

**LAW ENFORCEMENT TRAINING SUBCOMMITTEE
West Virginia State Police Academy
Professional Development Center
Institute, West Virginia
May 31, 2007**

MEMBERS PRESENT: Colonel David Murphy
Retired Chief Ivin B. Lee
Retired Lieutenant H. Steve Walker
Retired Lieutenant Terry L. Miller
Ms. Susan Singleton
Ms. Patricia Hamilton

MEMBERS REPRESENTED: Colonel D. Lemmon by
Major Dave Williams
Chief John Walker by
Chief Tim Stover
Sheriff Rodney Miller by
Sheriff Mark Smith

MEMBERS ABSENT: 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 May 31, 2007 meeting of the Law Enforcement Training (LET) Subcommittee, conducted at the Professional Development Center of the West Virginia State Police Academy, Institute, West Virginia, was called to order at 10:15 a.m. by Colonel Dave Murphy, with nine (9) members either present or represented. There is one vacancy on the committee.

The minutes of the April 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 presented. The members present indicated that they were in such agreement.

Colonel Murphy asked for the presentation of the financial report by Retired Captain Chuck Sadler. Retired Captain Sadler reviewed the balance listed in the fund from the information mailed to members prior to this meeting and from a balance report prepared on May 30, 2007, a copy of which had been passed out to the members. He noted that there was a balance of \$95,722.89 as of May 30, 2007. A copy of the LET Fund Balance Report dated May 30, 2007 provided to the members is located under Attachment One of these minutes.

Retired Captain Sadler reviewed with the members present that with the balance listed that agenda item #8 for this meeting that had been tabled from the April 26, 2007 meeting could now be recommended for one half approval as had been the committee's practice for the past two years in relation to the salary grant to allow for determination of the fund balance come December 31, 2007. Colonel Murphy advised that further discussion on agenda item #8 would come at that point of the agenda. Retired Captain Sadler advised that the fund was receiving deposits in line with the projections that had been made at the April 26, 2007 LET Subcommittee meeting and as such there should be no difficulty in running the 132nd Basic Class due to start in September, but that continued detailed review would need to be made of any expenditures from the fund.

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:

Detective John Stephen Bennington Fairmont Police Department	ASP Tactical Baton and Restraint Instructor Self Defense
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Deputy Jeffrey S. Brown
Preston County Sheriff's Office

Police Firearms Instructor – Patrol Rifle
tactics
A.L.S. Technologies Less Lethal
Systems Instructor

Deputy Michael Todd Dodson
Jefferson County Sheriff's Office

Police Firearms Instructor – Patrol Rifle
Tactics

Corporal John Garten
Charleston Police Department

Police Motorcycle Operator Instructor

Deputy Randall Ray White
Raleigh County Sheriff's Office

Basic SWAT

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 Ms. Singleton, seconded by Retired Chief Lee, 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 area/s of expertise be approved for them to instruct in. The following individuals were presented for consideration and approval:

Sergeant J. Corey
Beckley Police Department

Police Firearms Instructor – Tactical
Shooting for Law Enforcement

Patrolman David Allen McGlone
Instructor
Fairmont Police Department

ASP Tactical Baton and Restraint

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 Ms. Singleton, seconded by Retired Lieutenant Miller, 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 applications for approval of annual in-service training programs to be conducted during the 2007 Training Year were presented for consideration:

BLACKHEART INTERNATIONAL

Sixteen (16) hours 7-8 Jun 07

Specialized Building Entry Course

Instructor: Mr. George Carey

Philippi, WV

CHARLESTON POLICE DEPARTMENT

Sixteen (16) hours 10-11 May 07

Police Motorcycle Rider Re-Certification Course

Instructor: Sergeant Duke Jordan and Corporal John Garten

Charleston, WV

Forty (40) hours 14-18 May 07

Police Motorcycle Rider Certification Course

Instructor: Sergeant Duke Jordan and Corporal John Garten

Charleston, WV

EAST BANK POLICE DEPARTMENT

Eight (8) hours 20 Jun 07

Purpose Driven Police Agency

Instructor: Retired Lieutenant Don Underwood

East Bank, WV

NOTE: Due to the nature of the overall training presented this training is being recommended for dual track approval as officers exempt and non-exempt officers will directly use the information provided as part of their respective assignments/rank

Four (4) hours 19 Jun 07

Crash Reporting

Instructor: Retired Lieutenant Don Underwood

East Bank, WV

Four (4) hours 18 Jun 07

Statement Taking for Crash Investigators

Instructor: Retired Lieutenant Don Underwood

East Bank, WV

HUNTINGTON POLICE DEPARTMENT

Sixteen (16) hours 28-29 May 07

Crime Scene Preservation and Investigation

Instructor: Sergeant D Castle

Huntington, WV

**INTERNATIONAL ASSOCIATION OF SPECIAL INVESTIGATIONS
NATIONWIDE INSURANCE**

Eight (8) hours 24 Apr 07

Insurance Fraud Seminar

Instructor: Mr. Steve Bodge

Parkersburg, WV

MID ATLANTIC TRAINING RESOURCES

Sixteen (16) hours 16-17 Jun 07

Operator Tactical Pistol Training , Live Fire and UTM Scenario Training

Instructor: Mr. Erik Lawrence and Mr. Mike Pannone

Philippi, WV

NCLETTTC

Four (4) hours 6 Jun 07

Law Enforcement During A Severe Pandemic

Instructor: Retired Lieutenant Colonel Herb Lattimore and

Retired Trooper Bill Kershner

Moundsville, WV

NOTE: Due to the nature of the overall training presented this training is being recommended for dual track approval as officers exempt and non-exempt officers will directly use the information provided as part of their respective assignments/rank

POCAHONTAS COUNTY SHERIFFS OFFICE

Sixteen (16) hours 18 May 07

InterBadge User Training

Instructor: Sheriff Craig Doss

Pocahontas County, WV

PRINCETON POLICE DEPARTMENT

Eight (8) hours 4 May 07

CPR and First Aid

Instructor: Firefighters S Wyatt and S Vest

Princeton, WV

UNITED STATES ATTORNEY'S OFFICE

Seven (7) hours 21 May 07

What If? Preparing Schools to Respond to Terrorism

Instructor: Adjunct Staff of The National School Safety Center

Charleston, WV

NOTE: Due to the nature of the overall training presented this training is being recommended for dual track approval as officers exempt and non-exempt officers will directly use the information provided as part of their respective assignments/rank.

WEST VIRGINIA DEPARTMENT OF AGRICULTURE

Twenty (20) hours 12-14 Jun 07
Agriculture and Food Vulnerability Assessment
Instructor: Mr. Herb Lattimore and Ms. Sharon Thompson
Charleston, WV

WEST VIRGINIA DEPARTMENT OF HOMELAND SECURITY

Six (6) hours 1 May 07
West Virginia Fusion Process Orientation
Instructor: Commander Norm Beasley, Sergeant Steve Garcia, Mr. Roy Brush
 And Mr. Kent Hill
Charleston, WV

NOTE: Due to the nature of the overall training presented this training is being recommended for dual track approval as officers exempt and non-exempt officers will directly use the information provided as part of their respective assignments/rank.

WEST VIRGINIA PREVENTION RESOURCE CENTER

Fourteen (14) hours 17-18 May 07
Tobacco Prevention Strategies – Close to Home
Instructors: Mr. Bruce Adkins, Mr. William Robinson, Mr. Matt Lee,
 Mr. David Briles and Dr. Lucinda Miner
Beckley, WV

**WEST VIRGINIA PRIVATE INVESTIGATORS
 And SECURITY PROFESSIONALS ASSOCIATION**

Eight (8) hours 29 Jun 07
Buried Body and Surface Skeleton Remains Investigations
Instructor: Retired Agent Janice M. Johnson
South Charleston, WV

WEST VIRGINIA PROSECUTING ATTORNEY’S INSTITUTE

Eight (8) hours 6, 7, 18, and 19 Jun 07 at a total of 6 locations
2007 Annual Law Enforcement Training Seminars
Instructor: Attorneys working for the Institute
Multiple Locations

WEST VIRGINIA UNIVERSITY DEPARTMENT OF PUBLIC SAFETY

Four (4) hours 27 May 07
ASP Baton Certification
Instructor: Lieutenant Brian Hoxter
Morgantown, WV

Four (4) hours 27 May 07
OC Pepper Spray Training
Instructor: Lieutenant Brian Hoxter
Morgantown, WV

Eight (8) hours 26 May 07
Defensive Tactics – Level I
Instructor: Lieutenant Brian Hoxter and Patrolman William Chedester
Morgantown, WV

Eight (8) hours 5 Jun 07
Field Training Officer Course
Instructor: Sergeant P. Chedester
Morgantown, WV

Eight (8) hours 4Jun 07
Domestic Violence
Instructor: Mr. Herb Bledsoe
Morgantown, WV

WETZEL COUNTY SHERIFF’S OFFICE

Twenty-four (24) hours 31 May 07 – 2 Jun 07
2007 Mountaineer Working Dog Association Seminar
Instructor: Trooper Ron Arthur, Deputies Rob Haught and Rob Scott and
 Mr. Jason Cooper
Wetzel County, WV

Colonel Murphy asked Retired Captain Sadler if these classes met the standards to be certified for annual level 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 Walker, seconded by Sheriff Smith, that the listed classes be approved as annual level 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 B. The following applications that had been submitted for approval as supervisory in-service to be conducted during the 2007 Training Year were presented for consideration:

EAST BANK POLICE DEPARTMENT

Eight (8) hours 20 Jun 07
Purpose Driven Police Agency
Instructor: Retired Lieutenant Don Underwood
East Bank, WV

NOTE: Due to the nature of the overall training presented this training is being recommended for dual track approval as officers exempt and non-exempt officers

will directly use the information provided as part of their respective assignments/rank

HUNTINGTON POLICE DEPARTMENT

Eight (8) hours 25 May 07 and 8 Jun 07

Crime Scene Preservation for Supervisors

Instructor: Sergeant David Castle

Huntington, WV

NCLETTTC

Four (4) hours 6 Jun 07

Law Enforcement During A Severe Pandemic

Instructor: Retired Lieutenant Colonel Herb Lattimore and

Retired Trooper Bill Kershner

Moundsville, WV

NOTE: Due to the nature of the overall training presented this training is being recommended for dual track approval as officers exempt and non-exempt officers will directly use the information provided as part of their respective assignments/rank

UNITED STATES ATTORNEY'S OFFICE

Seven (7) hours 21 May 07

What If? Preparing Schools to Respond to Terrorism

Instructor: Adjunct Staff of The National School Safety Center

Charleston, WV

NOTE: Due to the nature of the overall training presented this training is being recommended for dual track approval as officers exempt and non-exempt officers will directly use the information provided as part of their respective assignments/rank

WEST VIRGINIA DEPARTMENT OF HOMELAND SECURITY

Six (6) hours 1 May 07

West Virginia Fusion Process Orientation

Instructor: Commander Norm Beasley, Sergeant Steve Garcia, Mr. Roy Brush

And Mr. Kent Hill

Charleston, WV

NOTE: Due to the nature of the overall training presented this training is being recommended for dual track approval as officers exempt and non-exempt officers will directly use the information provided as part of their respective assignments/rank.

WEST VIRGINIA UNIVERSITY DEPARTMENT OF PUBLIC SAFETY

Eight (8) hours 11 Jun 07
Defensive Tactics – Supervision and Review of Use
Instructor: Lieutenant Brian Hoxter and Patrolman William Chedester
Morgantown, WV

WEST VIRGINIA UNIVERSITY INSTITUTE OF TECHNOLOGY DEPARTMENT OF PUBLIC SAFETY

Sixteen (16) hours Date to be set in June 2007
R.A.P.I.D. Response to Active Shooter for Supervisors
Instructor: Officer Harry Teare
Montgomery, WV

Colonel Murphy asked Retired Captain Sadler if these classes met the standards to be certified for supervisory level in-service training. Retired Captain Sadler stated they 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 Ms. Hamilton, that the listed classes be approved as supervisory level 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 applications for approval of personal in-service training programs to be conducted during the 2007 Training Year were presented for consideration:

BECKLEY POLICE DEPARTMENT

Sergeant J. Corey
Annual In-Service
Forty (40) hours 7-11 May 07
NRA Combat Shooting Instructor Course
National Rifle Association
Knoxville, TN

KANAWHA COUNTY SHERIFF'S OFFICE

Lieutenant Sean Crosier
Annual In-Service
Forty (40) hours 11-15 Jun 07
Crime Scene Survey, Documentation and Reconstruction Class
Federal Bureau of Investigations
Huntington, WV

WEST VIRGINIA DIVISION OF NATURAL RESOURCES

Officers to be named
Supervisory In-Service
Four (4) hours 22 May 07
The Drug Free Workplace – The Supervisor’s Role
State of West Virginia
Charleston, WV

Officers to be named
Supervisory In-Service
Four (4) hours 22 May 07
Employee Performance Appraisal
State of West Virginia
Charleston, WV

Colonel Murphy asked Retired Captain Sadler if these classes met the standards to be certified as annual or supervisory level in-service training as applicable. Retired Captain Sadler indicated they did and recommended their approval for the type of in-service listed. 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 Major Williams, seconded by Retired Lieutenant Walker, that these classes be approved as annual or supervisory level in-service training as applicable. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, the motion as made.

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

BERKELEY COUNTY SHERIFFS OFFICE

Sixteen (16) hours 23-24 Jul 07, 27-28 Aug 07 and 29-30 Aug 07
Arson I
Instructor: Assistant State Fire Marshall Mark Lambert
Martinsburg, WV

CHARLESTON POLICE DEPARTMENT

Twenty-one (21) hours 17-19 Sep 07
Street Crimes Program
Instructor: Mr. Frank Goff
Charleston, WV

FEDERAL BUREAU OF INVESTIGATIONS

Forty (40) hours 18-24 Jul 07

Basic Instructor Development Course

Instructor: Special Agent Harry Carlile

Clarksburg, WV

LORMAN EDUCATIONAL SERVICES

One (1) hour 13 Jul 07

Personality Disorders – Etiology, Diagnosis and Treatment

Instructor: Dr. John Oldham

Teleconference

MID ATLANTIC TRAINING RESOURCES

Twenty-four (24) hours 20-22 Jul 07, 24-26 Aug 07 and 26-28 Oct 07

Ak-47/AK-74 Basic Operator Course

Instructor: Adjunct Staff Mid Atlantic Training Resources

Philippi, WV

Sixteen (16) hours 24-25 Sep 07 and 16-17 Oct 07

Concealed Carry for Law Enforcement – Basic Course

Instructor: Adjunct Staff Mid Atlantic Training Resources

Philippi, WV

Eight (8) hours 25 Oct 07 and 13 Dec 07

M4/M16/AR15 Operator Course

Instructor: Adjunct Staff Mid Atlantic Training Resources

Philippi, WV

Four (4) hours 24 Oct 07 and 12 Dec 07

Shotgun Armorer Course

Instructor: Adjunct Staff Mid Atlantic Training Resources

Philippi, WV

Four (4) hours 23 Oct 07 and 11 Dec 07

M4/M16/AR15 Armorer Course

Instructor: Adjunct Staff Mid Atlantic Training Resources

Philippi, WV

Four (4) hours 22 Oct 07 and 10 Dec 07

Glock Armorer Course

Instructor: Adjunct Staff Mid Atlantic Training Resources

Philippi, WV

Sixteen (16) hours 13-14 Sep 07 and 18-19 Oct 07

Immediate Action/Active Shooter Course

Instructor: Adjunct Staff Mid Atlantic Training Resources

Philippi, WV

Forty (40) hours 14-17 Aug 07, 18-21 Sep 07 and 6-9 Nov 07
Basic SWAT Operations
Instructor: Adjunct Staff Mid Atlantic Training Resources
Philippi, WV

Forty-four (44) hours 20-24 Aug 07
NRA Law Enforcement Handgun/Shotgun Instructor Course
Instructor: National Rifle Association LEAD Staff
Philippi, WV

Forty-four (44) hours 6-10 Aug 07
NRA Law Enforcement Precision Rifle Instructor Course
Instructor: National Rifle Association LEAD Staff
Philippi, WV

Forty-four (44) hours 23-27 Jul 07
NRA Law Enforcement Pistol Instructor Course
Instructor: National Rifle Association LEAD Staff
Philippi, WV

Forty-four (44) hours 9-13 Jul 07
NRA Law Enforcement Tactical Shooting Instructor Course
Instructor: National Rifle Association LEAD Staff
Philippi, WV

Forty (40) hours 16-19 Jul 07
ALS Less Lethal Instructor Course
Instructor: Adjunct Staff ALS Technologies Inc.
Philippi, WV

NCLETTTC

Eight (8) hours 17 Jul 07
SWAT I Phase III High Risk Entry Shooting
Instructor: Adjunct Staff NCLETTTC
Moundsville, WV

Eight (8) hours 7 Aug 07
SWAT I Phase IV Rifle/Shotgun for Close Quarter Battle
Instructor: Adjunct Staff NCLETTTC
Moundsville, WV

Eight (8) hours 9 & 23 Aug 07
SWAT I Phase V Officer/Team Survival Tactics
Instructor: Adjunct Staff NCLETTTC
Moundsville, WV

Eight (8) hours 23 Aug 07 and 6 Sep 06
SWAT I Phase VI Review and Certification
Instructor: Adjunct Staff NCLETTTC
Moundsville, WV

**UNITED STATES ATTORNEY'S OFFICE –
NORTHERN DISTRICT OF WEST VIRGINIA**

Eight (8) hours 10 Jul 07
Commercial Vehicle - Safety and Familiarization
Instructor: Adjunct Staff United States Department of Justice
Winchester, VA

Eight (8) hours 11 Jul 07
Commercial Vehicle – Roadside Interview Techniques
Instructor: Adjunct Staff United States Department of Justice
Winchester, VA

Eight (8) hours 12 Jul 07
Commercial Vehicle – Concealment and Search Techniques
Instructor: Adjunct Staff United States Department of Justice
Winchester, VA

WEST VIRGINIA AUTISM SOCIETY

Four (4) hours 10 Aug 07
Autism Risk and Safety Management
Instructor: Mr. Dennis Debbaudt
Charleston, WV

WEST VIRGINIA PROSECUTING ATTORNEYS ASSOCIATION

Forty (40) hours 24-28 Sep 07
Finding Words 2007
Instructor: Adjunct Staff United States Department of Justice
Beckley, WV

WEST VIRGINIA STATE POLICE

Forty (40) hours 6-10 Aug 07
Radar-Lidar Instructor
Instructor: Retired Lieutenant Don Underwood
Dunbar, WV

Forty (40) Hours 6-10 Aug 07 and 5-9 Nov 07
Statement Analysis and Interviewing Techniques
Instructor: Sergeant Mike Lynch
Dunbar, WV

Sixteen hours (16) 28-29 Aug 07
Tactical Shotgun Techniques
Instructor: Sergeants David Lee, Gary Martin and Frank Holcomb
Dunbar, WV

Forty (40) hours 13-17 Aug 07
Handgun Instructor Development
Instructor: Sergeants David Lee, Gary Martin and Frank Holcomb
Dunbar, WV

Sixteen (16) hours 31 Jul 07 – 2 Aug 07
Tactical handgun Techniques
Instructor: Sergeants David Lee, Gary Martin and Frank Holcomb
Dunbar, WV

Forty (40) hours 16-20 Jul 07
Shotgun and patrol Rifle Instructor
Instructor: Sergeants David Lee, Gary Martin and Frank Holcomb
Dunbar, WV

WEST VIRGINIA UNIVERSITY FIRE EXTENSION SERVICE

Sixteen (16) hours Dates to be set
Emergency Response to Terrorism – Basic Concepts
Instructor: Adjunct Staff WVU Fire Extension Service
Location to be set

Sixteen (16) hours Dates to be set
Emergency Response to Terrorism – Hazardous Materials
Instructor: Adjunct Staff WVU Fire Extension Service
Location to be set

Sixteen (16) hours Dates to be set
Arson I
Instructor: Adjunct Staff WVU Fire Extension Service
Location to be set

Sixteen (16) hours Dates to be set
Arson II
Instructor: Adjunct Staff WVU Fire Extension Service
Location to be set

Sixteen (16) hours Dates to be set
Arson III
Instructor: Adjunct Staff WVU Fire Extension Service
Location to be set

Forty (40) hours Dates to be set
Hazardous Materials OSHA Technician Level
Instructor: Adjunct Staff WVU Fire Extension Service
Location to be set

Sixteen (16) hours Dates to be set
Incident Command System
Instructor: Adjunct Staff WVU Fire Extension Service
Location to be set

NOTE: Due to the nature of the overall training presented this training is being recommended for dual track approval as officers exempt and non-exempt officers will directly use the information provided as part of their respective assignments/rank.

Sixteen (16) hours Dates to be set
Incident Command System for Law Enforcement
Instructor: Adjunct Staff WVU Fire Extension Service
Location to be set

NOTE: Due to the nature of the overall training presented this training is being recommended for dual track approval as officers exempt and non-exempt officers will directly use the information provided as part of their respective assignments/rank.

Colonel Murphy asked Retired Captain Sadler if these classes met the standards to be certified for annual level 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 Walker, seconded by Chief Stover, that the listed classes be approved as annual level 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 E. The following applications that had been submitted for approval as supervisory in-service to be conducted during the 2008 Training Year were presented for consideration:

WEST VIRGINIA UNIVERSITY FIRE EXTENSION SERVICE

Sixteen (16) hours Dates to be set
Incident Command System
Instructor: Adjunct Staff WVU Fire Extension Service
Location to be set

NOTE: Due to the nature of the overall training presented this training is being recommended for dual track approval as officers exempt and non-exempt officers will directly use the information provided as part of their respective assignments/rank.

Sixteen (16) hours Dates to be set
Incident Command System for Law Enforcement
Instructor: Adjunct Staff WVU Fire Extension Service
Location to be set

NOTE: Due to the nature of the overall training presented this training is being recommended for dual track approval as officers exempt and non-exempt officers will directly use the information provided as part of their respective assignments/rank.

Sixteen (16) hours Dates to be set
Emergency Response to Terrorism – Tactical Considerations for Company Officer
Instructor: Adjunct Staff WVU Fire Extension Service
Location to be set

Sixteen (16) hours Dates to be set
Emergency Response to Terrorism – Strategic Considerations for Command Officers
Instructor: Adjunct Staff WVU Fire Extension Service
Location to be set

Sixteen (16) hours Dates to be set
Introduction to Unified Command for Multi-Agency and Catastrophic Incidents
Instructor: Adjunct Staff WVU Fire Extension Service
Location to be set

Colonel Murphy asked Retired Captain Sadler if these classes met the standards to be certified for supervisory level in-service training. Retired Captain Sadler stated they 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 Retired Lieutenant Walker, that the listed classes be approved as supervisory level 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 F. The following applications for approval of personal in-service training programs to be conducted during the 2008 Training Year were presented for consideration:

CHARLESTON POLICE DEPARTMENT

Corporal Keith Peoples

Annual In-Service

Forty (40) hours 16-20 Jul 07

Advanced Firearms, Arrest and Self Defense Tactics (FAST)

Ohio Department of Public Safety

Columbus, OH

PARKERSBURG POLICE DEPARTMENT

Officer/s to be named

Annual In-Service

Sixteen (16) hours 11-12 Dec 07

Evidence Room Management

Ohio Peace Officer Academy

New London, OH

Officer/s to be named

Annual In-Service

Eight (8) hours 17 Aug 07

Reid Techniques for Interview and Interrogation - Advanced

Ohio Peace Officer Academy

New London, OH

Officer/s to be named

Annual In-Service

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

Reid Techniques for Interview and Interrogation

Ohio Peace Officer Academy

New London, OH

Officers to be named

Supervisory In-Service

Sixteen (16) hours 8-9 Aug 07

Managing Criminal Investigations

Ohio Peace Officer Academy

New London, OH

Colonel Murphy asked Retired Captain Sadler if these classes met the standards to be certified as annual or supervisory level in-service training as applicable. Retired Captain Sadler indicated they did and recommended their approval for the type of in-service listed. 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 Major Williams, that these classes be approved as annual or supervisory level in-service training as applicable. There being no discussion on the motion Colonel Murphy

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

Colonel Murphy then initiated discussion on Item six as to the update on actions taken concerning the appeals of the dismissals from the 128th Basic Academy Class by asking Mr. Jeff Estep to speak. Mr. Estep informed the committee members that there had been a legal action, copy had been provided to the members with the agenda mailing for this meeting, filed by Ms. G. Stephens on behalf of her client Mr. Marcus Baker. Mr. Compton was preparing a response to the filed action. A copy of the filed action is provided under attachment two of these minutes.

There being no discussion or questions concerning agenda item six Colonel Murphy then initiated discussion on agenda item seven as to the update on proposed legislative rule by the West Virginia Ethics Commission on Law Enforcement and Agencies as to Limitations on Soliciting for Charity by asking. Retired Lieutenant Walker to speak. Retired Lieutenant Walker reviewed with the members the actions taken to date by the West Virginia Fraternal Order of Police as to their position and recommendations on the proposed rule.

Based on the response that they had received from the Ethics Commission members and the advise of the FOP's attorney he asked that any interested groups that the committee members were aware of who were supported by donations/funds from such law enforcement groups be invited to present written comments and to appear at the scheduled public hearing to speak as to their positions on the proposed rule.

Colonel Murphy then initiated discussion on agenda item eight as to the tabled request from the April 26, 2007 LET Subcommittee meeting as to the request from the West Virginia State Police for funding in the amount of \$178,095 for five civilian support personnel at the West Virginia State Police Academy. Retired Captain Sadler asked that based on the current reported balance in the LET Fund that approval of one-half of the requested amount, \$89,500, be approved and that the members further approve that if sufficient funds were present in the LET Fund on review in December 2007 that a supplemental award for the balance of the requested fund be okayed.

A motion was made by Retired Lieutenant Walker, seconded by Chief Lee that the request from the West Virginia State Police for funding in the amount of \$178,095 be approved for one-half of the requested amount, \$89,500 and that on review by staff in December 2007 that if sufficient funds were present in the LET Fund to fund the salaries and operate the upcoming entry level training programs that a supplemental award for the balance of the requested fund be made.

Ms. Singleton had a question as to why if the LET Subcommittee had previously increased the tuition for officers to participate in the entry level training program from \$1,000 to \$1,500 that the fee for individuals attending the entry level training program as private citizens and those officers seeking either equivalent or

re-certification be raised as well. There was discussion at this point as to raising the amount for private citizens to \$4,000 and to \$750 for certification related training.

Colonel Murphy advised at this point that there was a motion on the floor, made and seconded, and asked if there were questions relating specifically to the motion. He stated that the discussion as to the raising of the fees would be addressed under the Other Business section of the agenda.

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

Colonel Murphy then moved to initiate discussion on agenda nine as to the update/review of physical ability testing as to its component tests and required performance levels as set forward in the Legislative Rules that had been submitted for review and discussion by Sergeant Curt Tilley, Assistant Director of Training at the West Virginia State Police Academy, by asking Mr. Estep to speak. Mr. Estep asked the members present to refer to a memorandum that he had prepared dated May 31, 2007 titled "West Virginia State Police "Basic" Academy (WVSP) Recommendations." A copy had been passed out to the members present prior to the start of the meeting and is provided under attachment three of these minutes.

Mr. Estep indicated to the members that following extensive review and discussion between Sergeant Tilley and him and with Retired Captain Sadler that it was his recommendation that recommendations number one, two and four as made by Sergeant Tilley at the April 26, 2007 be accepted with the clarified points made in his May 31, 2007 memorandum. In so accepting Sergeant Tilley could then move forward on bringing more specific proposals to the LET Subcommittee members at a later meeting.

As to Sergeant Tilley's recommendation number three to define "entry" into the Academy as its start date in relation to the PAT and thereby allow for a pre-screen PAT at some point prior to the start of the Academy Mr. Estep advised that it was staff's determination that any PAT administered by the Academy would have to be considered an actual PAT. As such if the individual passed the PAT it would then be good for the next six months and could be used to allow entry into the Academy or if failed be counted as a first or applicable failure.

Mr. Estep continued that Sergeant Tilley and he had spoken as to the fact that the Academy is currently administering a PAT on the start day of the Academy in addition to the PAT given approximately one month prior to the start of the Academy. A recommendation had been made and accepted by the Academy staff to move to not having a PAT prior to the start of the Academy. What would happen would be that the Academy will identify a certain number of individuals with completed applications and invite them to test on the day an Academy is scheduled to start. Those individuals will come to the test with the understanding that on passing the PAT that the large majority of them will then be entered into

Academy class starting that date. As such they will have come having made all preparations to remain and participate in the that entry level training class. The Academy staff will be moving to implement this testing arrangement.

There was extended discussion at this point by the members present as to recommendation number four addressing the adoption of physical fitness training as a skills related training part of the Academy's entry level training curriculum. As such there would be set standards that officers participating in the program would have to meet over the course of the Academy class and if not met they would be released from the Academy. The members present supported the concept of ensuring that the participating officers were physically fit and that they receive training on maintaining a healthy life style, but did have questions as to the defensibility of an Academy termination of an officer for not passing this part of the curriculum.

Colonel Murphy reminded the members present that the recommendation from Mr. Estep was to allow the Academy staff to move forward on more detailed development and submission of a proposal to be considered by the members as to physical fitness being approved as a skills component of the entry level training curriculum of the Academy. In that the members were in general support of the concept but had expressed their reservations as to the actual implementation Colonel Murphy indicated with the consent of the members present that the Academy staff could move forward on the detailed development of the proposal. On the submission of the detailed proposal then an extensive review could be made by the members.

There was consensus agreement by the members present that Major Williams and Sergeant Tilley move forward on the recommendation number four for presentation and approval at a subsequent meeting. Major Williams and Sergeant Tilley indicated that would do so and thanked the members for their recognition of the importance of physical fitness training.

Colonel Murphy then initiated discussion on agenda item ten as to the discussion on completing a review of Legislative Rules 149 – Series 2 relating to law enforcement training and certification by asking Mr. Estep to speak. Mr. Estep reminded the long term members of the committee of their participation in a prior similar such review. He described to the members who had not participated in that review how the full legislative rule was broken into sections and addressed over the course of a year of meetings of the LET Subcommittee. The conclusion of that review was scheduled so as to allow for sufficient public comment and action on those comments and then submission for consideration by the West Virginia Legislature.

Mr. Estep advised that from discussions such as the one on the PAT and other matters addressed during recent meetings that staff had recognized that it was time for such a detailed review to be conducted once again. The review would start with the July 26, 2007 LET Subcommittee meeting and continue with each meeting thereafter. A retreat would be part of the May 2008 meeting and then

publication of the rules would be made. The 2009 session of the West Virginia Legislature could then act on the recommended changes with actual implementation to in mid June 2009.

There was consensus agreement by the members present of the need to conduct such a review. Staff was directed to prepare a schedule of the review of the rules.

Colonel Murphy then initiated discussion on agenda item eleven as to the review of the advisory opinion, a copy of the opinion is provided under attachment four of these minutes, relating to the law enforcement certification being granted for law enforcement training completed prior to the establishment of the Police Officers Standards and Training (POST) Program in West Virginia by asking Retired Captain Sadler to speak. Retired Captain Sadler advised that this was the opinion that had been sought at the direction of the committee members on review of the request by Sergeant W. Barker Jr. of the Kanawha County Parks Police.

Sergeant Barker had been provided a copy of the opinion on its receipt by staff and had been invited to attend this meeting. Sergeant Barker had made a request to Retired Captain Sadler following the setting of the agenda for this meeting that the action on his original request for re-certification be delayed until the June 28, 2007 meeting. The delay would allow his attorney to complete a review of the opinion and for preparation of a position/recommendation to the members concerning the opinion.

Retired Captain Sadler advised that he had granted Sergeant Barker's request and would be setting the matter to the agenda for the June 28, 2007 LET Subcommittee meeting. There was consensus agreement by those present the agenda item 11 be tabled until the June 28, 2007 meeting.

Colonel Murphy then initiated discussion on agenda item twelve as to the request by Officer Harry E. Teare, West Virginia University Institute of Technology Police Department, that he be granted equivalent certification by asking Retired Captain Sadler to speak. Retired Captain Sadler reviewed with the members present the circumstances that had led up to Officer Teare asking to come before the members.

He advised that on review of Officer Teare's history with the State of Pennsylvania that it was determined that an entry level municipal level training program had been completed by Officer Teare, but that the Pennsylvania POST Program had reported that there was no record of Officer Teare ever being certified by that state as a law enforcement officer. Officer Teare had been advised of this and of the Legislative Rules requirement concerning equivalent certification that required both entry level training to have been completed in another state and that the state had then certified the individual as a law enforcement officer.

As such his request to participate in the equivalent certification program had been denied by Retired Captain Sadler. It was this denial that had caused

Officer Teare to come before the committee members. Officer Teare then spoke with the members and indicated that Retired Captain Sadler's review was correct, but that in that he had served as a constable in Pennsylvania that he was not required to be certified in that state.

Colonel Murphy spoke as to the recognition that other states had their own rules as to allowing individuals to work in sworn, enforcement related positions, but that our Legislative Rules were specific as to their requirements. There was consensus agreement by the members present that Officer Teare should contact the POST Program in Pennsylvania and work with them to secure an indication that he was a certified law enforcement officer, either that he had previously met such requirements or by taking the current test to gain certification as an officer there. Staff was directed to assist Officer Teare in providing the applicable contacts for him to work with.

A motion was made by Retired Lieutenant Miller, seconded by Retired Lieutenant Walker, that Officer Teare's request to be allowed to participate in the equivalent certification program be tabled until the July 26, 2007 LET Subcommittee meeting to allow Officer Teare to contact Pennsylvania POST representatives to secure his certification in that state. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, the motion as made.

Colonel Murphy then initiated discussion on agenda item thirteen as to the notice of action taken concerning a request from Mr. Charles R. Gillenwater to appear before the LET Subcommittee relating to his prior employment and training as a law enforcement officer by asking Retired Captain Sadler to speak. Retired Captain Sadler reviewed with the members that Mr. Gillenwater had asked to appear before them and that he had been working with him to set an appearance to the agenda.

On further review of the details surrounding what Mr. Gillenwater wanted to speak with the members about, that being that he wanted to be able to attend the entry level training program after having scholastically been terminated from a cadet training class, Retired Captain Sadler had provided Mr. Gillenwater with the applicable section of the Legislative Rules covering his request. In that his discharge from the training class had been scholastically related the Legislative Rules did not allow for an appeal and the only way that he could attend the entry level training program was as a private citizen.

Mr. Gillenwater, on receipt of the rules and discussing them with Retired Captain Sadler, had verbally rescinded his request to appear before the committee members. Retired Captain Sadler advised that there was no action that they needed to take and that he had only wanted to make them aware of the original request and the disposition of it.

There being no action required on agenda item thirteen Colonel Murphy then initiated discussion on agenda item fourteen and fifteen by advising the

members present that these matters involved personnel related review and decision and as such asked the members if there was a motion for the LET Subcommittee to go into executive session. A motion was made by Chief Stover, seconded by Retired Lieutenant Miller, that the LET Subcommittee go into executive session to discuss agenda items 14 and 15. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, the motion as made.

The LET Subcommittee went into executive session at 11:13 a.m. The LET Subcommittee came out of executive session at 11:58 a.m. Colonel Murphy asked the members present if there were any motions to be made concerning agenda items 14 and 15.

A motion was made by Major Williams, seconded by Chief Stover, that agenda item number fourteen, item A, be tabled until staff could locate and notice Mr. Russell Marcum Jr. of the review of his certification, item B, be tabled until final action on the matters pertaining to Mr. James L. "Chip" Nowling and item C, be tabled until Chad W. Shaffer's matter was resolved as well. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, the motion as made.

A motion was made by Sheriff Smith, seconded by Retired Lieutenant Walker, that agenda item 15 be tabled until the July 26, 2007 LET Subcommittee meeting to allow Internal Revenue Services Uniformed Corporal Dennis Messick to come back before the LET Subcommittee for further presentation of information supporting his request concerning the prior action of the LET Subcommittee as to his certification as a West Virginia law enforcement officer. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, the motion as made.

Colonel Murphy then initiated discussion on agenda item sixteen as to other business by reviewing the discussion and question that Ms. Singleton had brought before the committee during agenda item eight when she had asked about seeking an increase in the fees for private citizens to attend the entry level training program and for officers participating in the equivalent and re-certification process.

Following a discussion on the costs of individuals attending the entry level training program and the level of the LET Fund a motion was made by Sheriff Smith that the fee for private citizens to attend the entry level training program be increased to \$4,000 and that the fee for officers who were gaining re-certification of their previously awarded certification as a West Virginia law enforcement officer and had been out of law enforcement for more than two years and were now working again as a sworn officer in the state and those seeking equivalent certification based on entry level training and certification as a law enforcement officer from another POST state be increased to \$750.

There was no second made of this motion. Colonel Murphy asked the members if there was a second of the motion made by Sheriff Smith, Hearing none he indicated that the motion would not be acted on for lack of a second.

A motion was then made by Ms. Singleton, seconded by Sheriff Smith that the fee for private citizens to attend the entry level training program be increased to \$5,000 and that the fee for officers who were gaining re-certification of their previously awarded certification as a West Virginia law enforcement officer and had been out of law enforcement for more than two years and were now working again as a sworn officer in the state and those seeking equivalent certification based on entry level training and certification as a law enforcement officer from another POST state be increased to \$750, these increases to be in effect with the 132nd Basic Class.

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

Colonel Murphy asked the members if there was any other business to be discussed. Ms. Singleton asked to present information to the members present on the collection on LET Funds. Colonel Murphy indicated that she could present such information to the members present.

Ms. Singleton advised the members present that in checking on the amount of funds collected from applicable court actions that they was regular such collections from the Magistrate Courts, but that the Circuit Court collections were very limited. In one comparison period over \$10,000 had been collected from the Magistrate Courts while the Circuit Courts had only contributed \$437. Some counties had only contributed \$2.00 towards that total of \$437.

None of the members present or staff had direct information as to the process involving the collection of such fees from Circuit Court and in those instances where less than the full amount fined was collected what the distribution of the fees was. Mr. Estep advised that the would meet with Mr. Steve Canterbury of the West Virginia Supreme Court to get answers to the questions/points that Ms. Singleton had raised.

Colonel Murphy asked the members if there was any other business to be discussed. Hearing none other to be discussed he asked the members present if there was a motion to close the meeting. A motion was made by Retired Chief Lee, seconded by Sheriff Smith, that the May 31, 2007 meeting of the LET Subcommittee be brought to a close. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, the motion as made.

The May 31, 2007 meeting of the LET Subcommittee was brought to a close by Colonel Murphy.

ATTACHMENT ONE

LET Fund Balance Report

May 30, 2007

ATTACHMENT TWO

**Civil Action 07-MISC-217
Kanawha County Circuit Court**

ATTACHMENT THREE

**Memorandum by
Mr. Jeff Estep
May 31, 2007**

**West Virginia State Police
“Basic” Academy (WVSP)
Recommendations**

ATTACHMENT FOUR

**Advisory Opinion
April 18, 2007**

**Reference Law Enforcement Training
Completion Prior to Establishment of
P.O.S.T. Standards in West Virginia**