

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

**May 26, 2011**

MEMBERS PRESENT: Colonel David Murphy

MEMBERS REPRESENTED: Colonel 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  
Retired Lieutenant Steve Walker  
Retired Corporal Dave Gentry  
Ms Patti Hamilton by  
Mr. Jack McClung

MEMBERS ABSENT: Mayor Arthur Auxer  
Retired Lieutenant Terry Miller  
Ms Suzan Singleton

STAFF: Retired Captain Chuck Sadler

The May 26, 2011 meeting of the Law Enforcement Training (LET) Subcommittee, conducted at the Professional Development Center (PDC), West Virginia State Police Academy, Dunbar, West Virginia, was called to order by the Chair, First Sergeant Tilley, at 9:04 a.m. with seven (7) members either present or represented at the meeting. Trooper First Class J Baker, West Virginia State Police, was present at this meeting representing the West Virginia Troopers Association, who will take a position on the Subcommittee as of June 10, 2010 based on legislation passed during the 2011 Session of the West Virginia Legislature.

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 have two items concerning the current agenda.

He asked that the following changes be made concerning the agenda items and points of discussion for this meeting:

Agenda item 14 – That the discussion on the entry level training program curriculum be tabled as Sergeant D Lee, Academy staff, was finalizing the work on the curriculum. First Sergeant Tilley noted that upon completion that they would be mailed to the members for review and consideration at the next scheduled meeting.

Agenda item 13 - Asked that this item addressing sound and sight separation issues involving juveniles in agencies be discussed prior to Agenda item 8 to minimize the time that the individuals present to speak on it would have to be present. .

First Sergeant Tilley asked if there was consensus approval to make these changes concerning 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 be address besides those which he had raised. Hearing none he moved to discuss agenda item 2.

As to agenda item 2 First Sergeant Tilley noted to the members present that the minutes of the March 31, 2011 and the April 28, 2011 meetings of the LET Subcommittee had been mailed with the agenda packet for their review and consideration. The March 31, 2011 minutes had been mailed as they had not been ready for review and approval at their April 28, 2011 meeting.

He asked if there were any corrections or questions concerning the minutes. Hearing none from the subcommittee members he did indicate that on the April 28, 2011 minutes that on the cover page that it needed to reflect that it was Colonel Smithers, not Colonel Pack who he was representing due to the change in Superintendents of the West Virginia State Police. Retired Captain Sadler indicated that he would make that correction.

There being no other discussion concerning the minutes and there being consensus agreement concerning them First Sergeant Tilley then initiated

discussion on agenda item 3 as to the LET Fund Financial Report by asking Retired Captain Sadler to report on it.

Retired Captain Sadler noted that a copy of the Financial Report had been given out prior to the start of the meeting as it had not been prepared when the agenda mailing was made. As reflected on that distributed report there was a balance of \$928,505 in the LET Fund. It was noted that this total did not represent the award of \$198,000 made at the April 28, 2011 subcommittee meeting for the civilian support staff salaries at the Academy as it was being processed for award. With that amount removed there was an approximate balance of \$730,505 in the fund at this time.

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

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

Officer Michael King	Police Firearms Instructor – Handgun
Shepherdstown Police Department	Police Firearms Instructor – Shotgun
	Police Firearms Instructor – Patrol Rifle
	Police Firearms Instructor – Select Fire

Chief Ed Preston	Supervision and Management Concepts
Morgantown Police Department	

Retired Captain Sadler noted to the members that as to the recommendation concerning Officer Michael King, Shepherdstown Police Department, that was one additional area that he was being recommended for approval in, Police Firearms Instructor – Precision Rifle, that had been left off the listing. He asked that the additional area be approved as well.

First Sergeant Tilley asked Retired Captain Sadler if these individuals advised met the standards to become certified as a law enforcement instructor 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 a law enforcement instructor in the areas of expertise listed to include the additional area recommended for Officer King. 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 John Garten Charleston Police Department	Police Suicide Awareness
Sheriff Joseph Carpenter Marion County Sheriff's Office	Chemical Munitions Less Lethal Munitions Flash Bang Devices Aerosol Projectors
Officer Pat McKinney Welch Police Department	Incident Safety Officer

First Sergeant Tilley asked Retired Captain Sadler if these individuals advised met the standards to become certified as a law enforcement instructor 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 Sheriff McComas, seconded by Retired Sergeant Johnson, 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 with the end of the 2011 Training Year on July 9, 2011 that agenda item 6 had classes recommended for both the 2011 and 2012 Training Year that would begin on July 10, 2011. He noted that they would go through each type of training individually.

He noted that agenda item 6A addressed training programs that had been submitted for consideration for approval as annual in-service for the 2011 Training Year. The following annual level in-service training programs to be conducted during the 2011 Training Year were presented for consideration and approval:

Classes not reflected on minutes saved copy as they were deleted by mistake. Cut and pasted into printed copy on file in office.









First Sergeant asked Retired Captain Sadler if these classes met the criteria to be approved as annual in-service classes for the 2011 Training Year. He 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.

Colonel Murphy 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 in conjunction with  
WEST VIRGINIA PUBLIC SAFETY EXPO**

Eight (8) hours                      19 May 11

Police Supervision

Instructor: Chief Ed Preston

LET recommended certified instructor

North Carolina POST certified instructor

Charleston, WV

Eight (8) hours                      20 May 11

The Bulletproof Mind

Instructor: Lieutenant Colonel D Grossman

U S Army

Internationally recognized speaker

Prior training programs approved by LET Subcommittee

Charleston, WV

**RESA 8**

Sixteen (16) hours                      13-15 May 11

NIMS 300

Instructor: Mr G Gregory

West Virginia Fire Services instructor

Hardy County, WV

Sixteen (16) hours                      3-5 Jun 11

NIMS 400

Instructor: Mr G Gregory

West Virginia Fire Services instructor

Hardy County, WV

**WELCH POLICE DEPARTMENT**

Eight (8) hours                      18 May 11

Incident Safety Officer Concepts for Law Enforcement

Instructor: Officer P McKinney

LET certified instructor in subject area

Princeton, 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 advised 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.

Colonel Murphy made a motion, seconded by Sheriff McComas, 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:

**CHARLESTON POLICE DEPARTMENT**

Annual In-Service

Sergeant S Williams

Sergeant N Null

Sixteen (16) hours                      11-13 Jun 11

Symposium on Alcohol and Drug Impaired Driving

Institute of Police Technology and Management (IPTM)

[www.iptm.org](http://www.iptm.org)

Palm Beach Gardens, FL

**FAYETTE COUNTY SHERIFF'S OFFICE**

Annual In-Service

Detective Sergeant G Chapman

Corporal J McMullen

Deputy W Willis

Sixteen (16) hours                      8-9 Jun 11

Taser Instructor Course

Taser Inc.

Winchester, VA

**ST ALBANS POLICE DEPARTMENT**

Supervisory In-Service

Sergeant P Smith

Sergeant M Gilbert

Forty (40) hours                      16-20 May 11

Field Training Officer (FTO) Program Management

Institute of Police Technology and Management (IPTM)

[www.iptm.org](http://www.iptm.org)  
Jacksonville, FL

**WEST VIRGINIA NATURAL RESOURCE POLICE**

Annual and Supervisory by rank of Officers attending  
Natural Resource Police Officers to be named  
Eight (8) hours                      15 Jun 11  
Joint Operations Anti-Terrorism Training  
United States Coast Guard  
U. S. Office of Homeland Security  
Parkersburg, 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 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.

Retired Chief Stephens made a motion, seconded by Sheriff McComas, 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 6D. The following annual level in-service training programs to be conducted during the 2012 Training Year were presented for consideration and approval:

**CHARLESTON POLICE DEPARTMENT**

Six (6) hours                      26 Sep 11  
Why Teens Kill  
Instructor: Mr Phil Chalmers  
                    Recognized authority on juvenile homicide  
                    Author  
                    Philchalmers.com  
Charleston, WV

**FBI**

Forty (40) hours                      2-8 Nov 11  
Basic Instructor Development Course  
Instructor: Mr H Carlile  
                    FBI approved instructor in subject area  
Clarksburg, WV

**HURRICANE POLICE DEPARTMENT**

Forty (40) hours 18-22 Jul 1-9 Seminar on Enhanced Scent Behavior

Instructor: Adjunct staff – Battle Born K-9 Inc to include:

Officer J Carlson

Las Vegas Metro Police Department K-9 Officer  
Nevada POST certified instructor in subject area

Officer M English

Las Vegas Metro Police Department K-9 Officer  
Nevada POST certified instructor in subject area

Attorney at Law M Rispoli

Hurricane, WV

**NORTHFOLK SOUTHERN RAILROAD POLICE DEPARTMENT**

Sixteen (16) hours 25-26 Aug 11

Grade Crossing Collision Investigation (GCC) Training

Instructor: Special Agent J Kahle

LET certified instructor in subject area

Dunbar, WV

**TUCKER COUNTY SHERIFF’S OFFICE**

Eight (8) hours 18 Oct 11

Rape Investigation

Instructor: Retired SSA R Hazelwood

FBI

Training classes previously approved by LET Subcommittee

Davis, WV

**WEST VIRGINIA COALITION AGAINST DOMESTIC VIOLENCE**

Eight (8) hours 21 Sep 11

Walking the Thin Purple Line – Responding to Domestic Violence

Instructor: Adjunct staff U. S. Office of Violence Against Women

Course approved during 2010 Training Year

Winfield, WV

Thirty-six (36) hours 12-16 Sep 11

West Virginia Victim Assistance Academy

Instructor: Adjunct staff from:

U. S. Department of Justice

West Virginia Coalition Against Domestic Violence

West Virginia Division of Justice and Community Services (DJCS)

Charleston, WV

**WEST VIRGINIA HOMELAND SECURITY OFFICE**

Twenty-four (24) hours 26-28 Jul 11

Advanced CAMEO Applications for all Hazards

Instructor: Adjunct staff – Louisiana State University  
Approved during 2010 Training Year by LET Subcommittee  
Dunbar, WV

Twenty-four (24) hours 16-18 Aug 11

Law Enforcement Active Shooter for Emergency Response (TtT)

Instructor: Adjunct staff – Louisiana State University  
Approved during 2010 Training Year by LET Subcommittee  
Dunbar, WV

**WEST VIRGINIA OFFICE OF THE CHIEF MEDICAL EXAMINER**

Twenty-four (24) hours 24-27 Oct 11

Forensic Death Investigation

Instructor: Dr J Kaplan MD  
West Virginia Chief Medical Examiner  
Dr James Kraner, PhD  
West Virginia Chief Toxicologist  
Dr John Carson DDS  
West Virginia Chief Dental Examiner  
Dr Jonathan Arder, MD  
Dr Elizabeth Brondolo, PhD

Sutton, WV

**WEST VIRGINIA STATE POLICE**

Forty (40) hours 19-13 Sep 11 and 5-9 Dec 11

Statement Analysis and Interviewing

Instructor: Sergeant M Lynch  
LET certified instructor in subject area

Dunbar, WV

Forty (40) hours 11-15 Jul 11

Handgun Instructor Course

Instructor: Colonel D Murphy  
Major M DeBord  
Sergeants D Lee, J Portaro and Martin  
Officer H Teare

LET certified instructors in subject area

Dunbar, WV

**WEST VIRGINIA PROSECUTING ATTORNEYS INSTITUTE**

Forty (40) hours 3-8 Oct 11

Finding Words WV – Child First 2011

Instructor: Adjunct staff U S Department of Justice  
Dunbar, WV



Approved during 2010 Training Year by LET Subcommittee  
Dunbar, WV

Twenty-four (24) hours     16-18 Aug 11  
Law Enforcement Active Shooter for Emergency Response (TtT)  
Instructor: Adjunct staff – Louisiana State University  
Approved during 2010 Training Year by LET Subcommittee  
Dunbar, WV

First Sergeant Tilley asked Retired Captain Sadler if these classes met the criteria to be approved as supervisory in-service classes for the 2012 Training Year. He advised 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.

Mr McClung made a motion, seconded by Retired Sergeant Johnson, that the classes 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 6F by presenting the following classes for approval as personal in-service for the 2012 Training Year:

**MONONGALIA COUNTY SHERIFF'S OFFICE**

Annual In-Service  
Deputy C Thomas  
Deputy R Stockett  
Sixteen (16) hours             24-27 Aug 11  
Police K-9 Interdiction Training  
Police K-9 Magazine Inc  
[www.policek-9magazine.com](http://www.policek-9magazine.com)  
Washington, DC

**WEST VIRGINIA UNIVERSITY POLICE DEPARTMENT**

Annual In-Service  
K-9 Officer to be named  
Sixteen (16) hours             24-27 Aug 11  
Police K-9 Interdiction Training  
Police K-9 Magazine Inc  
[www.policek-9magazine.com](http://www.policek-9magazine.com)  
Washington, DC

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.

Retired Chief Stephens made a motion, seconded by Sheriff McComas, that the classes presented and recommended be approved for personal in-service credit 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 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 items 7 and 8 but that there were items to be discussed under agenda items 9 and 10. He did note however that by the members prior consensus agreement at the start of this meeting that they would be discussing agenda item 13 at this point to facilitate the schedule of the individuals present to discuss it.

First Sergeant Tilley noted that agenda item 13 addresses a discussion concerning federal OJJDP sight and sound compliance issues. Present to discuss the matter were Ms Miranda Nabers and Mr John Stigall from the Division of Justice and Community Services. First Sergeant Tilley asked them to discuss the agenda item.

They reviewed the process and requirements concerning the placement of juvenile in holding facilities, at police departments and other locations, in relation to adult offenders in relation to sight and sound issues, along with the process of how the requirements were monitored to determine compliance with the requirements. As a result of violations of the requirements West Virginia was going to lose a substantial amount of funding in this program area.

The members discussed ways that the “problem” agencies could be brought into compliance in terms of trainings, both regionally and at the specific agencies and mailings concerning information on the program and its requirements. The consensus of the members was that the agencies in violation should be worked with by the DJCS staff.

In returning to agenda items 7 through 10 First Sergeant Tilley once again advised the members that there was no action required on either number 7 or 8 as no matters were set under these set agenda items for discussion but that there were personnel related items to be discussed under agenda items 9 and 10. As such he asked for a motion for the subcommittee to go into executive session.

Retired Sergeant Johnson made a motion, seconded by Sheriff McComas, that the LET Subcommittee go into executive session to address the personnel related matters concerning agenda items 9 and 10. There being no discussion on the motion First Sergeant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

The LET Subcommittee went into executive session at 9:32 a.m. It came out of executive session at 11:18 a.m. following a discussion on these agenda items and on a motion made by Retired Sergeant Johnson, seconded by Retired Sergeant Johnson, to come out of executive session which was approved unanimously by the members present.

First Sergeant Tilley then began a discussion of agenda item 11 by advising that it addressed the approval of the certification of the officers who had graduated from the 145<sup>th</sup> Basic Class as West Virginia law enforcement officers. He noted that with their successful completion of that entry level training program that they met all of the requirements to be so certified.

He asked if there were any questions concerning these officers. Hearing none he asked if there was a motion to be made concerning their approval.

Sheriff McComas made a motion, seconded by Retired Sergeant Johnson, that the officers listed as completing the 145<sup>th</sup> Basic Class be certified as West Virginia law enforcement officers in that they now met the requirements to be so certified. 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 began a discussion on agenda item 12 by advising that it addressed an application that had been prepared and submitted on their behalf by Retired Captain Sadler to the West Virginia Commission on Drunk Driving Prevention (CDDP) for \$32,500 in funding during FY2012 for the costs of presenting impaired driver training during the entry level training classes. The application was the same as prior such applications made by the LET Subcommittee to the CDDP, those prior applications being regularly approved.

First Sergeant Tilley asked if there were any questions concerning the funding application. Hearing none he asked if there was a motion to approve the submission of the application to the CDDP.

Retired Chief Stephens made a motion, seconded by Retired Sergeant Johnson, that the application for \$32,500 in funding from the West Virginia Commission on Drunk Driving Prevention from the subcommittee to address the costs of presenting impaired driver training during the entry level training classes be submitted 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 noted to the members that as to agenda items 13 and 14 that, by their prior consensus approval, agenda item 13 addressing sight and sound separation issues involving juveniles had already been discussed and that agenda item 14 had been tabled to allow Sergeant Lee to finalize changes that were being recommended to the entry level training program course/content make-up.

First Sergeant Tilley noted that he had addressed agenda items 11 through 14 after coming out of executive session due to scheduling of subcommittee members who might be required to leave. He indicated that he was now going to address agenda items 7 through 10, to be followed by agenda items 15 through 17.

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

First Sergeant Tilley noted that there had been nothing on the agenda to discuss pertaining to agenda item 8 as there were no individuals seeking to participate in the entry level training program at this time who had a prior criminal conviction.

First Sergeant Tilley asked if there was a motion to concerning agenda item 9 as to certification review that had been reviewed during the executive session.

Sheriff McComas made a motion, seconded by Retired Sergeant Johnson, that law enforcement certification of Former Deputy B Wilfong be decertified as a result of the totality of the circumstance addressing the criminal plea that he had entered into. 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 item 10 as it had been determined in speaking with the former officer present concerning it that he was not, at this time, asking to return to the entry level training program as a private citizen. The matters that he had discussed were outside the scope of the authority of the subcommittee and as such could not be addressed by them.

First Sergeant Tilley then began the discussion on agenda item 15 by advising the members that it addressed the actions that had been taken since their April 2011 and subcommittee meeting at Canaan Valley as to legislative rules 149-2 and 149-6. As to agenda item 149-6 he advised that the rule as provided with the agenda mailing was ready to be filed with West Virginia Secretary of State in line with required rule making process to allow for an applicable public comment period and to start the review by the Legislative Rule Making Committee.

He asked if there were any questions concerning the rule or its filing. Hearing none he asked if there were a motion to approve the filing of the rule as presented.

Retired Sergeant Johnson made a motion, seconded by Sheriff McComas, that new legislative rule developed as 149-6 addressing Consent to Search requirements and procedures be filed with the Secretary of State in line with required legislative rule making process. 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.

As to agenda item 15B First Sergeant Tilley noted that it addressed the actions that had been taken as well since Canaan Valley concerning the recommended changes to 149-2 concerning law enforcement training and certification legislative rules in relation to statutory changes made to 30-29, et all during the 2011 Session of the West Virginia Legislature. Sections 1 and 2 under agenda item 15B addressed the updates and changes made to the rule since they had met as presented in the agenda mailing.

First Sergeant Tilley noted that with the statutory changes taking place effective June 10, 2011 and in line with the standard rule making process that a motion was required to approve the filing of the changes as presented concerning 149-2. The filing would be as an emergency rule to allow the changes to take effect in conjunction with the date the statutory changes went into effect and as a standard filing in line with legislative rule making process.

He asked if there were any questions concerning the changes or the filing of the rule. Trooper First Class Bailey had a question about the requirement on page 94 of the agenda mailing, legislative rule 13.5 as to the recommendation requiring the subcommittee be notified by an officer when he or she had been charged with an offense. First Sergeant Tilley advised that it was consistent with statutory changes and emphasis of the Legislature that the subcommittee be involved when there were criminal actions on the part of West Virginia law enforcement officers. The requirement would assist the subcommittee and its staff as to being made aware of such charges.

First Sergeant Tilley asked if there were any other questions concerning 149-2. Hearing none he asked if there was a motion to be made concerning 149-2.

Sheriff McComas made a motion, seconded by Retired Sergeant Johnson, that the changes made to 149-2 by the subcommittee be filed with the West Virginia Secretary of State, both as an emergency rule to allow for the rule to take effect with the statutory changes to West Virginia Code 30-29 and as a standard rule filing to meet the requirements of that process. 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 discussed agenda item 15.B.3 by advising the members that it addressed proposed changes to the existing Change-In-Status (CIS) Report form and the new required form for an officer to request reactivation of his or her certification once employment had stopped at one agency and was to start at another. Proposed forms were provided by First Sergeant Tilley and reviewed by the members. Minor changes were recommended in each which First Sergeant Tilley advised would be incorporated into the final draft.

First Sergeant Tilley asked if there were any questions concerning the proposed form. In that the forms needed to be distributed to officers and agencies

he asked for a motion to be concerning the approval of the forms with the recommended changes.

Retired Sergeant Johnson made a motion, seconded by Sheriff McComas, that proposed changes to the existing Change-In-Status (CIS) Report and the new Application for Reactivation of Certification be approved with the changes that had been recommended by the members. 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 began discussion on agenda item 15.B.4. by advising the members that it addressed the need to make a mailing to individual West Virginia law enforcement officers and agencies about the details of the statutory changes made to West Virginia State Code 30-29 and the legislative rules. Because this was a major change in the process addressing certification of West Virginia law enforcement officer and the review of such certification when certain conduct was involved and the process of the status of their certification when they changed agencies it was felt that such a mailing would be the best way to educate individual officers.

There was a discussion by the members about the mailing and what would be part of it. It was recommended that the mailing include an explanation of the changes, the forms to be used in reporting officer employment and status when they were making employment changes between agencies. It was the consensus of the members present that the mailing only address matters pertaining to the changes and applicable forms.

First Sergeant Tilley asked if there was a motion to be made concerning the statewide mailing, first as to it being made and secondly as to covering the covering the cost of the mailing from the LET Fund.

Sheriff McComas made a motion, seconded by Retired Chief Stephens, that there be a mailing made to each West Virginia law enforcement officer individually to the agency heads addressing the changes in code and legislative rules concerning the certification process. 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.

Retired Chief Stephens made a motion, seconded by Sheriff McComas, that funds from the LET Fund be authorized to cover related mailing costs of the mailing addressing changes in the certification process. 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 discussed agenda item 16 by informing the members that work was ongoing to develop required antiracial profile and organized criminal enterprise training for all officers. It was projected that the program would be in place by the required statutory timeframe. When work was

completed on the proposed training it would be presented to the subcommittee members.

There were no items listed under agenda item 17 as to actions taken by Retired Captain Sadler since the April 28, 2011 subcommittee meeting so 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.

Chief Stephens made a motion, seconded by Retired Sergeant Johnson, that the May 26, 2011 meeting of the LET 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 May 26, 2011 meeting of the LET Subcommittee to a close.