

LAW ENFORCEMENT TRAINING SUBCOMMITTEE
Charleston Civic Center
Charleston, West Virginia
August 30, 2007

MEMBERS PRESENT: Colonel David Murphy
Retired Chief Ivin Lee
Retired Lieutenant Terry L. Miller
Ms. Susan Singleton

MEMBERS REPRESENTED: Colonel D. Lemmon by
Major Dave Williams
Sheriff Rodney Miller
By Ms. Melissa Garretson
Retired Lieutenant H. Steve Walker
By Mr. Dave Gentry
Ms. Patricia Hamilton
By Mr. Jack McClung

MEMBERS ABSENT: Chief John Walker
The position occupied by Dr. Ervin V. Griffin Sr.
is vacant due to his resignation from the
LET Subcommittee and the vacancy as
yet not being filled.

STAFF: Retired Captain Chuck Sadler
Mr. Jeff Estep

The August 30, 2007 meeting of the Law Enforcement Training (LET) Subcommittee, conducted at the Charleston Civic Center, Charleston, West Virginia, was called to order by Colonel Dave Murphy at 10:09 a.m., with eight (8) members either present or represented. There is one vacancy on the committee.

The minutes of the July 26, 2007 meeting of LET Subcommittee were presented for consideration. Colonel Murphy asked if there were any questions or corrections to be noted concerning the minutes. Hearing none he asked if there was consensus agreement to accept the minutes as present. The members present indicated such consensus agreement.

Colonel Murphy asked for the presentation of the financial report by Retired Captain Sadler. Retired Captain Sadler reviewed the balance listed in the fund from the information mailed to members prior to this meeting, noting that there was a balance of \$140,789 in the LET Fund. He noted that in checking with the accountant responsible for the fund prior to this meeting that the LET Fund balance was above \$144,000 in relation to the funding request to be considered under Agenda Item 6. There being no further comments by Retired Captain Sadler on the financial report and there being no questions or comments by the members Colonel Murphy asked if there was consensus agreement to accept the financial report as presented. The members present indicated that they were in such agreement.

Colonel Murphy then initiated discussion on agenda item three. The applications of the below named individuals seeking to be certified as law enforcement training instructors were presented for consideration:

Officer Robert Goodrich Bridgeport Police Department	M26 Advanced Taser and Taser X26
Corporal William Ralph Killen Raleigh County Sheriff's Office	M26 Advanced Taser and Taser X26
Corporal Chris McKnight Division of Natural Resources	Boating Safety
Sergeant Matt Moore Ohio County Sheriff's Office	Rapid Response to Active Shooter (ALERRT)
Sergeant James Robert Robinson Morgantown Police Department	Emergency Vehicle Operation
Lieutenant Carl "Dave" Rockel Williamson Police Department	Police Firearms Instructor – Handgun
Sergeant Thomas D. Tolley Division of Natural Resources	Boating Safety GPS Units

Colonel Murphy asked Retired Captain Sadler if these individuals had met the standards to become certified law enforcement instructors. Retired Captain Sadler indicated that they did and that they be recommended for approval as such.

A motion was made by Retired Chief Lee, seconded by Retired Lieutenant Miller, that these individuals be certified as law enforcement instructors. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Colonel Murphy then initiated discussion on agenda item number four as to the requests by currently certified instructors that additional areas of expertise be approved for them to instruct in. The following individuals were presented for consideration and approval:

Sergeant Joseph E. Martin Parkersburg Police Department	Rapid Response to Active Shooter
Lieutenant Keith Rowan Buckhannon Police Department	Domestic Violence
Sergeant Matt Solomon Morgantown Police Department	Police Firearms Instructor – Tactical Shotgun Police Firearms Instructor – Select Fire

Colonel Murphy asked Retired Captain Sadler if these individuals had met the standards have these additional areas of expertise added to their certification as instructors. Retired Captain Sadler indicated that they did and that the areas be recommended for approval.

A motion was made by Retired Lieutenant Miller, seconded by Major Williams, that these individuals have the listed additional areas added to their areas approved to instruct in. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Colonel Murphy then initiated discussion on agenda item number five A. The following annual level in-service training programs to be conducted during the 2008 Training Year were presented for consideration and approval:

APPALACHIAN HIGH INTENSITY DRUG TASK FORCE (HIDTA)

Twenty-two (22) hours 2-4 Oct 07

Drug task Force Training Workshop

Instructor: Adjunct staff from HIDTA and DEA

Bowling Green, KY

BECKLEY POLICE DEPARTMENT

Eight (8) hours 26 and 27 Sep 07
DUI Update and Standardized Field Testing Refresher
Instructor: Corporals D Allard and J Abbott
Beckley, WV

Eight (8) hours 22 Aug 07
Field Training Officer Program
Instructor: Lieutenant Lonnie Christian
Beckley, WV

CHARLESTON POLICE DEPARTMENT

Ten (10) hours 27 Aug 07
Policy and Procedure Training
Instructor: Mr. John Teare, Esquire, Lieutenant Lex Williamson and
Sergeant Ralph Johnson
Charleston, WV

Eight (8) hours 28 Aug 07
Elements of Crime
Instructor: Mr. John Teare, Esquire
Charleston, WV

Four (4) hours 29 Aug 07
Domestic Violence
Instructor: Ms. Kimberly Eagle and Corporal Brian Jones
Charleston, WV

Four (4) hours 29 Aug 07
Verbal Judo
Instructor: Major John Shannon
Charleston, WV

Four (4) hours 30 Aug 07
Report Writing
Instructor: Detective Chad Snodgrass
Charleston, WV

Four (4) hours 30 Aug 07
Crash Investigation
Instructor: Sergeants Shawn Williams and Bill Winkler
Charleston, WV

Eight (8) hours 31 Aug 07
Glock Transition
Instructor: Lieutenant Steve Neddo
Charleston, WV

Four (4) hours 4 Sep 07
Clandestine Labs Awareness and Recognition
Instructor: Sergeant Tony Payne
Charleston, WV

Four (4) hours 4 Sep 07
Driver Liability Training
Instructor: Sergeant Ralph Johnson
Charleston, WV

Eight (8) hours 5 Sep 07
Building Searches and Room Entries
Instructor: Sergeant Eric Smith and Corporal Mike McConihay
Charleston, WV

Four (4) hours 6 Sep 07
Rapid Action Deployment (RAD)
Instructor: Lieutenant Steve Neddo
Charleston, WV

Eight (8) hours 6 Sep 07
Safe Traffic Stops
Instructor: Sergeant Eric Smith and Corporal Mike McConihay
Charleston, WV

Four (4) hours 7 Sep 07
Field Based Reporting (FBR)
Instructor: Lieutenant Don Peal
Charleston, WV

Four (4) hours 7 Sep 07
Recruit Orientation to the Field Training Officer Program
Instructor: Lieutenant Don Peal and Sergeant Ralph Johnson
Charleston, WV

Four (4) hours 5 Sep 07
Gang Identification
Instructor: Corporal Errol Randle
Charleston, WV

Eight (8) hours 21 and 22 Aug 07
Field Training Officer Refresher Course
Instructor: Major John Shannon and Lieutenant Don Peal
Charleston, WV

HURRICANE POLICE DEPARTMENT

Eight (8) hours 27 Aug 07

Radar/Lidar Operator Training

Instructor: Sergeant J. S. Moore

Hurricane, WV

KANAWHA COUNTY SHERIFF'S OFFICE

Sixteen (16) hours 15-16 and 17-18 Oct 07

Calibre Press Street Survival Training

Instructor: Adjunct Staff Calibre Press

Charleston, WV

LORMAN EDUCATION SERVICES

One (1) hour Teleconference 17 Oct 07

Fire and Explosions: Cause and Origin Investigations

Instructor: Adjunct Staff Lorman Education

NCLETTTC

Eight (8) hours 18 Oct 07

Crisis/Hostage Negotiations for the First Responder

Instructor: Mr. Randall Milks

Glenville, WV

Twenty-four (24) hours 24-26 Oct 07

Problem Solving With The Dual Trained Police Canine

Instructor: Mr. Jason Cooper

Moundsville, WV

Eight (8) hours 15 Nov 07

TSA/Flying Armed for Law Enforcement and Corrections

Instructor: Mr. Randall Milks

Moundsville, WV

Sixteen (16) hours 15-16 Oct 07

Patrol Rifle Instructor Course

Instructor: Officer Rick Stead

Steubenville, OH

Twenty-four (24) hours 29-31 Oct 07

Criminal Patrol/Drug Interdiction

Instructor: Officer William Healy

Moundsville, WV

Forty (40) hours 8-12 Oct 07

Patrol Rifle Instructor Course

Instructor: Officer Rick Stead

Steubenville, OH

Eight (8) hours 17 Oct 07
Mass Casualty Incident Management
Instructor: Ms. Carla Morris
Philippi, WV

Note: This training to be recommended for dual track approval for supervisory in-service as well due to concepts presented.

NICHOLAS COUNTY SHERIFF'S OFFICE

Eight (8) hours 28 Sep 07
Legal Update Training
Instructor: Attorneys from Nicholas County Prosecutor's Office
Nicholas County, WV

NITRO POLICE DEPARTMENT

Eight (8) hours 30 Aug 07
Basic Digital Photography for the Patrol Officer
Instructor: Lieutenant Don Scurlock
Nitro, WV

OHIO COUNTY SHERIFF'S OFFICE

Sixteen (16) hours Multiple dates during period 8 Oct 07 to 2 Nov 07
Beretta Px4/Cx4 Transition Training and 870 Shotgun Operator Course
Instructor: Lieutenant Drage Flick
Wheeling, WV

PARKERSBURG POLICE DEPARTMENT

Sixteen (16) hours 16 and 23 Aug 07
Active Shooter Basic Course
Instructor: Lieutenant Tom Welch
Parkersburg, WV

PIERPOINT COMMUNITY AND TECHNICAL COLLEGE

Component of Fairmont State University
Eight (8) hours Dates to be set
Suicide Seminar
Instructor: Dr. Dean Van Bibber
Fairmont, WV

Eight (8) hours Dates to be set
Sex Crimes
Instructor: Dr. Dean Van Bibber
Fairmont, WV

Eight (8) hours Dates to be set
Homicide Seminar
Instructor: Dr. Dean Van Bibber
Fairmont, WV

Eight (8) hours 31 Oct 07
Through the Eyes of a Profiler
Instructor: Retired Special Agent Roy Hazelwood
Fairmont, WV

PUTNAM COUNTY PROSECUTOR'S OFFICE

Four (4) hours 13 and 14 Aug 07
Entry and Active Shooter Training
Instructor: Attorneys with Putnam County Prosecutor's Office
 and Sergeant D Arthur
Hurricane, WV

Two (2) hours 15 and 22 Aug 07
Legal Update Training
Instructor: Attorneys with Putnam County Prosecutor's Office
Hurricane, WV

RALEIGH COUNTY SHERIFF'S OFFICE

Eight (8) hours 3, 24 and 31 Aug 07
M26 Advanced Taser and X26 EMD Certification Course
Instructor: Corporal R. Killen
Beckley, WV

SUMMERSVILLE POLICE DEPARTMENT

Twenty-four (24) hours 23-25 Oct 07
Commercial Motor Vehicle Interdiction
Instructor: Adjunct Staff U.S. Department of Justice
Summersville, WV

UNITED STATES ATTORNEYS OFFICE – SOUTHERN DISTRICT

Eight (8) hours 5 and 6 Sep 07
Anti-Terrorism Intelligence Awareness Training
Instructor: Adjunct Staff U.S. Department of Justice
Bluefield, WV

Eleven (11) hours 20-21 Aug 07
Drug Task Force Commander's and Officer's Training
Instructor: Adjunct Staff DEA and DOJ
Stonewall Jackson Resort, WV
Note: Dual track approval recommended due to materials to be covered

WEST VIRGINIA DIVISION OF NATURAL RESOURCES

Four (4) hours Multiple dates and locations
Using Your GPS Unit
Instructor: Sergeant Tom Tolley
Multiple Locations

WEST VIRGINIA GOVERNOR'S HIGHWAY SAFETY PROGRAM

Thirty-two (32) hours 9-12 Oct 07
Child Passenger Safety Technician Certification Training
Instructor: Ms Natalie Harvey
Huntington, WV

WEST VIRGINIA PREVENTION RESOURCE CENTER

Five (5) hours 21 Aug 07
Drug Endangered Children Training
Instructor: Ms. Andrea Darr
Elkins, WV

WEST VIRGINIA REGIONAL COMMUNITY POLICING INSTITUTE

Eight (8) hours 29 and 30 Aug 07
Homicide Prevention for Law Enforcement
Instructor: Mr. Derek Marchman
Huntington and Beckley, WV

WEST VIRGINIA PROSECUTING ATTORNEYS INSTITUTE

Four (4) hours 8 Aug 07
Testifying at DMV Administrative Hearings
Instructor: Mr. Mark Neil
Huntington, WV

WEST VIRGINIA SHERIFFS' ASSOCIATION

Eight (8) hours 17-18 Sep 07
2007 Annual Conference
Instructors: Mr. Richard Fisher and Mr. Derek Marchman
Flatwoods, WV

Note: This training to be recommended for dual track approval for supervisory in-service as well due to concepts presented.

WEST VIRGINIA STATE FIRE MARSHALL OFFICE

In conjunction with Marshall County Fire School
Eight (8) hours 6 Oct 07
Incident Response to Terrorist Bombings and WMD Awareness
Instructor: Assistant State Fire Marshall Charles Vannater
Ohio County, WV

WEST VIRGINIA STATE SUPREME COURT OF APPEALS

Twenty-four (24) hours 16-18 Oct 07
Court Security Seminar
Instructor: Adjunct Staff West Virginia Supreme Court
Huntington, WV

WEST VIRGINIA UNIVERSITY DEPARTMENT OF PUBLIC SAFETY

Eight (8) hours 10 and 14 Aug 07 and 13-14 Sep 07

Defensive Driving

Instructor: Officer Curtis White

Montgomery, Keyser and Morgantown, WV

Eight (8) hours 14 and 28 Sep 07

Defensive Tactics Level I

Instructor: Lieutenant Brian Hoxter and Patrolman William Chedester

Morgantown, WV

Colonel Murphy asked Retired Captain Sadler if these classes met the standards to be approved for annual in-service training. Retired Captain Sadler stated that all the classes listed did and recommended their approval. Colonel Murphy asked if there were any other questions concerning the classes presented. Hearing none he asked if there was a motion concerning the recommended approval of the classes.

A motion was made by Ms. Singleton, seconded by Major Williams, that the listed classes be approved as annual in-service training.

Colonel Murphy had a question for Retired Captain as to the recommendation for the class entitled Active Shooter Training being sponsored by the Charles Town Police Department as to the level of in-service requested for the class. Retired Captain Sadler indicated that the class had objectives and information pertaining to the management of such incidents and the handling of such matters by all levels of officers responding/handling such incidents. As such he was recommending that the class be approved for both annual and supervisory level in-service. There being no further questions or discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Colonel Murphy then initiated discussion on agenda item number five B. The following supervisory level in-service training programs to be conducted during the 2008 Training Year were presented for consideration and approval:

CHARLES TOWN POLICE DEPARTMENT

Twenty-four (24) hours 14-16 Aug 07

Active Shooter Training

Instructor: Retired Special Agent Robert K. Taubert

Charles Town, WV

Note: This training to be recommended for dual track approval for annual in-service as well due to concepts presented.

FBI NATIONAL ACADEMY ASSOCIATES

Eight (8) hours 27 Aug 07

Responding to School Violence

Instructor: Captains Mark DeBord and Jack Chambers

Kingwood (Camp Dawson), WV

Note: This training to be recommended for dual track approval for annual in-service as well due to concepts presented.

NCLETTTC

Eight (8) hours 17 Oct 07

Mass Casualty Incident Management

Instructor: Ms. Carla Morris

Philippi, WV

Note: This training to be recommended for dual track approval for annual in-service as well due to concepts presented.

PARKERSBURG POLICE DEPARTMENT

Sixteen (16) hours 20-21 Sep 07

Incident Command System Training Level 400

Instructor: Mr. David W. Bradley

Parkersburg, WV

UNITED STATES ATTORNEYS OFFICE – SOUTHERN DISTRICT

Eleven (11) hours 20-21 Aug 07

Drug Task Force Commander's and Officer's Training

Instructor: Adjunct Staff DEA and DOJ

Stonewall Jackson Resort, WV

Note: This training to be recommended for dual track approval for annual in-service as well due to concepts presented.

WEST VIRGINIA SHERIFFS' ASSOCIATION

Eight (8) hours 17-18 Sep 07

2007 Annual Conference

Instructors: Mr. Richard Fisher and Mr. Derek Marchman

Flatwoods, WV

This training to be recommended for dual track approval for annual in-service as well due to concepts presented.

Colonel Murphy asked Retired Captain Sadler if these classes met the standards to be approved for supervisory in-service training. Retired Captain Sadler stated that all the classes listed did and recommended their approval. Colonel Murphy asked if there were any other questions concerning the classes presented. Hearing none he asked if there was a motion concerning the recommended approval of the classes.

A motion was made by Ms. Singleton, seconded by Major Williams, that the listed classes be approved as supervisory in-service training. There being no

discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Colonel Murphy then initiated discussion on agenda item number five C. The following personal level in-service training programs to be conducted during the 2008 Training Year were presented for consideration and approval:

CEREDO POLICE DEPARTMENT

Sergeant M. P. Clark
Supervisory In-Service
Thirty-six (36) hours 20 Aug 07 – 10 Dec 07
Criminal Justice Administration CJ 300
Marshall University
Huntington, WV

CHARLESTON POLICE DEPARTMENT

Sergeant Anthony Colagrosso
Annual In-Service
Forty (40) hours 27-30 Aug 07
In-Car Camera Instructor Course
Gulf States Regional Center for Public Safety Innovations
Richmond, VA

Patrolman David Payne
Patrolman T. Crowder
Patrolman R. G. Henderson
Annual In-Service
Forty (40) hours 30 Jul 07 – 3 Aug 07
Crisis Hostage Negotiation – Level I
Institute of Police Technology and Management
Jacksonville, FL

HANCOCK COUNTY SHERIFF'S OFFICE

Deputy Chris Wade
Annual In-Service
Twenty-four (24) hours 6-8 Aug 07
Operational Tactics International Counter Sniper Program
Optac International Inc
Hagerstown, MD

JACKSON COUNTY SHERIFF'S OFFICE

Deputy Scott M. Rogerson
Deputy Micah P. Kinsley
Annual In-Service
Twenty-four (24) hours 5-7 Sep 07
Reid Technique of Interview and Interrogation
John E. Reid and Associates
Pittsburgh, PA

JEFFERSON COUNTY SHERIFF'S OFFICE

Sergeant Shawn Bonifant

Deputy Joseph Windle

Annual In-Service

Eight (8) hours

29 Aug 07

Review of Circumstances Concerning Officers Killed and Assaulted

Northern Virginia Criminal Justice Academy

Ashburn, VA

MORGANTOWN POLICE DEPARTMENT

Sergeant Stephen M. Ford

Patrolman First Class Jason K. Ammons

Patrolman First Class Phillip J. Scott

Annual In-Service

Eight (8) hours

25 Sep 07

Clandestine Lab Recertification Training

Drug Enforcement Administration

Quantico, VA

Patrolman First Class Robert L. Gilmore

Annual In-Service

Eight (8) hours

28 Aug 07

Search Camera 2000 Victim Location System (SearchCam 2000)

Federal Emergency Management Agency

Houston, TX

PARKERSBURG POLICE DEPARTMENT

Patrolman J. S. Barton

Annual In-Service

24 Sep 07

Six (6) hours

Media Relations

Ohio Peace Officer's Academy

London, OH

PUTNAM COUNTY NARCOTICS ENFORCEMENT UNIT

Detective D. Herdman

Detective X. Rahmati

Annual In-Service

Forty (40) hours

6-10 Aug 07

2007 National Drug Enforcement Officer's Association Conference

National Drug Enforcement Officer's Association

Savannah, GA

ST ALBANS POLICE DEPARTMENT

Lieutenant David C. Harris

Annual In-Service

Twenty-One (21) hours

2-4 Oct 07

Reconstruction Seminar

Pennsylvania State Police

State College, PA

WESTON POLICE DEPARTMENT

Patrolman J. P. Thomas

Officer to be named

Annual In-Service

Ten (10) hours

17-18 Sep 07

Vehicular Homicide Seminar

Southeastern Law Enforcement Training Seminars

Lawrenceburg, TN

Colonel Murphy asked Retired Captain Sadler if these classes met the standards to be approved for personal in-service training. Retired Captain Sadler stated that all the classes listed did and recommended their approval. Colonel Murphy asked if there were any other questions concerning the classes presented.

Sergeant C. Tilley, Assistant Director of Training at the West Virginia State Police Academy, had a comment as to the prior action of the LET Subcommittee as to the approval of college level classes for in-service credit. He indicated that it was his recollection that previous such requests had been approved. Retired Captain advised that such college level classes pertaining to the responsibilities/job function of law enforcement officers in the state had been previously recommended and approved by the LET Subcommittee. Sergeant Tilley indicated his support, recommendation that the LET Subcommittee members continue to so approve such requests.

Colonel Murphy asked if there were any other questions or comments concerning the personal in-service classes that had been presented and recommended for approval. Hearing none he asked if there was a motion concerning the recommended approval of the classes.

A motion was made by Ms. Singleton, seconded by Mr. McClung, that the listed classes be approved as personal in-service training. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Colonel Murphy then initiated discussion on Item six as to the request from the West Virginia State Police in the amount of \$143,319 for the operation of the 132nd Basic Class during the dates of September 4, 2007 to December 21, 2007. Retired Captain Sadler reminded the members present that the LET Fund balance was above the amount requested in funding and that while their approval would

cause the LET Fund to be near a zero balance that it was his recommendation that the request be approved.

Colonel Murphy asked if there was any discussion by the members as to the request or questions concerning it. Hearing none he asked if there was a motion concerning the recommended approval of the funding request for the 132nd Basic Academy Class.

A motion was made by Ms. Singleton, seconded by Retired Chief Lee, that the request from the West Virginia State Police in the amount of \$143,319 for the operation of the 132nd Basic Class during the dates of September 4, 2007 to December 21, 2007 be approved as submitted. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Retiree Captain Sadler thanked the members for their approval of the request. He did remind the members that with the fund balance where it was at with the approval that it would difficult for the fund to recover a sufficient fund balance to award that 133rd Basic Class and the supplemental award for the salaries of certain civilian support staff at the Academy by the first of January, when both such awards would have to be acted on.

Colonel Murphy then initiated discussion on agenda item seven as to the tabled discussion on the request by Officer Harry E. Teare, now with the West Virginia University Police Department, to be allowed to participate in the equivalent certification program. He asked if Officer Teare was present. A check was made and determined that he was not present.

Retired Captain Sadler asked to address the members present as to this agenda item. Colonel Murphy indicated that he could so advise them.

Retired Captain Sadler stated that there was confirmation of the notification to Officer Teare that this tabled item would be on this meeting's agenda and that he had been requested to appear and present, or to present to Retired Captain Sadler, any additional information pertaining to the support of his request. Retired Captain Sadler reviewed with the members present that while there were indications that a form of constable entry level training had been completed by Officer Teare in Pennsylvania that the Pennsylvania P.O.S.T. Office had clearly indicated that there was no indication of certification of Officer Teare as a law enforcement officer in that state.

In that Officer Teare had not presented information supporting that he met the two prong requirement to be eligible to participate in the equivalent certification program Retired Captain Sadler recommended that his request be denied and that he complete the certification process by participation in the full entry level training program.

Colonel Murphy asked if there were any other questions concerning the information or recommendation the Retired Captain Sadler had made. Hearing none he asked if there was a motion concerning the recommended denial of the request by Officer Teare.

A motion was made by Ms. Singleton, seconded by Retired Chief Lee, that Officer Harry E. Teare, West Virginia State University Police Department, not be allowed to participate in the equivalent certification program and that his certification as a West Virginia law enforcement officer be gained by participation in the complete entry level training program. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Colonel Murphy then initiated discussion on agenda item 8 as to the presentation of a proposal by Ranger Louis C. Roy, Cheat Potomac Ranger District, Monongalia National Forest, as to the development and implementation of a two level reserve law enforcement program in West Virginia. Retired Captain Sadler advised Colonel Murphy that Ranger Roy had made a request to him following the setting of the meeting agenda that the discussion of his proposal be delayed to the September 27, 2007 LET Subcommittee meeting to allow him time to further develop the presentation on it.

Colonel Murphy asked the members if there was any objection to the presentation by Ranger Roy as to a two level law enforcement reserve program in West Virginia being tabled until the September 27, 2007 LET Subcommittee meeting. Hearing none Colonel Murphy advised that agenda item 8 would be so tabled.

Colonel Murphy then initiated discussion on agenda item 9 as to the presentation by Mr. Steve Compton, Attorney-at-Law, concerning the LET Subcommittee's review of the appeal of the dismissals by three individuals from the 128th Basic Class and as to request for certification as law enforcement officers in West Virginia asking Mr. Compton to speak with the members. Mr. Compton presented a general review to the members of the actions that they had taken previously in relation to this matter.

There was consensus agreement by the members present as to their belief that continued discussion of this matter would involve personnel matters pertaining to the appealing officers and as such any further discussion should be tabled until the LET Subcommittee went into executive session concerning agenda items 11 and 12. Hearing no objections to this position Colonel Murphy advised that further discussion on agenda item 9 was tabled.

Colonel Murphy then initiated discussion on agenda item 10 as to the request Ms. Dawn Rae Smith, formerly of the West Virginia State Police, that she be allowed to participate in an entry level training program as a sworn officer in relation to Retired Captain Sadler's indication to her that she could do so only as a private citizen. Ms. Smith was present at the meeting and was asked to participate

in the discussion pertaining to this agenda item by Colonel Murphy. Retired Captain Sadler asked Colonel Murphy to be able to present a review of the circumstances which had to Ms. Smith's request to appear before the committee members. Colonel Murphy stated that he could do so.

Retired Captain Sadler reviewed with the members that a request had been received from the Beckley Police Department as to their ability to employ Ms. Smith as a sworn officer and to send her to the entry level training program in that they were aware that she had been a member of a cadet entry level training program and had not completed it. A review of that failure to complete was made by Retired Captain Sadler with the Academy staff and based on the determination that Ms. Smith had not completed that program for other than medical reasons a letter was sent to Beckley Police Department and Ms. Smith.

That letter had stated that she could only attend a subsequent entry level training program as a private citizen and upon completion of the program that she could then be employed as a sworn law enforcement officer. Ms. Smith had requested to appeal that determination by Retired Captain Sadler and that appeal had been set to this meeting of the LET Subcommittee.

Ms. Smith was asked by Colonel Murphy to discuss with the members the circumstances leading to her non-completion of the cadet entry level training program and why she felt that Retired Captain Sadler's determination was not applicable to her situation. She did review what had happened as to an injury that she had upon starting the cadet entry level training program and her failure on the initial PAT exam at the start of the program. She continued with a description of her visit to a doctor concerning that injury, her being placed on a duty status where no PT was to be completed and how upon being released from that status that she was set to take, and did take, the PAT exam and failed once again. That failure led to her dismissal from the West Virginia State Police.

Sergeant Tilley presented a review of the matters concerning Ms. Smith and her participation in the cadet entry level training program. It was consistent with the account presented by Ms. Smith. He did note that upon her failing the PAT the second time after being released to return to full duty status that she had been terminated from the State Police at the direction of Colonel Lemmom, Superintendent of the West Virginia State Police.

Ms. Smith had medical records relating to the injury/condition that she had experienced at the time. Those were presented to Colonel Murphy and he reviewed them.

Because the committee had been meeting for just under one hour and there were other agenda items remaining to be discussed in addition to Ms. Smith's consensus agreement was expressed by the members present to a recommendation by Colonel Murphy that there be a break in the meeting. The LET Subcommittee did break at 11:01 a.m., returning back to its meeting at 11:18 a.m.

Retired Lieutenant Miller made a motion pertaining to the request by Ms. Smith that her appeal be tabled until she could secure additional medical reports and information in support of her request. Hearing no second Colonel Murphy asked if there was a second of the motion. No such second was indicated by the members present and the motion died for lack of a second.

Colonel Murphy expressed his concern to the members present that further discussion of the matter pertaining to Ms. Smith's request would involve personnel related matters. As such he asked if there was a motion by the members present that the LET Subcommittee go into executive session.

A motion was made by Retired Lieutenant Miller, seconded by Retired Chief Lee, that that the LET Subcommittee go into executive session to discuss personnel related matters. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

The LET Subcommittee went into executive session at 11:19 a.m. The LET Subcommittee came out of executive session at 11:26 a.m.

Colonel Murphy asked the members present if there was a motion to be made concerning agenda item 10 as to the appeal of the decision by Retired Captain Sadler concerning Ms. Dawn Rae Smith.

A motion was made by Retired Lieutenant Miller, seconded by Retired Chief Lee, that that in light of information presented to the committee members that was not available at the time of her termination to either Colonel Lemmon or to Ms. Smith that it was the determination of the committee members that her inability to complete the entry level training program which she had started to be considered as due to medical related reasons and that as such she be allowed to enter a subsequent entry level training program as a sponsored law enforcement officer so interested employing her. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made, with the exception of Major Williams who abstained from voting on the motion.

Retired Captain Sadler advised that he would prepare and send a letter to Chief Deems, Beckley Police Department and to her advising that she was eligible to participate in a subsequent entry level training program as a sworn officer.

Colonel Murphy then initiated discussion on agenda item 11A. and B. as to the review of the law enforcement certifications of Mr. Chad Shafer, formerly of the Richwood Police Department and Mr. James L. "Chip" Nowling, formerly of the Charleston Police Department. Retired Captain Sadler indicated that a verbal request for a continuance of the review of his law enforcement certification had been made to him by Mr. Nowling. Mr. Nowling was basing the continuance on the fact that he was appealing his felony related convictions in Kanawha County Circuit Court. In that he was not working at this time as a law enforcement officer

Retired Captain Sadler indicated that he was not opposed to such a continuance being granted. It was the consensus of the members present that the review of Mr. Nowling's law enforcement certification, agenda item 11 B. be tabled until his appeal was resolved.

Retired Captain Sadler further advised that as to the review of Mr. Shafer's law enforcement certification that he had been sent formal notice of the review by certified letter and that notice had invited him to appear on his behalf if he so desired. A check of the area was made to see if Mr. Shaffer was present. He was not present.

Retired Captain Sadler advised the members that it was public record that Mr. Shafer had been plead guilty of accepting a gratuity as a public servant that caused him to not take an appropriate enforcement action relating to his position as a law enforcement officer. Based on the information that was to be discussed related to personnel matters a motion was made by Mr. McClung, seconded by Retired Chief Lee, that that the LET Subcommittee go into executive session to discuss personnel related matters. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

The LET Subcommittee went into executive session at 11:53 a.m. The LET Subcommittee came out of executive session at 12:10 p.m.

Colonel Murphy asked the members present if there was any motion to be made concerning agenda item 11 A. as to the law enforcement certification of Mr. Chad Shafer, formerly of the Richwood Police Department. A motion was made by Ms. Singleton, seconded by Major Williams, that that the law enforcement certification of Mr. Chad Shafer, formerly of the Richwood Police Department, be de-certified. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Colonel Murphy asked the members present if there was any motion to be made concerning agenda item 12 as to the tabled discussion of the request from Corporal Dennis Messick, Internal Revenue Uniformed Police, as to the prior action of the LET Subcommittee to de-certify him as a law enforcement officer in West Virginia. A motion was made by Ms. Singleton, seconded by Major Williams, that that the law enforcement certification of Corporal Dennis Messick, Internal Revenue Uniformed Police, continue to be de-certified. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Colonel Murphy then initiated discussion on agenda item 13 as to the review of Legislative Rules Series 149-2 et al by the committee members. Retired Captain Sadler advised that the review of the rules would begin during the September 27, 2007 LET Subcommittee meeting and continue through the spring of 2008. That schedule would allow for a full review of the rules by the committee

members to allow for proposed rules changes to developed and presented in accord with applicable time requirements for consideration by the 2009 regular session of the West Virginia Legislature.

Colonel Murphy asked the members present if there was any other business to be discussed. Hearing none Colonel Murphy asked the members present if there was consensus agreement to close the meeting. By such consensus agreement the August 30, 2007 meeting of the LET Subcommittee was brought to a close by Colonel Murphy at 12:13 p.m.