa is complete and beta tests have gone well
    - Issues regarding symbols (commas) and spacing have been resolved
    - MOUs and student letters have been developed and we will begin to offer the remote testing as an option going forward.
- Working to combine MERC, MARC into a single "Defensive Tactics" training.
  - Hope to combine these disciplines and streamline the training and merge the instructors and training material.
- Stress and resiliency project

- Working to compile existing stress and performance measurements and expand the project to better track performance under stress and measure progress through the program.
- Work regarding School Recourse Officer and certification
  - Initial training will include recent statutory requirements to include diversity, equity, and inclusion training.
  - We continue to work with our partners at the Department of Education and Maine School Safety Center to improve the program and follow existing guidance.

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

**A. Recruitment and retention discussion update – Commissioner Sauschuck:**

Commissioner Sauschuck spoke about his meeting with Chiefs, a County Commissioner and a few Legislators of Washington County on December 16<sup>th</sup>. They had reached out to discuss recruitment and retention of 1st responders across the board (law enforcement and correctional officers and EMS personnel). One of their thoughts was to remove the entrance PFT requirement for the LEPS program, so they could get people to apply and to suspend the yearly 1040 hrs. for Reserve Officers, so departments would have more coverage. Chief Dana stated he knew of departments in Washington County who have opened paid positions within their departments so candidates can work by training for the PFT and Alert tests and learning what law enforcement is all about.

Commissioner Sauschuck said he also has spoken to Chief Moen of Auburn PD about keeping full time officers as they do not employ reserves. He told the Board that Chief Moen would like to have the topic of how officers are picked for the BLETP brought up and discussed at the ME Chiefs meeting. The Chief said that it's tough to hire a good candidate and not being able to get that person into the BLETP in a timely manner.

Commissioner Liberty then spoke on the difficulty of getting new CO hired saying that some facilities are at 50% of what they should have for staff which means significant safety issues. He stated one of the ways would be to lower the standards of the hiring requirements, which he really doesn't want to do. After speaking with Sheriffs and Wardens throughout the State there was a suggestion to eliminate the Alert Test as it appears to be a barrier to getting COs hired. He suggested a pre-test and study guides for those individuals whose first language is not English.

Mr. Mendoza suggested that it might be beneficial to hire a person first, putting off those things that are barriers and giving the person time to get to know and like the job, while getting help to pass the physical and Alert tests.

Chair Pellerin explained to the Board that the relevancy of the Alert Test has been an indicator of how a person will academically compete while in an Academy program.

Commissioner Liberty then suggested that if a person took the Alert Test and did not get a passing grade, he could still be hired, attend the BCTP and start working, but would have 365 days to pass the test.

**MOTION:** To suspend the passing score of the Alert Test for Correction applicants as an entrance standard to attend the BCTP for 1 year.

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

**AMMENDED MOTION:** To require Correction candidates take the Alert Test but to suspend the passing score of the test for 1 year as an entrance standard to attend the BCTP.

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

**B. Alert on-line testing alternative update. – Director Desjardins**

Director Desjardins told the Board member that we did add links and resources on our site along with reaching out to the literacy volunteers so if students wanted to contact them for tutoring it would be available. We added to our ADA Forms wording that if a person struggles with English and has written confirmation by an educational professional that there is a need for additional time that person would be given an extra hour to complete the test. He also stated that academy staff will be doing a quick YouTube video describing the Alert Test and areas to study if needed before taking the test.

Chair Pellerin requested that the Board take a break for lunch at 11:45 a.m. The meeting resumed at 12:05 p.m.

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

**A. Training Reimbursement Rate Adjustments for 2021 – Director Desjardins**

Director Desjardins stated that calculations through CPI ARE running around 6% in the Northeast States and so he has adjusted those reimbursement rates for the Basic Corrections and Basic Law Enforcement Training Programs accordingly. He then asked the Board to look over and vote on the reimbursement rates for individuals graduating from those programs in 2021. Chair Pellerin asked about the wording regarding the Corrections Training Program being referred to as BCOR when it should be BCTP. Director Desjardins said that he would change that.

**MOTION:** To accept the Reimbursement Rates for the Basic Correction Training Program as presented by Director Desjardins.

Motion made by Commissioner Liberty and seconded by Commissioner Sauschuck.

**Motion Passed.**

**MOTION:** To accept the Reimbursement Rates for the Basic Law Enforcement Training Program as presented by Director Desjardins.

Motion made by Commissioner Sauschuck and seconded by Chief Dana.

**Motion Passed.**

**B. Public Hearing on Remote Meetings – Chair Brian Pellerin**



Chair Pellerin stated that we have advertised the need for this policy and meeting with Director Desjardins it is now available. Sgt. Ryder recommended changing “Board Administrator”, in #1. to the “Executive Director of the Board of Trustees”.

Chair Pellerin questioned what constituted the necessity to execute this policy and who should make that determination? Should it be the Board Chair? Attorney Black gave an overview of why this policy was instituted and what the emergency criteria were. (2 a.) Legislation allowed Boards to have virtual meetings if the Chair of a Board called an emergency meeting and (2 b.) other circumstances where meeting in person is not realistic. The rest of 2. are the situations a member could attend remotely. Attorney Black stated that if a member couldn’t be present at the emergency meeting and met one of the criteria, he/she could attend remotely. If any member were to attend remotely, then the meeting would have to be open remotely to the public as well (3.). He told the Board that they could except all or some of the circumstances and conditions. After some talk about the differences between (a.) and (b.), Ms. Ward Saxl suggested that this topic be tabled. Commissioner Sauschuck suggested that he would like to see 1., 2.a., 3, 4, and 5 be approved.

**MOTION: To adopt the policy, with the change of the Director’s title to the Executive Director of the Board of Trustees, and to strike 2.b. until we have more information regarding our capabilities to do remote meetings.**

Motion made by Commissioner Sauschuck and seconded by Ms. Stark. **Motion Passed.**

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 Sgt. Ryder and seconded by Chief Dana.

**Motion Carried Unanimously at 12:42 p.m.** The meeting reconvened at 1:17 p.m.

**C. Complaint Committee Cases**

1. Board Case 2021-010

**MOTION: To accept the recommendation of the Complaint Review Committee to take no further action due to lack of jurisdiction.**

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

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

During the discussion of this case Commissioner Liberty and Mr. Mendoza left the room at 12:43 p.m. and returned at 12:58 p.m.

2. Board Case 2021-019

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

Motion made by Sgt. Ryder and seconded by Col. Cote.

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

During the discussion of this case Commissioner Liberty and Mr. Mendoza left the room at 12:43 p.m. and returned at 12:58 p.m.

3. Board Case 2021-025

**MOTION: To accept the recommendation of the Complaint Review Committee to deny the request of a waiver and to issue a consent agreement in lieu of the waiver which would enable him to receive the waiver subject to conditions of probation.**

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

4. Board Case 2019-040

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

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

**Motion passed with 1 opposed and with DA Slattery recusing herself.**

For the discussion, DA Slattery left the room at 1:04 p.m. and returned at 1:08 p.m.

5. Board Case 2020-016

**MOTION: To accept the recommendation of the Complaint Review Committee to issue a letter of guidance subsequent to the approval of that letter by our next Board meeting in March.**

Motion made by Commissioner Sauschuck and seconded by Chief Dana.

**Motion passed**


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

Chair Pellerin called for a motion to adjourn.

**MOTION: To adjourn the 1/14/2022 Maine Criminal Justice Academy Board of Trustees Meeting at 1:26 p.m.**

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

**Motion Carried.**



Charles J. Rumsey, IV