

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

**September 30, 2010**

MEMBERS PRESENT: Colonel David Murphy  
Retired Chief Ivin Lee  
Retired Lieutenant Terry Miller  
Retired Lieutenant Steve Walker  
Ms Suzan Singleton  
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 T McComas

MEMBERS ABSENT: Mayor Arthur Auxer

STAFF: Retired Captain Chuck Sadler  
Ms Leslie Boggess

The September 30, 2010 meeting of the Law Enforcement Training (LET) Subcommittee, conducted in the Professional Development Center located on the West Virginia State Police Academy grounds at Dunbar, West Virginia, was called to order by the Chair, First Sergeant Tilley, at 10:03 a.m. with nine (9) members either present or represented at the meeting.

Retired Chief Lee and Ms Hamilton had to leave the meeting at a later point and were not able to return due to prior commitment. Ms Hamilton left after the vote concerning the motion made on agenda item 14 and Retired Chief Lee left at 12:02 pm during the discussion on agenda item 19. There were eight (8) members present of the ten (10) members present after Ms Hamilton's departure and seven (7) after Retired Chief Lee's departure.

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 did note that he would like their consensus approval to have two items added to the agenda for discussion during this meeting.

Such consensus approval was given for the addition of agenda item 20, to address the approval of the law enforcement certification of the graduating members of the 142<sup>nd</sup> Basic Class and agenda item 21, an update of the status of officer conduct legislation as discussed during the interim legislative meetings. First Sergeant Tilley asked if there were any other adjustments to the schedule agenda as mailed. Hearing none he moved to address agenda item 2.

As to agenda item 2 First Sergeant Tilley noted to the members present that the minutes of the August 26, 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 Retired Chief Stephens, that the minutes of the August 26, 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 initiated discussion on agenda item 3 as to the LET Fund Financial Report by asking Retired Captain to report on it. Retired Captain Sadler advised the subcommittee members that as reflected on page 1 of the mailed materials with the agenda, that the LET Fund Balance Report dated September 22, 2010 reflected that there was a balance of \$581,589 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 law enforcement instructors in the areas of expertise listed.

Chief Deputy Cole Roane County Sheriff's Office	Police Firearms Instructor – Handgun
Sergeant Anthony Jividen Barboursville Police Department	Police Firearms Instructor - Handgun
Sergeant Phil Lemon West Virginia University Police Department	Police Traffic Radar Emergency Vehicle Operations (EVOC) Strategies and Tactics of Patrol Stops (S.T.O.P.S.)
Deputy Jess McMullen Fayette County Sheriff's Office	Clandestine Lab Investigations Gang Awareness Active Shooter Basic SWAT Operations
Captain Jeffrey Shumate Beckley Police Department	Criminal Investigations Police Management Crime Scene Processing

First Sergeant Tilley asked Retired Captain Sadler if these individuals met the standards to become certified as law enforcement instructors 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 these individuals to be approved as instructors in the areas of expertise recommended. Hearing none he asked if there was a motion to be made concerning them.

A motion was made by Sheriff McComas, seconded by Retired Lieutenant Miller, that these individuals be certified as law enforcement instructors 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:

Sergeant Robert Gilmore  
Morgantown Police Department

Basic SWAT  
Building/Room Entries  
Response to Active Shooter

Special Agent John Kahle  
Norfolk Southern Railroad

Grade Crossing Collision Investigation

Sergeant M Lemley  
Bridgeport Police Department

Active Shooter

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 Ms Singleton, 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:

#### **BECKLEY POLICE DEPARTMENT**

One (1) hour                      Dates to be set during October 2010

Use of Force Training on Simulator System/Roll Call Training

Instructor: Sergeant J Corey

LET certified instructor in subject area

Sergeant Farley

LET certified instructor in subject area

Sergeant Ragland

LET certified instructor in subject area

Beckley, WV

Five (5) hours                      27 Sep 10 to 8 Oct 10

Shooting From Cover and Engaging Moving Targets

Instructor: Sergeant J Corey

LET certified instructor in subject area

Beckley, WV

Two (2) hours                      27 Sep 10 to 8 Oct 10

Taser Operator Re-Certification Training

Instructor: Sergeant J Corey

LET certified instructor in subject area

Beckley, WV

**BERKELEY COUNTY SHERIFF'S OFFICE**

Seven (7) hours                      26 Oct 10

Sex Crimes Investigations

Instructor: Sergeant Matthew Tanis

Howard County, Maryland, County Police Department

Maryland POST certified instructor in subject area

Adjunct instructor - U S Bureau of Justice Services

Martinsburg, WV

Eight (8) hours                      27 Oct 10

Vehicle Interdiction: Conducting the Complete Traffic Stop

Instructor: Senior Trooper Greg Roberts

Tennessee Highway Patrol

Tennessee POST certified instructor in subject area

Adjunct instructor - U S Bureau of Justice Services

Martinsburg, WV

**CHARLESTON POLICE DEPARTMENT**

Seven (7) hours                      31 Aug 10

Monthly Sniper Training on Erratic Moving Target Engagement

Instructor: Corporal S Snodgrass

LET certified instructor in subject area

Charleston, WV

Seven (7) hours                      27 Jul10

Extended Distance Training for Snipers

LET certified instructor in subject area

Instructor: Corporal S Snodgrass

Charleston, WV

Twelve (12) hours                      28-29 Mar 11

Moving Up to Supervision - A Seminar for the New First Line Supervisor

Instructor: Captain Jeffrey Shumate

Instructor certification submitted for approval

Training hosted by Charleston Police Department in conjunction with

Benchmark Professional Services

Charleston, WV

Twelve (12) hours                    11-12 Apr 11  
Pre-Employment Background Investigations - Perspectives of the Process  
Instructor: Assistant Chief Edward Preston  
                  New Bern, NC, Police Department  
                  North Carolina POST General Instructor Certification  
Training hosted by Charleston Police Department in conjunction with  
                  Benchmark Professional Services  
Charleston, WV

**DIVISON OF JUSTICE AND COMMUNITY SERVICES**

Four (4) hours                    15 Sep 10 am  
Handling of Children Exposed to Domestic Violence  
Instructor: Adjunct Staff West Virginia Coalition Against Domestic Violence  
Dunbar, WV

Four (4) hours                    15 Sep 10  
Occupant Protection Usage and Enforcement (OPUE)  
Instructor: Retired Captain Chuck Sadler  
                  LET certified instructor in subject area  
                  Retired Corporal Margie Sadler  
                  LET certified instructor in subject area  
Dunbar, WV

Four (4) hours                    16 Sep 10  
Management and Operation of Sobriety Checkpoints  
Instructor: Retired Captain C Sadler  
                  LET certified instructor in subject area  
Dunbar, WV

Four (4) hours                    16 Sep 10  
Sexual Assault Issues and Investigations  
Instructor: Ms Marla Eddy and Adjunct Staff West Virginia Coalition Against  
                  Domestic Violence  
Dunbar, WV

**FAYETTE COUNTY EVIDENCE CENTER**

Eight (8) hours                    22 Oct 10  
Interview and Interrogation Techniques  
Instructor: Detective Captain Jim Sizemore  
                  LET certified instructor in subject area  
Mount Hope, WV

**FBI**

Forty (40) hours                    3-9 Nov 10, 2-8 Feb 11 and 1-7 Jun 10  
Basic Instructor Development Course  
Instructor: Mr Harry Carlile  
                  FBI certified master instructor in subject area  
Clarksburg, WV

**KANAWHA COUNTY SHERIFF'S OFFICE**

Eight (8) hours                      8, 15, 17, 20 and 29 Sep 10

First Aid for Law Enforcement

Instructor: Mr Brent Burger

State of West Virginia licensed paramedic

RESA certified instructor

Basic Trauma Life Support Instructor

Charleston, WV

Eight (8) hours                      30 Aug 10

Patrol Carbine Training

Instructor: Lieutenant Rick Rose

LET certified instructor in subject area

Sergeant Keith Vititoe

LET certified instructor in subject area

Charleston, WV

**MARSHALL UNIVERSITY FORENSIC SCIENCE CENTER**

Four (4) hours                      15 Oct 10

Mobile Phone Seizure Certification Course (MPSC)

Instructor: Mr J Brunty

Professor – Marshall University

Ms Pam King

Former FBI Computer Analysis and Response Team (CART) Examiner

Huntington, WV

**MONTGOMERY POLICE DEPARTMENT**

Four (4) hours                      25 Sep 10

Combative Handgun Course - Part 1

Instructor: Corporal Conrad Carpenter

Montgomery, WV

**MORGANTOWN POLICE DEPARTMENT**

Eight (8) hours                      4 Oct 10

Defensive Tactics and Use of Force

Instructor: Officer M Charlton

LET certified instructor in subject area

Officer M Solomon

LET certified instructor in subject area

Morgantown, WV

**NEW MARTINSVILLE POLICE DEPARTMENT**

Eight (8) hours                      31 Aug 10

Project Lifesaver Electronic Search Specialist Re-Certification Training

Instructor: Sergeant D Byers

LET certified instructor in subject area

Pendleton County, WV

Sixteen (16) hours            1-2 Sep 10  
Project Lifesaver Electronic Search Specialist Training  
Instructor: Sergeant D Byers  
                  LET certified instructor in subject area  
Taylor County, WV

Eight (8) hours                3 Sep 10  
Project Lifesaver Electronic Search Specialist Instructor Training  
Instructor: Sergeant D Byers  
                  LET certified instructor in subject area  
Taylor County, WV

**NICHOLAS COUNTY SHERIFF'S OFFICE**

Forty (40) hours                18-22 Oct 10  
Basic Crisis Negotiators Course  
Instructor: FBI Special Agent Paul Peyatte  
                  FBI/IDC Certified  
                  Federal Agent  
Summersville, WV

**NITRO POLICE DEPARTMENT**

Seven (7) hours                17 Oct 10  
Defensive tactics for Law Enforcement Officers  
Instructor: Patrolman Timothy Jarrell  
Saint Albans, WV

**RESA VI**

Sixteen (16) hours            30 Sep 10 - 1 Oct 10  
NIMS ICS 400  
Instructor: Officer R Kosar  
                  LET certified instructor in subject area  
Wheeling, WV

Sixteen (16) hours            28-29 Sep 10  
NIMS ICS 300  
Instructor: Officer R Kosar  
                  LET certified instructor in subject area  
Wheeling, WV

**SHEPHERDTOWN POLICE DEPARTMENT**

Fourteen (14) hours         6-7 Oct 10  
Grade Crossing Collision Investigation (GCCCI) Training  
Instructor: SSA R Nace  
                  Norfolk Southern Railroad Police Supervisor  
                  Operation Lifesaver Instructor  
                  GCCCI Instructor  
Shepherdstown, WV

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

Ten (10) hours                      30-31 Aug 10

2010 Task Force Commanders' Training

Instructor: Adjunct Staff – U S Attorney's Office, DEA and U S Department of  
Justice

Roanoke, WV

Seven (7) hours                      14 Oct 10

Terrorism Financial Training

Instructor: Adjunct Staff - U S Department of Justice

Charleston, WV

**WELCH POLICE DEPARTMENT**

Eight (8) hours                      27 and 28 Sep 10

Surviving the Rural Traffic Stop

Instructor: Patrolman First Class P McKinney

LET certified instructor in related areas

Welch, WV

**WEST VIRGINIA CHIEFS OF POLICE ASSOCIATION**

Three (3) hours                      18 Sep 10

Police Management Legal Issues Overview/Update

Instructor: Mr John Teare

Attorney - Member West Virginia Bar

Beckley, WV

**WEST VIRGINIA COALITION AGAINST DOMESTIC VIOLENCE**

Five (5) hours                      24 Sep 10

Cultural Competency Training for STOP Teams

Instructor: Adjunct staff U S Department of Justice and

West Virginia Coalition Against Domestic Violence

Elkview, WV

Sixteen (16) hours                      13-14 Oct 10

Batterer Intervention Program Curriculum Facilitator Training

Instructor: Adjunct staff U S Department of Justice and

West Virginia Coalition Against Domestic Violence

Elkview, WV

Six (6) Hours                      8 Oct 10

Engage Men - Create Change - Domestic Violence Training

Instructor: Lieutenant Colonel Dave Jones

U S Army

Values Education Officer

Department of Defense Instructor

Charleston, WV



**WEST VIRGINIA PROSECUTING ATTORNEY'S OFFICE**

Twelve (12) hours                      20-21 Oct 10  
2010 West Virginia Crimes Against Children Conference

Instructor: Ms Kristine Buffington  
Vice President - Mental Health Services at A Renewed Mind  
MSW  
National Child Traumatic Stress Network  
Ms Irish Burch  
Senior Program Director - Forensic Interview Program -  
Dallas Children's Advocacy Center  
Sergeant Chris Casto  
LET Certified instructor in subject area  
Ms Yvette Kubik  
Outreach Coordinator for the Southern Regional Children's  
Advocacy Center

**WEST VIRGINIA STATE POLICE**

One Hundred Thirty Two (132) hours    13 Sep 10 to 1 Oct 10  
1st Equivalency/Re-Certification Program

Instructor: Adjunct Staff West Virginia State Police Academy  
Dunbar, WV

**WEST VIRGINIA SUPREME COURT OF APPEALS**

Twenty-four (24) hours    5-7 Oct 10  
Court Security Management Seminar

Instructor: Retired Inspector M Thompson  
U S Marshalls Service  
Senior instructor on Court Security  
Mr Ted Faraglia  
Licensed attorney  
Retired Associate Legal Counsel – U S Marshalls Service  
Mr Ronnie Boudreaux  
Retired Chief Deputy U S Marshall  
Instructor on federal level on court security  
Mr Ed Mitman  
Retired Chief Deputy U S Marshall  
Instructor on federal level on court security  
Mr Marvin Lutes  
Retired Chief Deputy U S Marshall  
Instructor on federal level on court security  
Mr Dave Griffith  
Retired Chief Deputy U S Marshall  
Instructor on federal level on court security  
Martinsburg, WV

**WEST VIRGINIA UNIVERSITY POLICE DEPARTMENT**

Eight (8) hours                      12 Oct 10  
Electronic Crash Report Training  
Instructor: Sergeant Peggy Runyon  
            LET Certified instructor in subject area  
Morgantown, WV

**WOOD COUNTY SHERIFF'S OFFICE**

Twenty (20) hours                      22-23 Sep 10  
Patrol Rifle Training  
Instructor: Captain M Smith  
            LET Certified instructor in subject area  
Parkersburg, 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.

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.

Retired Lieutenant Miller made a motion, seconded by Retired Chief Stephens, 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:

**CHARLESTON POLICE DEPARTMENT**

Twelve (12) hours                      16-17 May 11  
Supervising the Operation of a General Criminal Investigations Unit -  
A Seminar for New Unit Supervisors  
Instructor: Deputy Chief Edward Preston  
            New Bern, NC, Police Department  
            North Carolina POST certified instructor  
Training hosted by Charleston Police Department in conjunction with  
            Benchmark Professional Services  
Charleston, WV

Twelve (12) hours                    28-29 Mar 11  
Moving Up to Supervision - A Seminar for the New First Line Supervisor  
Instructor: Captain Jeffrey Shumate  
                  Instructor certification submitted for approval  
Training hosted by Charleston Police Department in conjunction with  
                  Benchmark Professional Services  
Charleston, WV

**DIVISION OF JUSTICE AND COMMUNITY SERVICES**

Four (4) hours                        16 Sep 10  
Management and Operation of Sobriety Checkpoints  
Instructor: Retired Captain C Sadler  
Dunbar

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

Ten (10) hours                        30-31 Aug 10  
2010 Task Force Commanders' Training  
Instructor: Adjunct Staff – U S Attorney's Office, DEA and U S Department of  
                  Justice  
Roanoke, WV

**RESA VI**

Sixteen (16) hours                    30 Sep 10 - 1 Oct 10  
NIMS ICS 400  
Instructor: Officer R Kosar  
                  LET certified instructor in subject area  
Wheeling, WV

Sixteen (16) hours                    28-29 Sep 10  
NIMS ICS 300  
Instructor: Officer R Kosar  
                  LET certified instructor in subject area  
Wheeling, WV

**WEST VIRGINIA CHIEFS OF POLICE ASSOCIATION**

Three (3) hours                        18 Sep 10  
Police Management Legal Issues Overview/Update  
Instructor: Mr John Teare  
                  Attorney - Member West Virginia Bar  
Beckley, WV

**WEST VIRGINIA SUPREME COURT OF APPEALS**

Twenty-four (24) hours 5-7 Oct 10

Court Security Management Seminar

Instructor: Retired Inspector M Thompson

U S Marshalls Service

Senior instructor on Court Security

Mr Ted Faraglia

Licensed attorney

Retired Associate Legal Counsel – U S Marshalls Service

Mr Ronnie Boudreaux

Retired Chief Deputy U S Marshall

Instructor on federal level on court security

Mr Ed Mitman

Retired Chief Deputy U S Marshall

Instructor on federal level on court security

Mr Marvin Lutes

Retired Chief Deputy U S Marshall

Instructor on federal level on court security

Mr Dave Griffith

Retired Chief Deputy U S Marshall

Instructor on federal level on court security

Martinsburg, 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.

Ms Singleton made a motion, seconded by Retired Lieutenant Walker, 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

Detective Larry Gay

Twenty (20) hours 13-15 Sep 10

Practical Homicide Investigation

Fayetteville Police Foundation

Fayetteville, NC

**CHARLESTON POLICE DEPARTMENT**

Supervisory In-Service  
Sergeant John Garten  
Forty (40) hours                      4-8 Oct 10  
First Line Supervision  
Ohio Peace Officer Training Academy  
London, OH

Supervisory In-Service  
Sergeant John Garten  
Forty (40) hours                      18-22 Oct 10  
Mid Level Management  
Ohio Peace Officer Training Academy  
London, OH

Annual In-Service  
Detective Mark Kinder  
Forty (40) hours                      19-23 Sep 10  
Bloodstain Evidence  
Ohio Peace Officers Training Academy (OPOTA)  
London, OH

**MARSHALL COUNTY SHERIFF'S OFFICE**

Annual In-Service  
Corporal John Pelly  
Five (5) hours                      24 Sep 10  
STOP Team Cultural Specific Training  
West Virginia Coalition Against Domestic Violence  
Elkview, WV

**MARTINSBURG POLICE DEPARTMENT**

Annual In-Service  
Officers to be named  
Twenty-four (24) hours            22-24 Sep 10  
Criminal Interdiction Training  
Drug Enforcement Agency (DEA)  
Hagerstown, MD

**MINERAL COUNTY SHERIFF'S OFFICE**

Supervisory In-Service  
Captain R J Wingler  
Forty Eight (48) hours            17-22 Oct 10  
Great Lakes Leadership Seminar  
FBI  
Niagara Falls, New York

**MORGANTOWN POLICE DEPARTMENT**

Annual In-Service  
Officer Troy Ball  
Officer Darren Crouse  
Forty (40) hours                    1-5 Nov 10  
Field Training Officer (FTO) Program  
Ohio Peace Officer Training Academy  
London, OH

Supervisory In-Service  
Chief Phil Scott  
Forty Eight (48) hours            17-22 Oct 10  
Great Lakes Leadership Seminar  
FBI  
Niagara Falls, New York

Annual In-Service  
Officer Brett Watson  
Officer Troy Ball  
Five (5) hours                    24 Sep 10  
STOP Team Cultural Specific Training  
West Virginia Coalition Against Domestic Violence  
Elkview, WV

**SAINT ALBANS POLICE DEPARTMENT**

Supervisory In-Service  
Sergeant Marc Gilbert  
Sergeant Mark Burdette  
Forty (40) hours                    4-8 Oct 10  
First Line Supervision  
Ohio Peace Officer Training Academy  
London, OH

**VIENNA POLICE DEPARTMENT**

Annual In-Service  
Officer Robert Pifer  
Fourteen (14) hours                6-7 Dec 10  
Remington 870 Armorer School  
Ohio Peace Officer Training Academy  
London, OH

Annual In-Service  
Patrolman R N Cox  
Twenty-four (24) hours            9-11 Nov 10  
The Reid Technique of Interviewing and Interrogation  
Reid Consulting Inc  
Marietta, OH

Annual In-Service  
Sergeant R S Berdine  
Patrolman D W Lindsey  
Patrolman M A Pifer  
Eight (8) hours      12 Nov 10  
Advanced Seminar on The Reid Technique of Interviewing and Interrogation  
Reid Consulting Inc  
Marietta, OH

**WEIRTON POLICE DEPARTMENT**

Supervisory In-Service  
Sergeant John Tate  
Forty (40) hours      4-8 Oct 10  
First Line Supervision  
Ohio Peace Officer Training Academy  
London, OH

**WEST VIRGINIA NATURAL RESOURCES POLICE**

Supervisory In-Service  
Lieutenant Dave Trader  
Sixteen (16) hours      13-15 Sep 10  
West Virginia State Emergency Response Committee Training  
West Virginia Office of Emergency Preparedness  
Pipestem, WV

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 Lieutenant Walker made a motion, seconded by Retired Chief Stephens, 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 addressed agenda item 7 by advising the members present that it addressed the appointment of Mayor Arthur J Auxer, City of Shepherdstown, as the Public-at-Large member of the LET Subcommittee by Governor Manchin. Mayor Auxer was not able to be present at this meeting due a commitment made prior to his appointment, but had indicated that he was looking forward to serving as a member of the LET Subcommittee.

First Sergeant Tilley then addressed agenda item 8 by advising the members present that it addressed a presentation by Ms Valerie Turner,

Disproportionate Minority Contact Coordinator with the West Virginia Supreme Court of Appeals, on the program entitled "Effective Police Interactions With Youth." He noted that this item had been on the agenda of the August 26, 2010 meeting of the LET Subcommittee, but due to the length of that meeting and the items that had to be addressed prior to the meeting of the full Governor's Committee on Crime, Delinquency and Correction that Ms Turner had agreed to delay its presentation until this meeting to allow the members to get a more complete view of the program.

Ms Turner provided the members present with information addressing the responsibilities of her position, the "Effective Police Interactions With Youth" program and an Office of Juvenile Justice Delinquency Prevention (OJJDP) bulletin entitled "Race as a Factor in Juvenile Arrests." The information she gave out is provided under Appendix One of these minutes. She then provided an overview of her position and the program on effective police interactions.

Her interest in presenting this information to the members present was to help address and reduce the number of police contacts with individuals, in particular youth, that were based on reasons due to race or beliefs. She noted that her program had funds to allow for the training of instructors in the subject area who could then present entry level and in-service training to West Virginia law enforcement officers. She will be contacting Major DeBord, Director of Training at the West Virginia State Police Academy, who was present at the meeting, to follow up on bringing this training to the PDC.

First Sergeant Tilley then advised the members present that agenda items 9 through 14 addressed personnel related issues and that he was asking for a motion to go into executive session concerning them. Retired Sheriff McComas made a motion, seconded by Ms Singleton, that the LET Subcommittee go into executive session to address the personnel related matters concerning agenda items 7 through 14. 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 10:22 a.m. It came out of executive session at 11:42 am following a discussion on these agenda items.

First Sergeant Tilley noted that there was no action required concerning agenda items 9 and 10. Agenda item 9 had been provided for informational purposes and there had been no individuals to review on agenda item 10.

First Sergeant Tilley asked if there was any motion to be made concerning agenda item 11A.

Sheriff McComas made a motion concerning agenda item 11A, seconded by Retired Chief Stephens, that officer in question be allowed to maintain his certification as a West Virginia law enforcement officer based on a review of the totality of the circumstances pertaining to his criminal plea and a determination that

there was no federal prohibition applicable to the possession of a firearm by the involved officer based on the plea that had been entered, this review and discussion having been made during August 26, 2010 and this meeting of the LET Subcommittee. There being no discussion on the motion First Sergeant Tilley called for questions.

Subcommittee members Colonel Murphy, Sheriff McComas, Retired Chief Stephens, Retired Lieutenant Walker and Retired Lieutenant Miller voted in favor of the motion as made. Subcommittee members Retired Chief Lee, Ms Hamilton and Ms Singleton voted against the motion as made. The motion, as made, passed by a vote of five (5) to three (3).

First Sergeant Tilley asked if there was any motion to be made concerning agenda item 11B.

Ms Singleton made a motion concerning agenda item 11B, seconded by Retired Lieutenant Walker, that the Draft Position Statement concerning the revocation of the law enforcement certification of Former Officer R M Chapman, with the change on page two, paragraph one, to reflect that this former officer did not appear at the August 26, 2010 meeting of the LET Subcommittee, be approved as the Position Statement of the LET Subcommittee as to its decision concerning this former 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 asked if there was any motion to be made concerning agenda item 12.

Retired Lieutenant Walker made a motion concerning agenda item 12, seconded by Sheriff McComas, that the officer in question based on totality of the circumstances pertaining to his plea to the involved charge be allowed to continue his participation in the entry level training 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 asked if there was any motion to be made concerning agenda item 13.

Sheriff McComas made a motion concerning agenda item 13, seconded by Ms Singleton, that while the subcommittee members still were of the opinion that their decision in denying the participation of the former officer in question as a private citizen in the entry level training program was correct that they would not be taking any action to appeal the decision by Mr Federspiel, Executive Director, Governor's Committee on Crime, Delinquency and Correction, to accept the recommendation from the hearing review attorney to allow that former officer's participation in the entry level training program.

There was discussion on the motion by Retired Chief Lee and Retired Walker as to the subcommittee as to abstaining from voting on the motion as

made. Following a discussion on the motion as made they indicated that they would be voting concerning 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 14.

Colonel Murphy made a motion concerning agenda item 14, seconded by Ms Singleton, that the request by the involved officer to be granted a delay in participating in the required classes for recertification as an officer past a period of one year from the point he had been employed once again as an officer be denied in the applicable legislative rule and state statute did not give the subcommittee members the authority to grant such a delay. 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.

Ms Hamilton had to leave the meeting due to another commitment after the vote on the motion for agenda item 14.

Ms Hamilton subsequently advised Retired Captain Sadler that she had not voted either way on this motion and asked that her vote on the motion for agenda item 14 be reflected as a no vote. The motion passed as made with seven (7) votes for it and one (1) vote against it.

First Sergeant Tilley initiated discussion on agenda item 15 by advising that it had been provided for informational purposes to make the subcommittee members aware of the actions of the City of Montgomery as to its implementation of a civilian oversight board for its police department. There was no discussion concerning this action.

First Sergeant Tilley then initiated discussion on agenda item 16 by advising the members present that it addressed the discussion during the May 2010 legislative rules review retreat as to the consideration of the development of legislation to allow for individuals who had resigned for personal related reasons to, after a period of time, to once again be employed as sworn officers. Currently they could not until they were approved to enter and then complete the entry level training program as a private citizen.

First Sergeant Tilley noted that as this would require a change to the state code that the subcommittee could not directly develop and introduce the required legislation. As such he asked that the organizations which the members represented take the lead in developing and introducing legislation to allow this to occur. He did note that he and the staff of the Division of Justice and Community Services (DJCS) could assist as needed. The members present indicated their continued support for such a legislative change to be developed and introduced.

First Sergeant Tilley then initiated discussion on agenda item 17 by advising the members present that he would like their approval to develop a proposal to be considered by them that would allow for the awarding of in-service hours to officers

participating in the Fellowship Program at the Academy. The development of such a program had been previously discussed by the members, but as no direct proposal had been put forward he wanted to determine their continued interest in it.

The members present indicated that they would like for him to develop a proposal to be considered by them that would address the type and amount of training the fellowship officers received while participating in the program so that applicable in-service credit could be awarded. They expressed their ongoing recognition of the value of this program is assisting the Academy staff. First Sergeant Tilley indicated that he would work on the proposal and bring it to them at a subsequent meeting.

First Sergeant Tilley then initiated discussion on agenda item 18 by advising the members that was listing of the scheduled LET Subcommittee meetings for calendar year 2011. The dates of the meetings, last Thursday of each month for January through October, with no meeting during November and the December meeting being the second Thursday of that month were the same, but he noted that the meeting times were going to start at 9:00 am instead of previous starting time of 10:00 am. This new starting time, to start with the January 27, 2011 meeting, would allow the members to better address the increased amount of items that were being discussed by them. There was consensus agreement by the members present to have the meeting starting time changed to 9:00 am.

First Sergeant Tilley then addressed agenda item 19 advising the members present that it addressed actions taken by Retired Captain Sadler on their behalf since the August 26, 2010 meeting. He asked if there were any questions concerning the materials provided concerning this agenda item. There were no questions.

Ms Lee had to leave the meeting at 12:02 pm during the discussion of agenda item 19.

By consensus agreement from the beginning of the meeting First Sergeant Tilley then moved to address agenda item 20 which pertained to the approval of the certification of the officers who had graduated from the 142<sup>nd</sup> Basic Class on August 20, 2010 as West Virginia law enforcement officers. He had Major DeBord to make address their graduation from the program.

Major DeBord advised that the listed officers, whose names had had been provided by Retired Captain Sadler to the members present at the start of the meeting, had completed the requirements to graduate from the entry level training program and that he was recommending their certification as West Virginia law enforcement officers. There being no questions concerning his recommendation First Sergeant Tilley asked if there was a motion concerning it.

Retired Chief Stephens made a motion concerning agenda item 20, seconded by Sheriff McComas, that the graduates of the 142<sup>nd</sup> Basic Class be certified as West Virginia law enforcement officers in that they had successfully

completed the requirements for such certification. 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 list of the officers approved for certification as West Virginia law enforcement officers is provided under Appendix Two of these minutes.

Ms Singleton had a question at this point as to the segment of the training where the officers were provided with use of force and defensive tactics training, noting the concerns that had been raised previously by other individuals about this part of the entry level training program. Major DeBord indicated that this training continued to be presented in recognition of the value to the officers as to safely handling individuals. No student officers had been hurt in any way during the most recent session of this training.

There being no other questions about the entry level training program First Sergeant Tilley initiated discussion on agenda item 21 by advising the Retired Captain Sadler and himself had recently appeared before the study committee of the legislature during the September 2010 interim meetings. Senator Laird will be working with First Sergeant Tilley and staff as necessary as this proposed legislation continues to be reviewed and developed. First Sergeant Tilley will keep the members apprised of any developments with this legislation.

First Sergeant asked if there were any questions. Hearing none First Sergeant Tilley asked if there was a motion to bring this meeting to a close.

Ms Singleton made a motion, seconded by Colonel Murphy, that the September 30, 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 September 30, 2010 meeting of the LET Subcommittee was brought to a close at 12:09 pm.

# APPENDIX 1

## Disproportionate Minority Contact Program Information

# APPENDIX TWO

## Graduates of the 142<sup>nd</sup> Basic Class