

**LAW ENFORCEMENT TRAINING SUBCOMMITTEE
West Virginia State Police Academy
Professional Development Center
Institute, West Virginia
February 28, 2008**

MEMBERS PRESENT: Colonel David Murphy
Retired Lieutenant H. Steve Walker
Ms. Susan Singleton

MEMBERS REPRESENTED: Colonel D. Lemmon by
Sergeant Curt Tilley
Chief Kevin Gessler by
Chief Tim Stover
Retired Chief Ivin Lee by
Retired Sergeant J. L. Johnson
Retired Lieutenant Terry L. Miller by
Retired Deputy Dave Gentry
Ms. Patricia Hamilton by
Mr. Jack McClung

MEMBERS ABSENT: Sheriff Rodney Miller
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. Norb Federspiel

The February 28, 2008 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 the Chair, Sergeant Curt Tilley, at 10:02 a.m. with eight (8) members either present or represented at the meeting.

The minutes of the January 31, 2008 meeting of LET Subcommittee had been mailed in the meeting agenda packet. Sergeant Tilley asked if there were any changes/corrections to be made to the minutes. Retired Captain Sadler noted that the minutes needed to reflect that Sheriff Miller was represented at the meeting by Sheriff Rutherford, not himself as mistakenly listed. Sergeant Tilley noted that on page eleven that the rank of Lieutenant Colonel Tucker, West Virginia State Police, was not listed correctly.

Retired Captain Sadler noted that each of these items would be corrected on an amended version of the minutes for the January 31, 2008 meeting. Sergeant Tilley asked if there were any other corrections to be made. Mr Dave Gentry made a motion, seconded by Retired Lieutenant Walker, that the minutes of the January 31, 2008 meeting of the LET Subcommittee be accepted with the corrections noted. There being no discussion on the motion Sergeant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Sergeant Tilley asked for the presentation of the financial report by Retired Captain Sadler. Retired Captain Sadler advised the members that as reflected on the account balance sheet for the LET Fund mailed in the agenda packet that there was a balance of \$95,932 in the LET Fund. With this fund balance and the action being taken to use forfeited funds towards the LET Program he reported that there should now be no difficulty in funding the upcoming entry level training programs and the Academy support salaries previously approved by the LET Subcommittee. Sergeant Tilley asked if there were any questions concerning the financial report.

Hearing none Sergeant Tilley asked if there was a motion to be made by the members present to accept the financial report as presented. Retired Sergeant Johnson made a motion, seconded by Mr. McClung, that the financial report of the LET Fund be accepted as presented. There being no discussion on the motion Sergeant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Sergeant Tilley 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:

Sergeant Mark Abbott
Charleston Police Department

Basic SWAT Training
Chemical Agents in Law Enforcement
Distraction Devices
Less Lethal 12 Gauge Impact Devices

Sergeant Paul O'Dell III
Nicholas County Sheriff's Office

Crash Investigation
Police Radar/Lidar Operation
Electronic Crash Report Form

Corporal Bobby Holdren
Nicholas County Sheriff's Office

Taser X26 and M26 Advanced Taser

Mr. David Marple
Alcohol Beverage Control Administration

Underage Drinking

Sergeant Jeremy Ray
Nicholas County Sheriff's Office

Electronic Crash Report Form
Drug Task Force Operations

Retired Trooper Danny Sears
Office of the Insurance Commission
Fraud Unit

Police Firearms Instructor – Handgun

Officer Steve Singleton
Clarksburg Police Department

Police Firearms Instructor – Handgun

Sergeant Tilley asked Retired Captain Sadler if these individuals met the standards to become certified law enforcement instructors. Retired Captain Sadler indicated that they did and recommended their approval as such.

A motion was made by Retired Sergeant Johnson, seconded by Ms Singleton, that these individuals be certified as law enforcement instructors. There being no discussion on the motion Sergeant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Sergeant Tilley 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:

Sergeant H P Hickman
Charleston Police Department

Defensive Tactics

Corporal Paul Perdue
Charleston Police Department

Defensive Tactics

Lieutenant Steven L. Pete
Hurricane Police Department

Outlaw Motorcycle Gangs

Lieutenant R. W. Rose
Kanawha County Sheriff's Office

Police Firearms Instructor – Shotgun
Police Firearms Instructor – Rifle
Taser X26 and M26 Advanced Taser

Sergeant Tilley 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 recommended their approval as such.

A motion was made by Retired Lieutenant Walker, seconded by Retired Sergeant Johnson, that these individuals be certified in the additional areas of expertise listed as law enforcement instructors. There being no discussion on the motion Sergeant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Sergeant Tilley then initiated discussion on agenda item number five by indicating that he would be presenting each of the courses listed under 5.A., then 5.B. and 5.C. He indicated that if there were any questions concerning the classes that they would be addressed once all were presented and that a motion for 5.A. – 5.C. would be entertained as well once all were presented.

The following annual level in-service training programs to be conducted during the 2008 Training Year were presented for consideration and approval:

BRIDGEPORT POLICE DEPARTMENT

Twenty-four (24) hours 9-11 Apr 08

Statement Analysis, Interview and Interrogation Class

Instructor: Officers G Weaver and M Lemley

Bridgeport, WV

BUCKHANNON POLICE DEPARTMENT

Eight (8) hours 7 Apr 08

DUI Detection and Arrest Training

Instructor: Lieutenant Keith Rowan

Buckhannon, WV

**CENTER FOR EDUCATION AND STUDY OF
DRUG DIVERSION AND SUBSTANCE ABUSE**

Eight (8) hours Dates to be set

Prescription Drug Diversion

Instructor: Dr. M. O'Neil

Charleston, WV

CENTRAL WEST VIRGINIA DRUG TASK FORCE

Eight (8) hours 24 Jan 08

Prescription Drug Diversion

Instructor: Adjunct Staff Perdue Pharma

Summersville, WV

CHARLESTON POLICE DEPARTMENT

Eight (8) hours 13 Mar 08

Drug Investigation Training

Instructor: Lieutenant C Napier, Sergeant T Palmer, Detective B Griggs and Attorneys at Law M Dillon and J Hanks
Charleston, WV

Eight (8) hours 29 Feb 08 and 7 Mar 08

Taser X-26 User Certification

Instructor: Lieutenant E. Johnson and Corporal S. Wilson
Charleston, WV

Ten (10) hours 26 Feb 08

K-9 Update Training

Instructor: Corporal T Hawley
Charleston, WV

Four (4) hours 11, 12, 18, 19, 25, and 26 mar 08 and
1, 2, 8, and 9 Apr 08

Ethics for Police

Instructor: Chief B Webster, Dr D Clayman, and Attorneys M Kauffman and S Faulkner
Charleston, WV

CJ SOLUTIONS, LLC

Eight (8) Hours Date to be set

Arrest, Search and Seizure – A Problem Based Approach

Instructor: Attorney R. Kuenzel
Chapmanville, WV

Note: Due to nature of content to be provided and ranks of officers attending this training is being recommended for approval as annual and supervisory in-service

GLENVILLE STATE COLLEGE

Eight (8) hours 14 Apr 08

Patrolman Basic Crime Scene Management

Instructor: Professors from Glenville State Criminal Justice Program
Glenville, WV

HAMPSHIRE COUNTY SHERIFF'S OFFICE

Eight (8) hours To be set

Basic Gang Identification

Instructor: Corporal E. Randle
Hampshire County, WV

HANCOCK COUNTY SHERIFF'S OFFICE

Sixteen (16) hours 29-30 May 08
Crime Scene Processing for Patrol Officers
Instructor: Retired Officer R Plant
New Cumberland, WV

HURRICANE POLICE DEPARTMENT

Eight (8) hours 13 Feb 08
Criminal Patrol and Drug Interdiction
Instructor: Sergeant J. Moore
Hurricane, WV

NCLETTTC

Sixteen (16) hours 23-24 Feb 08
Arson 1
Instructor: Assistant State Fire Marshall B Hartley
Moundsville, WV

NITRO POLICE DEPARTMENT

Two (2) hours 31 Jan 08
Bomb Threat Procedures
Instructor: Sergeant K. Vititoe
Nitro, WV

Eight (8) hours 27 Feb 08
Tactical Duty Knife
Instructor: Officer K Teitsort
Nitro, WV

PHILIPPI POLICE DEPARTMENT

Twenty-four (24) hours 19-21 Mar 08
Rapid Response to Active Shooter
Instructor: Sergeant J Walters
Philippi, WV

POTOMAC STATE COLLEGE

Eight (8) hours 28 Apr 08
Sexual Predators, Recreational Sexual Violence
Instructor: Retired Special Agent M Napier
Keyser, WV

SHEPHERDSTOWN POLICE DEPARTMENT

Seven (7) hours 19 Feb 08
Gang Training Class
Instructor: Detective A. Orndorff
Shepherdstown, WV

UNITED STATES ATTORNEYS OFFICE-NORTHERN DISTRICT

Eight (8) hours 14 Mar 08
Advanced Investigative/Intelligence Workshop
Instructor: Adjunct Staff U.S. Department of Justice
Winchester, VA

UNITED STATES DEPARTMENT OF JUSTICE

Eight (8) hours 14 Jun 08
Basic Topographic Map Reading
Instructor: Officer G. Scappini
Shepherdstown, WV

VIENNA POLICE DEPARTMENT

Twenty-four (24) hours 21-25 Apr 08
13th Annual WV Police Canine Association Seminar
Instructor: Sergeant J Corey and Officer L Livingston
Mineral Wells, WV

WEST VIRGINIA PUBLIC SERVICE COMMISSION

Sixteen (16) hours 11 Feb 08 – 7 Mar 08
2008 Annual In-Service Training for PSC Officers
Instructor: Adjunct Staff West Virginia Public Service Commission
Charleston, WV

WEST VIRGINIA STATE POLICE

Forty (40) hours 21-25 Apr 08
Hostage Negotiations
Instructor: Special Agent S Viglianco
Dunbar, WV

Sixteen (16) hours Multiple dates
West Virginia State Police Annual In-Service
Instructor: Academy Staff, Dr M Bailey, Captain G. Ingold, Sergeants D Lee,
G Martin, S Wolfe and Corporal R Petry
Dunbar, WV

WEST VIRGINIA STATE TREASURER'S OFFICE

Three (3) hours 23 Apr 08, 30 Apr 08, 7 May 08 and 21 May 08
Unclaimed Property Workshop
Instructor: Retired Officer R Fisher
Multiple locations within state

WEST VIRGINIA STATE UNIVERSTIY POLICE DEPARTMENT

Forty (40) hours Multiple dates in 4 hr sessions over 21 Feb 08 to 24 Apr 08
Basic Instructor Development Course
Instructor: Retired Lieutenant Don Underwood
Institute, WV

WOOD COUNTY SHERIFF'S OFFICE

Forty (40) hours Five 8 hr days over period 23 Jan 08 to 14 Feb 08

SWAT Level One Training

Instructor: Captain R Woodyard

Parkersburg, WV

Sergeant Tilley asked if these classes met the criteria to be approved as annual in-service classes. Retired Captain Sadler indicated that they did. He moved to agenda item 5.B.

The following supervisory level in-service training programs to be conducted during the 2008 Training Year were presented for consideration and approval:

CJ SOLUTIONS, LLC

Eight (8) Hours Date to be set

Arrest, Search and Seizure – A Problem Based Approach

Instructor: Attorney R. Kuenzel

Chapmanville, WV

Note: Due to nature of content to be provided and ranks of officers attending this training is being recommended for approval as annual and supervisory in-service

MORGANTOWN POLICE DEPARTMENT

Eight (8) hours 4 Feb 08

Supervisor's Role in Internal Investigations

Instructor: Attorney S Cogar and Mayor R Newell

Morgantown, WV

Sergeant Tilley asked if these classes met the criteria to be approved as supervisory in-service classes. Retired Captain Sadler indicated that they did. He moved to agenda item 5.C.

The personal level in-service training programs to be conducted during the 2008 Training Year listed as follows were presented for consideration and approval.

BECKLEY POLICE DEPARTMENT

Captain B Kelly

Sergeant J. Corey

Annual In-Service

Twenty-four (24) hours 13-15 Mar 08

Professional Grant Proposal Writing Workshop

Richmond, VA

BERKELEY COUNTY SHERIFF'S OFFICE

Deputies to be named
Annual In-Service
Eight (8) hours 5 Mar 08
Advanced Tactical Entry
U. S. Border Patrol Academy
Harpers Ferry, WV

CHARLESTON POLICE DEPARTMENT

Lieutenant C Vinson
Corporal E Smith
Patrolman C Howell
Patrolman K Weese
Six (6) hours 21 Mar 08
Mistake Free Grammar and Proofreading
Fred Pryor Seminars/Career Track
South Charleston, WV

Patrolman K Oldham
Eighty (80) hours 18-29 Feb 08
Traffic Crash Reconstruction III
Institute of Police Technology and Management (IPTM)
Jacksonville, FL

JEFFERSON COUNTY SHERIFF'S OFFICE

Deputy V Tiong
Annual In-Service
Twenty-four (24) hours 7-9 Apr 08
Spanish for Law Enforcement – Phase I
Northeast Counter Drug Training Center
Indiantown Gap, PA

Corporal Steven Holz
Annual In-Service
Twenty-four (24) hours 28-30 May 08
Reid Technique of Interview and Interrogation
Reid Services
Frederick County, MD

Deputies to be named
Supervisory In-Service
Forty (40) hours Dates to be set
First Line Police Supervision
Northern Virginia Criminal Justice Training Academy
Ashburn, VA

Deputy B S Williams
Annual In-Service
Twenty-four (24) hours 12-14 May 08
Criminal Street Gang Identification Course
Northeast Counter Drug Training Center
Indiantown Gap, PA

Sergeant Sell
Supervisory In-Service
Forty (40) hours 16-20 Jun 08
First Line Police Supervision
Justice and Safety Institute
Bloomsburg, PA

LEWISBURG POLICE DEPARTMENT

Officer Jeffrey Vance
Annual In-Service
Thirty-five (35) hours 10-14 Mar 08
Detective and New Criminal Investigator
Public Agency Training Council
Myrtle Beach, SC

MORGANTOWN POLICE DEPARTMENT

Patrolman First Class Mark Trump
Patrolman First Class Matthew Beavers
Annual In-Service
Thirty-two (32) hours 3-6 Feb 08
Basic Warrant Execution
Northeast Counter Drug Training Center
Indiantown Gap, PA

First Sergeant Matthew Solomon
Patrolman First Class Daniel Trejo
Patrolman First Class David Helms
Annual In-Service
Twenty-four (24) hours 19-21 Feb 08
Highway Vehicle Stops and the Drug Trafficker
Multijurisdictional Counterdrug Task Force Program
Meriden, CT

Patrolman Molly Linthicum
Annual In-Service
Twenty-four (24) hours 20-22 Feb 08
Interview and Interrogation
Northeast Counter Drug Training Center
Indiantown Gap, PA

Sergeant G Knight
Sergeant S Carl
Sergeant B Hennessey
Supervisory In-Service
Forty (40) hours 25-29 Feb 08
First Line Supervision Course
Ohio Peace Officer's Academy
London, OH

WEIRTON POLICE DEPARTMENT

Sergeant R Alexander
Sergeant S Falbo
Sergeant E Patterson
Sergeant E Redish
Sergeant R Williams
Supervisory In-Service
Forty (40) hours 14-18 Apr 08
First Line Supervision Course
Ohio Peace Officer's Academy
London, OH

Detective Patrolman G Spencer
Detective Patrolman B Beatty
Annual In-Service
Sixteen (16) hours 5-6 Mar 08
Latent Print Development Class
Ohio Peace Officer's Academy
London, OH

Sergeant Tilley 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. Sergeant Tilley asked if there were any questions concerning the personal in-service classes that had been presented and recommended for approval.

Sergeant Tilley asked if there was a motion concerning the recommended approval of the classes listed under agenda items 5.A. to 5.C.

A motion was made by Retired Lieutenant Walker, seconded by Retired Sergeant Johnson, that the listed classes for annual, supervisory and personal in-service credit be approved. Retired Lieutenant Walker then indicated that he did have a question concerning the recommendation of the training to be presented by CJ Solutions to be approved as annual and supervisory in-service. Retired Captain Sadler advised the members that the course content had been reviewed and determined that it contained material/information relevant to supervisors concerning the action of officers under their direction as to the subject matter being presented. Retired Lieutenant Walker indicated that as such he understood the reason for approval as both annual and supervisory in-service.

Sergeant Tilley asked if there was any other discussion concerning the motion as made and seconded. Hearing none other Sergeant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Sergeant Tilley then initiated discussion on agenda item six through nine by asking if the individuals involved with these agenda items were present. It was noted the Retired Sergeant L Hart and Former Officer J. Ciccarelli were present. Retired Captain Sadler noted that Former Captain Sands was not present, but that he had sent a letter to the committee members, but that by an oversight on his part that he had not brought it with him to the meeting.

Retired Captain Sadler advised that Former Officer J Walls, Winfield Police Department, was present as well concerning the notice that he had received that he would not be able to participate in the equivalent certification program and that to gain certification as an officer in West Virginia that he would have to complete our entry level training program. His request to appear before the committee had been made after the agenda for this meeting had been set, but in that the matter to discussed, appealed by Former Officer Walls would be addressing points similar to those concerning agenda item 8 that he had asked and received approval from Sergeant Tilley to have him appear before the committee members at this meeting. Sergeant Tilley acknowledged that approval and the members present indicated their consensus agreement that the matter involving Former Officer Walls be addressed as part of agenda item 8.

It was determined that Officer C Dellinger was not present at the meeting. Retired Captain Sadler advised that certified letters had been sent to him care of East Bank Police Department, his last reported home address and to Chief Inclenrock, East Bank Police Departments. The letter to Officer Dellinger at East Bank Police Department had been accepted by a representative of the Department and Chief Inclenrock had received his copy of the letter. Officer Dellinger had not contacted Retired Captain Sadler. Sergeant Tilley stated that based upon what Retired Captain Sadler had reported that contact had been made with Officer Dellinger as to agenda item nine and this meeting.

Sergeant Tilley advised the members present that the discussion concerning agenda items 6 through 9 would be addressing personnel related matters. Retired Lieutenant Walker made a motion, seconded by Ms. Singleton, that the LET Subcommittee go into executive session for the purpose of addressing agenda items 6 through 9. There being no discussion on the motion Sergeant Tilley 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 10:10 a.m. The LET Subcommittee came out of executive session at 1:15 p.m.

Sergeant Tilley asked the members present if there was any action that the members wished to take concerning agenda item six as to the certification of Retired Sergeant Lola Hart. Retired Sergeant Johnson made a motion that the certification of Retired Sergeant Hart be acted upon as a result of the action in Kanawha County Circuit Court. There was no second of the motion. Sergeant Tilley indicated that the certification of Retired Sergeant L. Hart would remain in effect in that there was no second on the motion as presented.

There being no other action indicated as being desired concerning agenda item 6 by the members present Sergeant Tilley asked if there was any action desired by the members concerning agenda item seven as to the tabled review of the certification of Former Captain J. Sands. Retired Lieutenant Walker made a motion, seconded by Ms. Singleton, that the tabled review of the certification of Former Captain J. Sands, Charleston Police Department, be tabled until the 27 Mar 08 meeting of the LET Subcommittee. There being no discussion on the motion Sergeant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Sergeant Tilley initiated discussion on agenda item eight by asking the members present if there was action to be taken concerning the request by Former Officer J. C. Ciccarelli, Milton Police Department, that the decision of the Equivalent Certification Review Committee be reversed and that he be allowed to participate in the equivalent certification process. Retired Lieutenant Walker made a motion, seconded by Retired Sergeant Johnson, that as West Virginia Statute 30-29-5 was clear as to the requirement that individuals who had started an entry level training program in this state complete that program, or a subsequent such program to be granted certification as a law enforcement officer and failed to complete such a program for other than allowable medical reasons that Former Officer J. C. Ciccarelli, having been a previous member of a cadet entry program at the West Virginia State Police Academy that he did not complete, could not participate in the equivalent certification program.

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

Sergeant Tilley then asked if there was any action to be taken concerning the matter involving Former Officer J Walls that the members had approved to be reviewed in conjunction with agenda item eight. Colonel Murphy made a motion, seconded by Retired Sergeant Johnson, that as the reason that Former Officer Walls had not completed the prior West Virginia entry level training program was do to medical related reasons that the requirements of West Virginia Code 30-29-5 were not applicable as to completion of entry level training programs begun by an individual concerning certification as a law enforcement officer in West Virginia and that he could continue in the equivalent certification review/application process at the point that he had been notified by Retired Captain Sadler that he could not.

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

Sergeant Tilley then asked the members present if there was any action to be taken concerning agenda item 9. Colonel Murphy made a motion, seconded by Retired Lieutenant Walker, that as a result of the criminal adjudications in Braxton County Circuit Court involving Officer C. S. Dellinger, East Bank Police Department, that his certification as a law enforcement officer in West Virginia be revoked.

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

Sergeant Tilley then initiated discussion on agenda item 10 by advising the members present that pages 44 through 50 of the agenda mailing addressed actions that Retired Captain Sadler had taken in representation of the committee since the January 31st meeting that they should be made aware of. There was no discussion by the members present concerning any of this information.

Sergeant Tilley then initiated discussion on agenda item 11 by asking the members present if there was any other business to be addressed during this meeting. Retired Captain Sadler indicated that he needed to report two items to the members. Sergeant Tilley advised him that he could.

Retired Captain Sadler reported to the members that he had recently participated in two organizational meetings of groups whose goals and purpose would directly benefit the LET Subcommittee. The first was a group sponsored by Marshall University that is seeking to set standards for crime scene training for first responders and follow up officers. The second is a group seeking to organize law enforcement instructors within the state to allow them to receive advanced training in their specialty areas and to work towards a master instructor program. He advised that he would keep the members apprised of to the actions and development of each group in that he would be continuing to work with them as relating to the responsibilities of his position as LET Coordinator.

Sergeant Tilley asked if there was any other business to be addressed by the members present. Hearing none he asked if there was a motion to be made concerning bringing the 28 Feb 08 meeting of the LET Subcommittee to a close. Retired Lieutenant Walker made a motion, seconded by Colonel Murphy, that the 28 Feb 08 meeting of the LET Subcommittee be brought to a close.

There being no discussion on the motion Sergeant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made. The 28 Feb 08 meeting of the LET Subcommittee was closed at 1:23 p.m.