

LAW ENFORCEMENT PROFESSIONAL STANDARDS

(LEPS) SUBCOMMITTEE/PROGRAM

July 1, 2021 - June 30, 2022

ANNUAL REPORT



State of West Virginia
Jim Justice, Governor



Department of Military Affairs and Public Safety
Jeff S. Sandy CAMS, CFE, Cabinet Secretary



Division of Administrative Services
Justice and Community Services
1124 Smith Street, Suite 3100
Charleston, West Virginia 25301

Mike Coleman, Director, Division of Administrative Services
Joseph C. Thornton, Deputy Director, Division of Administrative Services
Jeffrey D. Estep, Assistant Director
Jess W. Gundy, LEPS Program Director

West Virginia Law Enforcement Training

§30-29-3, sub-part (a) (15) of the West Virginia Code stipulates that the Law Enforcement Professional Standards (LEPS) Subcommittee will:

“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 requirement, the Law Enforcement Professional Standards (LEPS) Program of the West Virginia Division of Administrative Services’ Justice and Community Services (JCS) is submitting the following information concerning the **3,860** individuals who are working as sworn law enforcement officers within the State of West Virginia as certified by the Law Enforcement Professional Standards (LEPS) Subcommittee of the Governor’s Committee on Crime, Delinquency and Correction (GCCDC).

During the 2022 Training Year reporting period of July 1, 2021 through June 30, 2022 the LEPS Subcommittee met ten (10) times as per its regular annual schedule for monthly meetings, with no meeting held during the month of December as per its regular schedule. Each meeting was conducted as prescribed by the West Virginia Secretary of State Office guidelines concerning public meetings.

Retired Chief Steve Walker, now the West Virginia Fraternal Order of Police representative on the LEPS Subcommittee, has served as the Chair for the LEPS Subcommittee since November 18, 2021. The eleven (11) positions, as set by statute, which make up the LEPS Subcommittee were filled over the course of the year as vacancies occurred because of changes in leadership at the member organizations through the action of Department of Military Affairs (DMAPS) Secretary Jeff Sandy, CAMS, CFE,. The roster of the members comprising the LEPS Subcommittee is provided under Attachment 2 of this report.

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 Jess W. Gundy, at (304) 766-5847 (w), or Jess.W.Gundy@wv.gov Questions concerning the LEPS Subcommittee may be directed to Retired Chief Steve Walker, LEPS Subcommittee Chair, at hwalker71.SW@gmail.com or (304) 539-3670.

General information, to include copies of the minutes and agendas of LEPS Subcommittee meetings, related to the LEPS Program may be found on the website of the West Virginia Division of Justice and Community Services at www.djcs.wv.gov on the Law Enforcement Professional Standards page of that website at <http://www.djcs.wv.gov/law-enforcement-professional-standards/Pages/default.aspx> or may be requested from Jess W. Gundy.

Summary of training activities – FY 2021-2022 Training Year Period

1. Number of law enforcement officers awarded law enforcement certification by the LEPS Subcommittee:
 - A. City, County, State, College/University, Airport and Natural Resources Police
 1. Completed full Basic Program - **148**
187th, 188th, 189th, Basic Class. 190th Basic Class set to graduate November 2022
 2. Completed Equivalent Certification Program - **34**
held during FY2021-FY2022
 - B. State Police -70th Cadet Class Graduated during FY22 - **25**.

2. Number of officers who completed training requirements for recertification as West Virginia law enforcement officers held during FY21 following a break in serving as an officer in this state of more than twenty-four (24) months. **8**

3. Number of law enforcement certifications suspended, pending completion of required training, by the LEPS Subcommittee **0**

4. Number of stop work orders issued to officers seeking certification as a West Virginia law enforcement officer who had not met or complied with requirements to gain such certification. **9**

5. Number of law enforcement certifications reviewed by the LEPS Subcommittee:
 - A. Certification revoked **2**
 - B. Certification surrender accepted **0**
 - C. Certification left in place **54**

6. Number of requests for training/certification as a private citizen reviewed by the LEPS Subcommittee: **1**

NOTE: While this type of approval process remains in place individuals who would have previously been approved under this process are now directed to wait two years following their resignation from the entry-level training program to be able to be hired once more by a West Virginia law enforcement agency and to be sponsored by the agency to the entry-level training program.

7. Number of equivalent certification reviews, certified officers from other states/federal entities, seeking to gain certification as a West Virginia law enforcement officer through the three (3) week training process:
- A. Approved **16**
 - B. Denied **0**
8. Number of appeal requests for equivalent certification as a law enforcement officer considered by the LEPS Subcommittee: **0**
- A. Approved **0**
 - B. Denied **0**
9. Number of appeals from individuals aggrieved by a decision of the LEPS Subcommittee: **1**
- A. Appeal upheld at GCCDC level **0**
 - B. Appealed to Circuit Court **0**
 - C. Appealed to Supreme Court **0**
 - D. Withdrawn **1**
10. Number of applicants for admission to a basic entry level training program reviewed by the LEPS Subcommittee due to prior arrest. **6**
- A. Reviewed and approved **6**
 - B. Reviewed and denied **0**
 - C. Review tabled, not employed **0**
11. Number of medical related reviews of officer's ability to enter and complete the training to gain certification as an officer: **0**
- A. Stop work order issued until **0**
training started
 - B. Review tabled, medical **0**
release required to attend
12. Number of requests for accommodations relating to the physical ability test (PAT) made to the LEPS Subcommittee. **0**
13. Number of requests for accommodations concerning the medical entry standards made to the LEPS Subcommittee. **0**
14. Number of requests for accommodations concerning the physical fitness training or other training standards during academy training made to the LEPS Subcommittee: **0**
- A. Approved **0**
 - B. Denied **0**

15. Number of requests for waiver of tuition fees for the entry level training program. Review completed and approved.	0
16. Number of reviews of officers who had been separated for more than sixty (60) months as a law enforcement officer in West Virginia to determine training required to bring certification current:	5
A. Required to complete three (3) week re-certification training.	5
B. Required to complete full entry level training	0
17. Number of individuals who were either granted law enforcement instructor certification or approved in additional areas of expertise by the LEPS Subcommittee.	42
A. Approved as new instructors	22
B. Approved with additional areas	20
18. Number of officer certification reactivation reviews completed as a result of officer employed at another agency:	64
A. Standard review and approved	32
B. Review required due to how separated	32
(1) Approved	31
(2) Denied	1
(3) Revoked certification	0
19. Number of current and active law enforcement instructors in the State	346
20. Number of individuals who were either granted law enforcement instructor certification or approved in additional areas of expertise by the LEPS Subcommittee:	42
A. Approved as new instructors	22
B. Approved with additional areas	20
21. Number of reviews of instructor certifications:	0
A. Revoked, due to officer decertification	0
B. Suspended	0
C. No action taken	0

In-Service Training Summary:

22. Number of Annual In-Service Training Programs approved by the LEPS Subcommittee:	293
23. Number of Supervisory In-Service Training Programs approved by the LEPS Subcommittee:	45
24. Number of Combination In –Service Training Programs approved by the LEPS Subcommittee.	75
25. Total In-Service Training Programs approved by the LEPS Subcommittee	413
26. Review of instructor level (Train the Trainer) classes.	12
A. Approved	12
B. Denied	0

27. Items carried out on behalf of, or by, the LEPS Subcommittee members or program staff:

28. Five (5) grant awards were recommended for approval to the Governor’s Office and were subsequently awarded from the LEPS Fund to allow for the operation of the entry level training program at the West Virginia State Police Academy during the FY2021 through FY2022 period. Those awards were for the 187th, 188th, 189th, and 190th Basic Classes and the Academy Civilian Support Staff award for the FY2021 through FY2022 period.

29. With the decision by the West Virginia Supreme Court of Appeals to allow for the operation of an entry-level training program at Fairmont State University (FSU) took the following actions:

- A. Worked with FSU representatives, in particular a new police chief, concerning the startup of that program. That startup has up to this point, been delayed.
- B. Developed and secured necessary legislation of required changes to CSR 149-2 during the 2021 legislative session required as a result of the FSU decision concerning the training and certification of officers, to include the implementation during the FY22 period of a state certification examination for all officers graduating from an entry-level training program.

30. Worked with the staff of the West Virginia State Police’s Professional Development Center (PDC) for the approval and dissemination of information concerning the calendar year 2021-2022 in-service class schedule.

31. 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.

32. Worked with the staff of the West Virginia State Police Academy concerning program and schedule changes for the entry level training program.

33. Continued the implementation of the Law Enforcement Professional Standards Information System (LEPSIS) database through awareness and education programs to officers and administrators within the state.
34. Responded to nine (9) Freedom of Information Act (FOIA) requests and one (1) subpoena for officer training records by providing the requested information.

Report Attachments:

35. **Attachment 1:** Law Enforcement Training Financial Summary
36. **Attachment 2:** Law Enforcement Training Subcommittee Membership

Attachment 1

Law Enforcement Training Fund

Financial Summary

FY 2021-FY2022

July 1, 2021 to June 30, 2022

**LAW ENFORCEMENT PROFESSIONAL STANDARDS (LEPS) FUND
BALANCE REPORT
FY2022**

Special Revenue June 30, 2021 Report FY 2022 LEPS Account #6801

Cash Balance Beginning Fiscal Year on, July 1, 2022,		\$1,469,653.30
ADD		
Fees collected	\$	933,162.18
Tuition deposits	\$	266,250.00
Grant receipts (CDDP)	\$	0
Gross receipts FY2022		\$1,199,412.18
Total funds available FY2022		\$2,669,065.48
Less: Unexpended grant awards for FY2022	-	\$859,334.48
Disbursements for LEPS awards	-	\$1,098,271.28
Cash Balance Ending Fiscal Year 2021, June 30, 2022		\$1,570,794.20
Unawarded balance as of June 30, 2022		<u>\$33,619.46</u>

Attachment 2

Law Enforcement Professional Standards (LEPS) Subcommittee

Membership Roster

Law Enforcement Professional Standards (LEPS) Subcommittee Membership FY2021-FY2022 Period

Retired Corporal David Gentry
President
West Virginia Deputy Sheriffs
Association
Post Office Box 2746
Charleston, WV 25330

Retired Chief Steve Walker -Chair
West Virginia Fraternal Order of
Police
5395 Partridge Drive
Charleston, WV 25313

Colonel Bobby Cales
Chief, Law Enforcement Division
Division of Natural Resources
324 4th Avenue
South Charleston, WV 25309

Chief Bradford Rinehart –Co-Chair
West Virginia Chiefs of Police
Association
235 4th Street
South Charleston, WV 25303

Sheriff Rick Woodyard
Chair, LEPS Subcommittee
Public-at-Large Member
202 39th Street
Vienna, WV 26105

Mr. Jonathan Adler
Executive Director
West Virginia Association of Counties
2211 Washington Street, East
Charleston, WV 25301

Colonel Jan Cahill
Superintendent
West Virginia State Police
725 Jefferson Road
South Charleston, WV 25309

Ms. Tia Welch
Executive Director
West Virginia Human Rights
Commission
1321 Plaza East
Room 104-206
Charleston, WV 25301-1400

Mr. Travis Blosser
West Virginia Municipal League
City of Lewisburg
942 Washington Street West
Lewisburg, WV 24901

Sheriff Rob Matheny
West Virginia Sheriffs Association
Harrison County Sheriff's Office
301 W. Main Street
Clarksburg, WV 26301

Corporal Kevin Williams
West Virginia Trooper's Association
210 Chesapeake Avenue
Charleston, WV 25301