



2011

West Virginia Law Enforcement Training



Annual Report

§30-29-3, sub-part (j) of the West Virginia State Code stipulates:

...Upon recommendation of the subcommittee, the governor's committee shall...submit, on or before the thirtieth day of September of each year, to the governor, and upon request to individual members of the Legislature, a report on its activities during the previous year and an accounting of funds paid into and disbursed from the special revenue account establish[ed] pursuant to section four of this article.

In furtherance of this directive, the West Virginia Division of Justice and Community Services (DJCS) is submitting the following information concerning the **3,500** plus individuals who are working as sworn law enforcement officers within the State of West Virginia as certified by the Law Enforcement Professional Standards (LEPS – formerly the Law Enforcement Training (LET)) Subcommittee of the Governor's Committee on Crime, Delinquency and Correction (GCCDC).

During the 2011 Training Year reporting period of July 10, 2010, through July 9, 2011 the LEPS Subcommittee met eleven (11) times as per its regular annual schedule for monthly meetings, with no meeting held during the month of November. Each meeting was conducted as prescribed by the West Virginia Secretary of State Office guidelines concerning public meetings.

First Sergeant Curt Tilley, West Virginia State Police, Assistant Director of Training at the West Virginia State Police Academy, served as the Chair for the LEPS Subcommittee during this reporting period. By a statutory change effective June 10, 2011, with the addition of the West Virginia Troopers Association as a member of LEPS Subcommittee, there are now eleven (11) members on the Subcommittee. With the appointment of a new Public-at-Large member, the Honorable A. Auxer, Mayor of Shepherdstown, during this training year there are no vacancies on the subcommittee.

A summary of the actions of the LEPS Subcommittee during this reporting period is provided on the following pages. Questions concerning the LEPS Program should be directed to Retired Captain Chuck Sadler, LEPS Coordinator at (304) 558-8814, ext 53315 or Charles.A.Sadler@wv.gov. Questions concerning the LEPS Subcommittee may be directed to Retired Captain Sadler as well or to First Sergeant Tilley, (304) 766-5800 or ctilley@wvsp.state.wv.us. General information, to include copies of minutes of LEPS Subcommittee meetings, related to the LEPS Program may be found at the website of the West Virginia Division of Justice and Community Services at www.djcs.wv.gov on the Law Enforcement Program page of that website.

1.	Number of law enforcement officers granted law enforcement certification by the LEPS Subcommittee:	120
	A. City, County, Public University and WV DNR	120
	1. Completed full Basic Program	111
	2. Completed Equivalent Certification Program	9
	B. State Police (61 st Cadet Class graduates 5 Aug 11)	0
2.	Number of officers who completed training requirements for recertification as West Virginia law enforcement officers.	12
3.	Number of officers who completed training requirements for equivalent certification as West Virginia law enforcement officers.	7
4.	Number of law enforcement certifications suspended, or that officers were required to complete certain actions in relation to their certification, by the LEPS Subcommittee:	0
5.	Number of law enforcement certifications reviewed by the LEPS Subcommittee:	8
	A. Certification rescinded	6
	B. No action taken	2
6.	Number of requests for training/certification as a private citizen reviewed by the LEPS Subcommittee:	11
	A. Approved	8
	B. Denied	3
7.	Number of requests for equivalent certification as a law enforcement officer considered by the LEPS Subcommittee.	10
	A. Requests approved	8
	B. Requests denied	2
8.	Number of appeals from individuals aggrieved by a decision of the LEPS Subcommittee:	2
9.	Number of applicants for admission to a basic entry level training program reviewed by the LEPS Subcommittee due to prior arrest.	5
	A. Reviewed and approved	5
	B. Reviewed and denied	0
10.	Number of accommodations for the physical ability test made by the LEPS Subcommittee:	0
11.	Number of requests for accommodation for the medical entry standards:	0
12.	Number of requests for accommodation of physical fitness training standards during academy training:	0
13.	Number of requests to waive the 90-day requirement (CSR149-2-8.2.a.) heard by the LEPS Subcommittee:	5
	A. Reviewed and approved	3
	B. Reviewed and denied	2
14.	Number of current and active law enforcement instructors in the State:	485

- 15. Number of individuals who were either granted law enforcement instructor certification or approved in additional areas of expertise by the LEPS Subcommittee. 109
 - A. Approved as new instructors 49
 - B. Approved with additional areas 60
- 16. Number of individuals testing for credit in lieu of attending part of the classes required for recertification certification. 12

Supervisory In-Service Training Summary:

- 17. Number of Supervisory In-Service Training Programs approved by the LEPS Subcommittee: 67
- 18. Number of Supervisory In-Service Training Programs scheduled: 90
- 19. Number of individuals attending Supervisory In-Service Training Programs: 1,296

Annual In-Service Training Summary:

- 20. Number of Annual In-Service Training Programs approved by the LEPS Subcommittee: 367
- 21. Number of Annual In-Service Training Programs scheduled: 521
- 22. Number of individuals attending Annual In-Service Training Programs: 7,671

**Personal In-Service Training Summary:
(Formerly referred to as Out-Of-State Training)**

- 23. Number of Personal Training Programs approved by the LEPS Subcommittee. 105
 - A. Annual level in-service 70
 - B. Supervisory level in-service 35
- 24. Number of law enforcement officers who completed personal in-service training classes. 541

Additionally:

- 25. Five (5) grant awards were recommended for approval to the Governor's Committee on Crime, Delinquency and Correction totaling **\$677,743**. The following awards were recommended in support of the law enforcement training effort.
 - A. **\$152,388** for the operation of the 144th Basic Academy Class.
 - B. **\$149,985** for the operation of the 145th Basic Academy Class.
 - C. **\$155,250** for the operation of the 146th Basic Academy Class.
 - D. **\$196,120** for salaries for civilian support staff at the Academy for 2011 Training Year.
 - E. **\$24,000** for equipment for the operation of the training programs at the Academy.
- 26. Continued to address funding levels within the LEPS Fund by seeking to identify new funding sources. The fund levels continue to require that only requests for funding relating to the entry level training programs receive priority for approval. The Purdue Pharma asset forfeiture funds

allotted to the LEPS Fund during this period have allowed the fund to recover to a point where such requests can be met while also allowing the fund to rebuild itself to levels that will allow for the continued operation of the entry level training program over the next two to three training years. The availability of these Perdue Pharma funds will end during the 2012 Training Year.

27. As a result of statutory changes passed during the 2011 Session of the West Virginia Legislature that took effect June 10, 2011 the Law Enforcement Training (LET) Subcommittee became the Law Enforcement Professional Standards (LEPS) Subcommittee with enhanced responsibilities and authority concerning the certification and training of officers within the state.
28. Welcomed and fully supported, as a result of statutory changes during the 2011 Session of the Legislature, the addition of a permanent eleventh member of the Subcommittee, the West Virginia Troopers Association effective June 10, 2011.
29. Approved the training schedules for the 145th through 148th Basic Academy Classes.
30. Approved the graduates of the 143rd, 144th and 145th Basic Classes and the 1st Equivalent Certification three week training program for certification as West Virginia law enforcement officers.
31. In conjunction with the West Virginia State Police Academy staff set up and operated the first annual three program for equivalent certification and re-certification officers at the Academy's Professional Development Center (PDC). Twenty-one officers participated.
32. Scheduled and held one make-up training program for officers who did not complete their 2010 Training Year in-service requirements.
33. Received and acted upon two appeals of individuals as a result of decisions made by the members of the LEPS Subcommittee.
34. Subcommittee members, representing their associations and organizations, worked with members of the West Virginia Legislature during their 2011 Session concerning the revision , development and passage of changes to West Virginia State Code 30-29 addressing officer certification relating to behavior and conduct issues and as to legislative rule changes concerning CSR 149-2, Officer Certification and Training.
35. Completed a rules review of Legislative Rules Series 149, Title 2 by identifying proposed changes to rules to best continue the training and certification of officers. Proposed changes put out for public comment. Applicable steps to be completed to have these proposed changes addressed during the 2012 Session of the West Virginia Legislature.
36. In conjunction with item 35 secured emergency rule approval by the West Virginia Secretary of State's Office for changes to legislative rule 149-2 to allow for changes made in West Virginia State Code 30-29-5 and other applicable statutes addressing officer certification reviews.
37. Held and completed a retreat to develop new proposed legislative rule, Series 149, Title 6, for setting of procedures and guidelines for use of the Motor Vehicle Consent to Search Form developed as part of legislation passed during the 2010 Session of the West Virginia legislature.
38. In conjunction with item 37 drafted, reviewed, approved and distributed, in conjunction the West Virginia Traffic Safety Resource Prosecutor and a committee of law

enforcement officers recognized for their expertise in vehicle interdiction programs, the Consent to Search Motor Vehicle form.

39. Worked with associations, organizations, training entities and individuals to ensure that West Virginia law enforcement officers received instruction and training in subject areas to allow them to continue to perform the job skills/tasks of a law enforcement officer in this state.
40. Worked with the staff of the West Virginia State Police Academy concerning program and schedule changes for the entry level training program relating the Basic Class Program.
41. In response to legislation passed during the 2010 Session of the West Virginia Legislature worked with the West Virginia Governor's Highway Safety Program staff on the development and approval of an eight hours speed measuring training program for officers in West Virginia. This training has been put into the scheduled entry level training courses at the Academy and is being made available to officers through out the state.
42. Involved, through subcommittee members actions on behalf of their respective associations and organizations, in changes approved by the 2011 Session of the West Virginia Legislature, to West Virginia State Code 30-29-5 (f). The approved change will allow individuals who have previously worked as sworn officers and left the entry level training program for non-medical related reasons to be considered, after applicable time periods, for employment once again as sworn officers. Prior to this statutory change such individuals could only work once again as officers after completing the entry level training program as a private citizen.
43. Developed, distributed and reviewed, in conjunction with the West Virginia Office of Technology a Request for Proposal (RFP) for replacement of the Officer Training Information System (OTIS) OTIS, the electronic tracking system for officer training and certification matters has been in operation since 1996 and was in need of replacement. Such replacement is on track to be completed by December 31, 2011.

Report Attachments:

44. **Attachment 1:** Law Enforcement Training Financial Summary
45. **Attachment 2:** Law Enforcement Training Subcommittee Membership

Attachment 1
Law Enforcement Training Fund
Financial Summary

**LAW ENFORCEMENT PROFESSIONAL STANDARDS FUND
BALANCE REPORT FY2011**

**Special Revenue
FY 2011 LEPS Account #6801**

**30 Jun 11 Report
Cash Flow Analysis**

Cash Balance Beginning Fiscal Year 2011	\$728,539.51
ADD: Cash Receipts Fiscal Year 2011	<u>\$590,536.05</u>

TOTAL RECEIPTS **\$1,318,895.56**

LESS: Cash Disbursements Fiscal Year 2011	\$415,458.51
CASH BALANCE (COH) AS OF 30 Jun 11	<u>\$903,437.05</u>

FY2011 LEPS ACCOUNT #6801

CASH FUND STATEMENTS FOR PERIOD ENDED

30 JUN 11

Unawarded Balance as of 1 Jul 10	\$667,408.06
ADD:	

Fees Collected	\$287,036.25	
Tuition Deposits	\$266,815.00	
Grant Receipts	\$ 36,504.80	
Gross Receipts		<u>\$590,535.05</u>

Total Unawarded Balance before FY2011 awards \$1,257,764.11

PLUS Deobligations	+\$144,680.70
LESS Grant awards and Supplements	-\$483,264.75

Grant Awards for Fiscal Year 2011 (1 Jul 10 through 30 Jun 11)

West Virginia State Police	10-LET-106	\$174,051.66
West Virginia State Police	11-LET-101	\$152,387.46
West Virginia State Police	11-LET-102	\$ 10,317.00
West Virginia State Police	11-LET-105	\$ <u>94,923.63</u>
Total Awards		\$483,264.75

Supplemental Awards for Fiscal Year 2011

None	\$ 0.00
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Total Grant Awards and Supplemental Awards \$483,264.75

LESS Credits on Accounts	-\$ 0.00
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UNAWARDED BALANCE AS OF June 30, 2011

\$919,180.06

Close of Fiscal Year 2011

Attachment 2

Law Enforcement Professional Standards Subcommittee

Membership

Governor's Committee on Crime, Delinquency and Correction

Law Enforcement Professional Standards Subcommittee

Retired Lieutenant Terry L. Miller
President
West Virginia Deputy Sheriffs
Association
Post Office Box 2746
Charleston, WV 25330

Retired Lieutenant H. Stephen Walker
President
West Virginia Fraternal Order of Police
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Ranson Police Department
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West Virginia Association of Counties
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Colonel C. R. "Jay" Smithers
Superintendent
West Virginia State Police
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Judge Phyllis Carter
Executive Director
West Virginia Human Rights
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1321 Plaza East
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West Virginia Municipal League
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President
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Secretary J. Thornton, Chairman
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