

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1142

S.P. 431

In Senate, April 11, 1989

Submitted by the Department of Public Safety pursuant to Joint Rule 24.

Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

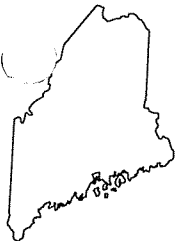
Presented by Senator KANY of Kennebec.

Cosponsored by Representative PRIEST of Brunswick, Representative STEVENS of Sabattus and Representative TUPPER of Orrington.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act Concerning Law Enforcement Training.



1 **Be it enacted by the People of the State of Maine as follows:**

3 **Sec. 1. 25 MRSA §2801, last ¶,** as amended by PL 1977, c. 701,
5 **§1, is further amended to read:**

7 The purpose of the Maine Criminal Justice Academy shall be
9 to provide a central training facility for all law enforcement
11 and corrections personnel of in the State and also for criminal
13 justice personnel. The academy shall serve to promote the highest
15 levels of professional law enforcement performance and to
17 facilitate coordination and cooperation between various law
19 enforcement and criminal justice agencies.

21 **Sec. 2. 25 MRSA §§2801-A and 2801-B are enacted to read:**

23 **§2801-A. Definitions**

25 As used in this chapter, unless the context indicates
27 otherwise, the following terms have the following meanings.

29 1. Board. "Board" means the Board of Trustees of the Maine
31 Criminal Justice Academy.

33 2. Corrections officer. "Corrections officer" means:

35 A. For state agencies, the following class titles and their
37 successor titles:

39 (1) Training School Counselor I and II;

41 (2) Training School Counselor Supervisor;

43 (3) Corrections Officer I, II and III;

45 (4) Guard;

47 (5) Guard Sergeant;

49 (6) Guard Lieutenant; and

51 (7) Guard Captain; and

B. For county, municipal and other agencies subject to this
 chapter, a person who is defined as a corrections officer as
 defined by the Maine Criminal Justice Academy.

3. Full-time corrections officer. "Full-time corrections
 officer" means a person who is employed as a corrections officer
 with the reasonable expectation of being employed at least 1,200
 hours in any one calendar or fiscal year for performing
 corrections officer duties.

1 4. Full-time law enforcement officer. "Full-time law
2 enforcement officer" means a person who is employed as a law
3 enforcement officer with a reasonable expectation of being
4 employed at least 1,200 hours in any one calendar or fiscal year
5 for the purpose of performing law enforcement duties. Full-time
6 law enforcement officer does not include any person employed by a
7 county whose full-time duties are those of a correction officer.

9 5. Law enforcement officer. "Law enforcement officer"
10 means any person who by virtue of public employment is vested by
11 law with a duty to maintain public order, to prosecute offenders
12 or to make arrests for crimes, whether that duty extends to all
13 crimes or is limited to specific crimes. As used in this
14 chapter, the term does not include federal law enforcement
15 officers or attorneys prosecuting for the State.

17 §2801-B. Application of chapter; exemption

19 1. Exemption. The training standards and requirements of
20 this chapter do not apply to the persons defined by this chapter
21 as law enforcement officers who are:

23 A. Employees of the Department of Corrections, Division of
24 Probation and Parole;

25 B. Agents or representatives of the Department of
26 Conservation, Bureau of Parks and Recreation, whose law
27 enforcement powers are limited to those specified in Title
28 12, section 602, subsection 5;

29 C. Agents or representatives of the Department of
30 Conservation, Bureau of Forestry, whose law enforcement
31 powers are limited to those specified by Title 12, section
32 8901, subsection 3; or

33 D. Security officers employed by the Department of Public
34 Safety whose law enforcement powers are limited to those
35 specified in section 2908.

36 2. Education and training required. The directors of the
37 state agencies listed in subsection 1 shall provide adequate
38 education and training for all law enforcement officers within
39 their jurisdiction. The board shall advise the directors
40 concerning appropriate and adequate training.

41 Sec. 3. 25 MRSA §2803, as amended by PL 1987, c. 737, Pt. C,
42 §§69 and 106, is repealed.

43 Sec. 4. 25 MRSA §2803-A is enacted to read:

44 §2803-A. Powers and duties of the board of trustees
45

1 The board has the following powers and duties:

3 1. Training and certification of all law enforcement
5 officers in State. In accordance with this chapter, to establish
7 training and certification standards for all law enforcement
9 officers. Certification shall be based on the officer's
11 demonstration of having acquired specific knowledge and skills
13 directly related to job performance;

15 2. Admission standards and certification requirements;
17 curriculum. In accordance with the requirements of this chapter,
19 to establish standards for admission to the board-approved
21 courses, taking into account state hiring standards and
23 procedures applicable to all state departments; set requirements
25 for board-approved courses; prescribe curriculum; and certify
27 both graduates of the board-approved courses and persons for whom
29 the board has waived the training requirements of this chapter.
31 The board may not set standards for admission to the
33 board-approved courses until July 1, 1990, for persons required
35 to be trained under Title 30, section 6210, subsection 4, which
37 standards are higher than those in force on September 23, 1983;

39 3. Certification of police chiefs. To certify and set
41 standards for certification of police chiefs;

43 4. Training and certification of sheriffs. To establish
45 training programs for sheriffs within the curriculum, set their
47 requirements for graduation from the academy and certify sheriffs
49 who graduate;

51 5. Training and certification of corrections personnel. In
53 accordance with the requirements of this chapter, to approve
55 training programs for corrections officers, including
57 prescription of curriculum and setting of standards for
59 graduation from those approved programs and certification of
61 persons graduating from the basic training course prescribed in
63 this chapter;

65 6. Training and certification of State Police enlisted
67 personnel. With the approval of the Chief of the State Police,
69 to establish core curriculum training requirements for enlisted
71 personnel of the State Police for graduation from the academy.
73 The board shall certify State Police enlisted personnel who meet
75 the core curriculum training requirements.

77 7. Training of harbor masters. To establish suitable
79 training programs for harbor masters authorized to make arrests
81 under Title 38, chapter 1, subchapter I, relevant to their duties
83 as harbor masters;

1 8. Training and certification in court procedures. To
2 establish certification standards and a program to certify law
3 enforcement officers as being familiar with current court
4 procedures. This program shall include:

5 A. Sufficient instruction in the basic training courses
6 approved by the board under this chapter to satisfy
7 certification standards upon successful completion of the
8 course;

9 B. A method by which law enforcement officers whose basic
10 training course did not contain the instruction required by
11 paragraph A may satisfy the certification standards; and

12 C. A requirement that in-service training programs required
13 under section 2804-E include instruction on current court
14 procedures;

15 9. Other training programs. To establish, within the
16 limits of funds available and with the approval of the
17 commissioner, additional training programs considered to be
18 beneficial to law enforcement officers, corrections officers and
19 criminal justice personnel;

20 10. Establish fees. To establish, with the approval of the
21 commissioner, reasonable fees for attendance to defray at least
22 part of the operation costs of the academy;

23 11. Formulate a budget. To formulate a budget for the
24 academy, which shall be presented to the commissioner for
25 approval and inclusion in the budget of the Department of Public
26 Safety;

27 12. Accept funds and grants. With the approval of the
28 commissioner, to accept such federal funds or grants as may be
29 available to carry out the purposes of the academy;

30 13. Acquire facilities. With the approval of the
31 commissioner, to lease, rent or acquire adequate facilities to
32 conduct the academy's training programs;

33 14. Certification of instructors. To certify and set
34 standards for certification of law enforcement and criminal
35 justice instructors to be used in all academy preservice, basic
36 and in-service training programs as required by the board of
37 trustees and over which the board has statutory control;

38 15. Revocation or suspension of certification. To revoke
39 or suspend a certificate issued under section 2806; and

40 16. Provide assistance and materials. To provide to
41 municipal and county corrections officers and municipal and

1 county law enforcement officers any assistance or instructional
2 materials the board deems necessary to fulfill the purposes of
3 this chapter and Title 30-A, sections 381 and 2671.

5 **Sec. 5. 25 MRSA §§2804-B to 2804-F** are enacted to read:

7 **§2804-B. Preservice law enforcement training**

9 1. Required. A person shall not serve as a law enforcement
10 officer with the power to make arrests or the authority to carry
11 a firearm in the course of duty until certified by the board as
12 satisfying all preservice training requirements.

13 2. Preservice training standards. The board shall
14 establish standards for preservice training certification which
15 are equivalent to the 100-hour reserve officer training course as
16 of November 1, 1988. In establishing the standards, the board
17 shall consider the use of apprenticeship with a certified,
18 experienced officer, to be followed by an examination given by
19 the board, as an alternative to part or all of the preservice
20 training course leading to preservice certification. In
21 establishing the standards, the board shall cooperate with the
22 State and local departments and agencies to which the preservice
23 standards apply to ensure that the standards are appropriate.

24 3. Certification. The board shall certify each person who
25 meets the preservice training standards as eligible to serve as a
26 law enforcement officer with the power to make arrests and the
27 authority to carry a firearm in the course of duty, subject to
28 additional certification as required by this chapter.

29 4. Course. The board shall provide a training course, the
30 successful completion of which must meet the preservice training
31 standards. In developing and delivering the training course, the
32 board shall consider the use of telecommunications technology.
33 The board may work with post-secondary and other institutions
34 within the State to deliver the preservice training course
35 throughout the State as often as reasonable demand requires.

36 5. Agency sponsorship. The board shall evaluate the use of
37 law enforcement agency sponsorship, screening of preservice
38 training applicants and students and the availability of
39 preservice training before employment.

40 6. Completion of basic law enforcement training
41 sufficient. The board shall certify law enforcement officers who
42 successfully complete basic law enforcement training under
43 section 2804-C before being empowered to make arrests or given
44 the authority to carry a firearm in the course of duty as having
45 satisfied the preservice training standards.

1 7. Reserve and other part-time law enforcement officers.
2 The board shall certify law enforcement officers who successfully
3 complete preservice law enforcement training as reserve or
4 part-time law enforcement officers. The board shall maintain a
5 roster of all currently certified reserve or part-time law
6 enforcement officers. The roster shall be available for
7 inspection by the public at the academy during regular working
8 hours.

9
10 8. Application to currently certified law enforcement
11 officers. This section does not apply to any law enforcement
12 officer certified as meeting the law enforcement training
13 requirements as of July 1, 1990.

14 §2804-C. Basic law enforcement training; core curriculum
15 requirements

16
17 1. Required. As a condition to the continued employment of
18 any person, as a full-time law enforcement officer by a
19 municipality, a county, the State or other nonfederal employer,
20 that person must successfully complete, within the first 12
21 months of employment, a basic training course approved by the
22 board. The board, under extenuating and emergency circumstances
23 in individual cases, may extend that period for not more than 90
24 days. In addition, the board may waive in individual cases the
25 basic training requirement when the facts indicate that an
26 equivalent course has been successfully completed. This section
27 does not apply to any person employed as a full-time law
28 enforcement officer by a municipality on September 23, 1971, or
29 by a county on July 1, 1972.

30
31 2. Core curriculum requirements. The board shall establish
32 core curriculum requirements which must be satisfied by each law
33 enforcement officer within 12 months of assuming law enforcement
34 duties including the power to make arrests or the authority to
35 carry a firearm in the course of duty. The board shall base the
36 core curriculum requirements on the necessary knowledge, training
37 and skills common to all law enforcement officers in this State.
38 In establishing the requirements, the board shall cooperate with
39 the State and local departments and agencies to which the
40 preservice requirements apply to ensure that the standards are
41 appropriate.

42
43 3. Certification. The board shall certify each law
44 enforcement officer who meets the core curriculum training
45 requirements.

46
47 4. Courses. The board shall provide a training course, the
48 successful completion of which meets core curriculum
49 requirements. The board shall provide a basic training course
50 designed primarily for municipal and county law enforcement
51 officers.

1
3 5. Application to currently certified law enforcement
5 officers. This section does not apply to any law enforcement
7 officer certified as meeting the law enforcement training
9 requirements as of July 1, 1990.

7 §2804-D. Basic corrections training

9 1. Required. As a condition to the continued employment of
11 any person as a full-time corrections officer by a municipality,
13 county, the State or other nonfederal employer, that person must
15 successfully complete, within the first 12 months of employment,
17 a basic training course of not less than 80 hours as approved by
19 the board. The board, in individual cases, may waive basic
21 training requirements when the facts indicate that an equivalent
23 course has been successfully completed in another state or
25 federal jurisdiction within the last 2 years. This section
applies to any person employed as a full-time corrections officer
as of July 6, 1978, except that full-time corrections officers
shall be exempt from the 12-month requirement, but shall have
completed successfully the basic training by January 1, 1980.
Administrators of facilities where there are corrections officers
who are not full-time are encouraged to develop an orientation
program for those persons.

27 §2804-E. In-service law enforcement training

29 1. Required. As a condition to the continued employment of
31 any person as a law enforcement officer with the power to make
33 arrests or the authority to carry a firearm in the course of duty
by a municipality, county, the State or other nonfederal
employer, that person must successfully complete a minimum number
of hours of in-service training as prescribed by the board.

35 2. Role of board. The board shall establish in-service
37 training requirements, coordinate delivery of in-service training
39 with post-secondary and other institutions and law enforcement
41 agencies and administer in-service training programs. The
43 in-service training requirements shall include information on new
45 laws and court decisions. The board shall consider and encourage
the use of telecommunications technology in the development and
delivery of in-service training programs. In establishing the
requirements, the board shall cooperate with the State and local
departments and agencies to which the in-service requirements
apply to ensure that the standards are appropriate.

47 3. Additional certificates. The board may offer additional
49 certificates to be awarded for completion of additional
education, experience and certified board-approved training.

51 §2804-F. In-service corrections training

1
3 1. Required. As a condition to the continued employment of
5 any person as a full-time corrections officer by a municipality,
7 county, the State or other nonfederal employer, that person shall
9 successfully complete in-service training as prescribed by the
11 board.

13 2. Role of board. The board shall establish in-service
15 training requirements, coordinate delivery of in-service training
17 with post-secondary and other institutions and corrections
19 agencies and administer in-service training programs. The
21 in-service training requirements shall include information on new
23 laws and court decisions. The board shall consider and encourage
25 the use of telecommunications technology in the development and
27 delivery of in-service training programs. In establishing the
29 requirements, the board shall cooperate with the State and local
31 departments and agencies to which the in-service requirements
33 apply to ensure that the standards are appropriate.

35 3. Provisions of in-service training. In-service training
37 programs which meet the requirements established under subsection
39 2, may be provided by the Maine Criminal Justice Academy or the
41 agency employing the corrections officer.

43 Sec. 6. 25 MRSA §2805, as amended by PL 1985, c. 155, §4, is
45 repealed.

47 Sec. 7. 25 MRSA §2805-A, As amended by PL 1985, c. 155, §5,
49 is repealed.

51 Sec. 8. 25 MRSA §2805-B is enacted to read:

§2805-B. Employment and training records

1 1. Annual report and records. Within 30 days of the close
3 of each calendar year, the highest elected official of each
5 political subdivision and the head of each state department and
7 agency employing law enforcement or corrections officers subject
9 to this chapter shall provide the board with a list of the names
11 and dates of employment of all law enforcement and correction
13 officers covered by this chapter. The official or department or
15 agency head shall maintain records regarding the basic and
17 in-service training of law enforcement and corrections officers
19 as provided in sections 2804-C to 2804-F.

21 2. New officers. Whenever a law enforcement officer or a
23 full-time corrections officer is newly appointed, the official or
25 department or agency head shall send notice of appointment within
27 30 days to the board on a form provided for that purpose. The
29 form shall be deemed an application for admission to the training
31 program or for other certification as required by this chapter.

1 by the Superior Court, the Attorney General may institute
injunction proceedings to enjoin that continued violation.

3

5 **Sec. 11. 25 MRSA §2808, sub-§1, ¶B,** as enacted by PL 1985, c.
506, Pt. A, §50, is amended to read:

7 B. "Training" means the initial preservice and basic
training provided to part-time or full-time law enforcement
9 officers by the Maine Criminal Justice Academy, as described
in former section 2805, subsection 1, and section 2805-A, or
11 sections 2804-B and 2804-C.

13 **Sec. 12. 25 MRSA §2808, sub-§2,** as enacted by PL 1985, c. 506,
Pt. A, §50, is amended to read:

15

17 **2. Reimbursement for training costs.** Whenever a law
enforcement officer, trained at the Maine Criminal Justice
Academy on or after September 1, 1983, but before September 1,
19 1989, while on the payroll of a particular governmental entity,
is subsequently hired by another governmental entity within 3
21 years of his the officer's graduation from the academy, the
governmental entity shall reimburse the first governmental entity
23 according to the following formula.

25 A. If the officer is hired by the other governmental entity
during the first year after his graduation, that
27 governmental entity shall reimburse the first governmental
entity the full cost of the training costs.

29

31 B. If the officer is hired by the other governmental entity
during the 2nd year after his graduation, that governmental
entity shall reimburse the first governmental entity 2/3 of
33 the training costs.

35 C. If the officer is hired by the other governmental entity
during the 3rd year after his graduation, that governmental
entity shall reimburse the first governmental entity 1/3 of
37 the training costs.

39

41 D. If the officer graduated more than 3 years before
subsequently being hired by the other governmental entity,
the governmental entity shall not be obligated to reimburse
43 the first governmental entity.

45 If the officer is subsequently hired by additional governmental
entities within 3 years of his graduation from the academy, each
47 of those governmental entities shall be liable to the
governmental employer immediately preceding it for the training
49 costs paid by that governmental entity under this subsection. The
extent of financial liability shall be determined according to
51 the formula established by this subsection.

1 Reimbursement shall not be required when the trained officer
2 hired by a governmental entity had his employment with a prior
3 governmental entity terminated at the discretion of the
4 governmental entity.

5

Sec. 13. 25 MRSA §2808, sub-§3 is enacted to read:

7

8 3. Reimbursement for training costs after September 1,
9 1989. Whenever a law enforcement officer, trained at the Maine
10 Criminal Justice Academy on or after September 1, 1989, while on
11 the payroll of a particular governmental entity, is subsequently
12 hired by another governmental entity within 5 years of graduation
13 from the academy, the governmental entity shall reimburse the
14 first governmental entity according to the following formula.

15

16 A. If the officer is hired by the other governmental entity
17 during the first year after graduation, that governmental
18 entity shall reimburse the first governmental entity the
19 full cost of the training costs.

21

20 B. If the officer is hired by the other governmental entity
21 during the 2nd year after graduation, that governmental
22 entity shall reimburse the first governmental entity 80% of
23 the training costs.

25

24 C. If the officer is hired by the other governmental entity
25 during the 3rd year after graduation, that governmental
26 entity shall reimburse the first governmental entity 60% of
27 the training costs.

29

28 D. If the officer is hired by the other governmental entity
29 during the 4th year after graduation, that governmental
30 entity shall reimburse the first governmental entity 40% of
31 the training costs.

35

32 E. If the officer is hired by the other governmental entity
33 during the 5th year after graduation, that governmental
34 entity shall reimburse the first governmental entity 20% of
35 the training costs.

41

36 F. If the officer graduated more than 5 years before
37 subsequently being hired by the other governmental entity,
38 that governmental entity shall not be obligated to reimburse
39 the first governmental entity.

45

40 If the officer is subsequently hired by additional governmental
41 entities within 5 years of graduation from the academy, each of
42 those governmental entities shall be liable to the governmental
43 employer immediately preceding it for the training costs paid by
44 that governmental entity under this subsection. The extent of
45 financial liability shall be determined according to the formula
46 established by this subsection.

51

1 Reimbursement shall not be required when the trained officer
3 hired by a governmental entity has had employment with a prior
5 governmental entity terminated at the discretion of the
governmental entity.

7 **Sec. 14. 25 MRSA §2809** is enacted to read:

9 **§2809. Report to Legislature**

11 Beginning January 1, 1991, the board shall report annually
13 to the joint standing committee of the Legislature having
15 jurisdiction over legal affairs on the implementation and
17 effectiveness of this chapter. The purpose of the report is to
19 provide the Legislature annual information on the law governing
law enforcement training in order to ensure that appropriate and
timely training is accomplished. The report must include the
following:

21 1. Availability of training. An evaluation of the
23 availability of preservice, basic and in-service training
25 throughout the State. The evaluation must cover whether any
municipalities operated without adequate law enforcement officers
with the power to make arrests because training was not available
in a timely manner;

27 2. In-service training requirements. An explanation of
29 in-service training requirements for law enforcement and
31 corrections officers, including any changes in the requirements
and a discussion of the adequacy of the requirements;

33 3. In-service training courses. An evaluation of available
35 board-approved in-service training courses for law enforcement
and corrections officers and the participation level in each;

37 4. Training for exempt law enforcement officers. An
39 explanation and evaluation of the training provided by the state
agencies for their law enforcement officers who are exempt from
the requirements of this chapter under section 2801-B; and

41 5. Other information. Any other information the
43 Legislature may request or the board determines is appropriate.

45 **Sec. 15. 34-A MRSA §5404, sub-§2,** as amended by PL 1987, c.
47 315, §2, is further amended to read:

49 2. Arrest. Arrest, after completing the entry level and
orientation training course prescribed by the director, in the
following circumstances:

1 A. Arrest and return probation and parole violators upon
2 request of the chief administrative officer of a
3 correctional facility;

5 B. Arrest and return to a correctional facility persons
6 released from the correctional facility under section 3035;
7 and

9 C. If the officer has probable cause to believe that a
10 person under the supervision of the Division of Probation
11 and Parole has violated a condition of his probation or
12 parole, he the officer may arrest that person.

13 **Sec. 16. Effective date.** Sections 2 to 11, 14 and 15 of this
14 Act shall take effect July 1, 1990.

17

19

STATEMENT OF FACT

21 This bill provides for the standardization of the core
22 curriculum for preservice training of all state, county and
23 municipal law enforcement officers under the guidance of the
24 Board of Trustees of the Maine Criminal Justice Academy. It also
25 provides for mandatory annual in-service training for law
26 enforcement and corrections officers on topics including new
27 laws, court decisions and changes in courtroom procedure.

29 Section 1 clarifies that the purpose of the Maine Criminal
30 Justice Academy is to provide training for all law enforcement
31 and corrections officers in the State, whether they are
32 municipal, county or state personnel.

33

34 Section 2 creates a definition section, revising slightly
35 the definitions of full-time employment for law enforcement and
36 corrections officers and the definition of law enforcement
37 officer. Specifically, the definition of full-time has been
38 changed to reflect the number of hours worked rather than
39 monetary payment. The definition of "law enforcement officer"
40 excludes federal law enforcement officers and attorneys who
41 prosecute for the State.

43

44 Section 2 also exempts 4 state agencies from the training
45 requirements of this chapter. Those agencies are the Division of
46 Probation and Parole, the Bureau of Parks and Recreation, the
47 Bureau of Forestry and the Bureau of Capitol Security. Although
48 some of the employees of these agencies have limited arrest
49 powers, they will not be required to meet the general training
50 requirements. They must, however, receive appropriate training
51 through their departments.

51

1 Sections 3 and 4 of the bill repeal and replace the powers
and duties of the trustees of the Criminal Justice Academy.
3 Section 4 clarifies and expands the authority of the board to
cover all law enforcement officers, not just municipal and
5 county. It also requires the board to set certification
standards based on the officer demonstrating the acquisition of
7 specific knowledge and skills which can be directly related to
job performance. The rest of the powers and duties are included
9 in current law. Specific revisions include: changing references
from "academy courses" to "board-approved courses"; consideration
11 of general state hiring standards and procedures in the
establishment of the academy's admission standards; and required
13 development of training for harbor masters who have arrest powers.

15 Section 5 of the bill requires preservice training
certification before any person is given the power to make
17 arrests or the authority to carry a firearm in the course of
duty. The bill leaves the specific requirements to the board of
19 trustees, but the requirements should be roughly equivalent to
the current 100-hour course for reserve officers. The board must
21 consider the use of apprenticeship with an experienced officer as
an alternative to completing all or part of the preservice
23 training. The board will be responsible for administering an
examination at the end of the apprenticeship period to ensure
25 that the apprentice officer has obtained the knowledge and skills
necessary for preservice certification. Preservice certification
27 is sufficient training for reserve and part-time officers, not
including in-service training requirements. Officers who are
29 employed by an agency which requires completion of full basic
training before assuming law enforcement duties shall be
31 certified as meeting the preservice requirements, without
completing the preservice course, once they complete the basic
33 training course and are certified as meeting the core curriculum
requirements. The board of trustees shall also evaluate the use
35 of agency sponsorship of nonemployees to attend preservice
training. This allows persons who are interested in pursuing
37 careers as law enforcement officers to obtain the preliminary
training at their own expense, therefore making themselves more
39 employable and giving municipalities an opportunity to defray
some expenses.

41 The bill requires law enforcement agency input in the
43 establishment of the standards. It states that the Legislature
encourages the use of telecommunications technology, such as
45 video taping and satellite broadcasting, to develop the courses
and delivery of courses for preservice training.

47 Section 5 contains a grandfather clause in that law
49 enforcement officers who are already working as of July 1, 1990
do not have to meet the preservice training requirements.

51

1 Section 5 also creates a section on basic law enforcement
2 training, although the only major change from current law is to
3 require compliance with core curriculum requirements of all
4 full-time law enforcement officers, not merely municipal and
5 county officers.

7 Section 5 also creates a separate section on basic
8 corrections training which consists of the current law.

9
11 Section 5 also creates separate sections for in-service law
12 enforcement training and in-service corrections training. The
13 section on in-service corrections training basically incorporates
14 current law. The section on in-service law enforcement training
15 requires the board of trustees to set minimum standards for
16 in-service training beginning July 1, 1990 for all law
17 enforcement officers. The law includes coordination with the
18 post-secondary and other institutions around the State to
19 actually deliver the in-service training programs, as opposed to
20 centralized classes at the academy. The in-service training
21 programs must include updating the officers on new laws, court
22 decisions and courtroom procedures. The use of
23 telecommunications technology is encouraged. Again, the agencies
24 affected by the training standards will be given the opportunity
25 to provide input into the development process. Section 5 is not
effective until July 1, 1990.

27 Sections 6 and 7 repeal the 2 sections of current law which
28 are covered by section 5. Sections 6 and 7 are not effective
29 until July 1, 1990.

31 Section 8 reenacts current language covering employment and
32 training records. It adds records pertaining to law enforcement
33 officers to the current requirements for corrections officers.
34 Because the sections it is reenacting are not repealed until July
35 1, 1990, section 8 is not effective until July 1, 1990.

37 Sections 9, 10 and 11 correct references involving the
38 repealed and new sections.

39
41 Section 12 limits the current 3-year reimbursement period
42 for other agencies to those law enforcement officers trained by
43 September 1, 1989. Any officer trained after that date will fall
44 under the 5-year reimbursement period established by section 13
45 of the bill. The requirements are the same as under current law,
46 except that the period is extended to 5 years. An agency hiring
47 a law enforcement officer away from the agency which trained the
48 officer must reimburse that agency a declining percentage of the
49 training costs. After the 5th year of training, no reimbursement
is required.

51 Section 14 of the bill requires an annual report by the
Board of Trustees of the Maine Criminal Justice Academy to the

1 Joint Standing Committee on Legal Affairs. The report must
include information on training standards, courses, availability
3 of training and any other information the Legislature requests.

5 Section 15 of the bill codifies the current preservice
training practices of the Division of Probation and Parole.
7

9 Sections 2 to 11, 14 and 15 become effective July 1, 1990.
The delay will allow the Board of Trustees of the Maine Criminal
Justice Academy to prepare for implementation of the bill.