

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

February 23, 2012

MEMBERS PRESENT: Colonel Dave Murphy  
Retired Lieutenant Steve Walker  
Ms Suzan Singleton

MEMBERS REPRESENTED: Colonel Jay Smithers by  
Lieutenant Curt Tilley  
Sheriff Michael White by  
Sheriff Tom McComas  
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  
Ms Patti Hamilton by  
Mr Jack McClung

MEMBERS ABSENT: Mayor Arthur Auxer  
Retired Chief Steve Stephens

STAFF: Retired Captain Chuck Sadler  
Ms Leslie Boggess  
Ms Judy Strickland

The February 23, 2012 meeting of the Law Enforcement Professional Standards (LEPS) Subcommittee, conducted at the Professional Development Center (PDC), West Virginia State Police Academy, Dunbar, West Virginia, was called to order by the Chair, Lieutenant Tilley, at 9:02 a.m. with nine (9) members either present or represented at the meeting.

Lieutenant Tilley called for a moment of silence in recognition of the sacrifice made by Sergeant Todd May, Monongalia County Sheriff's Office, who was killed in the line of duty while on overtime impaired driver enforcement patrol. That moment of silence was observed.

Lieutenant Tilley then introduced Ms Judy Strickland to the members as the new Administrative Assistant for the LEPS Unit at DJCS and discussed her role in that unit and with the Subcommittee. Each of the members introduced themselves to her as to their name and the organization they represented on the Subcommittee.

Lieutenant Tilley then noted that as pertaining to agenda item 1 that no one had contacted him as to any items that needed to be added or changed concerning the agenda items for this meeting. As such he stated that the agenda would be addressed as sent to the members with the agenda support materials.

As to agenda item 2 Lieutenant Tilley noted to the members present that the minutes of the January 26, 2012 had not been completed prior to this meeting. It was the consensus of the members present that the review of these minutes be tabled until the March 29, 2012 meeting of the LEPS Subcommittee.

Lieutenant 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 reflected on Page 1 of the agenda packet that as of October 20, 2011 that there was a balance of \$1,038,411 in the LEPS Fund.

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

Lieutenant 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.

Assistant Chief Julian Byer  
Ronceverte Police Department

Drug Interdiction  
Criminal Investigations

Officer John Casto  
West Virginia Natural Resource Police

Boating Safety

Officer Michael Coberly West Virginia Natural Resource Police	Police Firearms Instructor – Handgun
Officer Joshua Cook West Virginia University Police Department	Incident Response to Terrorist Bombings
Sergeant Philip Giffen Parkersburg Police Department	Laser/Radar Instructor
Officer Justin Kleiver Shepherd University Police Department	PPCT Defensive Tactics Instructor
Sergeant Chris Leatherman Mineral County Sheriff's Office	Police Firearms Instructor – Handgun DUI Detection Standardized Field Sobriety Testing (SFST)
Sergeant Greg Losh West Virginia State Police	Police Firearms Instructor – Handgun Police Firearms Instructor – Shotgun Police Firearms Instructor – Patrol Rifle
Sergeant R D Mathis Kanawha County Sheriff's Office	Police K-9 Instructor
Officer John Oliver Moundsville Police Department	Lidar/Radar Instructor
Lieutenant Shannon Prince Oak Hill Police Department	Lidar/Radar Instructor
Officer Douglas Sayman Moundsville Police Department	Lidar/Radar Instructor

Lieutenant 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. Lieutenant 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 Lieutenant Tilley

called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Lieutenant Tilley then initiated discussion on agenda item 5. He advised the members present that it addressed the below listed previously approved instructors who were seeking to be approved as a law enforcement instructor in the additional areas of expertise listed.

Officer Mark DeBord West Virginia Natural Resource Police	Professional Standards Investigations
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Corporal Paul Perdue Charleston Police Department	Sniper Tactics Basic SWAT Operations
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Lieutenant Tilley asked Retired Captain Sadler if these officers 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. Lieutenant Tilley asked if there were any questions or discussion concerning the recommendation for these officers to be approved as an instructor in the additional areas of expertise recommended. Hearing none he asked if there was a motion to be made concerning their approval.

A motion was made by Sheriff McComas, seconded by Retired Sergeant Johnson that the listed officers be certified as a law enforcement instructor in the additional areas of expertise listed. 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.

Lieutenant 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**  
Sixteen (16) hours            9-10 Apr 12  
Identity Theft Investigations  
Instructor: Adjunct Staff  
National White Collar Crime Center (NW3C)  
Beckley, WV

Eight (8) hours                      20 Mar 12  
Effective Police Interactions With Youth

Instructor: Adjunct staff  
                    Connecticut Juvenile Justice Advisory Committee  
                    Connecticut Office of Police and Management  
Beckley, WV

Sixteen (16) hours                      21-22 Mar 12  
Effective Police Interactions With Youth – Train the Trainer

Instructor: Adjunct staff  
                    Connecticut Juvenile Justice Advisory Committee  
                    Connecticut Office of Police and Management  
Beckley, WV

**CAMC HEALTH EDUCATION & RESEARCH INSTITUTE**

Three (3) hours                      1 Mar 12  
6<sup>th</sup> Annual Cabell Drug Prevention Summit

Instructor: Dr Carl Sullivan  
                    Medical physician  
                    Professor and Chairman – Addiction Programs  
                            West Virginia University School of Medicine  
                    Retired Commander Ed Shemelya  
                    Kentucky State Police  
                    Eastern Region Marijuana Coordinator – AHIDTA  
                    Ms April Fugett-Fuller, PhD  
                    Professor, Marshall University Department of Psychology  
Huntington, WV

**CHARLESTON POLICE DEPARTMENT**

Seven (7) hours                      Date to be set  
Monthly Sniper Unit Training – January 2012

Instructor: Corporal S Snodgrass  
                    LEPS certified instructor in subject area  
Charleston, WV

**CLARKSBURG POLICE DEPARTMENT**

Eight (8) hours                      27, 28 and 29 Feb 12 and 1 and 2 Mar 12  
Taser Operator Training

Instructor: Lieutenant R Hilliard  
                    LEPS certified instructor in subject area  
Clarksburg, WV

Eight (8) hours                      30 Jan 12  
Report Beam Crash Report Training  
Instructor: Sergeant D Messenger  
                    Sergeant J Walsh  
                    LEPS certified instructors in subject area  
Clarksburg, WV

**ELEANOR POLICE DEPARTMENT**

Eight (8) hours                      7 Mar 12  
Tactical Handgun Course  
Investigator: Corporal Harry Teare  
                    LEPS certified instructor in subject area  
Eleanor, WV

Eight (8) hours                      21 Mar 12  
Tactical Shotgun for Patrol Course  
Investigator: Corporal Harry Teare  
                    LEPS certified instructor in subject area  
Eleanor, WV

Eight (8) hours                      28 Mar 12  
Patrol Rifle Course  
Investigator: Corporal Harry Teare  
                    LEPS certified instructor in subject area  
Eleanor, WV

Sixteen (16) hours                      25-26 Apr 12  
Vehicle Based Firearms Tactics from the Supervisor's Perspective  
Instructor: Corporal Harry Teare  
                    LEPS certified instructor in subject area  
Eleanor, WV

**FAMILY CRISIS CENTER OF KEYSER**

Eight (8) hours                      8 Mar 12  
Domestic Violence Training  
Instructor: Sergeant Shallon Oglesby  
                    LEPS certified instructor in subject area  
Keyser, WV

**FAYETTE COUNTY SHERIFF'S OFFICE**

Four (4) hours                      8 and 9 Mar 12  
Domestic Violence Refresher Training  
Instructor: Corporal J McMullen  
                    LEPS certified instructor in subject area  
Fayetteville, WV

Four (4) hours                      8 and 9 Mar 12  
Meth Awareness Training  
Instructor: Corporal J McMullen  
                    Deputy S Gray  
                    LEPS certified instructors in subject area  
Fayetteville, WV

Four (4) hours                      23 & 24 Feb 12 am and pm sessions each day  
Defensive Tactics Training – Day 1  
Instructor: Deputy S Neal  
Fayetteville, WV

Four (4) hours                      Dates to be set in Mar 12  
Defensive Tactics Training – Day 2  
Instructor: Deputy S Neal  
Fayetteville, WV

Four (4) hours                      Dates to be set in Apr 12  
Defensive Tactics Training – Day 3  
Instructor: Deputy S Neal  
Fayetteville, WV

**HURRICANE POLICE DEPARTMENT**

Sixteen (16) hours                      15-16 Feb 12  
Taser Instructor Course  
Instructor: Corporal Richard Nelson  
                    LEPS certified instructor in subject area  
Hurricane, WV

**JEFFERSON COUNTY SHERIFF'S OFFICE**

Eight (8) hours                      29 Feb 12, 7, 14 and 21 Mar 12  
Radar Operator – Speed Enforcement Training  
Instructor: Corporal Kevin Boyce  
                    LEPS certified instructor in subject area  
Kearneysville, WV

Twenty-four (24) hours                      22-24 May 12  
The Reid Technique of Interview and Interrogation – Basic Seminar  
Instructor: Adjunct staff – John E Reid and Associates  
Kearneysville, WV

Eight (8) hours                      25 May 12  
The Reid Technique of Interview and Interrogation – Advanced Seminar  
Instructor: Adjunct staff – John E Reid and Associates  
Kearneysville, WV



**SHEPHERD UNIVERSITY POLICE DEPARTMENT**

Four (4) hours                      2 Feb 12  
PPCT Defensive Tactics Involving Handcuffing Techniques  
Instructor: Officer J Kleiver  
LEPS certified instructor in subject area  
Shepherdstown, WV

**SUMMERSVILLE POLICE DEPARTMENT**

Sixteen (16) hours                7-8 Jun 12  
Criminal Patrol and Drug Interdiction Training  
Instructor: Adjunct staff  
Highway Interdiction Traffic Safety Inc (HITS)  
[www.hits-training.com](http://www.hits-training.com)  
Summersville, WV

**TRI-STATE FIRE ACADEMY**

Sixteen (16) hours                10-11 Apr 12  
All Hazards Management Symposium  
Instructor: Dr D Owsley  
Smithsonian Museum – Head of Physical Anthropology  
Dr L Campbell, PhD  
Herpetologist – Snake bites and their effects  
Dr Stephen Wilson, MD  
Emergency first aid and medical care  
Special Agent S Summers  
U. S. Secret Service  
Retired Major J Cole  
U. S. Attorneys Office  
Captain B Mullins  
Salvation Army  
Huntington, WV

**TUCKER ALL HAZARDS CONFERENCE TRAINING (TACTIC) ORGANIZATION**

Twenty-four (24)                27-29 Apr 12  
Statement Analysis and Interview Training  
Lieutenant Gary Weaver  
Canaan Valley, WV

**WEST VIRGINIA FUSION CENTER**

Eleven (11) hours                13-14 Mar 12  
Fusion Center Liason Officer Program  
Instructor: Adjunct staff  
West Virginia Fusion Center  
West Virginia Office of Homeland Security  
Charleston, WV

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

Eight (8) hours                      19, 20 and 21 Mar 12

Motorcycle Law Enforcement Training Program

Instructor: Retired Captain D Cook

Mr E Cook

LEPS certified instructors in subject area  
Princeton, WV

**WEST VIRGINIA OFFICE OF HOMELAND SECURITY**

Eight (8) hours                      8 Feb 12

SITMAN Table Top Exercise re: Bluestone Dam

Instructor: Adjunct Staff

West Virginia Office of Homeland Security  
Charleston, WV

**WEST VIRGINIA PUBLIC SAFETY EXPO in conjunction with  
CHARLESTON POLICE DEPARTMENT**

Eight (8) hours                      17 May 12

Calibre Press Street Survival Course

Instructor: Adjunct Staff

Calibre Press Inc  
Charleston, WV

Sixteen (16) hours                      17-18 May 12

Law Enforcement Response to Active Shooter

Instructor: Sergeant Keith Vititoe

LEPS certified instructor in subject area  
Charleston, WV

Four (4) hours                      17 and 18 May 12

The Seven Rules of Admiral Rickover

Instructor: Retired Sergeant Gordon Graham

California POST certified instructor  
Attorney at Law – California Bar

Charleston, WV

Four (4) hours                      17 and 18 May 12

Why Things Go Right – Why Things Go Wrong

Instructor: Retired Sergeant Gordon Graham

California POST certified instructor  
Attorney at Law – California Bar

Charleston, WV

Eight (8) hours                      18 May 12  
Tactical First Aid and Survival for Law Enforcement  
Instructor: Lt H Hickman  
                    Officer D Rowsey  
                    LEPS certified instructors in subject area  
                    Paramedic A Samples  
                    Paramedic J Dearnell  
Charleston, WV

Eight (8) hours                      18 May 12  
Verbal Judo  
Instructor: Corporal E Loudermilk  
                    LEPS certified instructor in subject area  
Charleston, WV

Four (4) hours                      18 May 12  
Haz-Mat IQ Refresher  
Instructor: Adjunct Staff  
                    Charleston Fire Department  
Charleston, WV

Four (4) hours                      18 May 12  
Child Abuse – A Hidden Epidemic  
Instructor: Mr Peter Lazzara  
                    Nationally recognized speaker on subject area  
Charleston, WV

Sixteen (16) hours                  19-20 May 12  
Lost Person Behavior  
Instructor: Adjunct staff  
                    West Virginia Fire Extension Service  
Charleston, WV

Sixteen (16) hours                  19-20 May 20  
NIMS 400  
Instructor: Adjunct staff  
                    West Virginia Fire Extension Service  
Charleston, WV

Sixteen (16) hours                  19-20 May 12  
Public Information Officer (G290)  
Instructor: Ms Rudi Raynes Kidder  
                    Executive Director – WV Sheriff's Association  
                    Former WCHS television reporter  
Charleston, WV





Six (6) hours                      21 Mar 12  
Kidz in Motion Training  
Instructor: Sergeant B Pickens  
LEPS certified instructor in subject area  
Parkersburg, WV

Eight (8) hours                      29 Feb 12 and 4 Apr 12  
Radar/Lidar Operator Training  
Instructor: Sergeant B Pickens  
LEPS certified instructor in subject area  
Parkersburg, WV

Eight (8) hours                      8 and 29 Mar 12  
Motorcycle Safety and Enforcement  
Instructor: Sergeant B Pickens  
LEPS certified instructor in subject area  
Parkersburg, WV

Lieutenant 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 their approval.

Lieutenant 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 Sheriff McComas, 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 Lieutenant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Lieutenant Tilley then initiated discussion on agenda item 6B by presenting the following classes for approval as supervisory in-service during the 2012 Training Year:

**ELEANOR POLICE DEPARTMENT**

Sixteen (16) hours                      25-26 Apr 12  
Vehicle Based Firearms Tactics from the Supervisor's Perspective  
Instructor: Corporal Harry Teare  
LEPS certified instructor in subject area  
Eleanor, WV

**PARKERSBURG POLICE DEPARTMENT**

Four (4) hours                      13 Feb 12  
Police Use of Force – A Manager’s Perspective  
Instructor: Retired Lieutenant S Cogar  
                    Licensed Attorney  
Parkersburg, WV

Four (4) hours                      14 Feb 12  
Police Ethics – A Manager’s Perspective  
Instructor: Retired Lieutenant S Cogar  
                    Licensed Attorney  
Parkersburg, WV

**TRI-STATE FIRE ACADEMY**

Sixteen (16) hours                      10-11 Apr 12  
All Hazards Management Symposium  
Instructor: Dr D Owsley  
                    Smithsonian Museum – Head of Physical Anthropology  
                    Dr L Campbell, PhD  
                    Herpetologist – Snake bites and their effects  
                    Dr Stephen Wilson, MD  
                    Emergency first aid and medical care  
                    Special Agent S Summers  
                    U. S. Secret Service  
                    Retired Major J Cole  
                    U. S. Attorneys Office  
                    Captain B Mullins  
                    Salvation Army  
Huntington, WV

**WEST VIRGINIA NATURAL RESOURCES POLICE**

Eight (8) Hours                      16 Feb 12  
Internal Affairs Training for Supervisors  
Instructor: Officer M DeBord  
                    LEPS certified instructor in subject area  
Dunbar, WV

**WEST VIRGINIA OFFICE OF HOMELAND SECURITY**

Eight (8) hours                      8 Feb 12  
SITMAN Table Top Exercise re: Bluestone Dam  
Instructor: Adjunct Staff  
                    West Virginia Office of Homeland Security  
Charleston, WV

**WEST VIRGINIA PUBLIC SAFETY EXPO in conjunction with  
CHARLESTON POLICE DEPARTMENT**

Four (4) hours                      17 and 18 May 12

The Seven Rules of Admiral Rickover

Instructor: Retired Sergeant Gordon Graham

California POST certified instructor

Attorney at Law – California Bar

Charleston, WV

Four (4) hours                      17 and 18 May 12

Why Things Go Right – Why Things Go Wrong

Instructor: Retired Sergeant Gordon Graham

California POST certified instructor

Attorney at Law – California Bar

Charleston, WV

Sixteen (16) hours                19-20 May 12

Lost Person Behavior

Instructor: Adjunct staff

West Virginia Fire Extension Service

Charleston, WV

Sixteen (16) hours                19-20 May 20

NIMS 400

Instructor: Adjunct staff

West Virginia Fire Extension Service

Charleston, WV

Four (4) hours                      20 May 12

Emergency Response to Railroad Incidents

Instructor: Mr Rodney Winter

Safety Training Officer – CSX

Charleston, WV

Four (4) hours                      20 May 12

Military Resources in Emergency Management

Instructor: Adjunct Staff

West Virginia National Guard

West Virginia Office of Homeland Security

Charleston, WV

Lieutenant Tilley asked Retired Captain Sadler if these classes met the criteria to be approved as a supervisory in-service class for the 2012 Training Year. He advised that they did and recommended their approval as such. Lieutenant 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 Sheriff McComas, that the listed classes be approved for supervisory in-service credit as presented for the 2012 Training Year. 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.

Lieutenant Tilley then initiated discussion on agenda item 6C by presenting the following class for approval as personal in-service for the 2012 Training Year:

### **CERTIFICATION RETENTION PROGRAM**

Annual In-Service  
Former Officer G Scappini  
Sixteen (16) hours                      18-20 Jun 12  
2012 National Institute of Justice (NIJ) Conference  
United States Department of Justice  
Arlington, VA

### **CHARLESTON POLICE DEPARTMENT**

Annual In-Service  
Two Hundred Ninety Five (295) hours    15 Jan 12 – 2 Mar 12  
Senior Patrolman Thomas Rogers  
K-9 Handler Training and Certification  
Charleston Police Department  
Instructor: Corporal Charles Young  
Charleston, WV

Annual In-Service  
Thirty-two (32) hours                      20-23 Feb 12  
Patrolman Matthew Petty  
Desert Snow Conference on Criminal and Terrorist Identification  
And Apprehension  
U S Department of Justice  
Las Vegas, NV

Supervisory In-Service  
Sixteen (16) hours                      15-16 Feb 12  
Sergeant T Payne  
Sergeant Sampson  
Sergeant Johnson  
Supervisor's Role in Use/Reporting of Tasers  
Taser Inc  
Hurricane, WV

Annual In-Service  
Fourteen (14) hours                      28-29 Mar 12  
Sergeant J Garten

5<sup>th</sup> Bi-Annual Suicide Prevention Conference  
Drugs, Alcohol and Suicide Across the Life Span  
West Virginia Council for the Prevention of Suicide  
Charleston, WV

**FAYETTE COUNTY SHERIFF'S OFFICE**

Annual In-Service  
Sergeant S M Gray  
Deputy W R Callison  
Thirty-two (32) hours                      12-16 Mar 12

National Interdiction Conference 2012  
National Criminal Enforcement Association  
Tulsa, Oklahoma

**MOOREFIELD POLICE DEPARTMENT**

Annual In-Service  
Officer C Gowen  
Sixteen (16) hours                      17-18 Feb 12  
NRA Basic Pistol Instructor Course  
NRA  
Parkersburg, WV

**WOOD COUNTY SHERIFF'S OFFICE**

Supervisory In-Service  
Six (6) hours                      12 Mar 12  
Sergeant Matt Smith  
Criticism and Discipline Skills for Managers and Supervisors  
Fred Pyror Seminars and Career Track Inc  
Parkersburg, WV

Lieutenant 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. Lieutenant Tilley asked if there were any questions concerning the recommended classes.

Ms Singleton had a question concerning the amount of hours recommended for approval for the Police K-9 Handler training, 295, being requested by the Charleston Police Department. Retired Lieutenant Walker addressed her question by discussing the length and type of training required to train and certify an officer to be a K-9 handler.

Lieutenant Tilley asked if there were any additional questions concerning the recommended classes. Hearing none he asked if there was a motion for their approval.

Sheriff McComas 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 Lieutenant Tilley called for questions. All present voted in favor of, with no negative votes cast, for the motion as made.

Lieutenant Tilley then advised the members present that there was no action required on regularly set agenda items 7 and 8 as there were no items for discussion.

Lieutenant Tilley then advised the members present that as to the regularly set agenda items 9 through 12 that they addressed personnel related issues where there were items reflected. As such he asked for a motion for the subcommittee to go into executive session.

Sheriff McComas 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 9 through 12. 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 LEPS Subcommittee went into executive session at 9:12 a.m. It came out of executive session at 11:10 a.m. following a discussion on these agenda items and on a motion made by Colonel Murphy, seconded by Retired Sergeant Johnson, to come out of executive session which was approved unanimously by the members present.

Lieutenant Tilley asked if there was a motion to be made concerning agenda item 9 that had been addressed in executive session.

Retired Lieutenant Walker made a motion, seconded by Ms Singleton, that Former Officer Jonathan Smith be approved to participate in the entry level training program as a private citizen. 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.

Lieutenant Tilley asked if there was a motion to be made concerning agenda items 10A and 10B that had been addressed in executive session.

Sheriff McComas made a motion, seconded by Retired Sergeant Johnson, that the certification review of the plea agreements by the involved officers be tabled until the March 29, 2012 meeting to allow for their pleas to be completed along with their resignations from their respective positions as Sheriff. 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.

Lieutenant Tilley asked if there was a motion to be made concerning agenda item 11A that had been addressed in executive session.

Sheriff McComas made a motion, seconded by Retired Sergeant Johnson, that the Officer listed have his certification as a West Virginia law enforcement officer fully reactivated in that he had left his prior employer for reasons in line with those set forward in the legislative rules addressing such certification reactivations. 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. Colonel Murphy abstained from voting as the officer involved had previously been employed at his agency.

Lieutenant Tilley noted that as to the discussion that had taken place during the executive session that if it was the consensus agreement of those present that a three (3) member committee be formed from the Subcommittee members. The purpose of that committee would be to review the circumstances involved concerning officers who had resigned as West Virginia law enforcement officers under the reasons set forth in the legislative rule that would not allow them to be granted temporary reactivation of their certification.

The purpose of the review would be to determine if the action/s of the officer would allow them to have their certification reactivated or not. It was the consensus decision of the members present that the decision of this committee would represent the decision of the full Subcommittee as to the status of the officer's certification.

Lieutenant Tilley asked Ms Singleton and Retired Lieutenant Walker if they would serve on this committee along with himself. Each advised that they would. As such reviews are required Retired Captain Sadler will forward them electronically the information addressing the matter to be reviewed.

Lieutenant Tilley asked if there was a motion to be made concerning agenda item 12 that had been discussed during the executive session.

Retired Lieutenant Walker made a motion, seconded by Retired Sergeant Johnson, that the review of the officer's certification as to the amount of training to be required to bring it current, due to his more than sixty (60) month absence, be tabled until he could appear before the Subcommittee and notice be sent to him that until he did appear that he no longer work as an officer. 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.

Lieutenant Tilley advised the members present that agenda item 13 and the supporting Change In Status related forms sent in the agenda mailing had been provided to them for informational purposes. These were the forms now used by agencies and officers to report changes in the status of officers who had been, were or

were going to be employed. He noted that no action was necessary on this agenda item.

Lieutenant Tilley noted that agenda item 14 had been discussed during the discussion of agenda item 11A. The formation of the three member committee to handle such reviews based on information provided to them would be the process set up.

Lieutenant Tilley advised the members present that agenda item 15 involved a discussion concerning the position to be filled within the LEPS Unit to be responsible for the review of recertification requests. From previous discussions by the members and by the staff of the LEPS Unit and DJCS it had been recognized that the previously identified position of an Investigator II to fill the opening was not what was needed to best fill the opening.

On review of the needs of the unit and the projected responsibilities of the new position it had been determined that a person meeting the requirements for a Criminal Justice II (CJ II) position would best meet what was required for the position. It was the consensus agreement of the members present that the DJCS staff mover forward on posting the opening as a CJ II and to fill the position.

Lieutenant Tilley, concerning agenda item 16, asked Retired Captain Sadler to provide the members present with an update as to the actions of the legislature as pertaining to the LEPS Subcommittee and unit. Retired Captain Sadler advised that the bundled legislation involving legislative rules CSR 149-2, Law Enforcement Officer Training and Certification Standards and 149-6, Motor Vehicle Search Procedures, had passed both the House of Delegates and the Senate.

They were awaiting approval by Governor Tomblin. Upon being so approved Retired Captain Sadler noted that he would be working with the staff of the Secretary of State's Office to have the required actions completed to have them filed as final rules.

Lieutenant Tilley, concerning agenda item 17, asked Retired Captain Sadler to provide the members present with an update as to the legislative audit. Retired Captain Sadler noted that he was continuing to provide responses to requests concerning that audit when they were submitted. The auditors were focusing on the reporting, specifically lack thereof of firearms related records.

This matter had been self reported to the auditors by the DJCS staff and the auditors had also been advised that the new OTIS, in transition now, would enable the Subcommittee and DJCS to better track such information.

Lieutenant Tilley, concerning agenda item 18, asked Retired Captain Sadler to provide the members present with an update as to the transition of OTIS to the Acadis System. Retired Captain Sadler noted that work was ongoing with representatives of Envisage Technologies to make the switchover to their data tracking system. Work was

being concentrated at this time on preparing the existing records within OTIS to the new system.

Lieutenant Tilley noted that as to agenda item 19 that Retired Captain Sadler had asked for a clarification of the position of the Subcommittee members as to the actions to be taken concerning officers who did not complete their required in-service. Following a discussion by the members present it was their consensus position that officers would, as previously set in rule, have until the end of the training period applicable for their rank, to complete the required minimum in-service.

On August 1<sup>st</sup> of each year a list would be compiled of all officers who had not completed their required in-service. The certification of each officer on that list would be suspended until the officer appeared before the Subcommittee members, was advised as to required actions to be taken to complete necessary in-service and that the in-service was then completed.

Required Captain Sadler noted that he would be preparing a mailing to go to each individual officer which addressed the requirement and the actions to be taken if an officer was not in compliance. This mailing would also include information as to the procedure to be set concerning firearms qualifications to be set in the discussion concerning agenda item 20.

Lieutenant Tilley then initiated the discussion on the "first" item 20 which addressed the requirements for firearms qualifications for officers. As noted concerning the legislative audit update the need to fully implement the tracking of firearms qualification was reviewed. The transition of OTIS to Envisage Technology's Acadis system will allow this information to be better tracked. Retired Captain Sadler noted that he would working to develop and distribute a standardized reporting form for the necessary firearms qualification reports.

There was also discussion by the members as to the fact that HR218, federal carry legislation, as concerning retired officer's qualification, required they complete qualifications in line with state standards. Many departments in the state were only qualifying such retired officers once. In that the officer qualification standards for active officers is twice a year, once under low light conditions, it was the consensus of the members present that the same standards applied to retired officers. Retired Captain Sadler noted that he would take steps to publicize this requirement.

As to the firearms qualification requirements for active sworn officers it was the consensus of the members present that by July 9, 2013, end of the 2013 Training Year period, that any officer who was not reported as having completed the required minimum firearms qualifications set forth in the legislative rules, would have their certification suspended as of August 1, 2013. Such suspended officers would have to appear before the Subcommittee members to determine the requirements that they

would have to complete to be in compliance with the required firearms standards and to have the suspension lifted.

Lieutenant Tilley then initiated discussion on the “second” agenda item 20 by advising the members present that the legislative rule retreat for 149-2 was to be held April 25-26, 2013, in conjunction with the regularly scheduled meeting. That review and the regular meeting would be held at North Bend State Park in the lodge’s conference room. He noted that Retired Captain Sadler would be in contact with each of them as to room reservation and other arrangements necessary for the meeting and their attendance.

Lieutenant Tilley then initiated discussion on the “third” agenda item 20 by advising that it had been provided for informational purposes to advise the members on a request that had been made by a Sheriff in this state concerning training on handling and dealing with mentally ill individuals. There was training on this subject within the entry level training program. Retired Captain Sadler noted that he was working to assist the Sheriff on identifying such training that could be presented in an in-service style format.

Lieutenant Tilley noted that the “third” agenda item 20 involved the provision of information as to actions taken on their behalf by Retired Captain Sadler since their January 26, 2012 meeting. He asked if there were any questions concerning these items.

Hearing none and there being no other items to discuss during this meeting Lieutenant Tilley asked if there was a motion to bring the meeting to a close.

Ms Singleton made a motion, seconded by Retired Lieutenant Walker, that the February 23, 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 February 23, 2012 meeting of the LEPS Subcommittee was brought to a close at 11:43 a.m.