

AMMENDED COPY

**LAW ENFORCEMENT TRAINING SUBCOMMITTEE
West Virginia State Police Academy
Professional Development Center
Institute, West Virginia
January 31, 2008**

MEMBERS PRESENT: Colonel David Murphy
Ms. Susan Singleton

MEMBERS REPRESENTED: Colonel D. Lemmon by
Sergeant Curt Tilley
Sheriff Rodney Miller by
Sheriff Mike Rutherford
Retired Chief Ivin Lee by
Retired Sergeant J. L. Johnson
Retired Lieutenant H. Steve Walker by
Chief Joe Crawford
Retired Lieutenant Terry L. Miller by
Retired Deputy Dave Gentry
Ms. Patricia Hamilton by
Mr. Jack McClung

MEMBERS ABSENT: Chief Kevin Gessler
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
Mr. Jeff Estep

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The January 31, 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 Colonel Dave Murphy, with seven (7) members either present or represented at the start of the meeting. During the meeting Chief J Crawford came in at 10:53 a.m. and Sheriff M Rutherford had to leave at 11:28 a.m. There is one vacancy on the committee.

The minutes of the October 25, 2007 and December 13, 2007 meetings of LET Subcommittee had been given to the members present prior to the start of the meeting. Colonel Murphy stated that he understood that the members had not had time to do a detailed review of the minutes. He asked that if there were any changes/corrections to be made that the member please contact Retired Captain Sadler.

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 January 24, 2008, copy provided under Attachment 1. He reviewed the balance listed in the fund from the information provided noting that there was a balance of \$65,264.98 in the LET Fund.

Colonel Murphy 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 January 24, 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:

Deputy Charles W. Stanley Hancock County Sheriff's Office	Defensive Tactics M26 and X26 Taser
Pastor Brady Stephens Parkersburg Area Minister Certified West Virginia Law Enforcement Officer	Public Speaking Ethics Cultivating a Positive Law Enforcement Image Damage Control for Law Enforcement Officer's Personal Lives

Colonel Murphy 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 Ms Singleton, seconded by Rutherford, 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:

Sergeant H. P. Hickman Charleston Police Department	Emergency First Aid Care
Sergeant J. S. Moore Hurricane Police Department	Criminal Patrol/Drug Interdiction
Corporal Paul Perdue Charleston Police Department	EMC Cyclist Instructor
Trooper C J Wilson West Virginia State Police (EVOC)	Police Firearms Instructor – Handgun Emergency Vehicle Operation Course

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 recommended their approval as such.

A motion was made by Ms. Singleton, 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 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 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 after each group was presented that they would be addressed at that time and that a motion for 5.A. – 5.C. would be entertained 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:

CHARLESTON POLICE DEPARTMENT

Eight (8) hours 29 Jan 08

Night Time Sniper Training

Instructor: Sergeant H. Hickman and Corporal C. Snodgrass
Charleston, WV

LAW ENFORCEMENT TRAINING CONSULTANTS

Sixteen (16) hours 11-12 Feb 08
Field Training Officer Training Seminar
Instructor: Adjunct Staff Law Enforcement Training Consultants
Bridgeport, WV

MERCER COUNTY SHERIFF'S OFFICE

Eight (8) hours 4, 5, 6 & 7 Mar 08
Police Defensive Tactics and Use of Force
Instructor: Chief Deputy Bailey
Princeton, WV

MOUNTAIN STATE FIREARMS

Eight (8) hours 2 Feb 08
Taser X26 User Course
Instructor: Deputy M Green
Hurricane, WV

NCLETTTC

Six (6) hours 7 Feb 08
Basic Handcuffing Techniques
Instructor: Officer Jeff Murray
Moundsville, WV

Twenty-four (24) hours 3-5 Mar 08
Basic Hostage/Crisis Negotiations for Teams
Instructor: Officer Mike Willis
Moundsville, WV

Twenty-four (24) hours 25-27 Feb 08
C.A.R. (Center Axis Relock) Close Quarters/Active Defense
Instructor: Officer
Moundsville, WV

Thirty-two (32) hours 23-26 Jun 08
Controlled F.O.R.C.E.
Instructor: Officers Toby Flaget and Don Roberts
Moundsville, WV

Forty (40) hours 10-14 Mar 08
Duty Handgun Instructor
Instructor: Sergeant Rick Stead
Moundsville, WV

Eight (8) hours 8 Apr 08
Duty Shotgun
Instructor: Sergeant Rick Stead
Weirton, WV

Eight (8) hours 7 Jan 08, 19 Feb 08 and 9 Apr 08
Hostage/Crisis Negotiations for 1st Responders
Instructor: Officer Mike Willis
Moundsville, WV

Sixteen (16) hours 17-18 Mar 08
Immediate Response to "Active Shooter"
Instructor: Officer Mike Younger
Moundsville, WV

Eight (8) hours 15 Apr 08
Patrol Rifle
Instructor: Sergeant Rick Stead
Weirton, WV

Eight (8) hours 22 Jan 08
Tactical Handgun Level I
Instructor: Sergeant Rick Stead
Moundsville, WV

Eight (8) hours 25 Mar 08
Tactical Handgun Level II
Instructor: Sergeant Rick Stead
Moundsville, WV

Sixteen (16) hours 19-20 Feb 08
Taser X26 and Advanced Taser M26 Instructor Certification
And Re-Certification Course
Instructor: Officer Richard Nelson
Glenville, WV

Sixteen (16) hours 20-21 Feb 08
Basic Crime Scene Investigation
Instructor: FBI Special Agent A. Dammann
Moundsville, WV

RALEIGH COUNTY SHERIFF'S OFFICE
Forty (40) hours 25-29 Feb 08
Vision RMS Base Records Management Training
Instructor: Ms. A. Rodgers
Beckley, WV

ST ALBANS POLICE DEPARTMENT
Forty (40) hours 12-16 May 08
Death Investigation
Instructor: Retired Officer John J Wiggins
St Albans, WV

WHEELING POLICE DEPARTMENT

Forty (40) hours 7-11 Jan 08

SWAT Level One Course

Instructor: Mr. Paul Castle

Wheeling, WV

WEST VIRGINIA CHAPTER FBI NATIONAL ACADEMY GRADUATES

Eight (8) hours 25 Mar 08

Financial Crimes Seminar

Instructor: Adjunct Staff FBI

Bridgeport, WV

WEST VIRGINIA DIVISION OF NATURAL RESOURCES

Sixteen (16) hours 23-24 Jan 08

Field Training Officer (FTO) Administration

Instructor: Lieutenant T. Coleman

Charleston, 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

WEST VIRGINIA REGIONAL COMMUNITY POLICING INSTITUTE

Eight (8) hours 15 Jan 08

Understanding and Investigating Acquaintance Sexual Assault in a University Environment

Instructor: Retired Lieutenant L. Nelson, Ms. D. Beazley and Mr. D. Marchman
Morgantown, WV

WEST VIRGINIA STATE POLICE

Sixteen (16) hours 5-6 Jun 08

Inside the Mind of a Sexual Predator

Instructor: Dr. L. J. Simmon

Dunbar, WV

Thirty-two (32) hours 16-19 Jun 08

Computer Forensics and Cyber Crime Training

Instructor: Mr. D. Dampler and Mr. G. Cantrell

Dunbar, WV

WEST VIRGINIA UNIVERSTIY POLICE DEPARTMENT

Sixteen (16) hours Multiple dates 4-5 Feb 08 through 27-28 Mar 08

Basic Active Shooter Course (ALERT)

Instructor: Sergeant D Camden and Officer C White

Morgantown, WV

Colonel Murphy asked if these classes met the criteria to be approved as annual in-service classes. Retired Captain Sadler indicated that they did. He asked

if there were any questions concerning the classes presented. Hearing none 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:

HARRISON COUNTY SHERIFF'S OFFICE

Twenty-four (24) hours Dates to be set

Leadership Seminar

Instructor: Dr. Carl Mercer

Clarksburg, WV

RALEIGH COUNTY SHERIFF'S OFFICE

Twenty-four (24) hours 5-7 Feb 08

Vision RMS System Administration Records Management Training

Instructor: Ms. A. Rodgers

Beckley, WV

Sixteen (16) hours 8-9 Apr 08

Vision FBR 3.X System Records Management Training

Instructor: Ms. A. Rodgers

Beckley, WV

WEST VIRGINIA DIVISION OF NATURAL RESOURCES

Sixteen (16) hours 23-24 Jan 08

Field Training Officer (FTO) Administration

Instructor: Lieutenant T. Coleman

Charleston, 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

Colonel Murphy asked if these classes met the criteria to be approved as supervisory in-service classes. Retired Captain Sadler indicated that they did. He asked if there were any questions concerning the classes presented. Colonel Murphy asked if there were any questions concerning the classes presented. Hearing none he moved to agenda item 5.C.

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

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

Colonel Murphy indicated at that point that he had a question concerning the simulcast training that had been submitted by the Keyser Police Department. His question was if the committee had approved similar such simulcasts in the past for in-service credit. Retired Captain Sadler indicated that the committee members had previously approved similar training.

Colonel Murphy asked if there were any other questions concerning the training presented for approval as personal in-service credit hours. Hearing none he 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 Ms Singleton, seconded by Retired Sergeant Johnson, that the listed classes for annual, supervisory and personal in-service credit be approved. 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 six by noting that it reflected that the continued review of the certification of Former Captain J Sands and Retired Sergeant L Hart of the Charleston Police Department from the December 31, 2007 LET Subcommittee meeting had been continued again to the February 20, 2008 meeting. This continuation had been necessary due to a scheduling conflict that their attorney had. Colonel Murphy asked if there was consensus agreement by the members present to so continue the review. Such agreement was indicated by the members present.

Colonel Murphy then initiated discussion on agenda item seven as to the approval of the applications for certification as West Virginia law enforcement officers for the graduating officers from the 132nd Basic Class, their graduation having been on December 21, 2007. He asked is there was a motion that these officers be so certified.

A motion was made by Ms Singleton, seconded by Retired Sergeant Johnson, that the officers who had graduated from the 132nd Basic Class be approved for certification as law enforcement officers in the state. 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 eight as to the approval of the course of study for the 133rd Basic Class. Sergeant Tilley gave an overview of the course of study. He indicated that the Basic Class Program was

now approved for twenty (20) hours of college credit hours from Marshall University.

Sheriff Rutherford asked if there had been any major changes in the course of study. Sergeant Tilley advised that there had not been any recent changes, the last being in the increase in HazMat related training from four to twenty four hours to allow officers completing the program to meet federal training standards in that area. Sheriff Rutherford asked if Taser training was part of the course of study. Sergeant Tilley advised that it was not, but it was being reviewed to determine the need and demand by city and county officers within the state. For example he noted that when the majority of officers within the state began carrying ASP batons and OC Spray that became part of the curriculum.

There being no further questions about the course of study Colonel Murphy asked if there was a motion concerning it. A motion was made by Ms Singleton, seconded by Sheriff Rutherford, that the course of study for the 133rd Basic Class be approved as presented. 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 indicated that agenda items nine and eleven would be addressing personnel related matters and asked if there was a motion for the LET Subcommittee to go into executive session. A motion was made by Ms Singleton, seconded by Retired Deputy Gentry, that the LET Subcommittee go into executive session to address agenda items nine and eleven. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

The LET Subcommittee went into executive session at 10:18 a.m. It came out of executive session at 10:53 a.m.

Colonel Murphy asked if there was a motion concerning agenda item nine. A motion was made by Retired Sergeant Johnson, seconded by Ms Singleton, that Former Officer Dennis M. Jenkins, be allowed to attend the entry level training program as a private citizen. There being no discussion on the motion Colonel Murphy called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Colonel Murphy asked if there was consensus agreement for agenda item eleven to be addressed at this point of the meeting agenda prior to agenda item ten. Such consensus agreement was indicated by the members. Colonel Murphy asked if there was a motion concerning agenda item eleven. A motion was made by Sergeant Tilley, seconded by Retired Sergeant Johnson, that Former Officer Travis Castle, not be allowed to participate in the equivalent certification process as state statute allowed that individuals who had previously begun the West Virginia entry level training program to gain certification as a law enforcement officer in the state could only become certified officers in West Virginia by subsequently completing that entry level training program. There being no

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

Colonel Murphy initiated discussion on agenda item ten as to the request by DCJS staff that changes be made to the equivalent certification standards set during the December 13, 2007 LET Subcommittee meeting by asking Mr. Federspiel to speak concerning the position of the DCJS staff. Mr. Federspiel reviewed the actions that the committee members had taken during the December 13th meeting and his subsequent direction to Retired Captain Sadler as to the implementation of the committee's motions passed during that meeting as relating to equivalent certification.

He continued with a discussion as to the whether the members could add experience as one of the standards for review of individuals seeking equivalent certification without changing the applicable section of legislative rule. He continued that he felt that the individuals in the process of being reviewed/approved to participate in the equivalent certification process had made application by the actions that they and Retired Captain Sadler had carried out and that the motion as passed should only be applicable to individuals making application after the committee's motions.

Sergeant Tilley indicated that in discussions since the December 13th meeting that he had come to recognize that the part of the motion that the committee had passed at that meeting as to the fact that it had added experience as a required component of the equivalent certification could only be added through a change in the legislative process.

There was a discussion as to when an application was considered to have been made for equivalent certification. It was determined that the DCJS staff needed to develop an actual application to be submitted by an officer seeking to be granted equivalent certification. It was the consensus agreement of the members present that the motions as passed during the December 13, 2007 meeting, allowing for any subsequent modification to be made during this meeting, would be applicable to all individuals in the review process at this time who had not been previously approved by the members of the Equivalent Certification Review Committee to continue in the equivalent certification process.

There was a discussion of the language used in the legislative rules, 149-2-14.5, as to "then applicable" as relating to the number of hours to be examined that an officer had completed in the entry level training program that he had completed in the other POST state. It was the consensus agreement of the DCJS staff and the members present that this language referred to the number of hours currently being presented in the entry level training program in this state, that number being 810 hours. It was further recognized that the members of the Equivalent Certification Review Committee would need to examine the number of hours of training completed by an officer in line with that language when they looked at the individual's other state POST certification and training completed.

Sergeant Tilley made a motion, seconded by Chief Crawford that as to the motions approved by the LET Subcommittee at its December 13, 2007 meeting concerning that meeting's agenda item fourteen, listed on pages 14 and 15 of the minutes for that meeting, that listed points 3 and 4 as relating to the motion made by Chief Crawford and seconded by Chief Stover and that listed points 3, 4 and 5 of the motion made by Sheriff Miller, seconded by Ms. Dooley be removed, with all of the remaining points in these motions remain in place in conjunction with the requirements set forth concerning equivalent certification in Legislative Rules 149-2-15.

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 initiated discussion on agenda item twelve 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 which 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 review the results of the strategic plan that had been developed concerning the forfeited funds that the state was to receive that were to be used for training related purposes. He advised that funds would be designated towards remodeling and upgrading of the Academy facilities to include a driving course are for emergency vehicle operation. Funds would also be directly available to the LET Subcommittee and Fund for the operation of the entry level training programs and for presentation of continuing in-service classes during the next two years.

Lieutenant Colonel S. Tucker would be in charge of the execution and administration of the plan to expend the forfeited funds. The funds available for the entry level training program could be used in lieu of making awards from the collected court fees and tuitions so as to allow the fund to build to a level that would allow it to operate without concern as to the level of the funds present.

Colonel Murphy asked if there was any other business to be discussed. Hearing none he indicated to the members present that this would be his last meeting serving as Chair of the LET Subcommittee. His recent promotion to Colonel and the responsibilities of his position did not allow him the time to serve in the position of Chair for the LET Subcommittee. He would continue to remain an active member of the committee. It was the strong consensus of the members present that he had done an excellent job during his tenure as Chair.

Colonel Murphy thanked the members for that indication and advised them that it was his recommendation that Sergeant Tilley become the Chair of the LET Subcommittee. A motion was made by Chief Crawford, seconded by Ms Singleton,

that Sergeant Curt Tilley would assume the position of Chair 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.

There being no other business indicated by the members present to be discussed it was the consensus agreement of the members present that the January 31, 2008 meeting of the LET Subcommittee be brought to a close and it was so closed.

APPENDIX ONE

FINANCIAL REPORT

JANUARY 24, 2008