

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

**February 24, 2011**

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

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

MEMBERS ABSENT: Mayor Arthur Auxer  
Sheriff Richard Ferguson  
Retired Chief Ivin Lee

STAFF: Retired Captain Chuck Sadler

The February 24, 2011 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 9:11 a.m. with seven (7) members either present or represented at the meeting.

First Sergeant Tilley then asked the members present, as relating to agenda item 1, if there were any items that needed to be added to the agenda that had not been previously set to the agenda. Hearing none from the members he noted that he did want to add three items to the agenda for discussion.

He asked that the following agenda items and points of discussion relating to them be approved:

Agenda item 19 – West Virginia Consent to Search Form

Agenda item 20 – That a prior criminal record be discussed as to an applicant that an agency was considering. It was noted that it would be discussed in conjunction with agenda item 8.

Agenda item 21 – Retreat preparation for a legislative rule development

First Sergeant Tilley asked if there was consensus approval to add these items to the agenda. Such consensus approval was given by the members present. He asked once again if there were any other items that the members wanted to discuss besides those which he had raised. Hearing none he moved to discuss agenda item 2.

Ms Singleton asked at this time that a moment of silence be observed by the members in recognition of the supreme sacrifice made by Deputy United States Marshall Derek Hotsinpillar on February 16, 2011 when he was shot and killed while serving a fugitive from justice warrant. Such a moment of silence was so observed.

First Sergeant Tilley noted to the members present that the Academy staff, in light of the increased number of incidents in 2011 where law enforcement officers were being killed or seriously injured, was reviewing the applicable parts of the entry level training program to insure that techniques were being reinforced to defend against such attacks.

As to agenda item 2 First Sergeant Tilley noted to the members present that the minutes of the January 27, 2011 meeting of the LET Subcommittee had been mailed to the subcommittee members separately from the agenda packet for this meeting. He asked the members present if there were any questions or corrections concerning the minutes as sent. Hearing no other he asked if there was a motion to be made concerning their approval.

A motion was made by Ms Singleton, seconded by Mr McClung, that the minutes of the January 27, 2011 LET Subcommittee meeting be accepted as 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 then initiated discussion on agenda item 3 as to the LET Fund Financial Report by asking Retired Captain to report on it. Retired Captain Sadler noted that a copy of the Financial Report had been mailed as part of the agenda packet and was on page 1. As reflected on that the LET Fund Balance Report there was a balance of \$791,821 in the LET Fund.

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

First Sergeant Tilley then initiated discussion on agenda item 4. He advised the members present that it addressed the below listed individuals who were seeking to be approved as a law enforcement instructor in the areas of expertise listed.

Patrolman A Davis South Charleston Police Department	Taser Operator
Deputy R Davis Jr Lewis County Sheriff's Office	Taser Operator
Conservation Office D Fezell West Virginia Natural Resource Police	Defensive tactics
Senior Trooper A Taylor West Virginia State Police	Crash Investigation

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

First Sergeant Tilley asked if there were any questions or discussion concerning the recommendation for 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 Retired Lieutenant Miller, seconded by Retired Chief Stephens that the listed individuals be certified as a law enforcement instructor in the areas of expertise listed. There being no discussion on the motion First Sergeant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

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

Deputy Jamie Carter  
Hampshire County Sheriff's Office

Taser Operator

Detective D Harris  
New Martinsville Police Department

K-9 Instructor

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

First Sergeant Tilley did note to the members present that agenda item 11 addressed a request by Detective Captain Sizemore, Fayette County Sheriff's Office, to be approved as an instructor in additional areas of expertise. He noted that it had been made separate item for discussion based on the training and expertise that Captain Sizemore had submitted in support of his request for approval.

First Sergeant Tilley asked if there were any questions or discussion concerning the recommendation for the individuals listed under agenda item 5 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 Retired Lieutenant Miller, 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**

Eight (8) hours                      25 Feb 11

K-9 Unit Training on Narcotics Detection, Tracking and Apprehensions

Instructor: Sergeant J Corey

LET Certified Instructor in subject area

Beckley, WV

**CHARLESTON POLICE DEPARTMENT**

Four (4) hours                      22 Feb 11

Supervising Field Based Reporting (FBR) Process

Instructor: Lieutenant D Peal

LET certified instructor in subject area

Charleston, WV

Seven (7) hours                      25 Jan 11  
Advanced Sniper Fundamentals  
Instructor: Corporal C Snodgrass  
                    LET certified instructor in subject area  
Charleston, WV

Eight (8) hours                      16 Feb 11  
Radar Operator Training  
Instructor: Sergeant S Williams  
                    Four (4) hours                      22 Feb 11  
Supervising Field Based Reporting (FBR) Process  
Instructor: Lieutenant D Peal  
                    LET certified instructor in subject area  
Charleston, WV

**DUNBAR POLICE DEPARTMENT**

Eight (8) hours                      30 Mar 11  
Defensive Edged Weapons Techniques  
Instructor: M Arthur  
                    LET Certified Instructor in subject area  
Dunbar, WV

**FAYETTE COUNTY EVIDENCE CENTER (FCEC)**

Sixteen (16) hours                      22-23 Mar 11  
Clandestine Methamphetamine First Responder Training  
Instructor: Adjunct staff – U S Environmental Protection Agency (EPA)  
Mt Hope, WV

**FREDERICK COUNTY MARYLAND SHERIFF'S OFFICE**

Sixteen (16) hours                      5-6 Apr 11  
Communication Analysis and Analyzing Statement Training – Level II  
Instructor: Mr J Fisher  
                    Senior Intelligence Analyst Trainer  
                                    National Drug Intelligence Center – U S DOJ  
Winchester, VA

**HARRISON COUNTY SHERIFF'S OFFICE**

Eight (8) hours                      11 Feb 11  
Stop Stick Training  
Instructor: Deputy C Wilson  
                    LET certified instructor  
Bridgeport, WV

**HUNTINGTON POLICE DEPARTMENT**

Four (4) hours                      16 & 17 Mar 11  
K-9 Unit Protocols for Patrol Officers  
Instructor: Officer L Livingston  
                    LET Certified Instructor in subject area  
Huntington, WV

Eight (8) hours                      28 Mar 11 – 1 Apr 11  
Tactical Lifesaver Training  
Instructor: Dr. S Wilson  
                Licensed West Virginia physician  
                Officer J Ashworth  
                Licensed West Virginia registered nurse  
Huntington, WV

Sixteen (16) hours                      28 Mar 11 – 1 Apr 11  
Tactical Lifesaver Operators Training  
Instructor: Dr. S Wilson  
                Licensed West Virginia physician  
                Officer J Ashworth  
                Licensed West Virginia registered nurse  
Huntington, WV

**NATIONAL WHITE COLLAR CRIME CENTER (NW3C)**

Fourteen (14) hours                      24-25 Feb 11  
Basic Cell Phone Investigations (BCPI)  
Instructor: Mr M Williams  
                Mr J Johnson  
                Computer crimes specialist instructors  
Fairmont, WV

Thirty-five (35)                      2-6 May 11  
Foundation of Intelligence Analysis (FIAT)  
Instructor: Ms L Pritt  
                U S Department of Defense Instructor  
Fairmont, WV

Twenty-seven (27) hours                      7-11 Feb 11  
Analyst Notebook i2 V.8  
Instructor: Mr J Lybarger  
                Internet Crime Complaint Center adjunct instructor  
                National White Collar Crime Center instructor  
Fairmont, WV

Sixteen (16) hours                      22-23 Feb 11 and 5-6 Apr 11  
Secure Techniques for Onsite Preview (STOP)  
Instructor: Mr M Williams  
                Mr J Johnson  
                Computer crimes specialist instructors  
Fairmont, WV

**NORFOLK SOUTHERN RAILROAD POLICE DEPARTMENT**

Sixteen (16) hours                      26-27 May 11  
Grade Crossing Collision Investigation (GCCCI)  
Instructor: Special Agent J Kahle  
                    Federal Railway Administration trained instructor  
Bluefield, WV

**REGIONAL ORGANIZED CRIME INFORMATION CENTER (ROCIC)**

Three (3) hours                      31 Mar 11  
Outlaw Motorcycle Gang Overview  
Instructor; Adjunct Staff ATF  
Martinsburg, WV

**RESA V**

Six (6) hours                      1 Mar 11  
Day 1 – Social Networking – The Good, The Bad & The Ugly  
Instructor: Chief J Holler  
                    Pennsylvania LET certified instructor  
Vienna, WV

Three (3) hours                      1 Mar 11  
Day 1 – Social Networking – Overview  
Instructor: Chief J Holler  
                    Pennsylvania LET certified instructor  
Vienna, WV

Six (6) hours                      2 Mar 11  
Day 2 – Social Networking – The Good, The Bad & The Ugly  
Instructor: Chief J Holler  
                    Pennsylvania LET certified instructor  
Vienna, WV

**SOUTH CHARLESTON POLICE DEPARTMENT**

Twelve (12) hours                      6 & 20 Mar 11  
Taser Operator Training  
Instructor: Officer A Davis  
                    LET certified instructor in subject area  
South Charleston, WV

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

Eight (8) hours                      25 Feb 11  
West Virginia Summit on Prescription Drug Abuse  
Instructor: Mr B Goodwin  
                    West Virginia Attorney-at-law  
                    United States Attorney's Office  
                    Dr M O'Neil  
                    Licensed West Virginia Pharmacist  
                    Mr G Kerlikowske  
                    Director – Office of National Drug Control Policy  
Charleston, WV

**WEST VIRGINIA CHIEFS OF POLICE ASSOCIATION**

Eight (8) hours                      12 Apr 11  
Effective Leadership Strategies  
Instructor: Chief D Crisp  
                    South Carolina LET certified instructor  
                    FBI National Academy Graduate  
Clarksburg, WV

**WEST VIRGINIA GOVERNOR'S HIGHWAY SAFETY OFFICE**

Eight (8) hours                      13 Apr 11  
Motorcycle Safety and Enforcement Training  
Instructor: Adjunct staff National Highway and Traffic Safety Administration  
                    (NHTSA)  
South Charleston, WV

Eight (8) hours                      13 Apr 11  
Motorcycle Safety and Enforcement Training - Train the Trainer  
Instructor: Adjunct staff National Highway and Traffic Safety Administration  
                    (NHTSA)  
South Charleston, WV

Four (4) hours                      1 Mar 11  
Pursuit Policy Training  
Instructor: Retired Captain C Sadler  
Welch, WV

**WEST VIRGINIA HOMELAND SECURITY OFFICE**

Sixteen (16) hours                      7-8 Jun 11  
Creating Vigilant, Prepared & Resilient Communities for Homeland Security  
Instructor: Adjunct staff – U S Department of Justice  
Beckley, WV

Twenty-four (24) hours                      26-28 Apr 11  
Homeland Security Exercise and Evaluation Program (HSEEP)  
Instructor: Adjunct staff Federal Emergency Management Administration (FEMA)  
Martinsburg, WV

Eight (8) hours                      4 May 11  
Principles of Frontline Response to Agroterrorism  
and Food Systems

Instructor: Adjunct staff Western Institute for Food Safety and Security  
Ripley, WV

Twenty-four (24) hours      29-31 Mar 11  
Operational Value of Threat, Risk and Vulnerability Assessment  
Instructor: Adjunct staff George Mason University  
Charleston, WV

Twenty-four (24) hours      21-23 Jun 11  
Advanced CAMEO Applications for all Hazards  
Instructor: Adjunct staff U S Department of Justice  
Martinsburg, WV

**WEST VIRGINIA INTELLIGENCE FUSION CENTER**

Four (4) hours                      10 Mar 11  
Identifying Deceptive Techniques When Interviewing

Instructor: Mr Richard Osterlind  
Nationally recognized mentalist and expert on subject  
Charleston, WV

**WEST VIRGINIA NATRUAL RESOURCE POLICE**

Eight (8) hours                      30 Mar 11  
Patrol Rifle Course

Instructor: Sergeant R Johnson  
Sergeant V Nosse  
Sergeant R Clark  
LET certified instructors in subject area  
Bridgeport, WV

Eight (8) hours                      24 Mar 11  
Glock Armorers Course

Instructor: Adjunct staff Glock Inc  
Farmington, WV

**WEST VIRGINIA PREVENTION RESOURCE CENTER**

Four (4) hours                      3 Mar 11  
5<sup>th</sup> Annual Cabell Drug Prevention Summit

Instructor: Mr J Kilmer, PhD  
University of Washington's Adolescent Mental Health and  
Substance Abuse Center  
Ms M Wass  
Pretera Mental Health Services  
Huntington, WV

**WEST VIRGINIA PROSECUTING ATTORNEY'S INSTITUTE**

Six (6) hours                      23 Mar 11  
West Virginia Crimes Against Children Conference

Instructor: Dr Tanner  
                Licensed Psychologist – State of Illinois  
                Recognized expert in Computer Forensics  
Martinsburg, WV

Forty (40) hours                      14-18 Mar 11  
Finding Words WV/Child First 2011  
Instructor: Adjunct staff – National Child Protection Training Center  
Kingwood, WV

**WEST VIRGINIA PUBLIC SERVICE COMMISSION**

Eighteen (18) hours                      6 sessions February and March 2011  
2011 In-Service Training Program for Weights and Enforcement Personnel

Instructor: Adjunct staff – U S Department of Transportation  
                Officer R Bunner  
                LET certified instructor  
Charleston, WV

**WEST VIRGINIA STATE POLICE**

Twenty-eight (28) hours                      10-13 May 11  
Undercover Chat Investigations Course  
Instructor: Adjunct staff – National Crimes Against Children Center  
Huntington, WV

Three (3) hours                      3 Mar 11  
Safety Assessment Management System (SAMS)  
Instructor: Adjunct staff West Virginia Division of Health and Human Resources  
                (DHHR)  
Berkeley Springs, WV

Eighteen (18) hours                      15 sessions February through May 2011  
2011 West Virginia State Police In-Service Program

                Troopers below rank of Sergeant  
Instructor: Communication – 1.5 hr - Mr B Gallagher  
                Drug ID – .5 hr - Ms C Kirkpatrick  
                Traffic – 1 hr - Sergeant G Dornburg  
                Employee Assistance – 2 hrs – Ms S Ashley  
                DNA Update – 1 hr – Ms A Gill  
                First Aid Update – 4 hrs – Sergeant J Losh  
                Knife Training – 4 hrs – Sergeant R Petry  
                Traffic Stops – 1 hr – Sergeant J Losh  
                Firearms Training – 3 hrs – Academy staff  
Dunbar, WV

Ten (10) hours                      15 sessions February through May 2011

2011 West Virginia State Police In-Service Program

Troopers with rank of Sergeant and above

Instructor: Drug ID – 1 hr - Ms C Kirkpatrick

Traffic – 1 hr - Sergeant G Dornburg

Knife Training – 4 hrs – Sergeant R Petry

Traffic Stops – 1 hr – Sergeant J Losh

Firearms Training – 3 hrs – Academy staff

Dunbar, WV

**WEST VIRGINIA UNIVERSITY POLICE DEPARTMENT**

Eight (8) hours                      24 Mar 11

Workplace Violence Prevention Seminar

Instructor: Adjunct staff from:

FBI

Montgomery County MD Police Department

Carruth Center for Psychological & Psychiatric Services

Center for Disease & Control – National Institute of

Occupational Safety & Health

Morgantown, WV

Sixteen (16) hours                      22-23 Feb 11

Secure Techniques for On-Site Preview (STOP)

Instructor: Adjunct staff – National White Collar Crime Center

Morgantown, WV

Fourteen (14) hours                      24-25 Feb 11

Basic Cell Phone Investigations (BCPI)

Instructor: Adjunct staff – National White Collar Crime Center

Morgantown, 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.

Ms Singleton made a motion, seconded by Mr McClung, 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**

Four (4) hours                      22 Feb 11  
Supervising Field Based Reporting (FBR) Process  
Instructor: Lieutenant D Peal  
                    LET certified instructor in subject area  
Charleston, WV

**HUNTINGTON POLICE DEPARTMENT**

Four (4) hours                      2 & 3 Feb 11  
Supervisor's Role in Investigating Use of Force  
Instructor: Sergeant R Petry  
                    Corporal R Knight  
                    LET Certified Instructors in subject area  
Huntington, WV

**WEST VIRGINIA CHIEFS OF POLICE ASSOCIATION**

Eight (8) hours                      12 Apr 11  
Effective Leadership Strategies  
Instructor: Chief D Crisp  
                    South Carolina LET certified instructor  
                    FBI National Academy Graduate  
Clarksburg, WV

**WEST VIRGINIA GOVERNOR'S HIGHWAY SAFETY OFFICE**

Four (4) hours                      1 Mar 11  
Pursuit Policy Training  
Instructor: Retired Captain C Sadler  
Welch, WV

**WEST VIRGINIA HOMELAND SECURITY OFFICE**

Sixteen (16) hours                      7-8 Jun 11  
Creating Vigilant, Prepared & Resilient Communities for Homeland Security  
Instructor: Adjunct staff – U S Department of Justice  
Beckley, WV

Twenty-four (24) hours                      26-28 Apr 11  
Homeland Security Exercise and Evaluation Program (HSEEP)  
Instructor: Adjunct staff Federal Emergency Management Administration (FEMA)  
Martinsburg, WV

Eight (8) hours                      4 May 11  
Principles of Frontline Response to Agroterrorism  
and Food Systems  
Instructor: Adjunct staff Western Institute for Food Safety and Security  
Ripley, WV

Twenty-four (24) hours 29-31 Mar 11  
Operational Value of Threat, Risk and Vulnerability Assessment  
Instructor: Adjunct staff George Mason University  
Charleston, WV

Twenty-four (24) hours 21-23 Jun 11  
Advanced CAMEO Applications for all Hazards  
Instructor: Adjunct staff U S Department of Justice  
Martinsburg, WV

**WEST VIRGINIA STATE POLICE**

Eight (8) hours 15 dates between February and May 2011  
2011 West Virginia State Police Supervisory In-Service  
Instructor: Sergeant M Oglesby – Critical Incident Mgmt 5 hrs  
Mr Bill Gallagher – Communications 1 hr  
Ms Sandra Ashley – Employee Assistance 2 hrs  
Dunbar, WV

**WEST VIRGINIA UNIVERSITY POLICE DEPARTMENT**

Eight (8) hours 24 Mar 11  
Workplace Violence Prevention Seminar  
Instructor: Adjunct staff from:  
FBI  
Montgomery County MD Police Department  
Carruth Center for Psychological & Psychiatric Services  
Center for Disease & Control – National Institute of  
Occupational Safety & Health  
Morgantown, 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 Mr McClung, 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:

**BECKLEY POLICE DEPARTMENT**

Annual In-Service  
Sergeant J Corey  
Twelve (12) hours                    17-18 Mar 11  
Use of Force Instructor Refresher Workshop  
Rural Policing Institute  
Nelsonville, OH

**CHESTER POLICE DEPARTMENT**

Annual In-Service  
Patrolman T Raines  
Twelve (12) hours                    26-27 Feb 11  
2011 Warrior's Summit  
ICE/Warrior Summit Inc.  
Akron, OH

**MORGANTOWN POLICE DEPARTMENT**

Annual In-Service  
Officer M Solomon  
Officer E Powell  
Eight (8) hours                    19 Apr 11  
Oleoresin Aerosol Capsicum Training (OCAT) Instructor Recertification  
Personal Protection Consultants  
Harrisburg, PA

**RITCHIE COUNTY SHERIFF'S OFFICE**

Annual In-Service  
Deputy Mike Dyer  
Deputy Brad Sharp  
Forty (40) hours                    4-8 Apr 11  
Voice Stress Analysis Operator Training  
National Institute for Truth Verification  
Millersville, MD

**WEST VIRGINIA NATURAL RESOURCES POLICE**

Supervisory In-Service  
Sergeant R Cool  
Six (6) hours                    15 Feb 11  
Management of Workplace Safety  
West Virginia Division of Personnel  
Charleston, WV

## **WHEELING POLICE DEPARTMENT**

Annual In-Service

Sergeant Nolan

Officer Sanders

Officer Makris

Sixteen (16) hours                      27-28 Apr 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 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. Retired Chief Stephens asked a question concerning the subjects to be covered in the Warrior Summit training that was being recommended for approval for Patrolman Raines of the Chester Police Department.

Retired Captain Sadler pulled the request originally submitted by Patrolman Raines and reviewed the classes that would be making up this training program. He advised that they would be addressing self defense techniques and issues for law enforcement officers. The information to be presented had been reviewed and it had been determined that four hours of the sixteen hour program was more directed towards civilian right to carry issues, but that the balance of the program, twelve hours, was covering topics that would better prepare Patrolman Raines to carry out his job responsibilities.

Retired Chief Stephens indicated that he had no other questions concerning the training. First Sergeant Tilley asked if there were any other questions concerning the Warrior Summit or any of the other classes that had been listed. Hearing none he asked if there was a motion for their approval.

Retired Chief Stephens made a motion, seconded by Ms Singleton, 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 advised the members present that as to the regularly set agenda items 7 through 10 which address personnel related issues that there was no discussion needed on agenda item 10 but that there were items to be discussed under agenda items 7, 8 and 9. As such he asked for a motion to go into executive session concerning them and that the item set under agenda item 20 also be discussed during this executive session as it address a personnel matter pertaining to a criminal conviction record.

Colonel Murphy 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, 8, 9 and 20. There being no discussion on the motion First Sergeant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

The LET Subcommittee went into executive session at 9:23 a.m. It came out of executive session at 10:42 a.m. following a discussion on these agenda items and on a motion made by Colonel Murphy and Retired Lieutenant Walker to come out of executive session which was approved unanimously by the members present.

First Sergeant Tilley noted that there was no motion/action required pertaining to agenda items 7A and 7B as these items had been presented for informational purposes for the subcommittee members.

First Sergeant Tilley noted that there was no motion/action required pertaining to agenda item 8 as the officer who had been set for review for continued participation in the entry level training program had resigned.

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

Ms Singleton made a motion, seconded by Mr McClung, that the LET Subcommittee accept the surrender of the West Virginia law enforcement certification that had been offered by the former officer 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 asked if there was a motion to be made concerning agenda item 9B.

Retired Lieutenant Walker made a motion, seconded by Retired Chief Stephens, that the West Virginia law enforcement certification of Former Fayette County Sheriff's Office Deputy Jack Feltner be revoked based on the totality of circumstances pertaining to the guilty plea he had entered on July 29, 2010 to a two count information, number 10F-119 Fayette County Circuit Court, to felony offenses of fraudulent schemes . 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 9C and 9D as these items had been presented for informational purposes for the subcommittee members.

First Sergeant Tilley noted that there was no action to be taken concerning agenda item 10 as there had been no requests submitted prior to this meeting by former officers who had resigned from the entry level training program for personal

related reasons to be approved to attend that program once again as a private citizen.

First Sergeant Tilley noted that there was no motion/action required pertaining to agenda item 20 as the individual involved was still in the application process at the involved agency. Should they elect to employ him they had been given direction on how to proceed with a prior criminal conviction review for continued participation in the entry level training program at a later subcommittee meeting.

First Sergeant Tilley noted to the members present that agenda item 11 addressed a request by Detective Captain J Sizemore of the Fayette County Sheriff's Office to be approved as an instructor in additional areas of expertise from those he was currently approved to teach in. On review by Retired Captain Sadler and himself of the information that had been presented by Detective Captain Sizemore it had been decided that he should be invited in to discuss his request with the subcommittee members. This was due to his request being based on his cumulative experience in handling/investigating the additional areas requested, not on sixteen or more hours of specific training recently completed in the areas.

Detective Captain Sizemore was present at the meeting and spoke with the members at this time as to his background and expertise in the additional areas of instructor expertise being requested for approval. Detailed information addressing his background in these areas had been made a part of the agenda mailing and he also presented further written information to the members during the meeting.

The members present spoke in detail with him as to his background and interests in being approved in these additional areas. He reviewed his background and expertise as an instructor in general and in these specific areas. He indicated that his upcoming assignment with the Fayette County Sheriff's Office was going to allow him the flexibility to become more involved in the presentation of training in the areas requested to area law enforcement officers.

Following the discussion with Detective Captain Sizemore and review of the information that he had presented First Sergeant Tilley asked if there was a motion to be made concerning his request to be approved in the additional areas of instructor expertise. Retired Lieutenant Walker made a motion, seconded by Retired Chief Stephens, that Detective Captain J Sizemore of the Fayette County Sheriff's Office be approved in the additional areas of instructor expertise of Criminal Investigation, Sex Crimes Investigation, Homicide Investigation and Mapping, Measuring and Documentation of Crime Scenes.

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 moved to discuss agenda item 12 by asking Retired Captain Sadler to address the status of rule modifications for legislative rule 149-2 that had been filed and were being considered for approval by the

current session of the West Virginia legislature. Retired Captain Sadler noted that the rules had been approved by the applicable committees in the House of Delegates and Senate. As a result they had been “bundled” with other legislative rules and were moving to passage.

First Sergeant Tilley asked if there were any questions concerning the action on the legislative rule. Hearing none he moved to address agenda item 13.

First Sergeant Tilley began the discussion on agenda item 13 by asking Retired Captain Sadler to update the members on the status of proposed legislation addressing the expansion of the role of the LET Subcommittee set forth in House Bill 2538 and Senate Bill 193, same language in each, that were being considered during the current session of the legislature.

Retired Captain Sadler noted that a copy of the legislation as it was currently written had been mailed to the subcommittee members as a separate mailing from the agenda packet. That legislation had been worked on by a subcommittee of the Senate Judiciary Committee whose members has received direct input from the various police associations and groups involved with the legislation. That direct input had been made part of the revised legislation which had been passed by the full Senate Judiciary Committee and the full Senate. It was now being discussed and reviewed by the House of Delegates.

First Sergeant Tilley did note that if this legislation was passed as currently written that it would entail the promulgating of legislative rules to address the expanded role of the subcommittee. He asked if there were any questions concerning the action on the legislation to expand the role of the LET Subcommittee. Hearing none he moved to address agenda item 14.

First Sergeant Tilley began the discussion on agenda item 14 by asking Retired Captain Sadler to update the members on the proposed changes to West Virginia State Code 30-29-5, subsection (f), as to the recommended changes from the May 2010 meeting of the LET Subcommittee concerning individuals who had resigned from the entry level training program for personal related reasons.

Retired Captain Sadler noted that as a result of efforts by the police associations and organizations interested in the matter that House Bill 3096 had been introduced. This legislation contained the specific language previously discussed by the LET Subcommittee and recommended by Deputy Director Jeff Estep, Division of Justice and Community Services. This language would define timeframes when and how individuals who had left the entry level training program for personal related reasons could once again become law enforcement officers in West Virginia and return to the training program.

There being no discussion on the legislation as it now stood by the members present First Sergeant Tilley moved to address agenda item 15. He noted that this item had been presented for informational purposes to show the subcommittee members that their previous decision to not allow military police related law enforcement training in consideration of individual seeking to gain

equivalent certification as West Virginia law enforcement officers was consistent with the majority of other state's LET Programs.

First Sergeant Tilley then initiated discussion on agenda item 16 as to the development of a program to award in-service hours to Officers participating as Fellowship Officers at the Academy in support of the entry level training classes. He is working on an outline of the training that these officers will receive in support of their roles and the activities that they will carry out for consideration by the subcommittee members. He will submit it for their consideration on approval. There was consensus indication of the need for the development and approval of such a program by the members present. It will be presented at a subsequent LET Subcommittee meeting.

First Sergeant Tilley then initiated discussion on agenda item 17 as it pertained to legislative requirements as to actions by the LET Subcommittee. He advised that item 17A would be discussed in more detail under agenda item 19 with the presentation and discussion of a proposed statewide consent to search form.

As to agenda item 17B he advised that a meeting was to be set of individuals knowledgeable about organized criminal enterprises and anti-racial profile training. This meeting would allow recommendations to be made and presented to the LET Subcommittee. These recommendations would allow for the development of the required training program which meet the requirement that West Virginia law enforcement officers receive training in these areas beginning summer of 2011, to be completed by 2012.

There being no discussion concerning agenda item 17B First Sergeant Tilley moved to discuss agenda item 18. Item 18A he advised addressed the denial of an out of state certified officer to participate in the equivalent certification program in that his entry level training in that other state did not meet the 800 hour requirement set forth in legislative rule 149-2.

Item 18B he advised addressed correspondence by Major DeBord and Retired Captain Sadler as to individuals who had resigned from the 145<sup>th</sup> Basic Class for medical and personal related reasons.

There were no questions or comments concerning 18A or 18B so First Sergeant Tilley moved to discuss agenda items 19 through 21 which had been approved to be added to the agenda for discussion at the start of this meeting.

He indicated that agenda item 19 addressed proposed statewide consent to search form required by prior legislative action. With the assistance of West Virginia Traffic Safety Resource Prosecutor Brain Lanham a proposed form had been developed and reviewed by individuals involved in interdiction programs. The proposed form was presented to the subcommittee members for review and comment.

It was recommended by the members present that the form have a number designator on the bottom of it in case future actions by the legislature or court necessitated a revision of the form. It was further recommended that the form reflect on it when it was required to be used, by statute mandating its development when searches were being conducted in relation to motor vehicle stop for a West Virginia Code 17c or related municipal traffic ordinance.

There being no further discussion on the proposed form First Sergeant Tilley asked if there was a motion concerning it. Retired Lieutenant Walker made a motion, seconded by Ms Singleton, that proposed form submitted by Mr Lanham be accepted, with the changes recommended as to a number designation and language indicating when to be used, and approved as the statewide consent to search form for motor vehicle related stops.

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 advised that the two additions to the form would be made that day. A physical and electronic mailing of the new form with a cover memorandum addressing its required use would be as soon as possible. He did note that with the delay in not getting the form approved and distributed by December 31, 2010, as called for in the legislation, that a determination had been made within DMAPS that no emergency rules would be filed concerning its implementation. Legislative rules addressing the use of the form would have to be promulgated for introduction and approval during the 2012 session of the West Virginia Legislature.

First Sergeant Tilley initiated discussion on agenda item 20 by reminding the members present that it had been addressed during this meeting's executive session in that it related to a personnel matter. No action had been required on it during this meeting.

First Sergeant Tilley then initiated discussion on agenda item 21 by discussing the need of the subcommittee members to identify a period of up to 3 days during April or May 2011 that they could hold a retreat to discuss required rule changes and development of new rules. These would include the necessary revisions/additions to 149-2 as to impending approval of the expansion of the duties of the LET Subcommittee and new rules to be developed concerning the use of the consent to search form.

There being no other approved business to discuss 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 February 24, 2011 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 February 24, 2011 meeting of the LET Subcommittee was brought to a close at 11:38 a.m.