

LAW ENFORCEMENT PROFESSIONAL STANDARDS SUBCOMMITTEE
Lodge Conference Room
North Bend State Park
Cairo, WV

April 26, 2012

MEMBERS PRESENT: Ms Suzan Singleton

MEMBERS REPRESENTED: Colonel Jay Smithers by
Lieutenant Curt Tilley
Sheriff Michael White by
Sheriff Tom McComas
Chief Bill Roper by
Retired Chief Steve Stephens
Judge Phyllis Carter by
Retired Sergeant J L Johnson
First Lieutenant Douglas Gunnoe by
Lieutenant Malcomb
Retired Lieutenant Terry Miller by
Retired Corporal Dave Gentry
Retired Lieutenant Steve Walker by
Retired Lieutenant Steve Neddo

MEMBERS ABSENT: Mayor Arthur Auxer
Colonel Dave Murphy
Ms Patti Hamilton

STAFF: Retired Captain Chuck Sadler
Mr Jeff Estep
Ms Leslie Boggess

The April 26, 2012 meeting of the Law Enforcement Professional Standards (LEPS) Subcommittee, conducted in the Lodge Conference Room of North Bend State Park, Cairo, West Virginia, was called to order by the Chair, Lieutenant Tilley, at 9:06 a.m. with eight (8) members either present or represented at the meeting.

The following actions were taken during this meeting in reference to the agenda items scheduled:

1. Agenda Item 1 – No additional items added to the agenda
2. Agenda Item 2 – Motion made, Sheriff McComas, seconded, Retired Chief Stephens and approved unanimously with no discussion of the minutes of the March 30, 2012 meeting.
3. Agenda Item 3 – Consensus acceptance of the LEPS Fund Report as presented.
4. Agenda Item 4 - Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson and approved unanimously with no discussion of the approval of individuals listed in the agenda mailing to be certified as law enforcement instructors.
5. Agenda Item 5 - Motion made, Ms Singleton, seconded, Sheriff McComas and approved unanimously with no discussion of the approval of the additional area of instructor expertise for the individuals listed in the agenda mailing.
6. Agenda Item 13 – With the consensus approval of the members present a discussion presented at this time by Retired Chief Matheny, National White Collar Crime Center, Fairmont, WV as to the curriculum development concerning the issue of Human Trafficking. Upon completion the training will be made available to West Virginia law enforcement officers.
7. Agenda Item 6A - Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson and approved unanimously with no discussion of the classes listed in the agenda mailing for annual in-service hours.
8. Agenda Item 6B - Motion made, Ms Singleton, seconded, Retired Sergeant Johnson and approved unanimously with no discussion of the classes listed in the agenda mailing for supervisory in-service hours.
9. Agenda Item 6C - Motion made, Ms Singleton, seconded, Retired Chief Stephens and approved unanimously with no discussion of the classes and training programs listed in the agenda mailing for annual or supervisory in-service hours as applicable.
10. Agenda Item 6D - Motion made, Retired Chief Stephens, seconded, Sheriff McComas and approved unanimously with no discussion the handgun instructor class tabled from the March 30, 2012 meeting.
11. Agenda Item 6E - Motion made, Sheriff McComas, seconded, Retired Lieutenant Neddo and approved unanimously with no discussion that until further information could be secured from the involved instructor that the approval of his waiver request be tabled.

12. At the indication of the Chair that there were personnel related matters to be discussed a motion made, Sheriff McComas, seconded, Retired Sergeant Johnson and approved unanimously for the Subcommittee to go into executive session at 10:08 a.m. By action from the same individuals the Subcommittee came out of executive session at 10:22 a.m.
13. The Chair advised there was no action required concerning Agenda Items 7 - 12 by the members in that they had been provided for informational purposes.
14. In that Agenda Item 13 had been previously addressed the Chair moved to Agenda Items 14 and 15 addressing the development of Legislative Rules 149-7 and 149-8. Mr J Estep, DCJS and the Chair gave an overview of the rules. The members were asked to familiarize themselves with these proposed rules for discussion during the May 31, 2012 meeting when individuals who had participated in their development would be present. These rules would require action/approval at that meeting by this Subcommittee for the rules to move forward on behalf of the Governor's Committee on Crime, Delinquency and Correction within the legislative review process. Motion made, Retired Lieutenant Neddo, seconded, Retired Sergeant Johnson and approved unanimously with no discussion that action concerning these two agenda items be tabled until the May 30, 2012 meeting.
15. Agenda Item 16 - Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson and approved unanimously with no discussion that the listed officers in the agenda mailing be approved as certified West Virginia law enforcement officers, with the exception of Officers McKone and Williams, who would become certified officers upon the completion of training not completed as part of the 149th Basic Class for valid reasons.
16. Agenda Item 17 – Consensus approval by the members present as to the grant adjustment concerning 11-LET-104 reflected in the agenda mailing for the purchase of new passenger vans for use at the West Virginia State Police Academy.
17. Agenda Item 18 - Motion made, Lieutenant Malcomb, seconded, Sheriff Johnson and approved unanimously with no discussion that the determination of whether an individual's federal level law enforcement training met the statutory requirement for the position of Investigator with the West Virginia Secretary of State's Office be tabled until further information was provided by the involved individual.
18. Agenda Item 19 - Discussion conducted concerning the Reserve Deputy Training Program being carried out by the Jefferson County Sheriff's Office. No action required by the members on this matter.
19. Agenda Item 20 - Discussion conducted concerning the provision of required training by statute to West Virginia law enforcement officers addressing anti-racial profiling and organized criminal enterprises. Members were advised that such training is being provided to all officers now attending the entry level training classes. Update training information for previously certified officers on these areas will be provided through a mailing to each officer in the state. No action required by the members on this matter.

20. Agenda Item 21 - Discussion conducted concerning the approval of legislative rules updates concerning 149-2 addressing officer training and certification. All required steps are being completed by DCJS staff to have these changes brought fully into effect with the Secretary of State's Office. No action required by the members on this matter.
21. Agenda Item 22 - Discussion conducted concerning the legislative audit at DCJS and the review of the LEPS Program as that audit continuing. All requests being made by the auditor's staff are being replied to. Primary emphasis as to the LEPS Program continues to be the need to fully track firearms qualifications of all officers within the state. DCJS staff moving to comply with this need. No action required by the members on this matter.
22. Agenda Item 23 - Discussion conducted to bring the members current as to the work being completed by Envisage Technology to have their Acadis System replace the existing Officer Training Information System (OTIS). No action required by the members on this matter.
23. Agenda Item 24 - Discussion conducted concerning the work completed by the members on April 25, 2012, same location, concerning proposed changes to 149-2 during the 2013 Session of the West Virginia Legislature. DCJS staff will be taking applicable steps required by the legislative rule process to have the changes so considered. No action required by the members on this matter.
24. Agenda Item 25 – No discussion required as no items were provided with the agenda mailing as to DCJS staff's actions on behalf of the Subcommittee members since their March 30, 2012 meeting.

There being no other agenda items set for discussion the Chair asked if there was any other items to be addressed. Hearing none he asked for a motion to bring the meeting to a close.

Sheriff McComas made a motion, seconded by Retired Sergeant Johnson, that the April 26, 2012 meeting of the LEPS Subcommittee be brought to a close. There being no discussion on the motion Lieutenant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

The April 26, 2012 meeting of the LEPS Subcommittee was brought to a close at 10:57 a.m. with eight (8) members present or represented.