

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

**March 26, 2015**

MEMBERS PRESENT: Sheriff Tom McComas  
Retired Chief Steve Stephens

MEMBERS REPRESENTED: Colonel Jay Smithers by  
Sergeant Joseph Portaro  
Colonel Jerry Jenkins by  
Lieutenant Tim Coleman  
Chief Ray Fridley by  
Chief Brad Rinehart  
Retired Lieutenant Steve Walker  
Retired Lieutenant Stephen Neddo  
Ms. Marykaye Jacquet by  
Retired Sergeant J. L. Johnson

MEMBERS ABSENT: Lieutenant Terry Miller  
First Lieutenant James Lee  
Mayor Robert Newell  
Ms. Patti Hamilton

STAFF: Ms. Leslie Boggess  
Ms. Kimberly Mason  
Ms. Judy Strickland

GUESTS: Ms. Celeste Webb-Barber

The March 26, 2015 meeting of the Law Enforcement Professional Standards (LEPS) Subcommittee was called to order at 9:01 a.m. by Chair Retired Chief Stephens. There were seven (7) members either present or represented which represents a quorum of the Subcommittee membership, at the start of, and during, the meeting.

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

1. Agenda Item 1 – Consideration of the minutes of the February 26, 2015 LEPS Subcommittee meeting. Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson to approve the minutes as presented. The motion was approved unanimously with no discussion.
2. Agenda Item 2 – Ms. Mason advised the members that the LEPS Fund Account financial update, dated March 16, 2015, reflected that there was \$581,703.40 available for use within the LEPS Fund. Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, for the approval of the LEPS Fund Report as presented. The motion was approved unanimously with no discussion.
3. Agenda Item 3 – Consideration of applications for individuals to be approved as certified law enforcement instructors. There were none to be reviewed. No action required.
4. Agenda Item 4 – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, the approval of applications for additional areas of expertise to be approved for previously certified law enforcement instructors. The motion was approved unanimously with no discussion.
5. Agenda Item 5A – Motion made, Sheriff McComas, seconded Retired Sergeant Johnson, that the classes listed in the agenda packet be approved for annual in-service credit. The motion was approved unanimously with no discussion.
6. Agenda Item 5B – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, that the classes listed in the agenda packet be approved for supervisory in-service credit. The motion was approved unanimously with no discussion.
7. Agenda Item 5C – Motion made Sheriff McComas, seconded, Retired Sergeant Johnson, that the classes listed in the agenda packet be approved for personal in-service credit. The motion was approved unanimously with no further discussion.

8. Agenda Item 5D – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, that the Train the Trainer Course that was tabled from the January 29, 2015 meeting be tabled until materials to be used in the training are available to the members in order for them to review the documents. The motion was approved unanimously with no further discussion.
9. Agenda Item 5E – Motion made, Sheriff McComas, seconded Retired Sergeant Johnson, that the classes' listed in the agenda packet for 2016 Annual In-Service be approved. The motion was approved unanimously with no discussion.
10. Agenda Item 5F – 2016 Supervisory In-Service Training Courses. There were none to be reviewed. No action required.
11. Agenda Item 5G – 2016 Personal In-Service Training. There were none to be reviewed. No action required.
12. Agenda Item 5H – Train the Trainer Courses for 2016. There were none to be reviewed. No action required

At the indication of the Chair that there were personnel related matters to be discussed under Agenda Items 6, 9, 10A, 10B, 10C, and 14, motion made by Sheriff McComas, seconded, Retired Sergeant Johnson, and approved unanimously without discussion for the Subcommittee to go into executive session at 9:07 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 9:53 a.m., no action having been taken during the executive session on any of the items discussed. The Chair then moved to address, as necessary, the agenda items that had been discussed while in executive session.

13. Agenda Item 6 – Order to Stop Working – Presented for informational purposes, no action required.
14. Agenda Item 7 – Criminal Conviction Records as to Applicants for Entry Level Training Program. There were none to be reviewed. No action required.
15. Agenda Item 8 – Request to attend the Entry Level Training Program as a Private Citizen. There were none to be reviewed. No action required.
16. Agenda Item 9 – Certification review – Update on prior action. Informed the Subcommittee that the position statement on this officer has not yet been completed on his revocation, however, will be presented during the April 30, 2015 meeting.

17. Agenda Item 10A – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, to approve the full reactivation of the law enforcement certification of the ten (10) law enforcement officers listed in the agenda. The motion was approved unanimously with no discussion.
18. Agenda Item 10B – Review of reactivation requests where officer left prior agency while under investigation. One officer appeared before the Subcommittee requesting reactivation. Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, that this officers certification be reactivated. The motion was approved unanimously with no discussion.
19. Agenda Item 10C – For informational purposes, Ms. Mason provided an update on a prior action of reactivation. She also informed the members that the hearing examiner who had previously worked for the Executive Director of the GCCDC had resigned. A replacement Hearing examiner is being sought.
20. Agenda Item 11 – Determination of required training for recertification following separation of more than sixty (60) months as a West Virginia law enforcement officer. There were none, no action required.
21. Agenda Item 12 – Equivalent certification program reviews as to decisions made. There were none, no action required.
22. Agenda Item 13– Review of officer’s ability to enter and complete the entry level training program. There were none, no action required.
23. Agenda Item 14 – Letter to be mailed to this officer from the LEPS Subcommittee Chair to let him know that his requests for Academy accommodations are still being evaluated. Ms. Mason informed the members that she has contacted law enforcement agencies in other states in an attempt to find out if any of them have dealt with a problem such as this one. The Subcommittee members are leaning towards issuing a Stop Work Order for this officer.
24. Agenda Item 15 – Update on Legislative Rule Review proposed changes, CSR 149-2, 2015 Legislative Session. SB 199, containing 149-2 changes did pass and is awaiting Governor Tomblin’s approval. This will be discussed at the April 30, 2015 meeting.
25. Agenda Item 16 – Update on proposed structure and makeup changes to statues addressing the Governor’s Committee on Crime, Delinquency and Corrections (GCCDC) and its respective Subcommittees. SB 370 did pass and is awaiting Governor Tomblin’s approval. This will be discussed at the April 30, 2015 meeting.

26. Agenda Item 17 – Ms. Mason provided an update on LEPSIS.

27. Agenda Item 18 – The Rules Review for the 2016 Legislative Session will be held at Stonewall Resort on Tuesday, April 28, 2015 beginning at 12 noon and going through the day on Wednesday, April 29, 2015. The regular scheduled monthly LEPS Subcommittee meeting will be held at the same location on Thursday, April 30, 2015.

Chair, Retired Chief Stephens told the Subcommittee that Lieutenant Coleman, DNR, was retiring and this was his last meeting. The Chair and the members expressed their appreciation for his work on the Subcommittee.

There being no further agenda items set for discussion a motion was made by Lieutenant Coleman, seconded, Retired Sergeant Johnson, to adjourn this meeting. The motion passed unanimously with no discussion. Meeting adjourned at 10:06 a.m.