

LAW ENFORCEMENT PROFESSIONAL STANDARDS SUBCOMMITTEE
Center for Criminal Justice Studies
Glennville, West Virginia

September 26, 2013

MEMBERS PRESENT: Retired Chief Steve Stephens
Sheriff Tom McComas

MEMBERS REPRESENTED: Colonel Jay Smithers by
Sergeant Joe Portaro
Colonel David Murphy
Lieutenant Tim Coleman
Retired Lieutenant Steve Walker by
Sergeant John Murphy
Judge Phyllis Carter by
Retired Sergeant J. L. Johnson

MEMBERS ABSENT: Mayor Arthur Auxer
Retired Lieutenant Terry Miller
Retired Lieutenant Dave Malcomb
Ms. Suzan Singleton
Ms. Patti Hamilton

STAFF: Retired Captain Chuck Sadler
Ms. Kimberly Mason

GUEST: Mr. Ron Taylor

The September 26, 2013 meeting of the Law Enforcement Professional Standards (LEPS) Subcommittee was called to order by the Chair, Retired Chief Steve Stephens. There were six (6) members either present or represented, the number for a required quorum, at 9:12 a.m. when business was conducted by the members as to the agenda items for this meeting.

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

1. Agenda Item 1 – Notice of additional items to be added to agenda provided to Subcommittee Chair. Members of the West Virginia Innocence Project (WVIP) were present to discuss consideration by agencies and for possible statutory requirement as to the recording of statements and interrogations of individuals by West Virginia law enforcement officers. With the consensus of the members present they presented an overview of why such a requirement should be considered, to include training on the importance of doing so. No action required concerning this presentation.
2. Agenda Item 2 – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson to accept the minutes of the August 25, 2013 meeting. Motion approved unanimously with no discussion.
3. Agenda Item 3 – Retired Captain Sadler advised that there was \$507,838.05 in the LEPS Fund as of September 25, 2013. He provided a copy of that financial report to the members at that time. Consensus approval of the report was noted by Retired Chief Stephens.
4. Agenda Item 4 – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, of the approval of individuals listed in the agenda be certified as law enforcement instructors. Motion approved unanimously with no discussion.
5. Agenda Item 5 – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, for approval of the additional areas of expertise for the individuals listed. Motion approved unanimously with no discussion.
6. Agenda Item 6A – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson that the classes listed be approved, with the exception of the Low Light Instructor training course submitted by Corporal H Teare, Eleanor PD, that was to be tabled until Corporal Teare could come before the members to discuss this training, for annual 2014 in-service credit. Motion approved unanimously.
7. Agenda Item 6B – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, that the listed classes be approved for supervisory in-

service training credit. The motion was approved unanimously with no discussion.

8. Agenda Item 6C – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, that the listed classes be approved for 2014 personal in-service training credit. The motion was approved unanimously with no discussion.
9. At the indication of the Chair that there were personnel related matters to be discussed under Agenda Items 7 through 14 a motion was made by Sheriff McComas, seconded, Retired Sergeant Johnson and approved unanimously without discussion for the Subcommittee to go into executive session at 10:03 a.m. Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson and approved unanimously without discussion for the Subcommittee to come out of executive session at 12:12 p.m.
10. Agenda Item 7A – Officer #1 - Order to Stop Working. Provided for informational purposes, no action required.
11. Agenda Item 7B – Officer #2 - Order to Stop Working. Provided for informational purposes, no action required.
12. Agenda Item 8 – Criminal Conviction Records as to applicants for entry level training program. There were none. No action required.
13. Agenda Item 9 –Request to attend the Entry Level Training Program as a Private Citizen – Tuition Waiver Request. There were none. No action required.
14. Agenda Item 10 – Certification Reviews as to Officer or Instructor Certification. One provided for informational purposes concerning an instructor in this state. No action required at this meeting.
15. Agenda Item 11A – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson to approve the full reactivation of the law enforcement certification of the nine (9) officers listed. Motion was approved unanimously with no discussion.
16. Agenda Item 11B – Review of reactivation requests where officer left prior agency not in good standing. Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson to table the consideration of the reactivation of the certification of the involved officer until his Chief and he could appear before the members at the October 31, 2013 meeting. Motion was approved unanimously with no discussion.

17. Agenda Item 12A – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson that the involved officer, by attending the three (3) week re-certification course held at the PDC in September 2014, would bring his certification fully current. Motion was approved unanimously with no discussion.
18. Agenda Item 12B - Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson that the involved officer, by attending the three (3) week re-certification course held at the PDC in September 2014, would bring his certification fully current. Motion was approved unanimously with no discussion.
19. Agenda Item 13A – Equivalent Certification Review Actions. (1) There were four (4) officer's approved to participate in the equivalent certification program; and, (2) there were no officers denied to participate in the equivalent certification program. Provided for informational purposes. No action required.
20. Agenda Item 13B (1) – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson that based on additional training information presented by the involved officer that he was approved to participate in the three (3) week equivalent certification program in September 2014 to gain certification as a West Virginia law enforcement officer. Motion was approved unanimously with no discussion.
21. Agenda Item 13B (2) – Motion made, Sheriff McComas, seconded, Lieutenant Coleman, that for the involved officer to gain certification as a West Virginia law enforcement officer that he would have to attend the full entry level training program as it had been more than five (5) years since he had last been employed as a law enforcement officer. Motion was approved unanimously with no discussion.
22. Agenda Item 14 – Review of officer's ability to enter and complete the entry level training program. There were none. No action required.
23. Agenda Item 15 – Motion made, Captain Lee, seconded, Retired Sergeant Johnson to approve the funding request by the West Virginia State Police for \$77,095 from the LEPS Fund to purchase ammunition for the entry level training classes to be held during calendar year 2014. Motion was approved unanimously with no discussion.
24. Agenda Item 16 – Course schedule for the 63rd Cadet Class, No action required, presented for informational purposes.

25. Agenda Item 17 – Retired Captain Sadler gave an update on the Legislative Rule Proposed Changes for the 2014 Legislative Session. No action required on his update.
26. Agenda Item 18 – Ms. Mason gave an update on the LEPSIS program. No action required on her update.
27. Agenda Item 19 and Agenda Item 20 Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson to approve have the presentations and tours concerning the Morris Criminal Justice Center and the West Virginia Corrections Academy take place after the meeting and lunch completed was closed as no action was required, each was being presented for informational purposes. Motion was approved unanimously with no discussion.
28. There being no further agenda items set for discussion a motion was made by Sheriff McComas, seconded, Retired Sergeant Johnson to adjourn the meeting. Meeting adjourned at 12:20 p.m.