



Maine Municipal Association

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Testimony of The Maine Municipal Association

In Support Of

LD 673 - An Act to Direct the Maine Criminal Justice Academy to Develop a Nonresidential Law Enforcement Training Program

March 13, 2023

Sen. Beebe-Center, Rep. Salisbury and distinguished members of the Criminal Justice and Public Safety Committee, my name is Rebecca Graham, and I providing testimony, in strong support of LD 673, *An Act to Direct the Maine Criminal Justice Academy to Develop a Nonresidential Law Enforcement Program*, on behalf of the Maine Municipal Association, which represents the interests of municipal government before the Legislature. This bill is part of our Legislative Policy Committee's priority platform as established by our 70-member LPC, who are elected by the councils and selectboards of municipalities in each of Maine's 35 Senate districts.

As an opening, we are asking for a change to the written language in proposed legislation. The revisor's office used the word "or" where it should be "and" as the intent is not to replace one program with another but expand the programs available to maximize recruitment options.

The development of a non-residential academy is not a new request from municipal agencies, but it is one that has been challenging for municipalities to advance in part, because of the lack of political will to appropriately fund and staff the academy, while at the same time demanding more and more mandated training. This consistent approach stymies efforts to strengthen diversity in our workforce and attract mature candidates through developing alternative approaches to certification. There are currently well over 300 vacancies state-wide and a "silver tsunami" looming.

The current training delivery model is hides the true cost for its provision because it relies on "volunteer" instruction while starving the organizational structure from resources to be innovative and responsive in delivery. Starving the organizational structure of necessary curriculum development and coordination resources because it is at the mercy of the state budget masters results in an imbalance in response to the needs of shared stakeholders and devalues that volunteer input. That is why municipal officials adopted this effort as part of MMA's platform because those discussions haven't advance with stakeholders outside this body in part because of decisions made in this body.

The Maine Criminal Justice Academy has been chronically underfunded and staffed for decades, and municipalities subsidize a significant portion of instructional delivery via payroll, which alone

provided an estimated \$453,088 or nearly a half a million dollars in 2021 to the task. This is a very conservative estimate that assumes a base level salary of \$26.54 per hour multiplied by the numbers of hours donated by municipally funded or municipal tax assessed law enforcement officers, (Municipal and County agencies) and does not include the cost of replacing the individual on a shift, overtime pay, cost of travel, or cost for sending officers to receive it. In reality, that payroll subsidy is likely closer to over \$1 million.

Waiting lists are not the reason for this bill. While the pandemic backlog of training spaces created an acute problem, particularly for agencies with the gold standard of police agency accreditation established by the Commission on Accreditation for Law Enforcement Agencies (CALEA), waiting lists and twice a year Basic Law Enforcement Training Programs (BLETP) are not the reason for this bill. It would, however, eliminate the possibility of experiencing this in the future as we face a wave of anticipated retirements and planned vacancies.

Lowering training standards is not the goal of this bill. Officials have heard that non-residential academies are somehow deficient though 50% of the U.S. has moved to the longer collegiate model in collaboration with the state and regional education partners. Additionally, MCJA accepts the law enforcement credentials from those very states and calls them comparable. Residential or non-residential is not the basis for adequacy. This argument falls flat when used to qualify education as adequate or inadequate. It is the curriculum and quality of instruction that is most crucial as evidenced by the existing waiver process. Officials are asking the board to lead that curriculum development so it's adequacy should not be an issue.

New Hampshire, our neighbor to the south, provides non-residential programming in both a full time and part-time model. Included in my testimony is a breakdown of states and how this is approached elsewhere.

Eliminating the residential academy is not the intent of this bill. Communities seek to attract applicants from their communities with life experience and a passion for service. Unfortunately, the singular model of basic training delivery is a barrier to those individuals who have parental and family caring obligations. These individuals are far more likely to invest in service to their own communities, develop deep community relationships, and remain with an agency for a long period of time. They also have developed life experience making their decision-making skill sets better informed. The residential only model makes it hard for more mature applicants to shift to a policing career later in life, right when they make some of the best candidates when they must spend 18 weeks away from their families. The residential model is important for individuals from agencies 2-4 hours away from Vassalboro and remains important particularly for rural Maine, and young candidates.

Municipal officials have advanced this effort to address the crisis of recruitment and to emphasize how important it is for this body to fully fund additional training mandates as they are advanced and support the expansion of permanent staffing at Maine Criminal Justice Academy when requested. Mandated training is a burden on both state and local governments, and this is a shared resource. There is an abundance of certified instructors in the state who are able to deliver in both models and that will require coordination staff. However, their availability to continue in that role is rapidly evaporating without addressing the model's barriers to recruitment and the lack of return to communities for that instruction.

When the members of the legislature view academy appropriation only through the lens of increases in position counts, they are not saving taxpayer dollars. Such decisions further burden municipalities who provide the bulk of the "donated" officer time and make it harder for restricting the

ability to develop deeper training. Starving necessary and shared multi-agency resources leads to worse and more expensive policy. That donation is a far greater cost to the property taxpayer than providing the permanent staffing necessary to grow and adapt curriculum.

Currently, officials are aware there is an ongoing review of the training currently offered at the academy and its alignment to the role of police officer. That report is not expected to be completed until 2024 and is unlikely to be returned with a judgement that the current 18-week BLETP is adequate. Additionally, there are multiple bills set to come before this committee requiring additional mandated training. There is a foreseeable crisis mounting with a simple solution that is entirely avoidable if the legislature would add additional language to the statute governing the academy to enable both the existing residential program and a non-residential program to be developed lead by the board with regard to curriculum requirements.

Municipal officials as that you change the statute to provide both a non-residential and a residential academy with standards and curriculum designed by the academy's governing body and the permanent staffing necessary to do so.