

State of Maine
Maine Criminal Justice Academy Board of Trustees

Complaint Review Committee
Minutes of March 3, 2018 Meeting

MEMBERS PRESENT

Thomas Peters II, Esq., Public Member, Chairman
Detective Seth Blodgett, Office of the Attorney General
Chief Charles J. Rumsey, IV, Cumberland Police Department

STAFF PRESENT

Andrew Black, AAG, Legal Counsel

CALL TO ORDER

Chair Peters called the meeting to order at 0830.

APPROVAL OF MINUTES

The minutes for the CRC Meeting of November 1, 2017, were reviewed and approved unanimously.

INFORMAL CONFERENCES

The CRC voted unanimously to go into executive session pursuant to 1 M.R.S. § 405(6)(F) for the purpose of discussing information pertaining to allegations of certificate holder misconduct, which information and records are expressly made confidential under 25 M.R.S. § 2806-A(10).

The CRC went into executive session beginning at 8:34 a.m. and held informal conferences in the following matters:

- Case No. 2018-007
- Case No. 2018-010
- Case No. 2018-009 (telephonically)
- Case No. 2018-006
- Case No. 2018-005
- Case No. 2017-044

The subject officer of Case No. 2018-001 declined to appear for the scheduled informal conference.

From 1130 to 1220 the CRC recessed for lunch and at 1220 reconvened in executive session and held informal conferences in the following matters:

- Case No. 2018-011
- Case No. 2018-008

The subject officer of Case No. 2017-038 declined to appear for the scheduled informal conference.

CASE DISCUSSIONS

The CRC discussed resolutions for the following matters:

- Case No. 2016-024
- Case No. 2017-027
- Case No. 2017-033
- Case No. 2017-038
- Case No. 2017-040
- Case No. 2017-044
- Case No. 2018-001
- Case No. 2018-005
- Case No. 2018-006
- Case No. 2018-007
- Case No. 2018-008
- Case No. 2018-009
- Case No. 2018-010
- Case No. 2018-011

The CRC came out of executive session at 1345.

CASE RECOMMENDATIONS

Case No. 2016-024. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to present this case to the Board with a recommendation that the Board summarily revoke the certificate of eligibility of this full-time law enforcement officer pursuant to 25 M.R.S. § 2806-A(5)(C) for being convicted of a Class D crime.

Case No. 2017-027. On a motion by Blodgett seconded by Rumsey, the CRC voted 3-0 to present this case to the Board and recommend that the Board issue this corrections officer a letter of guidance pertaining to the unprofessionalism of conduct that leads an individual to pleading guilty plea to a deferred disposition of a Class E crime.

Case No. 2017-033. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that the Board revoke this corrections officer's certificate of eligibility for pleading guilty to a deferred disposition of a Class C crime.

Case No. 2017-038. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that the Board revoke this corrections officer's certificate of eligibility pursuant to 25 M.R.S. § 2806-A(5)(F) for engaging in conduct that would constitute a Class D crime, specifically, accomplice liability under 17-A M.R.S. §57(3)(A) for the violation of a condition of release under 15 M.R.S. § 1092(1)(B).

Case No. 2017-040. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to present this case to the Board with a recommendation that the Board summarily revoke the certificate of eligibility of this full-time law enforcement officer pursuant to 25 M.R.S. § 2806-A(5)(C) for being convicted of a Class D crime.

Case No. 2017-044. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 present this case to the Board with a recommendation that the Board offer a consent agreement that would impose discipline against this law enforcement officer under 25 M.R.S. § 2806-A(5)(F) for engaging in conduct that would constitute a Class D crime, specifically by unlawfully furnishing a scheduled drug in violation of 17-A M.R.S. §1106(1-A)(D). The recommended consent agreement would impose a reprimand, a 180-day suspension, and a 3-year probation.

Case No. 2018-001. On a motion by Rumsey seconded by Peters, the CRC voted 3-0 to present this case to the Board and recommend that the Board revoke this corrections officer's certificate of eligibility pursuant to 25 M.R.S. § 2806-A(5)(F) for engaging in conduct that would constitute a Class D crime, specifically, furnishing alcohol to a minor under 28-A M.R.S. §2081(1)(A)(1).

Case No. 2018-005. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that the Board offer a consent agreement that would impose discipline against this part-time law enforcement officer under 25 M.R.S. § 2806-A(5)(B) for working more than 1040 hours in a calendar year. The recommended consent agreement would impose a reprimand and a 3-year probation.

Case No. 2018-006. On a motion by Blodgett seconded by Rumsey, the CRC voted 3-0 to present this case to the Board and recommend that the Board issue a letter of guidance pertaining to a part-time law enforcement officer's responsibility to ensure that he does not work more than 1040 hours in a calendar year.

Case No. 2018-007. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that the Board offer a consent agreement that would impose discipline against this part-time law enforcement officer under 25 M.R.S. § 2806-A(5)(A) for failing to meet annual recertification requirements. The recommended consent agreement would impose a reprimand, a 30-day suspension commencing on May 1, 2018, and a 3-year probation.

Case No. 2018-008. On a motion by Peters seconded by Rumsey, the CRC voted 3-0 to present this case to the Board and recommend that the Board offer a consent agreement that would take action against this officer's corrections officer certificate under 25 M.R.S. § 2806-A(5)(A) for failing to meet annual recertification requirements. The recommended consent agreement would resolve the matter by allowing the officer to surrender his certificate of eligibility.

Case No. 2018-009. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that the Board offer a consent agreement that would impose discipline against this part-time law enforcement officer under 25 M.R.S. § 2806-A(5)(A) for failing to meet annual recertification requirements. The recommended consent

agreement would impose a reprimand, a 30-day suspension commencing on May 1, 2018, and a 3-year probation.

Case No. 2018-010. On a motion by Rumsey seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that the Board offer a consent agreement that would impose discipline against this corrections officer under 25 M.R.S. § 2806-A(5)(A) for failing to meet annual recertification requirements. The recommended consent agreement would impose a reprimand, a 14-day suspension commencing on May 1, 2018, and a 2-year probation.

Case No. 2018-011. On a motion by Peters seconded by Blodgett, the CRC voted 3-0 to present this case to the Board and recommend that the Board grant the requested.

ADJOURN

There being no further business, the CRC adjourned at 1430.

DRAFT