2013

West Virginia Law Enforcement Training

Annual Report

§30-29-3, sub-part (j) of the West Virginia State 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 2013 Training Year reporting period of July 10, 2012 through June 30, 2013 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. Each meeting was conducted as prescribed by the West Virginia Secretary of State Office guidelines concerning public meetings.

Lieutenant Curt Tilley, West Virginia State Police, Director of the West Virginia State Police's Professional Development Center (PDC), served as the Chair for the LEPS Subcommittee through May of 2013 when he retired. Retired Chief Steve Stephens, representing the West Virginia Chiefs of Police Association on the LEPS Subcommittee, was selected by the members to serve as the Chair at that point. Of the eleven positions on the LEPS Subcommittee there are no vacancies.

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 Coordinator, 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 stephens144@suddenlink.net General information, to include copies of minutes of LEPS Subcommittee meetings, related to the LEPS Program may be found at the website of the West Virginia Division of Justice and Community Services at www.djcs.wv.gov on the Law Enforcement Program page of that website.

1. Number of officers awarded certification as West Virginia law enforcement officers: 191

   A. Three (3) week equivalent certification program 14
   B. Sixteen (16) week basic entry level training program 177
   C. Twenty-four (24) week cadet entry level training program 0

2. Number of officers who completed training requirements for recertification as a West Virginia law enforcement officer: 12

   A. Three (3) week recertification program 12
   B. Completed full Academy again due to period not employed 0

   Note: Two (2) former officers were directed to participate in full Academy. Neither participated as directed

3. Number of law enforcement certifications reviewed and action taken: 1

   A. Revocation 1
   B. Relinquished/surrendered 0
   C. Suspended 0
   D. No action taken 0

4. Number of certification reactivation reviews required due to change in employment. 173

   A. Temporary to full reactivation approved,limited review required 164
   B. Full review required, due to reason left prior employer 9

      (1) Certification reactivation approved 6
      (2) Certification reactivation denied 3

5. Review of appeal of a denial for an out of state officer to participate in the equivalent certification program to gain certification as a West Virginia law enforcement officer. 4

   A. Approved to participate in program 2
   B. Denial upheld 2

6. Review necessary, based on time since employed without Academy attendance, of an individual's ability to complete the required entry level training. 2

   A. Ordered to stop working 2
   B. Allowed to continue working 0

7. Review of officer's failure to complete required in-service requirements 4

   A. Officer determined to have completed 1
   B. Officer certification suspended 3
      (1) Officer subsequently completed original and additional training set 1
      (2) Certification remains suspended 2

8. Stop work orders issued for failure to submit required paperwork to complete entry level training requirement. 7

   A. Review of order requested, decision to remove order 4
   B. Order remains in place concerning individual 3

9. Criminal convictions reviewed to determine if an individual may participate in the entry level training program required to gain officer certification. 2

   A, Approved to participate in the program 2
   B Denied, ordered to stop working 0

10. Request to attend the entry level training program as a private citizen, individual had previously been an officer and resigned from the entry level training program for personal related reasons. 3

   A. Okayed to attend as a private citizen 1
   B. Okayed to be employed again as an officer 1
   C. Request denied 1

11. Training classes reviewed and approved to meet in-service requirements. 632

   A. Annual level in-service classes 432
   B. Supervisory level in-service 94
   C. Personal level, annual and/or supervisory in-service 106

12. Instructor applications approved for certification 75

   A. New instructor certifications 37
   B. Certified instructors approved in other areas 38

Additional items addressed by the Subcommittee:

13. Six (6) grant awards were recommended for approval to the Governor's Committee on Crime, Delinquency and Correction. The following awards were recommended in support of the law enforcement training effort.

    A. **$125,124** for the operation of the 151st Basic Academy Class.
    B. **$127,423** for the operation of the 152th Basic Academy Class.
    C. **$146,253** for the operation of the 153rd Basic Academy Class.
    D. **$129,058** for the operation of the 154th Basic Academy Class.
    E. **$128,526** for the operation of the 155th Basic Academy Class
    F. **$201,157** for salaries for civilian support staff at the Academy for 2014 Training Year.

14. Scheduled and held one make-up training program for eighty (80) officers who did not complete their 2012 Training Year in-service requirements.

15. Worked to educate officers and administrators that there would be no more make-up training provided. Advising individuals of the importance of completing required in-service hours during the applicable training cycle or face action/s against their certification as an officer in West Virginia.

16. Subcommittee members, representing the Subcommittee and their respective associations and organizations, worked with members of the West Virginia Legislature during the 2013 session concerning items pertaining to officer certification and training within the state and as to legislative rule changes concerning CSR 149-2 that had been proposed for consideration.

17. Completed a rules review of Legislative Rules Series 149, Title 2 by identifying proposed changes to rules to best support the training and certification of officers. Subcommittee members addressed need to develop guidelines for instructors to become master level instructors, to be able to be a Train the Trainer level instructor, and made recommendations for revising 149-2-17 addressing the certification reactivation review process. Recognized by members that the medical standards section of the rule will need to be reviewed, but that a medical expert would need to be involved in that. To address those changes, as needed, in later legislative session. Proposed changes put out for public comment. Applicable steps to be completed to have these proposed changes addressed during the 2014 session of the West Virginia Legislature.

18. 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.

19. Through its staff the Subcommittee oversaw the transition of the Officer Training Information System (OTIS) to the Law Enforcement Professional Standards Information System (LEPSIS). LEPSIS is a new electronic data management and tracking system operated by Envisage Technologies in Indiana. System will enhance the ability of the Subcommittee and its staff to track the officer certification, training and qualification standards set forth in the Code and legislative rules.

20. Worked with the West Virginia Governor's Highway Safety Office staff as to the required design and implementation of a speed enforcement training program for any certified officer who will be using speed enforcement devices as of January 1, 2013. Approved the program to be presented to currently certified officers that is now also part of the entry level training program.

21. To work with the West Virginia State Fire Marshall's Office staff in the development of a training program for the issuance of citations for violations of Code relating to applicable statutes by representatives of that office.

22. To work with the members of the West Virginia Legislature and applicable associations as to a study mandated during the 2013 session as to training required for individuals who are members of Sheriff's Reserve programs in this state. Subcommittee had last so assisted in the development and approval of training guidelines in 2003 when the reserve program was approved by statue.

Report Attachments:

23. **Attachment 1:** Law Enforcement Training Financial Summary
24. **Attachment 2:** Law Enforcement Training Subcommittee Membership

Attachment 1

Law Enforcement Training Fund

Financial Summary

LAW ENFORCEMENT PROFESSIONAL STANDARDS (LEPS) FUND
BALANCE REPORT
FY2013

Special Revenue **30 Jun 13 Report**
FY 2012 LEPS Account #6801

Cash Balance Beginning Fiscal Year 2013, 1 Jul 12		$1,084,058.17
ADD:		
Fees collected	$220,593.70	
Tuition deposits	$272,419.53	
Grant receipts (CDDP)	$ 24,500.00	
Gross receipts FY2013		$ 517,513.23
Total funds available FY2013		$1,601,571.40
Less:		
Disbursements for LEPS awards	$565,684.93	
Unexpended open awards	$538,778.10	
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 $150,000.00		
Total $538,778.10		
Total disbursements/unexpended funds		$1,104,463.03
Cash Balance Ending Fiscal Year 2013, 30 Jun 13		**$ 497,108.37**

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

Colonel David E. Murphy
Chief, Law Enforcement Division
Department of Natural Resources
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Mayor Arthur J. Auxer
Public-at-Large Member
City of Shepherdstown
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Shepherdstown, WV 25443

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

Ms. Suzan Singleton
West Virginia Municipal League
1526 9th Street
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Secretary J. Thornton, Chairman
Governor's Committee on Crime, Delinquency and Correction
Division of Military Affairs and Public Safety (DMAPS)
Building One, State Capital Complex
Charleston, WV 25317

Retired Lieutenant Steve Walker
President
West Virginia Fraternal Order of Police
5395 Partridge Drive
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Retired Chief Steve Stephens
Chair, LEPS Subcommittee
Executive Board
West Virginia Chiefs of Police Association
202 39th Street
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Ms. Patricia L. Hamilton
Executive Director
West Virginia Association of Counties
2211 Washington Street, East
Charleston, WV 25301

Judge Phyllis Carter
Executive Director
West Virginia Human Rights Commission
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Sheriff Tom McComas
President
West Virginia Sheriffs Association
Cabell County Sheriff's Office
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Lieutenant David Malcomb
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