

**LAW ENFORCEMENT TRAINING SUBCOMMITTEE
West Virginia State Police Academy
Professional Development Center
Institute, West Virginia
December 13, 2007**

MEMBERS PRESENT: Colonel David Murphy
Sheriff Rodney Miller
Retired Lieutenant Terry L. Miller

MEMBERS REPRESENTED: Colonel D. Lemmon by
Major Dave Williams
Chief Kevin Gessler by
Chief Tim Stover
Retired Lieutenant H. Steve Walker
by Chief Joe Crawford
Ms. Patricia Hamilton by
Mr. Jack McClung
Ms. Susan Singleton by
Ms. Lisa Dooley

MEMBERS ABSENT: Retired Chief Ivin Lee
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

The December 13, 2007 meeting of the Law Enforcement Training (LET) Subcommittee, conducted at the Professional Development Center, located on the Academy grounds, Dunbar, West Virginia, was called to order by Colonel Dave Murphy at 10:04 a.m., with eight (8) members either present or represented. There is one vacancy on the committee.

The minutes of the October 25, 2007 meeting of LET Subcommittee were not available for consideration. Retired Captain Sadler apologized that they had not been prepared and indicated that they would be provided to the members upon their completion.

Colonel Murphy asked for the presentation of the financial report by Retired Captain Sadler. Retired Captain Sadler provided the members with a financial report dated December 7, 2007, copy provided under Attachment 1. He indicated that this report reflected funds that had been de-obligated after the financial report which had been prepared and distributed to the members with the meeting materials by mail prior to this meeting. He reviewed the balance listed in the fund from the information provided to the members during this meeting, noting that there was a balance of \$237,728.03 in the LET Fund. He noted that with the balance present in the funds that action requested under agenda items eight and nine could be approved if the members so elected after discussion of those items.

Sheriff Rodney Miller asked the members present that with the indication that sufficient funds were present for agenda items eight and nine that those items be addressed at this point of the meeting. Colonel Murphy asked the members present if there was consensus agreement to move to agenda items eight and nine. Such consensus agreement was indicated by the members present.

Colonel Murphy initiated discussion on agenda item eight as to the request by the West Virginia State Police for funding from the LET Fund in the amount of \$128,674 for the operation of the 133rd Basic Class over the dates of January 7, 2008 to April 25, 2008. Sergeant Tilley reviewed that there were 131 officers eligible to participate in the class. He continued that there was a fourth entry level training program set for June 16, 2007, the 135th Basic Class, that would follow that 134th that would be starting on May 5, 2008.

With these classes running in that time frame a large reduction would be made in backlog of officers awaiting participation in the entry level training program for city and county officers. Sergeant Tilley continued that \$110,000 had been offered by Colonel Lemon to Secretary Spears for use towards the cost of this "fourth" basic class. It was also discussed that some part of the forfeiture funds that the State Police were to receive might be able to be used towards basic and other training programs, but that no formal decision had been made at this time as to the distribution of those funds.

In that there were sufficient funds currently in the LET Fund to cover the cost of the 133rd Basic Class and with the number of officers awaiting such training a motion was made by Sheriff Miller, seconded by Chief Crawford, to provide

funding in the amount of \$128,674 from the LET Fund to the West Virginia State Police for the operation of the 133rd Basic Class during the dates of January 7, 2008 to April 25, 2008. There being no 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 nine as to the consideration of supplemental funding in the amount of \$88,595 from the LET Fund to the West Virginia State Police for the salaries of five civilian support staff at the West Virginia State Police Academy for the period January 1, 2008 to June 30, 2008. Retired Captain Sadler noted that the committee members had previously approved \$89,500 from the total funding request of \$178,095 to cover these salaries for the period July 1, 2007 to December 31, 2007.

In recognition of the fact that these positions are necessary to the operation of the Academy for the presentation of the entry level training programs and that there were sufficient funds remaining in the LET Fund to cover the supplemental award Sheriff Miller made a motion, seconded by Retired Lieutenant Miller, that \$88,595 in supplemental funding be provided to the West Virginia State Police from the LET Fund to cover the salary related costs of five civilian support staff positions at the Academy for the period of January 1, 2008 to June 30, 2008.

There being no 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 indicated that with the completion of action of agenda items eight and nine that that the members would be returning to conclusion of discussion on agenda item two and to then proceed with the agenda as set in the meeting notice. In returning to agenda item two concerning the financial report he asked if there were any questions concerning the financial report.

Hearing none Colonel Murphy asked if there was consensus agreement by the members present to accept the financial report dated December 7, 2008 as presented. Such consensus agreement was indicated by the members present.

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:

Corporal David W. Adams
Cedar Grove Police Department

Police Firearms Instructor – Handgun
Statement Analysis and Interview
Techniques
M26 Taser and Taser X26

Detective Mark A. Burdette
St Albans Police Department

Police Firearms Instructor – Handgun
Police Firearms Instructor – Patrol Rifle
Police Firearms Instructor – Shotgun

Sergeant Stephen E. Lusher
Hurricane Police Department

Police Firearms Instructor – Handgun
Police Firearms Instructor – Patrol Rifle
Police Firearms Instructor – Shotgun
Highway and Drug Interdiction
Basic S.W.A.T.

Chief Michael L. Smith
Ronceverte Police Department

Police Firearms Instructor – Handgun

Corporal Denver H. Thomas
Ripley Police Department

Police Firearms Instructor – Handgun
Police Firearms Instructor – Patrol Rifle
Police Firearms Instructor – Shotgun

Retired Captain Sadler noted that with the schedule between this meeting and the January 31, 2008 LET Subcommittee meeting that he was submitting the names of the below listed individuals to be approved as instructor as an addendum to the list provided with the meeting mailing:

Sergeant Stephen E. Lusher
Hurricane Police Department

Police Firearms Instructor – Handgun
Police Firearms Instructor – Patrol Rifle
Police Firearms Instructor – Shotgun

Mr. Dale K. Mason
Enforcement Supervisor
West Virginia Alcohol Beverage
Control Commission

Fraudulent Documents Examination and
& Its Relation to Identity Theft

Lieutenant Steven L. Pete
Hurricane Police Department

TaserX26 and M26 Taser Operation

Colonel Murphy asked Retired Captain Sadler if these individuals, those submitted in the meeting notice and in the addendum he had given to the members prior to the start of the meeting, 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 Major Williams, seconded by Sheriff 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 four. The applications of the below named individuals seeking to be approved in additional areas of expertise from their original certification as law enforcement training instructors were presented for consideration:

Deputy W. Gregory Collins Simunition Scenario Instructor
Washington County, OH Sheriff's Office
Previously with Parkersburg Police Department

Sergeant Stephen G. Kastigar Rapid Response to Active Shooter
(ALERT)
New Martinsville Police Department

Sergeant Keith Vititoe Police Firearms Instructor – Patrol Rifle
Kanawha County Sheriff's Office

Colonel Murphy asked Retired Captain Sadler if these individuals met the standards to be approved in the additional areas of expertise as 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 Chief Crawford, seconded by Mr. McClung, that these individuals be certified in the additional areas of expertise listed 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 five A. The following annual level in-service training programs to be conducted during the 2008 Training Year were presented for consideration and approval:

ALLEGHENY COLLEGE OF MARYLAND

Twenty-One (21) hours 3-5 Dec 07
Interview and Interrogation
Instructor: Retired Trooper Gary L. Aschenbach
Cumberland, MD

CHARLESTON POLICE DEPARTMENT

Five hundred Fifty (550) hours 5 Nov 07 – 21 Feb 08
K-9 Patrol Handler Course
Instructor: Corporal Travis Hawley
Charleston, WV

Twelve (12) hours 27-28 Mar 08
Background Investigation for Police Applicants
Instructor: Mr. Tom Ward
Charleston, WV

Fifty (50) hours 3-7 Mar 08
Tactical Tracking Operations School
Instructor: Mr. James Merriman
Charleston, WV

CLARKSBURG POLICE DEPARTMENT

Eight (8) hours 19 Jan 08
Hostage Negotiation and Crisis Intervention for 1st Responders
Instructor: Patrolman First Class Michelle Cross
Clarksburg, WV

DIVISION OF CRIMINAL JUSTICE SERVICES

Eight (8) hours 5 Jun 08
Clandestine Laboratory Enforcement
Instructor: Adjunct Staff U.S. Dept of Justice and Circle Solutions Inc.
Dunbar, WV

Four (4) hours 6 Jun 08
Clandestine Laboratory Awareness for First Responders
Instructor: Adjunct Staff U.S. Dept of Justice and Circle Solutions Inc.
Dunbar, WV

FAYETTE COUNTY SHERIFF'S OFFICE

Eight (8) hours 5 Dec 07
Officer Survival for Patrol Officers
Instructor: Officer Harry Teare
Oak Hill, WV

FEDERAL BUREAU OF INVESTIGATION – UNIFORMED POLICE DIVISION

Eight (8) hours 4 Jan 08
Defensive Tactics for Law Enforcement Officers
Instructor: Corporal M. B. Sheffer
Fairmont, WV

Twenty-four (24) hours 25-27 Mar 08
Defensive Tactics for Law Enforcement Officers
Instructor: Corporal M. B. Sheffer
Fairmont, WV

KENOVA POLICE DEPARTMENT

Four (4) hours 5 Dec 07
Basic Drug Training
Instructor: DEA Special Agent Tom Bevins
Kenova, WV

KEYSER POLICE DEPARTMENT

Four (4) hours 21 Dec 07
West Nickel Mines School Shooting – Lessons Learned
Instructor: Lieutenant A. Krawczel and Trooper M. Magyar
Keyser, WV

LORMAN EDUCATION SERVICES

One (1) hour 16 Jan 08

Domestic Violence Assessment and Interventions in Health Care Settings

Instructor: Ms. Jacquelyn, RN

Teleconference

MERCER COUNTY SHERIFF'S OFFICE

Sixteen (16) hours 12-13 Nov 07

Strategies and Tactics of Patrol Stops (STOPS)

Instructor: Lieutenant A. D. Beasley

Princeton, WV

MOUNTAIN STATE FIREAMRS LLC

Eight (8) hours 6 and 7 Dec 07

Taser User Certification Course

Instructor: Deputy Mark Green

Fairmont Police Department

NCLETTTC

Eight (8) hours 1 Dec 07

Meth Lab Symposium

Instructor: Retired Officer Jerry Harvey

Glenville, WV

PARKERSBURG POLICE DEPARTMENT

Eight (8) hours 16 Nov 07

Taser X26 User Certification Course

Instructor: To be named

Parkersburg, WV

Sixteen (16) hours 14 dates from 26-27 Nov 07 to 17-18 Mar 08

Basic Active Shooter Training

Instructor: Officer J Martin

Parkersburg, WV

RESA-VI

Fourteen (14) hours

NIMS 300 Training

Instructor: Officer Ralph Kosar

Wheeling, WV

Fourteen (14) hours

NIMS 400 Training

Instructor: Officer Ralph Kosar

Wheeling, WV

UNITED STATES ATTORNEY'S OFFICE – NORTHERN DISTRICT

Eight (8) hours 6 Dec 07
Project Safe Neighborhood – Violence and Gun Investigations
Instructor: Adjunct Staff U. S. Department of Justice
Morgantown, WV

WEST VIRGINIA DEPARTMENT OF AGRICULTURE

Eight (8) hours 9-10 Jan 08 – Moorefield, 30-31 Jan 08-Flatwoods
Aviar Influenza Rapid Response for the State of West Virginia
Instructor: Ms. C. Lynch, Ms. M. Myers, Mr. H. Zappia, & Mr. R. McCallister
Moorefield and Flatwoods, WV

WEST VIRGINIA PREVENTION RESOURCE CENTER

Four (4) hours 29 Nov 07
2007 Cabell County Drug Summit
Instructor: Ms. Carla Lapelle and Mr. Tim White
Huntington, WV

WEST VIRGINIA STATE UNIVERSITY POLICE DEPARTMENT

Three (3) hours 30 Nov 07
Lowlight Shooting Techniques Training
Instructor: Officer Harry Teare
Institute, WV

WEST VIRGINIA UNIVERSITY DEPARTMENT OF PUBLIC SAFETY

Eight (8) hours 20 Nov 07
Domestic Violence
Instructor: Director Herb Bledsoe
Morgantown, WV

WYOMING COUNTY SHERIFF'S OFFICE

Sixteen (16) hours 10-11 Jan 08
Handgun Safety and Shooting Techniques for Law Enforcement Officers
Instructor: Sergeant Ted Riffe
Brenton, WV

Retired Captain Sadler noted that with the schedule between this meeting and the January 31, 2008 LET Subcommittee meeting that he was submitting the below listed training classes to be approved as annual in-service classes as an addendum to the list provided with the meeting mailing:

CHARLESTON POLICE DEPARTMENT

Sixteen (16) hours 10 dates during period 16 Jan 08 to 28 Feb 08
Defensive Tactics
Instructor: Sergeant T. Malone and Corporal R. Petry
Charleston, WV

Sixteen (16) hours 15-17 Jan 08
ICS 400 Level Course
Instructor: Dr. D. E. Harpster and Mr. Jerry Beckett
Dunbar, WV

WEST VIRGINIA UNIVERSITY DEPARTMENT OF PUBLIC SAFETY

Twenty-four (24) hours 17-19 Dec 07
Supervision 101
Instructor:
Morgantown, WV

WHEELING POLICE DEPARTMENT

Fourteen (14) hours 27 & 29 Nov 07, 28 Nov & 11 Dec 07, 5 & 12 Dec 07
NIMS 300 Training
Instructor: Officer Ralph Kosar
Wheeling, WV

Seven (7) hours 6 Dec 07, 18 Dec 07 and 19 Dec 07
NIMS 400 Training
Instructor: Officer Ralph Kosar
Wheeling, WV

Note: Due to the information and concepts to be presented as part of this training it is being recommended for approval as annual and supervisory in-service.

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 Retired Lieutenant Miller, seconded by Sheriff Miller, 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:

BERKELEY COUNTY SHERIFF'S OFFICE

Deputy Michael T. Longerbeam
Deputy Matt Rephann
Annual In-Service
Forty (40) hours 10-14 Dec 07
Security Driving Instructor Course
BSR Inc.
Summit Point, WV

CHARLESTON POLICE DEPARTMENT

Lieutenant Kim Mitchell
Supervisory In-Service
Six (6) hours 5 Dec 07
Team Building, Mentoring, and Coaching Skills for Managers and Supervisors
Fred Pryor Seminars
Charleston, WV

FAYETTE COUNTY SHERIFF'S OFFICE

Deputy W. K. Willis
Annual In-Service
Eighty (80) hours 7 Jan 08 – 18 Jan 08
Interview and Interrogation Techniques
National Emergency Training Center
Emmitsburg, MD

JEFFERSON COUNTY SHERIFF'S OFFICE

Lieutenant Thomas H. Hansen
Corporal R. S. Sell
Annual In-Service
Four (4) hours 2 Nov 07
West Nickel Mines – Amish School Shooting
Pennsylvania State Police
Montgomery County, MD

MORGANTOWN POLICE DEPARTMENT

Sergeant Matthew L. Metheney
Supervisory In-Service
Sixteen (16) hours 30-31 Oct 07
K-9 Unit Management
United States Park Police with Benchmark Professional Seminars
Washington, DC

Captain Brett L. Watson
Annual In-Service
Sixteen (16) hours 5-6 Nov 07
Amber and the Media
Amber Alert
Denver, CO

Patrolman First Class William A. Runyan Jr.
Annual In-Service
Forty (40) hours 26-30 Nov 07
NRA Firearms Instructor Development Course – Handgun/Shotgun
NRA
Evansville, IN

RANSON POLICE DEPARTMENT

Officers to be named
Supervisory In-Service
Forty (40) hours 7-11 Jan 08
Police Supervisory In-Service Training Program (POSIT)
Penn State University
Easton, PA

Officers to be named
Annual In-Service
Twenty-four (24) hours 25-27 Feb 08
Field Training Officer Program
Penn State University
Frederick County, MD

WEIRTON POLICE DEPARTMENT

Detective Patrolman Brian Beatty
Detective Patrolman Gerald Spencer
Annual In-Service
Sixteen (16) hours 5-6 Dec 07
Taser Operator Re-Certification Course
Taser International Inc
Pittsburgh, PA

WEST VIRGINIA STATE UNIVERSITY POLICE DEPARTMENT

Officer Harry Teare
Annual In-Service
Sixteen (16) hours 4-5 Dec 07
Low Level Light and Flashlight Skills for the Patrol Officer
Summit County Sheriff's Office

Retired Captain Sadler noted that with the schedule between this meeting and the January 31, 2008 LET Subcommittee meeting that he was submitting the below listed training classes to be approved as personal in-service classes as an addendum to the list provided with the meeting mailing:

BLUEFIELD STATE COLLEGE POLICE DEPARTMENT

Officer William Worley
Annual In-Service
Sixteen (16) hours 29-29 Jan 08
School Violence
Public Agency Training Council
Myrtle Beach, SC

JEFFERSON COUNTY SHERIFF'S OFFICE

Corporal Vincent Tiong

Annual In-Service

Thirty-two (32) hours

3-6 Dec 07

Crisis/Hostage Negotiation Program

Northern Virginia Criminal Justice Training Academy

Ashburn, VA

Colonel Murphy asked Retired Captain Sadler if these classes, those provided in the meeting mailing and those in the addendum that he had provided, 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 questions 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 Retired Lieutenant Miller, seconded by Sheriff Miller, 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.

Prior to Colonel Murphy beginning discussion of agenda item six Retired Captain indicated to the members present that at the request of Mr. W. Forbes, Attorney-at-Law, who represents both Former Captain J Sands, agenda item seven and Retired Sergeant L. Hart, that the discussion of the certification of each of these individuals had been moved to the January 31, 2008 LET Subcommittee meeting. A circuit court trial commitment had necessitated this re-scheduling. Neither individual was working as a sworn officer at this time.

Colonel Murphy asked if any of the members present had any questions for Retired Captain Sadler concerning agenda items six and seven. Hearing none he asked if there was consensus agreement by the members present that any discussion of these matters be tabled until the January 31, 2008 meeting. Such consensus agreement was indicated by the members present.

In that agenda items eight and nine had been previously acted upon Colonel Murphy asked the members present if there was consensus agreement to begin discussion of agenda item fourteen. Such consensus agreement was indicated by the members present. As such Colonel Murphy initiated discussion of agenda item fourteen pertaining to the action to be taken by the DCJS staff, the members of the Equivalent Certification Review Committee and the members of the LET Subcommittee when individuals requesting participation in the equivalent certification program did not meet the requirements set forth in Legislative Rule.

Colonel Murphy overviewed the requirements set forth in the Legislative Rules pertaining to equivalent certification. He continued that the committee members needed to discuss and give direction to the three members of the

Equivalent Certification Review Committee as to individuals requesting participation in the program concerning their approval/denial to so participate. There was general discussion as to individuals that either had not completed an entry level training program of 600 hours in the state that had certified them as law enforcement officers, but had field experience as officers and had completed in-service style training following their entry level training and as to individuals who while they had completed an entry level training program of 600 hours had very limited experience as an officer, albeit they were certified officers in another state. In conjunction with the discussion on the second group of individuals were individuals who had not successfully completed entry level training in West Virginia and had then gone to another state to complete entry training and certification and were now returning to West Virginia seeking equivalent certification.

A motion was made by Chief Crawford, seconded by Chief Stover, that for individuals requesting equivalent certification who have completed an entry level training program of six hundred or more hours and have been certified as a law enforcement officer in another Police Officers Standards and Training (POST) state that the following requirements be met as well for them to be able to participate in West Virginia's equivalent certification program:

1. Have been in good standing with the law enforcement agency they were last employed with.
2. Have been in good standing as to their POST certification in the state they were last employed.
3. That if they had started and not completed entry level training in West Virginia at any point for reasons other than medical that the individual would have to come before the LET Subcommittee and discuss the reasons that they did not complete the program.
4. That the individual worked as a law enforcement officer for at least twelve months full time in the POST state where they were certified following the completion of their 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.

A motion was made by Sheriff Miller, seconded by Ms. Dooley, that for individuals requesting equivalent certification who had completed an entry level training program of less than six hundred hours and who had been certified as law enforcement officers in another Police Officers Standards and Training (POST) state that the following requirements be met as well for them to be able to participate in West Virginia's equivalent certification program:

1. Have been in good standing with the law enforcement agency they were last employed with.
2. Have been in good standing as to their POST certification in the state they were last employed.
3. That if they had started and not completed entry level training in West Virginia at any point for reasons other than medical that the individual

would have to come before the LET Subcommittee and discuss the reasons that they did not complete the program.

4. That the individual worked as a law enforcement officer for at least thirty-six months full time in the POST state where they were certified following the completion of their entry level training program.
5. That during the period that they were working as a law enforcement officer following their completion of their entry level training program that they continued to participate in continuing education programs as required by that POST.

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.

A discussion was then conducted by the members present as to when each of the preceding two motions were to become effective. A motion was made by Retired Lieutenant Miller, seconded by Sheriff Miller, that each of the approved motions pertaining to individuals seeking to be granted equivalent certification become effective upon their passage and that any individual not granted equivalent certification by the completion of the training courses listed in Legislative Rules be subject to the standards set.

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 completion of the discussion pertaining to agenda item fourteen Colonel Murphy initiated discussion on agenda item ten pertaining to the request by Detective Sergeant J. Sizemore, Fayette County Sheriff's Office, to be approved as a Train the Trainer (Master) Instructor in Police Firearms and to have the additional area of Police Firearms Instructor – Shotgun added to his certification as a certified instructor. Detective Sergeant Sizemore was present and asked to speak the members as to his requests.

Detective Sergeant Sizemore reviewed with the members his training and background as a law enforcement instructor in the area of firearms and the various classes that he had completed and presented as such. Colonel Murphy reviewed with Detective Sergeant Sizemore that there was no standards set in Legislative Rule for the issuance of a master instructor certification. It had been looked at previously by DCJS staff and prior committee members, but no follow up or formal action had been taken on it. Colonel Murphy indicated to Detective Sergeant Sizemore that in that he was a police firearms instructor that if he developed a course on Training Police Firearms Instructors and submitted it to the LET Subcommittee that it would be evaluated and approved or denied based on the application and supporting documentation presented.

Retired Captain Sadler asked that the additional area of expertise of Police Firearms Instructor – Shotgun be approved for Detective Sergeant Sizemore in that he had been renewed as a police firearms instructor and had completed the

required number of hours in this additional area of expertise. His name had not been submitted under agenda item four in that Detective Sergeant Sizemore was going to be present at this meeting.

A motion was made by Chief Crawford, seconded by Chief Stover, that the additional area of expertise of Police Firearms Instructor – Shotgun be approved for Detective Sergeant J. Sizemore of the Fayette County Sheriff's Office. 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 eleven as to the request by Officer Charles W. Stroud III, Spencer Police Department, to have the decision of the Equivalent Certification Review Subcommittee as to him not being able to participate in the equivalent certification program reversed. Chief Williams and Officer Stroud were present to present their reasons for why the decision should be reversed.

Colonel Murphy advised each that with the motions passed in relation to agenda item fourteen that his request to participate in the equivalent certification program would be reviewed again. The committee would look at his overall experience as an officer as to time worked, educational experience, his standing with POST and prior agency in conjunction with the fact that he had not attended a six hundred hour entry level training program. Both Chief Williams and Officer Stroud thanked the committee members for the fact that his request would be reviewed again.

Colonel Murphy then initiated discussion on agenda item twelve as to complaints brought to the attention of LET Subcommittee members and/or DCJS staff as to officer certification. Following discussion on the matter of when an officer's certification would be reviewed and considered for action against by the LET Subcommittee it was the consensus agreement by the members present that unless an officer was convicted of, or plead guilty to, a criminal act that no review of the officer's certification would be conducted by the LET Subcommittee.

Colonel Murphy then initiated discussion on agenda item thirteen as to the ability of individuals to participate in the equivalent certification process when an administrative action had been taken concerning their certification as a law enforcement officer in another POST state. In that this agenda item had been requested to give guidance to staff on such matters Colonel Murphy advised that the motions passed in relation to the discussion on agenda item fourteen were applicable. If an individual was not in good standing as to his certification in another POST state and/or he was not in good standing as to his last law enforcement related employer then the individual could not participate in the equivalent certification process in this state.

Colonel Murphy then initiated discussion on agenda item fifteen as to request by staff as to action to be taken concerning officers who had attended the 2007 Make-Up Training, but had not made payment for that training. Staff was

directed by the members present to make contact with the individual officers and agency heads to again attempt to secure payment. If payment was still not made by the January 31, 2008 meeting this matter would be re-examined by the members.

Colonel Murphy initiated discussion on agenda item sixteen as to the status of the matter involving the dismissal of officers from the 128th Basic Class by asking Retired Captain Sadler to review the action since last discussed by committee members. He indicated that the attorney for M. Baker had indicated her desire for an administrative law judge to review the actions by the Academy Staff, the Superintendent and the LET Subcommittee concerning his dismissal and it being upheld. Mr. Lacy, Attorney-at-Law, would be serving as the Administrative Law Judge and would be notified of her request.

Colonel Murphy initiated discussion on agenda items seventeen by informing the members present that the items provided in the meeting mailing had been done so at their prior direction to Retired Captain Sadler to inform them of actions taken by him in which an individual's request to him could not be complied with. Colonel Murphy asked if there were any questions of Retired Captain Sadler concerning the items provided. There were none.

Colonel Murphy asked if there was any other business to be discussed. Sergeant Tilley indicated that he would like to discuss the matter of whether military police experience could be serve as required law enforcement experience for requests concerning equivalent certification. There was discussion by the members present as to the reasons why and why it should not be so considered. No consensus was arrived at by the members present at to whether it could, or could not, be used in evaluating an individual for participation in the equivalent certification process.

There being no other business indicated by the members present to be discussed Colonel Murphy asked the members present if there was a motion to close the December 13, 2007 meeting of the LET Subcommittee. A motion was made by Chief Stover, seconded by Major Williams, to close the December 13, 2007 meeting of the LET Subcommittee. 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.

APPENDIX ONE

FINANCIAL REPORT

DECEMBER 7, 2007