



2014

West Virginia Law Enforcement Training



Annual Report

§30-29-3, sub-part (j) of the West Virginia Code stipulates:

...Upon recommendation of the subcommittee, the governor's committee shall...submit, on or before the thirtieth day of September of each year, to the governor, and upon request to individual members of the Legislature, a report on its activities during the previous year and an accounting of funds paid into and disbursed from the special revenue account establish[ed] pursuant to section four of this article.

In furtherance of this directive, the West Virginia Division of Justice and Community Services (DJCS) is submitting the following information concerning the **3,600** plus individuals who are working as sworn law enforcement officers within the State of West Virginia as certified by the Law Enforcement Professional Standards (LEPS) Subcommittee of the Governor's Committee on Crime, Delinquency and Correction (GCCDC).

During the 2014 Training Year reporting period of July 1, 2013 through June 30, 2014 the LEPS Subcommittee met eleven (11) times as per its regular annual schedule for monthly meetings, with no meeting held during the month of November. Two (2) additional meetings were held, one during April 2014 to conduct a legislative rules review retreat immediately prior to regularly scheduled April meeting and one by phone conference during June 2014 to discuss proposed legislative rule changes prior to the public comment period for such proposed changes. Each meeting was conducted as prescribed by the West Virginia Secretary of State Office guidelines concerning public meetings.

Retired Chief Steve Stephens, initially representing the West Virginia Chiefs of Police Association and now serving as the Public-at-Large member on the LEPS Subcommittee, served as the Chair for the LEPS Subcommittee during this training year period. The eleven positions, as set by statute, on the LEPS Subcommittee were fully filled during the course of the training year through the action of Department of Military Affairs (DMAPS) Secretary Joe Thornton.

A summary of the actions of the LEPS Subcommittee during this reporting period is provided on the following pages. Questions concerning the LEPS Program should be directed to Retired Captain Chuck Sadler, LEPS Program Manager, at (304) 558-8814, ext 53315 or Charles.A.Sadler@wv.gov. Questions concerning the LEPS Subcommittee may be directed to Retired Captain Sadler as well or to Retired Chief Stephens, LEPS Subcommittee Chair, (304) 834-0101 or sstephens@woodcountywv.com General information, to include copies of minutes of LEPS

Subcommittee meetings, related to the LEPS Program may be found on the website of the West Virginia Division of Justice and Community Services at www.djcs.wv.gov on the Law Enforcement Professional Standards page of that website at <http://www.djcs.wv.gov/law-enforcement-professional-standards/Pages/default.aspx>

Summary of training activities – 2014 Training Year

1.	Number of law enforcement officers awarded law enforcement certification by the LEPS Subcommittee:	194
	A. City, County, State University and Natural Resource Police	
	1. Completed full Basic Program 154 th , 155 th , 156 th & 157 th Basic Classes	169
	2. Completed Equivalent Certification Program held September 2013	6
	B. State Police - 63 rd Cadet Class	19
	NOTE: Twenty-seven (27) officers completed the 64 th Accelerated Cadet Class, but these officers were previously certified West Virginia law enforcement officers.	
2.	Number of officers who completed training requirements for recertification as West Virginia law enforcement officers held during September 2013 following a break in serving as an officer in this state of more than twenty-four (24) months.	7
3.	Number of law enforcement certifications suspended, pending completion of required training, by the LEPS Subcommittee	8
4.	Number of stop work orders issued to officers seeking certification as a West Virginia law enforcement officer who had not met or complied with requirements to gain such certification.	10
5.	Number of law enforcement certifications reviewed by the LEPS Subcommittee:	14
	A. Certification revoked	11
	B. Certification surrender accepted	2
	C. No action taken	1
6.	Number of requests for training/certification as a private citizen reviewed by the LEPS Subcommittee:	1
	A. Approved	1
	B. Denied	0

7. .Number of equivalent certification reviews, certified officers from other states/federal entities, seeking to gain certification as a West Virginia law enforcement officer through the three (3) week training process: **9**
- A. Total reviewed **9**
 - B. Total approved **6**
 - C. Total denied **3**
8. Number of appeal requests for equivalent certification as a law enforcement officer considered by the LEPS Subcommittee **2**
- A. Requests approved **2**
 - B. Requests denied **0**
9. Number of appeals from individuals aggrieved by a decision of the LEPS Subcommittee: **2**
- A. Appeal upheld at GCCDC level **1**
 - B. Pending review/decision **1**
10. Number of applicants for admission to a basic entry level training program reviewed by the LEPS Subcommittee due to prior arrest. **4**
- A. Reviewed and approved **2**
 - B. Reviewed and denied **1**
 - C. Review tabled, not employed **1**
11. Number of medical related reviews of officer's ability to enter and complete the training to gain certification as an officer **2**
- A. Stop work order issued until **1**
training started
 - B. Review tabled, medical
release provided to attend **1**
12. Number of requests for accommodations relating to the physical ability test (PAT) made to the LEPS Subcommittee. **0**
13. Number of requests for accommodations concerning the medical entry standards made to the LEPS Subcommittee. **0**
14. Number of requests for accommodations concerning the physical fitness training or other training standards during academy training made to the LEPS Subcommittee. **0**
15. Number of requests for waiver of tuition fees for the entry level training program. Requested review as a private citizen prior approval, request denied. **1**

16. Number of reviews of officers who had been separated for more than sixty (60) months as a law enforcement officer in West Virginia to determine required training to complete to bring certification current.		4
A. Required to complete three (3) week re-certification training .	3	
B. Required to complete full entry level training	1	
17 Number of officer certification reactivation reviews completed as a result of officer employed at another agency		
A. Standard review and approved	174	
B. Review required due to how separated	13	187
All officers with the exception of one (1) under these reviews allowed to have certification as West Virginia law enforcement officers reactivated		
18 Number of current and active law enforcement instructors in the State		336
19 Number of individuals who were either granted law enforcement instructor certification or approved in additional areas of expertise by the LEPS Subcommittee.		66
A. Approved as new instructors	32	
B. Approved with additional areas	34	
20 Number of reviews of instructor certifications		
A. Revoked, due to officer de-certification	1	1
B. Suspended	0	
C. No action taken	0	

In-Service Training Summary:

21 Number of Supervisory In-Service Training Programs approved by the LEPS Subcommittee:		80
22 Number of Annual In-Service Training Programs approved by the LEPS Subcommittee:		414
23 Number of Personal Training Programs approved by the LEPS Subcommittee.		98
A. Annual level in-service	70	
B. Supervisory level in-service	28	

24 Review of instructor level (Train the Trainer) classes.

4

- a. Approved 4
- b. Denied 0

Additionally:

25 Five (5) grant awards were recommended for approval to the Governor's Office and were subsequently awarded totaling **\$649,086** from the LEPS Fund. The following awards were recommended in support of the law enforcement training effort.

- A. **\$133,198** for the operation of the 157th Basic Class.
- B. **\$111,756** for the operation of the 158th Basis Class.
- C. **\$112,456** for the operation of the 159th Basic Class
- D. **\$77,095** for the bulk purchase of ammunition to use during entry level training classes to maximize availability of ammunition while minimizing the cost.
- E. **\$214,581** for the salaries of five (5) civilian support staff personnel at the West Virginia State Police Academy.

26 Worked with the staff of the Division of Justice and Community Services (DJCS) to receive funding from Purdue Pharma asset forfeiture funds for the below listed, thereby minimizing the amount awarded during the period from the LEPS Fund:

- A. **\$114,500** for the operation of the 156th Basic Class.

27 Approved a request for a modification of an award from the 2013 Training Year for **\$8,000** in funds unexpended from that award to be used for facility upgrade at the West Virginia State Police Academy.

28 Identified twenty-one (21) officers not in compliance as to required in-service completion for the 2013 Training Year, 1 Jul 12 to 30 Jun 13. These officers were brought before the Subcommittee members during the Subcommittee's July 2014 meeting. Requirements were set for them to complete to bring their certification current as to training requirements. As to these twenty-one (1) officers:

- A. Four (4) were determined to have completed training since the close of the training year which was allowed to address their training requirement.
- B. Nine (9) were given until 1 Sep 13 to complete the required training, which they did.
- C. Eight (8) were issued stop work orders effective that meeting until the requirements were met,

29 Continued to address funding levels within the LEPS Fund by seeking to identify new funding sources. The fund levels continue to require that only requests for funding relating to the entry level training programs receive priority for approval. The Purdue Pharma asset forfeiture funds allotted to the LEPS Fund during this and prior periods have allowed the fund to recover to a point where such requests can be met while also allowing the fund to rebuild itself to levels that will allow for the cost of entry level training programs to be, but no other training related costs can be covered. As a result of a request to the respective finance committee chairs and the

leadership of the Legislature prior to the 2014 legislative session, an interim study resolution was passed for the fund level to be studied prior to the 2015 session.

- 30 Subcommittee members, representing the Subcommittee and their associations and organizations, worked with members of the West Virginia Legislature during their 2014 Session concerning revisions to CSR 149-2 et al. that had been developed by them during a legislative rule retreat in the spring of 2013. The approved changes took effect March 22, 2014.
- 31 Completed a rules review during the spring of 2014 of Legislative Rules Series 149, Titles 1 & 2 by identifying proposed changes to rules to best continue the training and certification of officers and to address and clarify the appeal process for actions and decisions of the respective Governor's Committee Subcommittees. Proposed changes put out for public comment. Applicable steps to be completed to have these proposed changes addressed during the 2015 Session of the West Virginia Legislature.
- 32 Worked with the staff of the National and West Virginia Innocence Project to publicize the need to provide information on the prior existence or development of an Eyewitness ID policy in line with the requirements of Senate Bill 200 passed during the 2013 session of the legislature.
- 33 With the assistance of Supervisory Assistant Attorney General M. Wright, assigned to represent DJCS overall and LEPS Subcommittee specifically, developed a procedural guide for officer appearances before the LEPS Subcommittee on matters involving potential officer certification matters.
- 34 Conducted a physical mailing during October 2013 to each of the state's approximate 3,600 law enforcement officers to provide updated information on in-service and qualification requirements, the Amber Alert system, the Domestic Violence Registry and on a law enforcement related family support program.
- 35 Held one of the regularly scheduled monthly Subcommittee meetings at the Morris Criminal Justice Training Center in Glenville to allow the staff of that facility and the West Virginia Regional Jail and Correctional Authority Academy to discuss their training programs and potential continued development of interaction between that law enforcement training programs and their facility.
- 36 Worked with associations, organizations, training entities and individuals to ensure that West Virginia law enforcement officers received instruction and training in subject areas to allow them to continue to perform the job skills/tasks of a law enforcement officer in this state.
- 37 Worked with the staff of the West Virginia State Police Academy concerning program and schedule changes for the entry level training program relating to the Basic Class Program.
- 38 Continued the implementation of the Law Enforcement Professional Standards Information System (LEPSIS) through awareness and education programs to officers and administrators within the state. Full tracking of firearms compliance checks by LEPSIS in place during the 2014 Training Year period.
- 39 Worked with Envisage Technologies, firm that has the software contract for the LEPSIS program, to have work completed to enhance the operation of the software in the area of officer in-service and qualification reports from training administrators through the software's

portal access and on the development of a streamlined class entry and listing system by LEPS Unit staff. These enhanced features projected to be in operation by late fall 2014.

- 40 Worked with the staff of the West Virginia State Police Academy in the transition of the instructors who would be involved in their presentation of the Basic Instructor Development Program forty (40) hour training class, on reviewing if changes needed to be made in the curriculum of that program and on reviewing other such instructor training classes that were seeking approval for presentation.

Report Attachments:

- 41 **Attachment 1:** Law Enforcement Training Financial Summary
- 42 **Attachment 2:** Law Enforcement Training Subcommittee Membership

Attachment 1
Law Enforcement Training Fund
Financial Summary

**LAW ENFORCEMENT PROFESSIONAL STANDARDS (LEPS) FUND
BALANCE REPORT
FY2014**

**Special Revenue
FY 2014 LEPS Account #6801**

30 Jun 14 Report

Cash Balance Beginning Fiscal Year 2014, 1 Jul 13 \$1,035,886.47

ADD:

Fees collected	\$269,124.77	
Tuition deposits	\$278,205.00	
Grant receipts (CDDP)	<u>\$ 41,875.00</u>	
Gross receipts FY2014		<u>\$ 589,204.77</u>

Total funds available FY2014 \$1,625,091.24

Less: Unexpended grant awards for FY-2014 - \$793,336.78

12-LET-102	\$	52,151.38
12-LET-103	\$	18,379.95
12-LET-104	\$	53,970.00
13-LET-101	\$	63,119.77
13-LET-102	\$	201,157.00
LEPSIS	\$	<u>150,000.00</u>
Total	\$	<u>793,336.78</u>

Disbursements for LEPS awards - \$389,439.86

Cash Balance Ending Fiscal Year 2014, 30 Jun 14 **\$ 442,314.60**

Attachment 2

Law Enforcement Professional Standards (LEPS) Subcommittee

Membership Roster

Governor's Committee on Crime, Delinquency and Correction
Law Enforcement Professional Standards Subcommittee

Retired Lieutenant Terry L. Miller
President
West Virginia Deputy Sheriffs
Association
Post Office Box 2746
Charleston, WV 25330

Retired Lieutenant Steve Walker
President
West Virginia Fraternal Order of Police
5395 Partridge Drive
Charleston, WV 25313

Colonel Jerry Jenkins
Chief, Law Enforcement Division
Division of Natural Resources
324 4th Avenue
South Charleston, WV 25309

Chief Ray Fridley
President
West Virginia Chiefs of Police
Association
102 South Street
Ripley, WV 25271

Retired Chief Steve Stephens
Chair, LEPS Subcommittee
Public-at-Large Member
202 39th Street
Vienna, WV 26105

Ms. Patricia L. Hamilton
Executive Director
West Virginia Association of Counties
2211 Washington Street, East
Charleston, WV 25301

Colonel C. R. "Jay" Smithers
Superintendent
West Virginia State Police
725 Jefferson Road
South Charleston, WV 25309

Ms MaryKaye Jacquet
Executive Director
West Virginia Human Rights
Commission
1321 Plaza East
Room 104-206
Charleston, WV 25301-1400

Mayor Robert Newell
West Virginia Municipal League
City of Parkersburg
P.O. Box 1627
Parkersburg, WV 26102

Sheriff Tom McComas
President
West Virginia Sheriffs Association
Cabell County Sheriff's Office
750 5th Ave, Room 101
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Secretary J. Thornton, Chairman
Governor's Committee on Crime
Delinquency and Correction
Department of Military Affairs and
Public Safety (DMAPS)
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President
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