

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1092

S.P. 353

In Senate, March 22, 2021

An Act To Expand the Board of Trustees of the Maine Criminal Justice Academy To Include 6 Members of the Public Who Are Not Employed as Any Type of Law Enforcement Personnel and To Require a Public Review of the Training Syllabus

Received by the Secretary of the Senate on March 18, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative EVANGELOS of Friendship and
Representatives: CAIAZZO of Scarborough, CUDDY of Winterport, DOUDERA of Camden,
McDONALD of Stonington, PLUECKER of Warren, SYLVESTER of Portland, WARREN of
Hallowell, WHITE of Waterville.

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

2 **Sec. 1. 25 MRSA §2802, first ¶**, as amended by PL 2019, c. 103, §1, is further
3 amended to read:

4 There is created a board of trustees for the academy consisting of ~~18~~ 21 members as
5 follows: the Commissioner of Public Safety, ex officio, the Attorney General, ex officio,
6 the Game Warden Colonel in the Department of Inland Fisheries and Wildlife, ex officio,
7 the Commissioner of Corrections, ex officio, the Chief of the State Police, ex officio, ~~and~~
8 the following to be appointed by the Governor: a county sheriff, a chief of a municipal
9 police department, 2 officers of municipal police departments who are not police chiefs, an
10 educator who is not and has never been a sworn member of a law enforcement agency, a
11 criminal prosecutor from one of the offices of the District Attorney, a representative of a
12 federal law enforcement agency, ~~3~~ 2 citizens each of whom is not and has never been a
13 sworn member of a law enforcement agency to be confirmed by the Senate, a municipal
14 official who is not and has never been a sworn member of a law enforcement agency, one
15 nonsupervisory corrections officer representing a state or county correctional facility and
16 one person knowledgeable about public safety who has been recommended to the Governor
17 by the Wabanaki tribal governments of the Aroostook Band of Micmacs, the Houlton Band
18 of Maliseet Indians, the Passamaquoddy Tribe at Motahkmikuk, the Passamaquoddy Tribe
19 at Sipayik and the Penobscot Nation, the following to be appointed by the President of the
20 Senate: 2 citizens each of whom is not and has never been a sworn member of a law
21 enforcement agency to be confirmed by the Senate, and the following to be appointed by
22 the Speaker of the House of Representatives: 2 citizens each of whom is not and has never
23 been a sworn member of a law enforcement agency to be confirmed by the Senate. The
24 member appointed by the Governor based on the recommendation of the Wabanaki tribal
25 governments must be recommended by the tribal governments by a process determined by
26 those governments that provides for the board membership to rotate among the tribal
27 governments.

28 **Sec. 2. 25 MRSA §2804-C, sub-§6** is enacted to read:

29 **6. Public comment; review by board.** Prior to any change or adoption of an element
30 of the basic law enforcement training program, a syllabus of the entire basic law
31 enforcement training program must be made available for public comment and each
32 member of the board must acknowledge receipt of and consider any public comment made
33 concerning that change or adoption.

34 **Sec. 3. Transition.** Within 3 months of the effective date of this Act, the appointing
35 authorities of the Board of Trustees of the Maine Criminal Justice Academy shall make and
36 transmit to the Senate the appointments to fill the vacancies on the board with respect to
37 the memberships reserved for citizens who are not and have never been sworn members of
38 a law enforcement agency under the Maine Revised Statutes, Title 25, section 2802. A
39 member of the board who is a member by virtue of being a citizen who is not and has never
40 been a sworn member of a law enforcement agency who is serving upon the effective date
41 of this Act continues to serve until being replaced by the appointing authority under this
42 section.

43 **Sec. 4. Review of Maine Criminal Justice Academy basic law enforcement**
44 **training program.** Within 12 months of the effective date of this Act, the Board of

1 Trustees of the Maine Criminal Justice Academy, with the presence of the 6 members who
2 are citizens who are not and have never been a sworn member of a law enforcement agency
3 under the Maine Revised Statutes, Title 25, section 2802, shall conduct a comprehensive
4 review of the syllabus of the Maine Criminal Justice Academy basic law enforcement
5 training program after public comment pursuant to the procedures required under Title 25,
6 section 2804-C, subsection 6.

7

SUMMARY

8 This bill adds 3 members to the Board of Trustees of the Maine Criminal Justice
9 Academy for a total of 6 members who are not and have never been sworn members of a
10 law enforcement agency, 2 of whom are appointed by the Governor, 2 of whom are
11 appointed by the President of the Senate and 2 of whom are appointed by the Speaker of
12 the House of Representatives and all of whom are subject to confirmation by the Senate.
13 This bill also requires that any change or adoption of an element of the Maine Criminal
14 Justice Academy basic law enforcement training program be considered only after public
15 comment, with the members of the board of trustees required to acknowledge receipt of the
16 comments, and that a complete review of the basic law enforcement training program by
17 this process be accomplished within 12 months of the enactment of this bill with the 3 new
18 members present on the board.