

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

**May 28, 2015**

MEMBERS PRESENT: Sheriff Tom McComas  
Retired Lieutenant Steve Walker

MEMBERS REPRESENTED: Colonel Jay Smithers by  
Captain David Lee  
Colonel Jerry Jenkins by  
Lieutenant Colonel David Trader  
Chief Ray Fridley by  
Chief Brad Rinehart  
Lieutenant Terry Miller by  
Retired Corporal David Gentry  
Ms. Marykaye Jacquet by  
Retired Sergeant J. L. Johnson  
Ms. Patti Hamilton by Mr. Jack McClung

MEMBERS ABSENT: Retired Chief Steve Stephens  
First Lieutenant James Lee  
Mayor Robert Newell

STAFF: Retired Captain Chuck Sadler  
Ms. Kimberly Mason

GUESTS: Ms. Celeste Webb-Barber

The May 28, 2015 meeting of the Law Enforcement Professional Standards (LEPS) Subcommittee was called to order at 9:02 a.m. by Sheriff McComas, who was serving as Chair in the absence of Retired Chief Stephens. There were six (6) members either present or represented at the start of the meeting, which constituted a quorum of the Subcommittee membership. Two additional individuals arrived during the executive session of the meeting and were present for the balance of the meeting, Lieutenant Colonel David Trader representing the West Virginia Natural Resources Police and Captain David Lee representing the West Virginia State Police.

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

1. Agenda Item 1 – Retired Captain Sadler advised that the April 2015 rules review and standard meeting minutes were not available for review. They will be presented for review during an upcoming meeting.
2. Agenda Item 2 – Retired Captain Sadler advised the members that the LEPS Fund Account financial update, dated May 26, 2015, reflected that there was \$853,552.44 available for use within the LEPS Fund. He further noted that as reflected on page two of the meeting agenda packet that when the funding awards made during the April 2015 meeting were reflected as obligated against the fund that their actual balance available for use was 336,889.44. Motion made, Retired Lieutenant Walker, seconded, Retired Sergeant Johnson, for the approval of the LEPS Fund Report as presented. The motion was approved unanimously with no discussion.
3. Agenda Items 3 to 5 – Retired Captain Sadler informed the members that due to other items that were being addressed by the staff of the LEPS Unit that while information had been received by them relating to these standard agenda items that there had not been time to enter them and he requested that as such action be tabled on them until it was provided to the LEPS Subcommittee members at an upcoming meeting. Motion made, Retired Lieutenant Walker, seconded, Retired Sergeant Johnson, that action on standard agenda items 3 to 5 be tabled until it was presented to the members. The motion was approved unanimously with no discussion.

At the indication of the Chair, Sheriff McComas, that there were personnel related matters to be discussed under Agenda Items 7, 9, 10 and 14 motion made by Retired Lieutenant Walker, seconded, Retired Sergeant Johnson, and approved unanimously without discussion for the Subcommittee to go into executive session at 9:08 a.m. Motion made, Captain Lee, seconded, Retired Sergeant Johnson, and approved unanimously without discussion for the Subcommittee to come out of executive session at 9:35 a.m., no action having been taken during the executive session on any of the items discussed. The Chair, Sheriff McComas, then moved to address, as

necessary, the agenda items that had been discussed while in executive session.

4. Agenda Item 6 – Order to Stop Working – Presented for informational purposes, no action required.
5. Agenda Item 7 – Criminal Conviction Records as to Applicants for Entry Level Training Program. One item had been presented for informational purposes. No action required.
6. Agenda Item 8 – Request to attend the Entry Level Training Program as a Private Citizen. There were none to be reviewed. No action required.
7. Agenda Item 9 – Certification review – Update as to an appeal filed from a prior action presented for informational purposes. No action required.
8. Agenda Item 10A – Sheriff McComas asked the members what action they desired to be taken on this agenda item. Motion made, Retired Lieutenant Walker, seconded, Chief Rinehart, to approve the full reactivation of the law enforcement certification of the twelve (12) law enforcement officers listed in the agenda. The motion was approved unanimously with no discussion.
9. Agenda Item 10B – Review of reactivation requests where officer left prior agency while under investigation. There were none, no action required.
10. Agenda Item 10C – Update to members on appealed reactivation denial, no action required.
11. 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.
12. Agenda Item 12 – Equivalent certification program reviews as to decisions made. There were none, no action required.
13. Agenda Item 13– Review of officer’s ability to enter and complete the entry level training program. There were none, no action required.
14. Agenda Item 14 – Update on an individual’s actions concerning notice of denial for accommodations request concerning participation in the entry level training program. Presented for information purposes, no action required.
15. Agenda Item 15 – Update on Legislative Rule Review proposed changes, CSR 149-2, for consideration during the 2016 legislative session. Changes to be published for public comment in line with Secretary of State Office

guidelines. Motion made, Captain Lee, seconded, Chief Rinehart, to publish the recommended changes discussed during the April rules retreat as reflected in the agenda packet for this meeting. The motion was approved unanimously with no discussion.

16. Agenda Item 16 – Proposed changes to the LEPS Subcommittee By-Laws reviewed with the members as presented in the agenda packet. Motion made, Retired Lieutenant Walker, seconded, Retired Sergeant Johnson, to approve the recommended changes to the LEPS Subcommittee By-Laws. The motion was approved unanimously with no discussion.
17. Agenda Item 17 – Retired Captain Sadler reviewed proposed changes to the “Appearance Before the LEPS Subcommittee Guide” to allow it to be consistent with the procedures carried out when officers or individuals came before the Subcommittee members for approval of items set to the agenda of a meeting. Motion made, Retired Lieutenant Walker, seconded, Retired Sergeant Johnson, to approve the recommended changes to the Appearance Before the LEPS Subcommittee Guide. The motion was approved unanimously with no discussion.
18. Agenda item 18 - Ms. Mason provided an update on LEPSIS. In relation to this update information was presented concerning proposal by International Association of Directors of Law Enforcement and Standards (IADLEST) Association as to national approval process through their association of training vendor programs and our program’s support of that review process. No decision made on this program pending receipt of additional information on the program as to how it would receive, review and approve training classes and programs submitted to it.
19. Agenda Item 19 – Retired Captain Sadler noted to the members that they had been provide with copies of correspondence relating to the start of the 162<sup>nd</sup> Basic Class on May 4, 2015. There were no questions or discussion concerning this correspondence.
20. Agenda item 20 – Chair, Sheriff McComas, reminded the members that the next meeting of the LEPS Subcommittee is set for June 25, 2015 here at the PDC.

There being no further agenda items set for discussion a motion was made by Retired Lieutenant Walker, seconded, Captain Lee, to adjourn this meeting. The motion passed unanimously with no discussion. Meeting adjourned at 10:30 a.m.