

**LAW ENFORCEMENT TRAINING SUBCOMMITTEE
Executive Conference Room
West Virginia State Police Academy
Dunbar, WV**

December 9, 2010

MEMBERS PRESENT: Colonel David Murphy
Retired Lieutenant Terry Miller
Retired Lieutenant Steve Walker

MEMBERS REPRESENTED: Colonel T Pack by
First Sergeant Curt Tilley
Chief William Roper by
Chief Steve Stephens
Sheriff Richard Ferguson by
Sheriff T McComas
Ms Patty Hamilton by
Mr Jack McClung

MEMBERS ABSENT: Mayor Arthur Auxer
Retired Chief Ivin Lee
Ms Suzan Singleton

STAFF: Retired Captain Chuck Sadler
Mr Jeff Estep

The December 9, 2010 meeting of the Law Enforcement Training (LET) Subcommittee, conducted in the Executive Conference Room located on the West Virginia State Police Academy grounds at Dunbar, West Virginia, was called to order by the Chair, First Sergeant Tilley, at 9:06 a.m. with seven (7) members either present or represented at the meeting.

First Sergeant Tilley then asked the members present, as relating to agenda item 1, if there were any items that needed to be added to the agenda that had not been previously set to the agenda. There being no additions noted by the members present First Sergeant Tilley moved to address agenda item #2.

As to agenda item 2 First Sergeant Tilley noted to the members present that the minutes of the October 28, 2010 meeting of the LET Subcommittee had been mailed to the subcommittee members separately from the agenda packet for this meeting. He asked if anyone present had not received a copy of the minutes. No one indicated that they had not.

He asked the members present if there were any questions or corrections concerning the minutes as sent. Retired Lieutenant Walker noted that on pages 7-8 of the October 28, 2010 minutes that the rank of R Ingram should be reflected as Retired Lieutenant, not Retired Sergeant. Retired Captain Sadler advised that he would make that correction.

First Sergeant Tilley asked if there were any other correction or revisions to be made to the minutes. Hearing no other he asked if there was a motion to be made concerning their approval with the correction noted by Retired Lieutenant Walker.

A motion was made by Retired Chief Stephens, seconded by Sheriff McComas, that the minutes of the October 28, 2010 LET Subcommittee meeting be accepted with the changing of the rank noted for Retired Lieutenant Ingram. There being no discussion on the motion First Sergeant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

First Sergeant Tilley then initiated discussion on agenda item 3 as to the LET Fund Financial Report by asking Retired Captain to report on it. Retired Captain Sadler noted that a copy of the Financial Report dated December 2, 2010 had been mailed with the minutes in the separate mailing following the agenda mailing. As reflected on that the LET Fund Balance Report dated December 2, 2010 there was a balance of \$699,633.30 in the LET Fund.

First Sergeant Tilley asked if there were any questions concerning the LET Fund report. Hearing none he asked if there was consensus approval by the members present to accept the report as presented. Such consensus approval was indicated by the members present.

First Sergeant Tilley then initiated discussion on agenda item 4. He advised the members present that it addressed the below listed individuals who were

seeking to be approved as a law enforcement instructor in the areas of expertise listed.

Officer Steven Bunner
Parkersburg Police Department

ASP Tactical Baton
Tactical Handcuffing

Patrolman Travis Hill
Charleston Police Department

Radar/Laser – Electronic
Speed Measuring

Senior Patrolman Peter Kapeluck
Charleston Police Department

Radar/Laser – Electronic
Speed Measuring

Patrolman Mark Petty
Charleston Police Department

Radar/Laser – Electronic
Speed Measuring

First Sergeant Tilley asked Retired Captain Sadler if these individuals met the standards to become certified as a law enforcement instructor in the areas listed. He indicated that they did and recommended their approval as such.

First Sergeant Tilley asked if there were any questions or discussion concerning the recommendation for this individual to be approved as an instructor in the areas of expertise recommended. Hearing none he asked if there was a motion to be made concerning him.

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

First Sergeant Tilley then initiated discussion on agenda item 5 by advising that it addressed the applications of the below listed individuals, previously certified as law enforcement instructors, who were seeking to be certified in the additional area/s of expertise listed. The following individuals were presented for consideration:

Officer Matthew R Arthur
Dunbar Police Department

L.O.C.K.U.P. Police Combat System

Patrolman First Class Ronald R Bleigh
Martinsburg Police Department

Police Firearms Instructor – Select Fire

Sergeant Woodrow Borgan
West Virginia Natural Resource Police

Hunting Incident Investigation

Chief Deputy Robert K Haught
Wetzel County Sheriff's Office
Rifle

Rapid Response to Active Shooter
Police Firearms Instructor – Precision

Police Firearms Instructor – Patrol Rifle
Police Firearms Instructor – Shotgun
Distraction Devices

Sergeant Charles Johnson
West Virginia Natural Resource Police

Hunting Incident Investigation

First Sergeant Tilley asked Retired Captain Sadler if these previously certified law enforcement instructors met the standards to become certified in the additional areas listed. He indicated that they did and recommended their approval as such.

First Sergeant Tilley asked if there were any questions or discussion concerning the recommendation for these individuals to be approved as instructors in the additional areas of expertise recommended. Hearing none he asked if there was a motion to be made concerning them.

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

First Sergeant Tilley then initiated discussion on agenda item number 6A by advising the members present that it addressed training programs that had been submitted for consideration for approval as annual in-service. The following annual level in-service training programs to be conducted during the 2011 Training Year were presented for consideration and approval:

CHARLESTON POLICE DEPARTMENT

Seven (7) hours

26 Oct 10

SWAT Sniper Training – Alternate Firing Positions and Speed/Stress Fire

Instructor: Lieutenant H P Hickman

Corporal Chad Snodgrass

LET Certified Instructors in subject area

Charleston, WV

Eight (8) hours

6, 7, 8, 9 and 10 Dec 10

Tactical First Aid for Law Enforcement

Instructor: Lieutenant H Hickman

Corporal D Rowsey

LET Certified Instructors in subject area

Firefighter Alisha Samples

Firefighter John Daernell

West Virginia certified paramedics

Charleston, WV

Eight (8) hours 25 Jan 11

Forensic Photoshop System

Instructor: Mr Kenneth Hoerricks

Managing Partner – Forensic Analysis Associates, LLC

Recognized court expert in forensic video analysis

Adjunct Professor – California Polytechnic University

Charleston, WV

CHAPMANVILLE POLICE DEPARTMENT

Four (4) hours 23 Nov 10

Grade Crossing Collision Investigation (GCCCI) Training

Instructor: Special Agent David Farley

Norfolk Southern Railroad

GCCI Instructor

Previously approved instructor in other such courses by LET

Subcommittee

Chapmanville, WV

CLARKSBURG POLICE DEPARTMENT

Eight (8) hours 28, 29 & 30 Dec 10

Stop Stick Training Course

Instructor: Officer W C Reed

LET certified instructor

STOP Stick training course and regular usage

Clarksburg, WV

FAYETTE COUNTY EVIDENCE CENTER (FCEC)

In conjunction with MOUNT HOPE POLICE DEPARTMENT

Eight (8) hours 13 Dec 10

Death Investigations

Instructor: Mr Bryan Bjork

Adjunct Professor – Mountain State University

Mt Hope, WV

JACKSON COUNTY SHERIFF'S OFFICE

Sixteen (16) hours 3-4 Mar 11

Clandestine Laboratory Investigations

Instructor: Detective Brian Sallee

New Mexico POST certified law enforcement instructor in subject area

Ripley, WV

KANAWHA COUNTY SHERIFF'S OFFICE

Two (2) hours 7, 8, 9, 10, 11 & 12 Nov 10

Taser Operator Recertification Training

Instructor: Corporal L Grace

Deputy B Humphreys

LET Certified Instructors in subject area

Charleston, WV

Two (2) hours 7, 8, 9, 10, 11 & 12 Nov 10
Defensive Tactics Refresher Course

Instructor: Corporal L Grace
 Deputy B Humphreys
 LET Certified Instructors in subject area
Charleston, WV

MARION COUNTY PROSECUTOR'S OFFICE

Six (6) hours 28 Oct 10
2010 Marion County Law Enforcement Seminar

Instructor: Sergeant Portaro
 LET Certified Instructor in subject area
 Federal Marshall Alex Neville
 Federal Agent – United States Marshall Service
 Honorable Larry V Starcher – Judge
 Mr Rocco Fucillo
 Mr Philip Morrison
 Attorneys at Law – State Prosecuting Attorneys and Judge
Fairmont, WV

MARTINSBURG POLICE DEPARTMENT

Twenty-four (24) hours To be set

Basic Patrol Rifle Training

Instructor: Patrolman First Class R Bleigh
 Recommended for approval in this area of expertise
Martinsburg, WV

MERCER COUNTY SHERIFF'S OFFICE

Sixteen (16) hours 21-22 Mar 11, 23-24 Mar 11 and 28-29 Mar 11

Introduction to the Patrol Rifle

Instructor: Deputy J Coulter
 Deputy A Ballard
 Two (2) hours 7, 8, 9, 10, 11 & 12 Nov 10

Taser Operator Recertification Training

Instructor: Corporal L Grace
 Deputy B Humphreys
 LET Certified Instructors in subject area
Athens, WV

PARKERSBURG POLICE DEPARTMENT

Eight (8) hours To be set

Firearms Fundamentals and Marksmanship Class

Instructor: Lieutenant Young
 LET Certified Instructor in subject area
Parkersburg, WV

Sixteen (16) hours 13-14 Dec 10
Field Training Officer (FTO) Program
Instructor: Lieutenant D McEwuen
LET certified in subject area
Parkersburg, WV

Four (4) hours 20 Jan 11
Taser Operator Recertification
Instructor: Sergeant Nangle
Patrolman First Class Carpenter
LET certified instructors in subject area
Parkersburg, WV

Two (2) hours 20 Jan 11
ASP Baton Recertification Training
Instructor: Sergeant Bunner
LET certified instructor in subject area
Parkersburg, WV

Two (2) hours 20 Jan 11
Less Lethal Force Overview
Instructor: Lieutenant Young
LET certified instructor in subject area
Parkersburg, WV

Two (2) hours 20 Jan 11
Domestic Violence
Instructor: Captain Barker
LET certified instructor in subject area
Parkersburg, WV

Eight (8) hours 21 Jan 11
Active Shooter Training
Instructor: Detective Collins
LET certified instructor in subject area
Parkersburg, WV

RESA VIII

Twenty (20) hours 13-15 Dec 10
NIMS 300
Instructor: Mr Mike Athey
RESA certified instructor in subject area
West Virginia fire services certified instructor in subject area
Shepherdstown, WV

Sixteen (16) hours 16-17 Dec 10

NIMS 400

Instructor: Mr Mike Athey

RESA certified instructor in subject area

West Virginia fire services certified instructor in subject area

Shepherdstown, WV

SOUTH CHARLESTON POLICE DEPARTMENT

Eight (8) hours 2 & 16 Dec 10

Grade Crossing Collision Investigation (GCCl)

Instructor: Special Agent D Farley

LET certified instructor in subject area

South Charleston, WV

WEST VIRGINIA FRATERNAL ORDER OF POLICE

Eight (8) hours 8 Apr 11

Officer Involved Shooting Investigations

Instructor: Mr Michael Coviello

Attorney at Law

Associate General Counsel for the Labor Services Division

National Fraternal Order of Police

Charleston, WV

WEST VIRGINIA FUSION CENTER

Twenty-four (24) hours Date to be set

Managing and Operating a Surveillance Detection Team

Instructor: Adjunct staff U.S. Department of Homeland Security

Charleston, WV

WEST VIRGINIA OFFICE OF HOMELAND SECURITY

Twelve (12) hours 16-18 Nov 10

2010 West Virginia Homeland Security Conference

Instructor: Chief Kevin Taylor

Fire Chief – Beckley Fire Department

Fire services certified instructor

Retired Colonel T Kirk

Director – West Virginia Fusion Center

Attorney at Law

Mr Rob Dixon

West Virginia Office of Technology

Captain R Stonestreet

West Virginia State Police

Mr Mike McAllsiter

Virginia Deputy Homeland Security Advisor

Adjunct staff U.S and West Virginia Offices of Homeland Security

White Sulphur Springs, WV

WEST VIRGINIA PROSECUTING ATTORNEYS INSTITUTE

Eight (8) hours Eight dates 12 Jan 11 to 3 Mar 10

2010 Blue Flu Tour - Law Enforcement Update Training

Instructor: Adjunct staff and attorneys with the Institute

LET certified instructors in various subject area

Eight locations within the state

WEST VIRGINIA PUBLIC SAFETY OFFICERS' CRITICAL INJURY LINE OF DUTY DEATH SUPPORT NETWORK (WV LAST)

Seven (7) hours 13 Dec 10

Managing Line of Death Incidents

Instructor: Adjunct staff U S Department of Justice

Charleston, WV

WEST VIRGINIA STATE POLICE

Forty (40) hours 15-19 Nov 10

Basic Instructor Development Training

Instructor: First Sergeant C Tilley

LET approved instructor in subject area

Dunbar, WV

Twenty-eight (28) hours 13-16 Dec 10

Operation Fairplay – Peer to Peer Investigation Training

Instructor: Adjunct staff – U S Department of Justice

Wheeling, WV

WEST VIRGINIA UNIVERSITY POLICE DEPARTMENT

Sixteen (16) hours 8-9 Nov 10

ALERRT – Response to Active Shooter

Instructor: Captain Danny Camden

LET certified instructor in subject area

Martinsburg, WV

First Sergeant Tilley asked Retired Captain Sadler if these classes met the criteria to be approved as annual in-service classes for the 2011 Training Year. He indicated that they did and recommended they be approved as such. He did note that the Forensic Photoshop training listed under the Charleston Police Department as being scheduled for January 25, 2011 was being rescheduled, date not set as yet, but still recommended its approval as it would be held prior to July 9, 2011.

First Sergeant Tilley asked if there were any questions or comments concerning the recommended classes. Hearing none he asked if there was a motion to be made concerning them.

Sheriff McComas made a motion, seconded by Retired Lieutenant Miller, that the listed classes be approved for annual in-service hours as presented for the 2011 Training Year. There being no discussion on the motion First Sergeant Tilley

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

First Sergeant Tilley then initiated discussion on agenda item 6B by presenting the following classes for approval as supervisory in-service during the 2011 Training Year:

PARKERSBURG POLICE DEPARTMENT

Eight (8) hours Date to be set

Managing an FTO Program

Instructor: Lieutenant D McEwuen

LET certified in subject area

Parkersburg, WV

RESA VIII

Twenty (20) hours 13-15 Dec 10

NIMS 300

Instructor: Mr Mike Athey

RESA certified instructor in subject area

West Virginia fire services certified instructor in subject area

Shepherdstown, WV

Sixteen (16) hours 16-17 Dec 10

NIMS 400

Instructor: Mr Mike Athey

RESA certified instructor in subject area

West Virginia fire services certified instructor in subject area

Shepherdstown, WV

WEST VIRGINIA FRATERNAL ORDER OF POLICE

Eight (8) hours 8 Apr 11

Officer Involved Shooting Investigations

Instructor: Mr Michael Coviello

Attorney at Law

Associate General Counsel for the Labor Services Division

National Fraternal Order of Police

Charleston, WV

WEST VIRGINIA FUSION CENTER

Twenty-four (24) hours Date to be set

Managing and Operating a Surveillance Detection Team

Instructor: Adjunct staff U.S. Department of Homeland Security

Charleston, WV

WEST VIRGINIA OFFICE OF HOMELAND SECURITY

Twelve (12) hours 16-18 Nov 10
2010 West Virginia Homeland Security Conference

Instructor: Chief Kevin Taylor
Fire Chief – Beckley Fire Department
Fire services certified instructor
Retired Colonel T Kirk
Director – West Virginia Fusion Center
Attorney at Law
Mr Rob Dixon
West Virginia Office of Technology
Captain R Stonestreet
West Virginia State Police
Mr Mike McAllsiter
Virginia Deputy Homeland Security Advisor
Adjunct staff U.S and West Virginia Offices of Homeland Security
White Sulphur Springs, WV

WEST VIRGINIA PUBLIC SAFETY OFFICERS' CRITICAL INJURY LINE OF DUTY DEATH SUPPORT NETWORK (WV LAST)

Seven (7) hours 13 Dec 10
Managing Line of Death Incidents
Instructor: Adjunct staff U S Department of Justice
Charleston, WV

First Sergeant Tilley asked Retired Captain Sadler if these classes met the criteria to be approved as supervisory in-service classes for the 2011 Training Year. He indicated that they did and recommended their approval as such. First Sergeant Tilley asked if there were any questions concerning these classes. Hearing none he asked if there was a motion concerning the approval of these classes.

Retired Lieutenant Walker made a motion, seconded by Retired Lieutenant Miller, that the classes presented and recommended be approved for supervisory in-service credit as presented for the 2011 Training Year. There being no discussion on the motion First Sergeant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

First Sergeant Tilley then initiated discussion on agenda item 6C by presenting the following classes for approval as personal in-service for the 2011 Training Year:

CABELL COUNTY SHERIFF'S OFFICE

Annual In-Service
Corporal Lafe Roberts
Deputy Gary McCallister
Deputy Mathew Siebel
Deputy Jared Cremeans
Sixteen (16) hours 8-9 Nov 10
Street Survival Training
Calibre Press
Columbus, OH

CHARLESTON POLICE DEPARTMENT

Annual In-Service
Sergeant Autumn Davis
Forty (40) hours 15-19 Nov 10
Police Internal Affairs
Institute of Police Technology and Management (IPTM)
Jacksonville, FL

FAYETTE COUNTY SHERIFF'S OFFICE

Annual In-Service
Deputy to be named
Forty (40) hours 5-10 Dec 10
Bloodhound K-9 Handlers
York County, SC, Sheriff's Office
Blacksburg, SC

HANCOCK COUNTY SHERIFF'S OFFICE

Annual In-Service
Deputy Arthur Watson
Eight (8) hours 28 Oct 10
Arabic for Law Enforcement
University of Pennsylvania
Southpointe, PA

Annual In-Service
Deputy Arthur Watson
Seven (7) hours 1 Nov 10
Inside the Mind of a Teen Killer
Lakeview Local Schools
PhilChalmers.Com
Cortland, OH

U.S. 119 DRUG TASK FORCE

Annual In-Service
Deputy Robert Dotson
Deputy Shawn Jarrell
Deputy Jeffrey Dingess
Forty (40) hours 10-14 Jan 11
Sirchie Evidence Collection – Accelerated Training Program
Sirchie Crime Scene Technology Inc.
Youngsville, NC

WEIRTON POLICE DEPARTMENT

Supervisory In-Service
Lieutenant J Phillips
Lieutenant R Stead
Sergeant R Alexander
Sergeant R Williams
Sixteen (16) hours 16-17 Dec 10
Police Conduct – Personal Guidelines and Departmental Strategies
Penn State Justice and Safety Institute
Allegheny Police Training Academy
Allison Park, PA

WHEELING POLICE DEPARTMENT

Supervisory In-Service
Lieutenant Piccard
Lieutenant Anderson
Sixteen (16) hours 16-17 Dec 10
Police Conduct – Personal Guidelines and Departmental Strategies
Penn State Justice and Safety Institute
Allegheny Police Training Academy
Allison Park, PA

First Sergeant Tilley asked Retired Captain Sadler if these classes met the criteria to be approved as personal in-service classes as annual or supervisory as reflected for the 2011 Training Year. He indicated that they did and recommended their approval as such.

First Sergeant Tilley asked if there were any questions concerning the recommended classes. Hearing none he asked if there was a motion for their approval.

Retired Chief Stephens made a motion, seconded by Retired Lieutenant Walker, that the classes presented and recommended be approved for personal in-service credit for the 2011 Training Year. There being no discussion on the motion First Sergeant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

First Sergeant Tilley then asked the subcommittee members for their consensus approval to take up discussion of agenda item 13 at this point of the

meeting in that there were individuals present from West Virginia State Police Headquarters staff to answer any questions that the subcommittee members might have on that agenda item. Such consensus approval was made by the subcommittee members present.

First Sergeant Tilley then addressed agenda item 13 by advising the members present that it addressed a discussion concerning the proposed legislation that had been studied by a joint House/Study committee of the respective Judiciary Committees of the West Virginia Legislature concerning officer conduct. The proposed legislation was titled "Expanding Responsibilities of the LET Subcommittee. He noted that an invitation to appear and discuss this legislation had been sent to Senator Laird, author of the legislation, but that no response had been made to that invitation.

A discussion followed by the members present concerning the scope of the proposed legislation and its impact upon the roles and responsibilities of them as subcommittee members. The discussion addressed issues and concerns as to the security of the data base that would be required for maintaining such records, how the data base would be set up and operate, what would be considered/defined as a complaint, how complaints already reviewed/investigated by an agency would be handled, issues with rights afforded officers under the Police Officer Bill of Rights in any complaint follow up, the quantity of the time and information that would be involved in investigating and reviewing information to be submitted as to the DJCS staff and the subcommittee members themselves and what would happen as to agencies who elected to provide the required information to the subcommittee.

It was the consensus opinion of the members present that there were a number of concerns and issues to be addressed concerning the scope and requirements of the proposed legislation. The members indicated that they would make their respective organizations aware of these concerns.

First Sergeant Tilley then advised the members present that as to the regularly set agenda items 7 through 10 which address personnel related issues that there was no discussion needed on agenda item 10 but that there were items to be discussed under agenda items 7, 8 and 9. As such he asked for a motion to go into executive session concerning them.

Sheriff McComas made a motion, seconded by Retired Chief Stephens, that the LET Subcommittee go into executive session to address the personnel related matters concerning agenda items 7, 8 and 9. There being no discussion on the motion First 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 9:52 a.m. It came out of executive session at 11:48 a.m. following a discussion on these agenda items and on the motion made by Colonel Murphy and Retired Chief Stephens to come out of executive session which was approved unanimously by the members present. Following their return to open session there was lunch break in the room

until 12:23 p.m. at which point the members returned to the business on the agenda.

First Sergeant Tilley noted that there was no motion/action required on the item pertaining to agenda item 7 as it had been made part of the agenda discussion for informational purposes for the subcommittee members.

First Sergeant Tilley asked if there was any motion to be made concerning agenda item 8A.

Sheriff McComas made a motion concerning agenda item 8A, seconded by Mr Jack McClung, that the individual in question be allowed to continue in the process to participate in the entry level training program following a review of the totality of the circumstances relating to his criminal convictions.

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

First Sergeant Tilley asked if there was any motion to be made concerning agenda item 8B.

Colonel Murphy made a motion concerning agenda item 8B, seconded by Retired Chief Stephens, that the individual in question not be allowed to continue in process to participate in the entry level training program following a review of the totality of the circumstances relating to his criminal convictions.

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

First Sergeant Tilley asked if there was any motion to be made concerning agenda item 9A.

Retired Lieutenant Walker made a motion concerning agenda item 9A, seconded by Retired Lieutenant Miller, that as to the Officer in question that no action be taken against his certification as a West Virginia law enforcement officer following a review of the totality of the circumstances relating to his criminal conviction during the October 28, 2010 meeting and this subcommittee meeting.

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

First Sergeant Tilley noted that there was no motion/action required on the item pertaining to agenda item 9B as it had been made part of the agenda discussion for informational purposes for the subcommittee members.

First Sergeant Tilley noted to the members present once again that there was no item to be discussed concerning regularly scheduled agenda item 10 as to individuals wanting to attend the entry level training program as a private citizen and he then initiated discussion on agenda item 11, noting that it addressed the changes that had been discussed during the October 28, 2010 to the classes making up the entry level training program for the Basic Classes. He noted that the members had been given the proposed changes during that last meeting following a presentation by Sergeant Lee and asked to review them for formal consideration during this meeting.

First Sergeant Tilley asked if there were any questions that the members had concerning the proposed changes. Hearing none he asked if there was a motion to be made concerning the proposed schedule of the entry level training program for the Basic Classes.

Colonel Murphy made a motion, seconded by Sheriff McComas, that the proposed changes to the entry level training program for the Basic Class program be accepted as presented and that the schedule be in effect for the 145th Basic Class that would start January 3, 2011. Hearing no discussion on the motion First Sergeant Tilley called for questions. All present voted in favor of the motion as made with no negative votes cast.

First Sergeant Tilley then addressed agenda item 12 by indicating that it addressed two grant applications for funding from the LET Fund in support of training activities at the West Virginia State Police Academy. Agenda item 12A was an application for \$149,985 for the operation of the 145th Basic Class that would be running from January 3, 2011 through April 22, 2011. The application was a standard one consistent with prior such class funding requests.

First Sergeant Tilley asked if there were any questions concerning this application. Hearing none he asked if there was a motion to be made concerning it.

Retired Lieutenant Miller made a motion, seconded by Retired Chief Stephens, that the \$149,985 in funding requested from the LET Fund for the operation of the 145th Basic Class be approved as submitted. Hearing no discussion on the motion First Sergeant Tilley called for questions. All present voted in favor of the motion as made with no negative votes cast.

First Sergeant Tilley then addressed agenda item 12B stating that it addressed a funding request in the amount of \$24,000 from the LET Fund by the West Virginia State Police for the purchase of equipment to support the overall training program at the Academy. Specifically he noted that the request was for two Kawasaki 4010 Trans Mule 4 x 4's. He then asked Major M DeBord, Director of Training at the Academy, to discuss the request.

Major DeBord advised the members that these vehicles would be used in support of the training programs at the Academy as outlined in the grant application. The expansion of the Academy property and the expanding training

roles necessitated this type of equipment to insure the safety of individuals on the Academy grounds and in support of the various training programs.

First Sergeant Tilley asked if there were any questions concerning this application. Hearing none he asked if there was a motion to be made concerning it.

Retired Lieutenant Walker made a motion, seconded by Retired Lieutenant Miller, that the \$24,000 in funding requested from the LET Fund for the purchase of the equipment outlined in the application be approved as submitted. Hearing no discussion on the motion First Sergeant Tilley called for questions. All present voted in favor of the motion as made with no negative votes cast.

Agenda item 13 having already been discussed earlier in the meeting with the consensus approval of the members present First Sergeant Tilley then initiated discussion on agenda item 14 by advising the members present that it addressed the development of changes to the existing state statute addressing individuals who resigned while attending an entry level training program and the current requirement that they now could only come back into the training program as a private citizen. The members had expressed an interest previously in legislation being considered that would allow such individuals to be considered to be able to once again be hired as law enforcement officers and re-enter the entry level training program as sworn officers.

First Sergeant Tilley noted the Mr Jeff Estep, Deputy Director, Division of Justice and Community Services (DJCS) was present to address proposed legislation on this area. Mr Estep provide the members present with proposed changes to West Virginia State Code, §30-29-5 (f), copy provided under Appendix 1 to these minutes. He then reviewed the proposed changes with them as follows:

1. (f) 1 – Would allow individuals who had to resign due to hardship and/or circumstances beyond his/her control to reenter the next available Academy class on approval by the Director of Training.
2. (f) 2 – Would allow individuals who elected to resign for voluntary personal related reasons would, after a period of two years, be able to once again be hired as a sworn officer and move to enter and complete the Academy class.
3. (f) 3 – Would allow individuals who had been dismissed from the Academy program, after a period of five years on approval from the LET Subcommittee, to once again be hired as a sworn officer and move to enter and complete an Academy class.

The proposed legislation would make no change to the ability of individuals who resigned for medical related reasons, who upon approval of the Director of Training, be able to reenter the next available class after the medical condition is addressed and they receive applicable release from a physician.

The members discussed the proposed changes and were supportive of them. First Sergeant Tilley reminded them that the LET Subcommittee, as a body,

could not move to introduce legislation, but the individual organizations represented by the members present could.

There being no questions or further discussion concerning agenda item 14 First Sergeant Tilley moved to discuss agenda item 15 advising the members present that it addressed the subcommittee's responsibility by legislation passed during the 2010 Legislature to identify and approve a minimum eight hour training program on speed measuring enforcement. He noted that the West Virginia Governor's Highway Safety Program had worked with the subcommittee on bringing in a speed measuring instructor school and that officers who had attended that training from the Academy staff had then developed the program that had been sent as part of the agenda mailing.

He asked if there were any questions concerning the recommended training program. Hearing none he asked if there was a motion concerning it.

Retired Lieutenant Miller made a motion, seconded by Retired Lieutenant Walker, that the training program developed by the Academy staff become the required minimum training program for officers who would be operating speed measuring devices within the state in acord with the statutory requirements. Hearing no discussion on the motion First Sergeant Tilley called for questions. All present voted in favor of the motion as made with no negative votes cast.

First Sergeant Tilley noted that he would advise the staff of the Governor's Highway Safety Office of this approval and that they, the highway safety office, would be moving to provide such training to all applicable officers. First Sergeant Tilley further noted that with the changes to the Basic Class entry level training program under agenda item 11 of this meeting that this eight hour block of instruction was now part of each Basic Class beginning with the 145th Basic Class.

First Sergeant Tilley noted that as to agenda item 16 that it had been presented for information purposes to the members to make them aware of Retired Captain Sadler's denial of a retired officer, who was now working as a Reserve/Transport Deputy to not be able to participate in the recertification program as he was not working as a sworn officer. If any appeal of that denial was made by the retired officer or his agency it would be set to an upcoming subcommittee agenda.

As to agenda item 17 there were no specific items to be addressed as to the actions of Retired Captain Sadler on behalf of the members since their last meeting.

There being no other approved business to discuss First Sergeant Tilley asked if there was a motion to bring this meeting to a close.

Sheriff McComas made a motion, seconded by Retired Chief Stephens, that the December 9, 2010 meeting of the LET Subcommittee be brought to a close. Hearing no discussion on the motion First Sergeant Tilley called for questions. All present voted in favor of the motion as made with no negative votes cast.

The December 9, 2010 meeting of the LET Subcommittee was brought to a close at 1:04 p.m.

APPENDIX 1

Proposed Legislative Change to West Virginia Code §30-29-5