

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, January 12, 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
Dir. Larry Austin
Mr. Richard Davis
Officer Levon Travis
Mr. Tom Peters II, Esq.
Major Chris Cloutier for Colonel Joel Wilkinson
Deputy Chief Amy Berry
District Attorney Kathryn Slattery
Det. Seth Blodgett

Board Members Excused:

Sheriff Scott Nichols
Colonel Robert Williams

Participants:

Director John Rogers
Asst. Director Rick Desjardins
AAG Andrew Black

Guests: None

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

Chair Pellerin called the meeting to order at 09:04 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. Chair Pellerin noted a quorum was present. The Board members did not have to introduced themselves, as there were no guests in attendance.

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

MOTION: To accept the minutes of the November 17, 2017 Board of Trustees meeting and to be placed on file with the secretary.

Moved by Mr. Peters and seconded by Sgt. Ryder.

Motion Amended: To accept the minutes of the November 17, 2017 Board of Trustees meeting with the vote of Board Case 2017-037 to show that Dep. Chief Berry and Ms. Ward Saxl were opposed, that Dir. Austin Recused himself from Board Cases 2017-035, 2017-037, 2017-043 and Sheriff Nichols Recused himself from Board Case 2017-042.

Amended Motion Moved by Mr. Peters and seconded by Sgt. Ryder. **Motion: Carried** with Col. Wilkinson and Commissioner Morris abstaining.

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

A. Basic Law Enforcement Training Program Waiver Requests:

1. None.

B. Basic Law Enforcement Training Program Extension Requests:

Asst. Director Rick Desjardins presented the following officers for Basic Law Enforcement Training Program extensions.

1. Officer Austin M. Couture, Rumford Police Department

MOTION: To approve the Basic Law Enforcement Training Program Extension from 5/22/18 to 8/13/18 for above-listed officer.

Moved by Sgt. Ryder and seconded by Mr. Davis. **Motion carried unanimously.**

2. Officer Samuel J. Fuller, Presque Isle Police Department

MOTION: To approve the Basic Law Enforcement Training Program Extension for the above-listed officer from 2/26/2018 – 8/13/2018.

Moved by Dep Chief Berry and seconded by Det. Blodgett. **Motion carried unanimously.**

C. Basic Corrections Training Program Waiver Requests:

Asst. Director Rick Desjardins presented the following officers for Basic Corrections Training Waivers.

1. Officer Steven A. Kelly, Long Creek Youth Development Center.

MOTION: To approve the Basic Corrections Training Waiver for the above-listed officer to 7/2018.

Moved by Chief Rumsey, seconded by Det. Blodgett. **Motion carried.** Dir. Austin Recused himself.

2. Officer Michael T. Clingerman, Kennebec County Jail

MOTION: To approve the Basic Corrections Training Waiver for the above-listed officer to 6/18/2018.

Moved by Mr. Davis, seconded by Dep. Chief Berry. **Motion carried unanimously**

D. Basic Corrections Training Program Extension Requests:

1. None.

E. Law Enforcement Preservice Program Waiver Requests

Assistant Director Rick Desjardins discussed recommendations for Law Enforcement Preservice waiver.

1. Officer Melanie J. Locke, Berwick Police Department.

MOTION: To approve the above-listed officer for Law Enforcement Preservice Program Waiver.

Moved by Sgt. Ryder and seconded by Col. Wilkinson. **Motion carried unanimously.**

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

1. None.

G. Course Certification Requests:

1. Policing the Teen Brain – 2018 Law Enforcement Mandatory In-Service Training

MOTION: To approve the above listed course certification for 2018 mandatory training.

Moved by Chief Rumsey and seconded by Det. Blodgett **Motion carried unanimously**

2. Investigation of Death, Probable Deaths and Missing Persons – 2018 Law Enforcement Mandatory In-Service Training

MOTION: To approve the above listed course certification for 2018 mandatory training.

Moved by Mr. Peters, seconded by Chief Rumsey. **Motion Carried.** Commissioner Morris Abstained.

V. Item Five on the Agenda: Committee Reports

A. Complaint Committee: By Mr. Tom Peters

Mr. Peters reported the Complaint Review Committee has 2 cases to review in executive session. He advised that not a lot has changed since the last Board Meeting on 11/17/2017. Many of the cases are still making their way through the court process. There has been 1 new case received so far in 2018, 13 total cases pending (12 from 2017). Mr. Peters said that he expects many of those 13 case will become resolved in the next few months.

B. Administrative Rules Committee: Deputy Chief Amy Berry

Dep. Chief Berry advised that the potential CIT Certification will not be pursued at this time.

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

Asst. Dir. Rick Desjardins and Sgt. Ryder met with a group of SME's in December to help develop a Basic Investigations Class. There is still work to be done, but there are hopes that these SME's will become more active in being instructors and cadres. Assistant Dir. Desjardins stated that they quizzed investigators on the most important topics for initial training and to get common themes. From those lists they are sure they will be able to

put those requirements together in the class. When asked if they discussed sex cases, he said that they did talk about Juvenile Sex Cases and Forensic Interviewing.

Asst. Dir. Desjardins advised The Leadership and Supervision program is still on track.

D. Corrections Training Committee: Director Larry Austin

Mr. Austin advised that the Curriculum Committee (Sub-Committee) have been working on 12 lesson plans and that they would be meeting next week to review them. There was a short discussion on the upcoming Basic Corrections Training Class which would start on 1/22/18.

E. Policy Standards Committee: Chief Charles J. Rumsey IV

Nothing to report.

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

1. Congratulations to Detective Sgt. Lincoln Ryder on his reappointment to the Board for another three year term.
2. I attended the 33rd BLETP on December 15, 2017. The graduation ceremony was well attended and exceptional. This was one of the smaller graduating classes, however there were 13 female graduates tying the Academy's record. Sheriff Joyce of the Cumberland County Sheriff's Office was the keynote speaker.
3. In December, I attended the Maine District II Chiefs meeting in Portland. It was an opportunity to meet several of the chiefs from the District and introduce myself to them. The topics discussed involved the CCSO jail and HIPAA regulations. One area mentioned by the members was an interest in more leadership training at the MCJA.
4. Pending LD 1672, "An Act to Waive the Fee for Attendance at the Maine Criminal Justice Academy for Former Military Police Officers" was discussed with Director Rogers and the Board.
5. I discussed a recent Washington Post article involving the New Orleans Police Department and the State of Louisiana's decertification authority. Since Hurricane Katrina, the NOPD has fired 248 officers for misconduct. None of the officers were decertified in Louisiana under the law. Fifty of those officers were rehired by surrounding area police departments, where they were again fired for misconduct. Forty-four states have a law enforcement decertification statute. Louisiana has not decertified an officer in the last 10 years.

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

1. General Items:

- Our 2 vacant positions, a MCJA Training Coordinator and an Office Associate II has yet to be approved by the Governor's Office as of 1/11/2018.
- LD 1672, "An Act to Waive the Fee for Attendance at the Maine Criminal Justice Academy for Former Military Police Officers" is set for Public Hearing on January 17, 2018. I will be opposing this based on 3 points. 1st, the agency pays the \$2500 fee not the veteran, 2nd, the bill would discriminate against all other veterans and 3rd, the BLETP, BCTP and LEPS are already pre-approved for the 5 educational veterans benefit programs.

- On December 19, 2017, Rick and I met with BGS and David Clark, a representative from Travelers Insurance Company for a tour of MCJA. Travelers is the company that the State Risk Management contracts with. The result per David Fitts is that we need an extra \$1 million on liability coverage for non-fixed items for an extra \$565 per year. We also will be responsible for the cleaning of a vent from the kitchen hood to the roof. All other recommendations to building issues will be made to BGS.
- On December 21, 2017, the employees of the MCJA building had their annual pot luck lunch and Yankee Swap Christmas party. Everyone had a good time.

2. Basic Law Enforcement Training Program (BLETP):

- The 33rd BLETP started on August 14, 2017 and ended on December 15, 2017. Of the 60 that officially started, I lost 3 Cadets for personal reasons, 3 Cadet for medical reasons and 2 Cadets for academic reasons.
- Sheriff Kevin Joyce from Cumberland County SO and current President of the MSA was the commencement speaker.
- Of the 52 that finished, 2 did not meet the MARC exit standard, one from an injury that will come back when medically cleared and the 2nd one that failed the MARC scenario 2 times, in front of her Chief and 2 Captains. She was terminated by the agency the week after graduation.
- I had 1 Cadre position open due to Ptl. Jonathan Rogers of York PD going back to his PD. Sgt. Brian Olson of Westbrook PD is his replacement. The remaining 5 Cadre have 37 BLETP classes of experience, the most of any staff ever.
- The 34th BLETP will start on January 16, 2018 and end on May 18, 2018. We had 150 names and/or John Does slots and 72 qualified. I have taken 66 in this class with 6 on the waiting list.

3. MCJA Budget Issues:

- All State agencies are just starting the process for the FY 20/21 Budget with a target completion date of August 1, 2018.

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. 30 – Basic Corrections Training Program Certifications
 - b. 52 – Basic Law Enforcement Training Program Certifications
 - c. 1 – Patrol K-9 Team Trainer Certification
 - d. 3 – Patrol K-9 Team Certifications
 - e. 4 – Crisis Negotiator Certifications
- **Need Vote:** I would propose that you officially vote Under New Business to keep the statutorily required buyout for both the BLETP and BCTP graduates at \$30K and \$10K respectively per 25 M.R.S. §§2808(1)(C) 2808-A(1)(C). The BLETP reimbursement rate has been \$30K since 2010 and the BCTP reimbursement rate has been \$10K since 2016.
- On December 10, 2017, I emailed all the LE and Corrections agencies their annual reports. Rick and I will be logging them in for the next several weeks in preparation for the annual report due to the legislature.

VIII. Item Eight on the Agenda: Old Business: Chair Brian Pellerin:

1. None.

IX. Item Nine on the Agenda: New Business: Chair Brian Pellerin:

- A. Action on CRC Case Recommendations

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.**

Motioned by Mr. Davis, seconded by Det. Sgt. Ryder. **Motion carried unanimously.**

The Board moved into Executive Session at 10:13 a.m. and reconvened Public Session at 10:17 am.

Complaint Committee Cases:

1. Board Cases 2017-029 and 2017-034

MOTION: **To accept the recommendations of the Complaint Committee to revoke certifications.**

Motion made by Dep Chief Berry and seconded by Sgt. Ryder. **Motion carried.** Dir. Austin abstained.

Commissioner Morris spoke briefly and advised the Board that HHS in Boston has a new Director, John McGough. He also explained that there were 28 LD's concerning marijuana that may affect the Board in the future and the legislature had some difficult budgetary concerns to work out.

- B.** 2018 Basic Law Enforcement Training Program Reimbursement Rates.

MOTION: **To accept the rates as set for 2018 with a recommendation to pass the information on to the Maine Chiefs and Sheriffs for review and to revisit the issue in July.**

Motion made by Mr. Peters, second by Sgt. Ryder. **Motion Carried Unanimously.**

- C.** 2018 Basic Corrections Training Program Reimbursement Rates.

MOTION: **To accept the recommendation to keep the rates as set in 2017.**

Motion made by Mr. Peters, second by Sgt. Ryder. **Motion Carried Unanimously.**

- D.** 2018 Board Meeting Schedule.

MOTION: **To accept the Board of Trustee Meeting Schedule for 2018.**

Motion made by Dir. Austin, second by Commissioner Morris. **Motion Carried Unanimously.**

- E.** Certification Issued from November 17, 2017 to January 12, 2018.

MOTION: **To accept the list of officer certifications who have met the most current MCJA Board Specifications.**

Motion by Mr. Davis, second by Dep Chief Berry. **Motion Carried Unanimously.**

Chair Pellerin advised the Board that he had had a conversation with BLETP Coordinator, David Tyrol regarding the certification test. David told him he was working on some potential revisions to some of the marijuana questions that are on the certification test.

Chief Rumsey requested that the issue of Chiefs/Sheriffs appearing for BLETP Waivers be discussed. Moved by Commissioner Morris, second by Chief Rumsey.

MOTION: To suspend the practice of requiring the Chief of Departments or their representatives to appear before the Board for BLETP Waivers.

Moved by Commissioner Morris, second by Chief Rumsey. **Motion Carried** with 12 members voting for the motion. Dep. Chief Berry and Mr. Davis were opposed.

Chair Pellerin reminded the Board that he was still very interested in getting an up-to-date photo of the Board and suggested having it done at the March or May meeting.

X. Item Eleven on the Agenda: Adjournment

MOTION: To adjourn the Maine Criminal Justice Academy Board of Trustees Meeting.

Moved by Sgt. Ryder and seconded by Mr. Davis.

Motion carried Unanimously.

Chair Pellerin adjourned the meeting at 11:58 a.m. The next meeting is scheduled for 9:00 a.m. on Friday, March 9, 2018 at the Maine Criminal Justice Academy in Vassalboro, Maine.



Richard P. Davis