

7 April 2025

Testimony for LD 1295

I am Brian Schuth, the City Manager in Eastport. I would like to speak in favor of LD1295, with a focus on Section 2.

Section 2, line 24 requires a study that will “focus on reducing unnecessary or burdensome requirements that would prevent a law enforcement officer who has completed an equivalent training course from qualifying for the waiver.” I believe such a study is a necessary first step in addressing the scarcity of officers in our corner of the state by expanding the pool of candidates. However, I believe this study’s scope must extend to the definition of “equivalent training course” to ensure that definition is driven by practical needs for policing in the state of Maine. Such a definition should be based on reasonable measures that ensure competent policing, rather than enforcing an arbitrary or academic definition of equivalence. The study must take into account what is known about the most significant jurisdictions that might provide officers to the state. The aim must be to clear obstacles placed in the way of their officers becoming Maine officers, and to provide reasonable pathways to waivers for those whose backgrounds may be incomplete.

This is of particular interest to Eastport: we have had eleven police chiefs in thirteen years. When I was hired as Manager last year, my first job was to find the twelfth, and we found an ideal candidate. Even better, I did not have to poach him from another Washington County department. This was because he was coming to us as a retired agent of the Border Patrol.

I spoke to many experienced people about the waiver process: the Washington County Deputy Sheriff, the current City Manager (who is also the past Police Chief) of Augusta, and the then vice-chair, now chair, of the Board of Trustees of the Maine Criminal Justice Academy. Every one of them reassured me that I should not be concerned by the waiver process. We hired our Chief.

In October, I was informed by the MCJA that our chief would likely not be approved for a waiver, as the MCJA did not consider Federal basic academy “equivalent” to the Maine academy – and never had. I was not told *why* they did not consider it equivalent. The MCJA’s only remedy was to send our retired Border Patrol chief, with 25 years of experience, to their 18-week “boot camp” academy. In order not to lose this Chief, we have opted to obtain a “green pin” waiver, which limits the chief to 50% time performing law enforcement duties. In a community whose police department consists of only three full time officers, including the Chief, this is not an insignificant restriction.

At no point when I spoke to other experienced law enforcement officers did anyone ever raise a concern that a Border Patrol officer might not be qualified to serve as a Maine officer. In fact, in Washington and Aroostook Counties the Border Patrol regularly provides backup support to local law enforcement. I offer this story as an example of a municipality that has attempted to provide a solution to an immediate crisis in police staffing, and which has been compromised by obstacles in the waiver process. LD1295 cannot assist us in our current situation; but we hope that it will encourage a creative approach bringing more officers to us.