

**LAW ENFORCEMENT TRAINING SUBCOMMITTEE
West Virginia State Police Academy
Professional Development Center
Dunbar, West Virginia**

March 25, 2010

MEMBERS PRESENT: Colonel David Murphy
Retired Chief Ivin Lee
Retired Lieutenant Steve Walker
Ms. Patty Hamilton

MEMBERS REPRESENTED: Colonel T Pack by
First Sergeant Curt Tilley
Chief William Roper by
Chief Steve Stephens
Sheriff Richard Ferguson by
Sheriff by Sheriff T McComas
Retired Lieutenant Terry Miller by
Retired Corporal Dave Gentry

MEMBERS ABSENT: Ms Suzan Singleton
The position represented by a member of the
public is vacant due to the resignation of
the previous representative and as yet
has not been filled.

STAFF: Retired Captain Chuck Sadler
Ms. Leslie Boggess

The March 25, 2010 meeting of the Law Enforcement Training (LET) Subcommittee, conducted in the Professional Development Center of the West Virginia State Police Academy, located in Institute, West Virginia, was called to order by the Chair, First Sergeant Tilley, at 10:04 a.m. with eight (8) members either present or represented at the meeting. Retired Chief Lee had to leave the meeting at 12:27 pm.

First Sergeant Tilley noted to the members present that the minutes of the February 25, 2010 meeting of the LET Subcommittee had been mailed to the subcommittee members prior to this meeting. First Sergeant Tilley asked the members present if there were any questions or corrections concerning the minutes as sent. Hearing none he asked if there was a motion to be made concerning their approval.

A motion was made by Retired Lieutenant Walker, seconded by Chief Stephens, that the minutes of the February 25, 2010 LET Subcommittee meeting be accepted as presented. 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 members present if there were any items that needed to be added to the agenda that had not been previously set to the agenda.

Hearing none he then initiated discussion on Agenda item 2 as to the LET Fund Financial Report by asking Retired Captain Sadler to report on it. Retired Captain Sadler advised the subcommittee members that a copy of an LET Fund Balance Report dated March 19, 2010, copy provided under the appendix to these minutes, had been provided to them prior to the start of the meeting in paperwork that had been given to them. He advised the members that as reflected on this LET Fund account balance sheet that there was a balance of \$514,376 in the LET Fund.

Retired Captain Sadler noted that this balance reflected all obligated costs and expenditures for the 141st Basic that had started on January 4, 2010 which had been submitted for reimbursement. He did note that with the projected costs of the operation of the 142nd Basic Class, to begin May 3, 2010, the 143rd Basic Class, to begin June 21, 2010 and the civilian support staff funding, to run July 1, 2010 through June 30, 2011 that while the LET Fund was in a position to fund those pending considerations, that the awards to be made for those requests would draw the LET Fund down to an amount below \$100,000.

Retired Captain Sadler advised the members that as a result of discussion within the DCJS Office as to this projected level that there would likely be another distribution of funds to the LET Fund from the Perdue Pharma Funds available at DCJS for the purpose of advancing law enforcement related functions. He was not aware of what amount, or when, it might be available. No action was required by the subcommittee members, he just wanted to inform them concerning upcoming

projected requests for funding from the LET Fund and the action being considered by the DCJS staff.

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 3. The applications of the below named individuals seeking to be certified as law enforcement training instructors were presented for consideration:

Officer Brian Cook FBI Uniformed Police	Defensive Tactics
Corporal Fred E Flowers Kanawha County Sheriff's Office	Explosives Recognition Bomb Threat Analysis And Countermeasures Criminal Patrol & Drug Interdiction
Officer Michael T Hudson Huntington Police Department	Police Motorcycle Rider
Patrolman First Class Pat McKinney Welch Police Department	Municipal Court Procedures Commercial Motor Vehicle Interdiction Patrol Interdiction Techniques Occupant Protection
Officer Shawn Strushensky FBI Uniformed Police	Defensive Tactics

First Sergeant Tilley asked Retired Captain Sadler if these individuals met the standards to become certified law enforcement instructors. He indicated that they did and recommended their approval as such. First Sergeant Tilley asked if there were any questions or discussion concerning the recommendations for these individuals to be approved as instructors. Hearing none he asked if there was a motion to be made concerning them.

A motion was made by Retired Chief Lee, seconded by Sheriff McComas, that the listed individuals be certified as law enforcement instructors in the areas reflected. 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 4. The applications of the below listed officers, previously certified as law enforcement instructors, who were seeking to be certified in the additional area/s of expertise listed were presented for consideration:

Officer Vernon C Casey
Huntington Police Department

Police Motorcycle Rider

Corporal Chris Johnson
Charleston Police Department

TASER Operator

Sergeant Tony Payne
Charleston Police Department

TASER Operator

Captain Matthew F Smith
Wood County Sheriff's Office

Basic SWAT Operations

Captain Rick Woodyard
Wood County Sheriff's Office

Basic SWAT Operations

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 he 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 Walker, seconded by Chief Stephens, that these individuals be certified as law enforcement instructor 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 5A by advising the members present that it addressed training programs that had been submitted for consideration for approval as annual in-service.

Retired Lieutenant Walker noted at this point that he appreciated the action that had been taken by Retired Captain Sadler over the past couple meetings as to providing more detailed information concerning the background and expertise of the involved instructors. He felt, and it was the consensus agreement of the members present, that if an instructor was a West Virginia law enforcement officer and was a certified law enforcement instructor in the area being taught that all that was needed to be listed on the agenda mailing was a notation reflecting such, not a detailed listing of his background and qualifications in the subject area. Retired Captain Sadler responded that he would implement that action as to the type and amount of information provided in the agenda mailing.

The following annual level in-service training programs to be conducted during the 2010 Training Year were presented for consideration and approval:

BECKLEY POLICE DEPARTMENT

Eight (8) hours 20 Mar 10

K-9 Unit Training as to:

Proper Back-up Techniques, Perimeter Setup with K-9s, Responsibilities
Of K-9 Units During Felony Tracking Events

Instructor: Sergeant J Corey
Beckley Police Department
LET certified instructor in subject areas
Corporal Will Reynolds
Beckley Police Department
LET certified instructor in subject areas
Beckley, WV

CHARLESTON POLICE DEPARTMENT

Seven (7) hours 23 Feb 10

Sniper Team Training in Partner Assisted & Coordinated Firing

Instructor: Lieutenant H Hickman
Charleston Police Department
LET certified instructor in subject area
Corporal C Snodgrass
Charleston Police Department
LET certified instructor in subject area
Charleston, WV

Twenty-two (22) hours 28-30 Jun 10

Management and Operation of Sobriety Checkpoints

Instructor: Mr Phillip R Mann
Adjunct instructor staff-Institute of Police Technology & Management
(IPTM)
Traffic Operations Manager – City of Gainesville, FL
Institute of Transportation Engineers
Lieutenant Gregory Melvin
Adjunct instructor staff-Institute of Police Technology & Management
(IPTM)
Florida certified law enforcement instructor
Adjunct instructor Daytona State College's Criminal Justice Institute
Charleston, WV

Four (4) hours 19, 20, 21, 22, 23 and 26 Apr 10

TASER X26 Re-qualification Training

Instructor: Sergeant Tony Payne
Charleston Police Department
LET certified instructor being recommended for approval in this
additional area of expertise at this meeting
Corporal Chris Johnson
Charleston Police Department
LET certified instructor being recommended for approval in this
additional area of expertise at this meeting

Corporal Randy Sampson
Charleston Police Department
LET approved instructor in this subject area
Corporal Danny Welch
Charleston Police Department
LET approved instructor in this subject area
Charleston, WV

Charleston Police Department sponsoring, in conjunction with
West Virginia Canine Association
Fifteen (15) hours 19-23 Apr 10
15th Annual West Virginia Police Canine Association Training Seminar

Instructor: Lieutenant Dennis Brown
Logan County Sheriff's Office
LET certified instructor in seminar's subject area
Corporal Will Reynolds
Beckley Police Department
LET certified instructor in seminar's subject area
Corporal Levi Livingston
Huntington Police Department
LET certified instructor in seminar's subject area
Corporal Doug Adams
Cabell County Sheriff's Office
LET certified instructor in seminar's subject area
Charleston, WV

FBI

Eight (8) hours 4 and 6 Apr 10
Management and Investigation of Officer Involved Shootings
Instructor: Special Agent John Hambrick
Adjunct instructors who are Special Agents with the FBI
Exempt from instructor certification requirements
Morgantown and Huntington, WV

GLENNVILLE STATE UNIVERSITY

Sixteen (16) hours 10-11 Apr 10
Arson II Investigation
Instructor: Assistant State Fire Marshall John Oliver
West Virginia State Fire Marshall's Office
Previously certified LET instructor in subject area
Assistant State Fire Marshall Aubrey E Smith Jr
West Virginia State Fire Marshall's Office
Glennville, WV

HUNTINGTON POLICE DEPARTMENT

Eighty (80) hours 22 Mar 10 – 2 Apr 10

Police Motorcycle Rider Course

Instructor: Officer M Hudson

Huntington Police Department

Approval recommended this meeting as instructor in this area

Officer Vernon Casey

Huntington Police Department

Approval recommended this meeting as instructor in this additional area

Huntington, WV

MARSHALL COUNTY SHERIFF'S OFFICE

Eight (8) hours 13 May 10

Pharmaceutical Diversion Training

Instructor: Mr. Landon Gibbs

Director – Law Enforcement Liaison and Education, Perdue Pharma

Certified law enforcement officer in Virginia

FBI National Academy Graduate

Moundsville, WV

MARSHALL UNIVERSITY'S

DEPARTMENT OF INTEGRATED SCIENCE AND TECHNOLOGY

In conjunction with

WEST VIRGINIA STATE POLICE

Eight (8) hours Date/s to be set

Investigative Uses of Digital Evidence

Instructor: John E Sammons

Marshall University

Assistant Professor

Huntington, WV

Eight (8) hours Date/s to be set

Digital Evidence – First Responder Training

Instructor: John E Sammons

Marshall University

Assistant Professor

Huntington, WV

Four (4) hours Date/s to be set

Introduction to Cell Phone Forensics

Instructor: John E Sammons

Marshall University

Assistant Professor

Huntington, WV

UNITED STATES ATTORNEY'S OFFICE – NORTHERN DISTRICT

Twenty-four (24) hours 6-8 Apr 10

Criminal Interdiction Training

Instructor: Adjunct staff/Federal agents from:

U. S. Drug Enforcement Administration (DEA)

El Paso Intelligence Center

United States Attorney's Office – Northern District

Wheeling, WV

Sixteen (16) hours 7-9 Jul 10

Seminar on Best Practices in Victim Services, Investigations and Prosecution

Instructor: Dr. Peter Collins

Forensic Psychiatrist

Recognized international expert witness

Dr. James Reese

Retired FBI Supervisory Special Agent

Recognized international expert witness

Dr. Kevin O'Bryan

Director of Education and Victim Services for the

National Center for Victims of Crime

Community Mental Health recognized expert

Retired Lieutenant Richard A Hobson

Metropolitan Police Department, Washington DC

Commander of Operation Ceasefire addressing gang and gun violence

Ms Fanny Haselbacher

Attorney with the Office of Violence Against Women (OVW),

U S Department of Justice

Assistant General Counsel with OVW

Specializes in legal issues relating to gun control and violence

Mr William Daniels

Community Resource Specialist with

United States Attorneys Office of the Middle District of Florida

Trained, specializes in crime prevention topics

Ms. Joelle Fisher

Senior Intelligence Analyst Trainer for the

National Drug Intelligence Center

U. S. Army trained instructor and expert in intelligence specialties

Mr Steven DeBrotta

Assistant United States Attorney with the

United States Attorney's Office for Southern District of Indiana

Specializes in computer crime, political corruption and complex fraud investigations

Wheeling, WV

WELCH POLICE DEPARTMENT

Eight (8) hours 14 and 15 Apr 10

In-Service Training Program Addressing:

Municipal Court Procedures 2 hours

Patrol Interdiction Techniques 2 hours

Commercial Motor Vehicle Interdiction 2 hours

Occupant Protection Strategies and Usage 2 hours

Instructor: Patrolman First Class Pat McKinney

Welch Police Department

McDowell County Municipal Police Agencies as Chief

Recommended for LET certification in related subject areas 25 Mar 10

LET Subcommittee meeting

Welch, WV

WEST VIRGINIA CHILD AND YOUTH ADVOCACY CENTER (CYAC)

Six (6) hours 14, 20-21 Apr 10, 7 and 10 May 10

Restoring Safety in Vulnerable Population (RSVP) –

Understanding and preventing Child Abuse

Instructor: Ms Susan Vlajk

Licensed Systemic Therapist

Adjunct Professor – Greenbrier Valley Community and Technical College

Special training in areas of trauma, sexual abuse and grief
concerning children

Ms. Monica Acord

Co-Director – Child and Youth Advocacy Center in Lewisburg

Specialized training in child victimization, child abuse and child neglect

Additional training in child based forensic interviews, having completed
900 plus such interviews

Deputy Adam Martin

Greenbrier County Sheriff's Office

Dedicated Child Abuse Detective

Charleston, Morgantown, Wheeling and Danville

WEST VIRGINIA DIVISION OF NATURAL RESOURCES

Four (4) hours 1, 3, 4, 8, 14, and 23 Mar 10

Training in Defensive Tactics, Handcuffing, Knife Defense and Ground Defense

Instructor: Lieutenant William Persinger

Division of Natural Resources

LET certified instructor in subject area

Lieutenant David Trader

Division of Natural Resources

LET certified instructor in subject area

Conservation Officer Mike Lott

Division of Natural Resources

LET certified instructor in subject area

Multiple locations within state

WEST VIRGINIA DIVISION OF PROTECTIVE SERVICES

Eight (8) hours 19 and 26 May 10

Heartsaver/AED and CPR Training

Instructor: Ms Marsha Booth

West Virginia State Capitol's Medical Dispensary Unit

Registered Nurse

Training previously approved by LET Subcommittee as to hours and type
of in-service

Charleston, WV

WEST VIRGINIA PREVENTION RESOURCE CENTER

Eight (8) hours 12-13 May 10

The Next Step in Suicide Prevention – Strength, Hope and Resiliency

Instructor: Ms Patty Deutsch

West Virginia licensed professional counselor

Certified wellness speaker

Ms Sra Jane Gainor

Dr Amy Fiske

Licensed Psychologist

Assistant Professor of Psychology at West Virginia University

Ms Tonya Huff

Bully Awareness and Prevention VISTA specialist

Retired Lieutenant Joel Smith

LET certified instructor in subject area

Licensed counselor with the Morgantown Veterans Affairs Center

Ms Tammy Miller

Suicide Prevention Coordinator for the Huntington office of the

The Department of Veterans Affairs

Ms Cheryl Walters

Suicide Prevention Coordinator for the Beckley office of the

The Department of Veterans Affairs

Ms Barri Faucett

Project Director for the West Virginia Adolescent Suicide Prevention

And Early Intervention Program (ASPEN)

Dr Patrick Kerr

Licensed Psychologist

Assistant Professor with the Department of Behavioral Medicine and

Psychiatry at the Charleston Division of the West Virginia University

School of Medicine

WEST VIRGINIA PROSECUTING ATTORNEYS INSTITUTE

In conjunction with the

WEST VIRGINIA CHILDRENS JUSTICE TASK FORCE

Seven (7) hours 25 Mar 10

Crimes Against Children Training

Instructor: Corporal Adam Scott

West Virginia State Police

LET certified instructor in subject area

Ms Shannon Johnson

Randolph County Prosecutor's Office

Licensed attorney in West Virginia

Ms Andrea Darr

West Virginia Prosecuting Attorneys Institute

Coordinator of Victim and Witness Services

Mr Toby Lester

West Virginia Division of Children and Adult Services

Child Protective Services Investigator and Policy Specialist

Ms Trudi Blaylock

West Virginia Division of Juvenile Services Program Director

Community mental health services background and training

Martinsburg, WV

WEST VIRGINIA PROSECUTING ATTORNEYS INSTITUTE

Four (4) hours 25 Mar 10

Sexual Assault on College Campuses

Instructor: Retired Lieutenant Larry Nelson

West Virginia Regional Community Police Institute (RCPI)

LET certified instructor in related subject areas

Ms Teresa Tarr

West Virginia Prosecuting Attorney's Institute's

Violence Against Women Resource Prosecutor

Licensed member of the West Virginia Bar

Ms Lois Mann

West Virginia FRIS' Stalking/College Coordinator

Ms Nikki Godfrey

West Virginia FRIS' Sexual Assault Response Team's (SART)

Project Coordinator

Wheeling, WV

First Sergeant Tilley asked Retired Captain Sadler if these classes met the criteria to be approved as annual in-service classes. He indicated that they did and recommended they be approved as such.

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 a motion, seconded by Retired Lieutenant Walker, that the listed classes be approved for annual in-service hours as presented. 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 5B by presenting the following classes for approval as supervisory in-service during the 2010 Training Year:

CHARLESTON POLICE DEPARTMENT

Twenty-two (22) hours 28-30 Jun 10

Management and Operation of Sobriety Checkpoints

Instructor: Mr Phillip R Mann

Adjunct instructor staff-Institute of Police Technology & Management
(IPTM)

Traffic Operations Manager – City of Gainesville, FL

Institute of Transportation Engineers

Lieutenant Gregory Melvin

Adjunct instructor staff-Institute of Police Technology & Management
(IPTM)

Florida certified law enforcement instructor

Adjunct instructor Daytona State College's Criminal Justice Institute

Charleston, WV

FBI

Eight (8) hours 4 and 6 Apr 10

Management and Investigation of Officer Involved Shootings

Instructor: Special Agent John Hambrick

Adjunct instructors who are Special Agents with the FBI

Exempt from instructor certification requirements

Morgantown and Huntington, WV

WEST VIRGINIA DIVISION OF NATURAL RESOURCES

Six (6) hours 31 Mar 10

Managing and the Law

Instructor: Ms. Taella Woolfolk-Hill

West Virginia Division of Personnel

Doctorate (Ph.D.) in subject area

Dunbar, WV

First Sergeant Tilley asked Retired Captain Sadler if these classes met the criteria to be approved as supervisory in-service classes. He indicated that they did and recommended their approval as such. First Sergeant Tilley asked if there were any questions concerning these classes.

Ms Hamilton had a question about the Employee Law class being presented for consideration as to what entity was presenting the class. Colonel Murphy advised that the class was required for all State of West Virginia employees, including the supervisory Conservation Officers on his Department. Arrangements

had been made with the West Virginia Division of Personnel to set up a training class to meet the state personnel requirements while also addressing the specific needs of his supervisors in relation to the Conservation Officers assigned to them.

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

Chief Stephens made a motion, seconded by Colonel Murphy, that the classes presented and recommended be approved for supervisory in-service credit as presented. 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 5C by presenting the following classes for approval as personal in-service for the 2010 Training Year:

BECKLEY POLICE DEPARTMENT

Annual In-Service

Detective J Blume

Thirty (30) hours 17-21 May 10

Equal Justice for Children – Investigation and Prosecution of Child Abuse

National District Attorneys Association's

National Center for Prosecution of Child Abuse

Charleston, SC

BERKELEY COUNTY SHERIFF'S OFFICE

Annual In-Service

Deputy S Myers

Twenty-four (24) hours 4-6 May 10

State and Local Law Enforcement Training Symposium (SLLETS)

Federal Law Enforcement Training Center (FLETC)

Frederick, MD

BRIDGEPORT POLICE DEPARTMENT

Annual In-Service

Officer to be named

Nineteen (19) hours 13-15 Apr 10

Drug Law Enforcement Training Program (DLETP)

Federal Law Enforcement Training Center (FLETC)

Sevierville, TN

CHARLESTON POLICE DEPARTMENT

Annual In-Service
Corporal E Loudermilk
Patrolman R West
Patrolman N Simms
Eighty (80) hours 22 Mar 10 to 2 Apr 10
D.A.R.E. Officer Training Course
Virginia State Police DARE Training Program
Virginia Beach, VA

FAYETTE COUNTY SHERIFF'S OFFICE

Annual In-Service
Detective Lieutenant Jim Sizemore
Forty-six (46) hours 25-30 Apr 10
Firearm Instructor Development Course on Patrol Rifle AR-15/M-16/M-4
And H & K MP-5/UMP Submachine Gun
Kentucky State Police
Lexington, KY

HANCOCK COUNTY SHERIFF'S OFFICE

Annual In-Service
Sergeant Robert W Connors
Detective Matt Harvey
Thirty-six (36) Hours 1-4 Mar 10
Basic Investigation of Computers and Electronic Crimes Class (BICEP)
United States Secret Service
National Computer Forensics Institute
Hoover, Alabama

KANAWHA COUNTY SHERIFF'S OFFICE

Annual In-Service
Detective Corporal Sean Snuffer
Forty-three (43) hours 29 Mar 10 – 2 Apr 10
Computer Forensics and Forfeiture for Child Exploitation Investigators Seminar
National Advocacy Center
United States Department of Justice
Columbia, South Carolina

MORGANTOWN POLICE DEPARTMENT

Annual In-Service
Officer Troy Ball
Officer Chad Reyes
Twenty (20) hours 3-5 Mar 10
Creating a Process for Change for Men Who Batter Comprehensive Training
U. S. Department of Justice
Violence Against Women Act (VOWA) Program
Providence, Rhode Island

Supervisory In-Service
Sergeant Eric Powell
Forty (40) hours 5-9 Apr 10
First Line Supervision
Ohio Peace Officers Training Academy (OPOTA)
London, OH

SHEPHERDSTOWN POLICE DEPARTMENT

Annual In-Service
Officer Gregory Scappini
Sixteen (16) hours 28-29 Mar 10
Tactical Rifle and Handgun Training Program
Practical Firearms Training (PFT) Inc.
Richmond, VA

Annual In-Service
Officer Gregory Scappini
Sixteen (16) hours 14-16 Jun 10
National Institute of Justice's 2010 Conference
National Institute of Justice (NIJ)
Arlington, VA

WEIRTON POLICE DEPARTMENT

Supervisory In-Service
Sergeant S Falbp
Sergeant E Redish
Thirty-two (32) hours Date to be set prior to 9 Jul 09
POLEX (Police Executive) Basic Introduction Program
Penn State Justice and Safety Institute (JASI)
Allegheny County Police 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. 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 Lieutenant Walker made a motion, seconded by Retired Chief Lee, that the classes presented and recommended be approved for personal in-service credit for the 2010 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 noted that as there were personnel related matters to be discussed under agenda items 6, 7, 8, 9 and 10 that he needed a motion for the LET Subcommittee to go into executive session to address them.

Retired Corporal Gentry made a motion, seconded by Retired Chief Lee, that the LET Subcommittee go into executive session to address the personnel related matters concerning agenda items 6, 7, 8, 9 and 10. 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 10:18 a.m. It came out of executive session at 12:43 p.m. As previously noted within these minutes Retired Chief Lee had to leave the meeting due to another commitment at 12:27 p.m.

First Sergeant Tilley noted that as to agenda items 6A and 6B that no subcommittee action was required as they have been provided for informational purposes. He asked if there were any motions to be made concerning agenda items 6C and 6D as the circumstances were related and both officers were from the same Department.

Sheriff McComas made a motion concerning agenda items 6C and 6D, seconded by Retired Lieutenant Walker, that the ninety day order previously put in place concerning the involved officers due to a failure to submit a completed application for the entry level training program be rescinded as it had been determined that the failure to submit had resulted from an agency oversight, not because of the individual Officers. The motion continued the Officers would be given thirty calendar days to see that a completed application was submitted. 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 items 7.

Retired Lieutenant Walker made a motion concerning agenda item 7, seconded by Sheriff McComas, that as to the prior convictions for the involved officer that he be allowed to continue in the entry level training program in that there was now no opposition being raised as to him so continuing in the entry level training program and as to the recommendation of his Chief of Police that he be allowed to do so. 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 advised the members present that there was no action required on agenda item 8A as it involved the request for a continuance, which had been granted prior to the meeting by himself, that had been submitted by the attorney representing the involved officer. He had approved the request prior to the meeting due to the time factors involved. The matter pertaining to this agenda item would be reset to the agenda of the April 29, 2010 LET Subcommittee meeting.

First Sergeant Tilley then asked subcommittee members if there was a motion to be made concerning agenda item 8B.

Retired Lieutenant Walker made a motion concerning agenda item 8B, seconded by Chief Stephens, that the certification as a West Virginia law enforcement officer of the officer involved be revoked as a result of the criminal conviction involved. 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 subcommittee members if there was a motion to be made concerning agenda item 8C.

Sheriff McComas, made a motion concerning agenda item 8C, seconded by Retired Lieutenant Walker, that the certification as a West Virginia law enforcement officer of the officer involved be revoked as a result of the criminal conviction involved as to the plea he had entered and the information which had been provided to the members by the investigating officer. 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 subcommittee members if there was a motion to be made concerning agenda item 8D.

Chief Stephens made a motion concerning agenda item 8D, seconded by Ms Hamilton, that any action concerning this agenda item be delayed until additional information could be secured concerning the matter that had been discussed by Mr Compton. 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 advised the members present that there was no action required on agenda item 9 as it involved the request for a continuance, which had been granted prior to the meeting by himself, that had been submitted by the individual involved. He had approved the request prior to the meeting due to the time factors involved. The matter pertaining to this agenda item would be reset to the agenda of the April 29, 2010 LET Subcommittee meeting.

First Sergeant Tilley then asked subcommittee members if there was a motion to be made concerning agenda item 10.

Chief Stephens made a motion concerning agenda item 10, seconded by Colonel Murphy, that based on the additional information provided by the involved officer as to the make-up of his entry level training program in Ohio that he could participate in the equivalent certification program. 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 11 by advising the members present that it involved an update of actions during the 2010 session of the West Virginia Legislature by Retired Captain Sadler which related to the training and certification of West Virginia law enforcement officers. He asked Retired Captain Sadler to address this agenda item.

Retired Captain Sadler had passed out information concerning the involved legislation at the start of the meeting. He reviewed the following pieces of legislation:

1. Senate Bill 435 addressing the passage or legislation to allow all certified officers within the state to be allowed to run speed measuring devices and for the results of such operation to be given prima facie consideration by the courts if the officer had completed required training. The makeup and frequency of this minimum eight hour training program was to be determined by the LET Subcommittee.
2. Senate Bill 649 addressing the development of legislative rules concerning consent to search of vehicles and the development of a form to be used in such searches.
3. House Bill 4188 addressing the development of legislative rules concerning organized criminal enterprises and anti-racial training modules and training for law enforcement officers in these areas.

Retired Captain Sadler noted that each of these matters had been passed by the Legislature and were pending approval by the Governor. For the legislation calling for the development of legislative rules that would be signed that they would be addressed as part of the Legislative Rules Review set for Pipestem State Park on April 29-30, 2010.

First Sergeant Tilley then addressed agenda item 12, advising the members present that the Administrative Law Judge and the involved parties were continuing their efforts to set a review hearing for the appeal made of one of their prior decisions. All of the delays being currently experienced in this matter were at the request of the former officer appealing their decision. First Sergeant Tilley noted that no formal action was required on agenda item 12, that it had been provided for informational purposes.

First Sergeant Tilley then initiated discussion on agenda item 13, advising the members that it addressed a proposal by the West Virginia Sheriff's Association and the West Virginia Chiefs of Police Association to have the re-certification and equivalent certification classes held in one session, as opposed to the officers now having to come the entry level training class when the required subjects were presented to the Basic Class officers. He asked Sheriff McComas to discuss the proposal.

Sheriff McComas noted to the members present that as reported to them at their February 25, 2010 meeting the discussions had been carried out with the Academy staff to develop a program that would run for three weeks to be held at

the Professional Development Center (PDC). Major DeBord, Director of Training and his staff had been extremely helpful in designing a program that would allow the applicable officers to receive the training they would require. The classes would run the last three weeks of September.

First Sergeant Tilley continued the discussion by advising the members that this program would be run once a year, based on a review of the number of officers requiring such training. It would be the last three weeks of September each year. At this time they did not see where any additional cost would be required to operate the program. He recommended that the program be approved by the members and asked if there was a motion to be made concerning it.

Sheriff McComas made a motion concerning agenda item 13, seconded by Chief Stephens, that the three week program set up in conjunction with the Academy staff for the training of officers participating in the re-certification and equivalent certification programs be approved as the training program required to be completed by applicable officers. 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.

Following the passage of the motion there was a question raised as to the requirement that officers participating in the equivalent certification and re-certification programs complete the required training within one year of their employment. It was recognized that this requirement would need to be addressed during the upcoming legislative rules review at the end of April.

As to the current officers needing such training Colonel Murphy made a motion, seconded by Sheriff McComas, that any individuals currently employed and who were seeking to participate, or had been previously approve to participate, in the equivalent certification or re-certification programs, who were unable to complete the required training in one year due to the change in the scheduling of such classes with the Basic Classes to the now approved once a year class, that they would be excused from the one year requirement. 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 addressed agenda item 14 advising the members present that it addressed the rules review that had been set for the subcommittee members concerning CSR 149-2, et al and the applicable requirements for legislative rules development in the legislation pending approval by the Governor. The proposed review would taking place after the April 29, 2010 meeting and would continue through Friday, April 30, 2010. The location was to be at Pipestem State Park. He asked that the subcommittee members insure that those dates remained open for their participation. First Sergeant Tilley noted that no formal action was required on agenda item 14, that it had been provided for informational purposes.

First Sergeant Tilley then addressed agenda item 15 advising the members present that it addressed the development of proposed by-laws for the LET

Subcommittee. He advised that he had been working on the development of such rules and provided them with a copy of the draft by-laws that he had developed following a review of Roberts Rules of Order and the current by-laws of the Governor's Committee on Crime, Delinquency and Correction and in discussions with Mr Federspiel.

He asked them to review them prior to the April 29th meeting during which they would be discussed and passed as amended and applicable by the members. First Sergeant Tilley noted that no formal action was required on agenda item 15, that it had been provided for informational purposes.

First Sergeant Tilley then initiated discussion on agenda item 16 by advising the members present that it addressed making them aware of a Domestic Violence Legislative Rules Review that the West Virginia Coalition Against Domestic Violence would be holding April 15-16, 2010 at Canaan Valley State Park. He noted that Retired Captain Sadler and Ms Boggess would be present to participate in the meeting. First Sergeant Tilley noted that no formal action was required on agenda item 15, that it had been provided for informational purposes.

First Sergeant Tilley then addressed agenda item 17 advising the members present that it addressed actions taken Retired Captain Sadler on their behalf since the February 25, 2010 meeting. He asked if there were any questions concerning the materials provided concerning this agenda item. Hearing none First Sergeant Tilley asked if there was a motion to bring this meeting to a close.

Retired Lieutenant Walker made a motion, seconded by Colonel Murphy, that the March 25, 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 March 25, 2010 meeting of the LET Subcommittee was brought to a close 1:13 p.m.

Appendix One

LET Fund Balance Report

19 Mar 10