

AMMENDED COPY

**LAW ENFORCEMENT PROFESSIONAL STANDARDS SUBCOMMITTEE
Room 204
Charleston Civic Center
Charleston, WV**

August 25, 2011

MEMBERS PRESENT: Colonel David Murphy
Retired Lieutenant Terry Miller

MEMBERS REPRESENTED: Colonel Jay Smithers by
First Sergeant Curt Tilley
Sheriff Michael White by
Sheriff Tom McComas
Chief William Roper by
Chief Steve Stephens
Judge Phyllis Carter by
Retired Sergeant J L Johnson
First Lieutenant Douglas Gunnoe by
Lieutenant Malcomb
Retired Lieutenant Steve Walker by
Retired Corporal Dave Gentry
Ms Patti Hamilton by
Mr. Jack McClung

MEMBERS ABSENT: Mayor Arthur Auxer
Ms Suzan Singleton

STAFF: Retired Captain Chuck Sadler
Ms Leslie Boggess

The August 25, 2011 meeting of the Law Enforcement Professional Standards (LEPS) Subcommittee, conducted at the Charleston Civic Center, Room 204, Charleston, West Virginia, was called to order by the Chair, First Sergeant Tilley at 9:01 a.m. with eight (8) members either present or represented at the meeting. Colonel Murphy came into the meeting at 9:32 a.m.

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 were none indicated by the members.

First Sergeant Tilley then initiated discussion on agenda item 2 by advising the members present that the minutes of the July 28, 2011 meeting of the LEPS Subcommittee had been mailed with the agenda packet for their review and consideration. He asked if there were any corrections or questions concerning the minutes. Hearing none from the subcommittee members he asked if there was a motion concerning their approval.

A motion was made by Sheriff McComas, seconded by Retired Sergeant Johnson that minutes of the July 28, 2011 LEPS Subcommittee meeting be approved. 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 LEPS Fund Financial Report by asking Retired Captain Sadler to report on it. Retired Captain Sadler advised the members that as of August 16, 2011 that there was a balance of \$980,088 in the fund.

First Sergeant Tilley asked if there were any questions concerning the fund report. Hearing none he asked if there was consensus approval to accept 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.

Officer Joshua Bish
Princeton Police Department

Gangs Awareness
Criminal Investigation
Police Cyclist

Officer Michael Cannon

Active Shooter Response

Potomac State College Police Dept

Officer Dwayne Duffield Boating Safety
West Virginia Natural Resources Police Defensive Tactics

Officer Jack Fayak Jr Boating Safety
West Virginia Natural Resources Police Police Firearms Instructor – Handgun
Boating Crash Investigations

Sergeant Allen Hoffer Active Shooter Response
McMechen Police Department Police Firearms Instructor – Handgun

Officer Matthew Jeffries Police Firearms Instructor – Handgun
Mount Hope Police Department

Officer Christopher Paitsel Laser/Radar Instructor
Keyser Police Department

Officer L M Rogers Police Firearms Instructor – Handgun
Bridgeport Police Department

Officer James Smith III Defensive Tactics
Morgantown Police Department

Deputy William Templeton Weapons of Mass Destruction
Cabell County Sheriff's Office Domestic Violence
Sexual Assault

First Sergeant Tilley asked Retired Captain Sadler if these individuals met the standards to become certified as law enforcement instructors in the areas listed. Retired Captain Sadler 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 Sergeant Johnson that the listed 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. He advised the members present that it addressed the below listed individuals who were previously approved and certified instructors were seeking to be approved in the additional areas of expertise listed.

Sergeant Robert Goodrich
Bridgeport Police Department

PPCT Defensive Tactics

Sergeant David James
West Virginia Natural Resource Police

Police Firearms Instructor – Handgun

Deputy J C Kennedy
Barbour County Sheriff's Office

Police Firearms Instructor – Patrol Rifle
Taser

Officer Jason Kerr
Hurricane Police Department

Enhanced Scent Behavior – Police K-9

Lieutenant Greg Scolapio
Harrison County Sheriff's Office

Animal Control

Patrolman First Class Jay Williams
Bridgeport Police Department

PPCT Defensive Tactics

First Sergeant Tilley asked Retired Captain Sadler if these individuals met the standards to become certified as law enforcement instructors in the additional areas listed. Retired Captain Sadler 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 Mr McClung, seconded by Retired Sergeant Johnson that the listed 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 annual in-service level classes that

were being recommended for approval for the 2012 Training Year. The following annual level in-service training programs to be conducted during the 2012 Training Year were presented for consideration and approval:

BECKLEY POLICE DEPARTMENT

Eight (8) hours 6 Oct 11
Pharmaceutical Diversion Training
Instructor: Adjunct staff – Perdue Pharmaceutical
Beckley, WV

CHARLESTON POLICE DEPARTMENT

Four (4) hours 26 Aug 11
Dignitary Protection Expectations Training
Instructor: Special Agent Heath Bills
 United States Secret Service
Charleston, WV

FAYETTE COUNTY EVIDENCE CENTER

Sixteen (16) hours 18-19 Aug 11
Drug Interdiction Training
Instructor: Agent S Daugherty
 Tennessee POST certified instructor
Mt Hope, WV

HUNTINGTON POLICE DEPARTMENT

Eighty (80) hours 3-14 Oct 11
Police Motorcycle Operator Course
Instructor: Officer M Hudson
 Officer V Casey
 LET certified instructors in subject area
Huntington, WV

KANAWHA COUNTY SHERIFF'S OFFICE

Five (5) hours 14,15, 16, 17, 18, 19, 29 & 30 Aug 11

Springfield .45 cal Pistol Transition Training

Instructor: Lieutenant M Rose

Sergeant K Vititoe

Sergeant J Meadows

Corporal L Grace

LET certified instructors in subject area

Charleston, WV

KEYSER POLICE DPEARTMENT

Eight (8) hours 6 Sep 11

Drug Interdiction Training

Instructor: Adjunct Instructors

Rural Policing Institute

United States Department of Homeland Security

Keyser, WV

PARKERSBURG POLICE DEPARTMENT

Sixteen (16) hours 26-27 Aug 11

Field Training Officer (FTO) Program

Instructor: Lieutenant Dale McEwuen

LEPS certified instructor in subject area

Parkersburg, WV

TRANSPORTATION SECURITY ADMINISTRATION (TSA)

Two (2) hours Dates to be set

Management of Airport Police Operations

Instructor: TSA Inspector C Ochoa

Charleston/Huntington, WV

**UNITED STATES ATTORNEYS OFFICE –
NORTHERN DISTRICT OF WEST VIRGINIA**

Eight (8) hours 27 Sep 11

Sovereign Citizens 101

Instructor: Mr Daryl Johnston

Nuclear Regulatory Commission

Former Head of U S Department of Homeland Security's
Domestic Threat Analytical Branch

Ms Elizabeth Kohut

Member – FBI's Domestic Terrorism Operations Unit

Mr Christopher Greiner

Intelligence Analyst

U S Bureau of Prisons

Adjunct staff

West Virginia Fusion Center

Fairmont, WV

**WEST VIRGINIA ASSOCIATION OF ALCOHOLISM &
DRUG ABUSE COUNSELORS**

Twenty-four (24) hours 3-6 Oct 11

31st Annual Fall Conference

Instructor: Adjunct staff

West Virginia Division of Health and Human Resources (DHHR)

Roanoke, WV

WEST VIRGINIA COALITION AGAINST DOMESTIC VIOLENCE

Five (5) hours 26 Aug 11

Working With Parents Who Batter – A National Perspective

Instructor: Adjunct staff – U S Department of Justice

Elkview, WV

WEST VIRGINIA OFFICE OF HOMELAND SECURITY

Twenty-four (24) hours 18-20 Oct 11

Fast CyberForensic Triage Program

Instructor: Adjunct staff

National White Collar Crime Center (NW3C)

Dunbar, WV

WEST VIRGINIA LIFESAVERS PROGRAM

Sixteen (16) hours 15-16 Sep 11

Detecting Deception

Instructor: Retired Detective Sergeant Gary Ascherbach
Maryland POST certified instructor
Beckley, WV

WEST VIRGINIA SHERIFF'S ASSOCIATION

Twelve (12) hours 9-10 Aug 11

Pictometry

Instructor: Adjunct staff
Program coordinators for West Virginia Sheriff's Association's
Pictometry Grant Award
Charleston, WV

WEST VIRGINIA STATE POLICE

Eight (8) hours 25-26 Aug 11

2nd Annual Internet Crimes Against Children (ICAC) Seminar

Instructor: Adjunct staff
United States Department of Justice
Roanoke, WV

WEST VIRGINIA UNIVERSITY POLICE DEPARTMENT

Twenty-four (24) hours 9-11 Aug 11

Police Cyclist Training Course

Instructor: Lieutenant Chedester
LEPS certified instructor in subject area
Morgantown, WV

WOOD COUNTY SHERIFF'S OFFICE

Twenty (20) hours 3-4 Aug 11

Patrol Rifle Training Course

Instructor: Captain M Smith
LEPS certified instructor in subject area
Wood County, WV

Four (4) hours Dates to be set

Taser Operator Re-Certification Course

Instructor: Deputy L Jefferson
LEPS certified instructor in subject area
Wood County, WV

Eight (8) hours Dates to be set

Taser Operator Certification Course

Instructor: Deputy L Jefferson
LEPS certified instructor in subject area
Wood County, WV

First Sergeant Tilley asked Retired Captain Sadler if these classes met the criteria to be approved as annual in-service classes for the 2012 Training Year. He advised 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 for a clarification of what the training to be presented by the West Virginia Sheriff's Association would be covering. Sheriff McComas advised that it would be addressing the pictometry program that the organization was conducting training for. Under that program aerial pictures were to be taken of locations and facilities through out the state to assist law enforcement agencies in handling incidents at them. The training to be presented would prepare Deputies involved in the program to meet the objectives and goals of the program.

First Sergeant Tilley asked if there were any other questions 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 Chief Stephens, that the listed classes be approved for annual in-service hours as presented for the 2012 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 class for approval as supervisory in-service during the 2012 Training Year:

TRANSPORTATION SECURITY ADMINISTRATION (TSA)

Two (2) hours Dates to be set

Management of Airport Police Operations

Instructor: TSA Inspector C Ochoa

Charleston/Huntington, WV

First Sergeant Tilley asked Retired Captain Sadler if this class met the criteria to be approved as a supervisory in-service class for the 2012 Training Year. He advised that it did and recommended its approval as such. First Sergeant Tilley asked if there were any questions concerning this class. Hearing none he asked if there was a motion concerning the approval of this class.

Mr McClung made a motion, seconded by Sheriff McComas, that the class presented and recommended be approved for supervisory in-service credit as presented for the 2012 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 class for approval as personal in-service for the 2012 Training Year:

BECKLEY POLICE DEPARTMENT

Supervisory In-Service
Captain L Christian
Twenty (20) hours 30 Jul 11 – 1 Aug 11
Leading by Legacy Training Program
International Chiefs of Police Association
Washington, DC

BERKELEY COUNTY SHERIFF'S OFFICE

Annual In-Service
Deputies to be named
Eight (8) hours 20 Aug 11
Basic Tracking and Map Reading
RESA 8
Martinsburg, WV

Supervisory In-Service
Sergeant T Boyles
Twenty (20) hours 2-5 Aug 11
Managing Gang Units and Task Forces
United States Department of Justice
San Francisco, CA

CERTIFICATION RETENTION PROGRAM

Annual In-Service
Former Chief Chet Napier
Forty (40) hours 16-20 Apr 12
Veterans Affairs Police Firearms Instructor Re-Certification Training
United States Department of Veterans Affairs Police
Location to be set

CHARLESTON POLICE DEPARTMENT

Annual In-service
Corporal Mark Kinder
Forty (40) hours 1-5 Aug 11
Forensic Aspects of Death
Ohio Peace Officer Training Academy (OPOTA)
London, OH

GREENBRIER COUNTY SHERIFF'S OFFICE

Annual In-Service
Deputies to be named
Sixteen (16) hours 16-17 Aug 11
Conducting Complete Traffic Stops
Northeast Counterdrug Training Program
Covington, VA
Annual In-Service
Deputies to be named
Sixteen (16) hours 27-28 Sep 11
Drug identification
Northeast Counterdrug Training Program
Covington, VA

KANAWHA COUNTY SHERIFF'S OFFICE

Annual In-Service
Captain Spurlock
Lieutenant Young
Detective Corporal Snuffer
Eighteen (18) hours 16-19 Aug 11
12th Annual Cold Case Homicide Investigations Conference
Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network
Annapolis, MD

MINERAL COUNTY SHERIFF'S OFFICE

Annual In-Service

Six (6) hours 4 Aug 11

Captain Wingler

Captain Reall

Sergeant Leatherman

Gang Awareness Training

Maryland Crime Prevention Institute

Garrett College, MD

MORGANTOWN POLICE DEPARTMENT

Annual In-Service

Officer J Blosser

Officer J Smith

Thirty-two (32) hours 19-22 Sep 11

Basic Tactics for Warrants

National Counterdrug Training Center

Ft Indiantown Gap, PA

PRINCETON POLICE DEPARTMENT

Annual In-Service

Officer J Bish

Thirty-two (32) hours Dates to be determined – Fall 2011

Field Training Officer Program

Holsten International Training & Consulting Inc

Johnson City, TN

WEIRTON POLICE DEPARTMENT

Supervisory In-Service

Sergeant J Williams

Sergeant D Hamilton

Sergeant R Grishkevich

Forty (40) hours 17-21 Oct 11

First Line Supervision

Ohio Peace Officers Training Academy (OPOTA)

London, OH

Annual In-Service
Patrolman M Hoder
Patrolman J Wetzell
Sixteen (16) hours 7-8 Sep 11
Street Survival Training
Calibre Press
Pittsburgh, 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 2012 Training Year. He stated 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.

Mr McClung made a motion, seconded by Retired Sergeant Johnson, that the listed courses be approved as in-service training as 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 advised the members present that as to the regularly set agenda items 7 through 11 which address personnel related issues that he would be seeking a motion to move into executive session concerning them, but asked for consensus approval due to volume of items to be discussed on the overall agenda that the subcommittee first discuss agenda items 12 on and then return to agenda items 7-11.

With such consensus approval indicated by the members present First Sergeant Tilley stated agenda item 12 would be tabled as Retired Captain Sadler was still working the FBI as to having an attorney come before the members to discuss domestic violence related charges and actions on the part of applicants to the entry level training program or by existing certified officers.

First Sergeant Tilley then moved to discuss agenda item 13 by informing the members that Captain David Lee, Director of Training at the West Virginia State Police Academy, was present to discuss a request by the West Virginia State Police for \$118,505 from the LEPS Fund to operate the 148th Basic Class. He had Captain Lee to discuss the request.

Captain Lee told the members that the 148th Basic Class would be operating over the dates of September 6, 2011 through December 23, 2011. The \$118,505 requested

would allow for operation of the Basic Class in line with prior such applications. The amount of the funds requested was lower in that they were projecting to have a smaller class based on the number of applications that had received. Fifty three individuals had been invited to participate in the class and based on previous responses to such invitations he expected a starting class of around thirty individuals.

Retired Captain Sadler noted that there sufficient funds present in the LEPS Fund for the request and recommended its approval. First Sergeant Tilley asked if there were any questions concerning the request. Hearing none he asked if there was a motion concerning the funding application.

Mr McClung made a motion, seconded by Retired Sergeant Johnson, that the \$118,505 requested by the West Virginia State Police for the operation of the 148th Basic Class be approved. 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 14 by advising the members that it was a listing of Troopers who had successfully completed the 61st Cadet Class. He asked that for those individuals who had not been previously approved and certified as West Virginia law enforcement officers that the graduates be so approved and certified.

He asked if there were any questions concerning the recommended approval of these individuals. Hearing none he asked if there was a motion to be made.

Retired Sergeant Johnson made a motion, seconded by Retired Lieutenant Miller, that the Troopers who had successfully completed the 61st Cadet Class be approved and certified as West Virginia law enforcement 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.

First Sergeant Tilley then initiated discussion on agenda item 15 by informing the members that it addressed the 2011 Annual Law Enforcement Training Report. A copy of the report had been mailed with the agenda packet. This report was to be presented to the members at the meeting that afternoon of the full Governor's Committee on Crime, Delinquency and Corrections. The report detailed the work of the subcommittee during the 2011 Training Year period.

He asked if there were any questions concerning the report. Hearing none he asked if there was a motion to be made concerning its approval for presentation to the full Governor's committee and for general distribution.

Retired Chief Stephens made a motion, seconded by Retired Sergeant Johnson, that the 2011 Annual Law Enforcement Training Report be approved 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 16 by advising the members that under the previously modified and approved legislative rules that the subcommittee was responsible for approving targets for use by West Virginia law enforcement agencies in their required firearm qualifications. He noted that Captain Lee and Sergeant Gary Martin, West Virginia State Police Academy staff and Range Officer, were working on compiling a list of regularly used targets to be approved by the subcommittee.

Until the list was so compiled and submitted to them agencies were being advised by Retired Captain Sadler to continue using the targets that they had been. Once the list was approved if there were agencies who had different targets they could be submitted for review and consideration for approval by the subcommittee.

First Sergeant Tilley asked if there were any questions concerning the required approval process. Sheriff McComas asked that a representative of the Sheriffs Association be involved in the process of recommending targets for approval. First Sergeant Tilley indicated that such involvement would be appreciated.

First Sergeant Tilley asked if there any additional comments or questions concerning this review process. Hearing none he moved to address agenda item 17.

He noted that agenda items 17 was a listing of the schedule for the 149th through the 152nd Basic Classes to be held during the 2012 calendar year. The Academy staff were going to continue with the presentation of four training classes to ensure that applicants to the Basic Class program were trained in a timely manner.

Hearing no questions about the class schedule First Sergeant Tilley began discussion on agenda item 18 by advising the members that it addressed a response by Retired Captain Sadler on their behalf to a Freedom of Information Act (FOIA) request submitted as to training provided to an individual who had been hired as an officer in West Virginia. He noted that there had been no further request from the attorney who had submitted it as to the LEPS Program, but that the Academy was preparing a

response to items in the original request that had been under their oversight when the Academy was presented with a similar FOIA request.

Hearing no questions on the FOIA response First Sergeant Tilley advised the members that agenda item 19 addressed actions taken concerning the development of training required by previous legislation as to organized criminal enterprise and anti-racial profile training. He noted that its development was ongoing and when completed would be presented to them for their review and approval.

There being no further discussion required for agenda item 19 at this time First Sergeant Tilley initiated discussion on agenda item 20 by advising the members that it addressed the provision of correspondence relating to actions taken by Retired Captain Sadler on their behalf since the July 28, 2011 subcommittee meeting.

He asked the members if there were any questions concerning this correspondence or actions. Hearing none he advised the members that they were now prepared to address agenda items 7-11 and their related personnel matters. As such he asked for a motion for the subcommittee to go into executive session.

Retired Corporal Gentry made a motion, seconded by Retired Sergeant Johnson, that the LEPS Subcommittee go into executive session to address the personnel related matters concerning agenda items 7-11. 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 LEPS Subcommittee went into executive session at 9:25 a.m. It came out of executive session at 11:34 a.m. following a discussion on these agenda items and on a motion made by Retired Chief Stephens, seconded by Retired Lieutenant Miller, to come out of executive session which was approved unanimously by the members present.

First Sergeant Tilley asked if there was a motion to be made concerning agenda item 7A that had been addressed in executive session.

Sheriff McComas made a motion, seconded by Lieutenant Malcomb, that the individual in question be approved to participate in the entry level training program following their review of his prior conviction. 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 a motion to be made concerning agenda item 7B that had been addressed in executive session.

Sheriff McComas made a motion, seconded by Retired Sergeant Johnson, that the individual in question be denied participation in the entry level training program and that a stop work order be completed as to him working as a West Virginia law enforcement officer in that it had been determined that he was prohibited from carrying a firearm as a result of his previous domestic violence related arrest and the plea that he had entered to that arrest. 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 a motion to be made concerning agenda item 8 that had been addressed in executive session.

Retired Sergeant Johnson made a motion, seconded by Retired Corporal Gentry, that a letter be prepared and sent to the individual in question that he had ninety days to see that his application with the West Virginia State Police Academy was current as to all required items and that if it was not at the end of that period that a stop work order be sent. 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 a motion to be made concerning agenda item 9A that had been addressed in executive session.

Lieutenant Malcomb made a motion, seconded by Colonel Murphy, that the review of the officer's certification in question be tabled until authorization was secured from the officer to allow his employment records to be checked in relation matter under review and that while this information was being secured that his certification as a West Virginia law enforcement officer would be temporarily activated. 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 a motion to be made concerning agenda item 9B that had been addressed in executive session.

Sheriff McComas made a motion, seconded by Retired Sergeant Johnson, that surrender of the West Virginia law enforcement certification of the former officer in question be accepted and he be de-certified as an officer in this state . 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 a motion to be made concerning agenda item 9C that had been addressed in executive session.

Sheriff McComas made a motion, seconded by Retired Sergeant Johnson, that the matter to be considered until this agenda item as relating to the certification of the retired officer in question be tabled until it could be verified if he had received the notice of such a review by this subcommittee. 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 pertaining to agenda items 9D and 9E as they addressed Position Statements that had been approved at the July 28, 2011 subcommittee meeting concerning the revocation of the law enforcement certification of the former officers in question and had been presented to the members to reflect that they had been sent.

First Sergeant Tilley noted that there was no motion/action required pertaining to agenda item 10 as it had been provided for informational purposes to members concerning the correspondence sent as to the decision made by them in denying a former officer to attend the Academy as a private citizen.

First Sergeant Tilley then asked the members present if it was their consensus position based on their discussion during executive session as to agenda item 11 that when an officer from another state was making application to participate in the equivalent certification program that if the other state law enforcement certifying authority indicated that the individual's certification was in good standing as to allowing him or her to return to work in that state, even if there was a review or probationary action that had been conducted or put in place, that the certification of the officer would be held to be in good standing as to our legislative requirement.

Such a position would allow the individual to move forward in the review by the Equivalent Certification Committee but would not preclude them from denying his or her participation in the program for applicable reason/s. Such consensus approval was indicated by the members present.

There being no agenda items to discuss First Sergeant Tilley asked if there was any other business to be discussed. There being none, he, asked if there was a motion to bring the meeting to a close.

Retired Chief McComas made a motion, seconded by Retired Sergeant Johnson, that the August 25, 2011 meeting of the LEPS Subcommittee be brought to a close. 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 August 25, 2011 meeting of the LEPS Subcommittee to a close at 11:56 a.m.