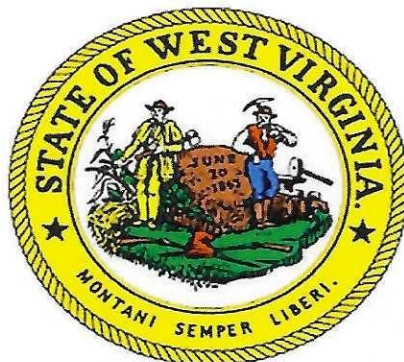


LAW ENFORCEMENT PROFESSIONAL STANDARDS

(LEPS) SUBCOMMITTEE/PROGRAM

July 1, 2020 - August 30, 2021

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
Danielle C. Jarrett, LEPS Criminal Justice Specialist II

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 **3,600** 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) Subcommittee of the Governor’s Committee on Crime, Delinquency and Correction (GCCDC).

During the 2020 Training Year reporting period of July 1, 2020 through June 30, 2021 the LEPS Subcommittee met ten (10) times as per its regular annual schedule for monthly meetings, with no meeting held during the month of November as per its regular schedule and none during December and June 2020 due to the COVID-19 virus. Each meeting was conducted as prescribed by the West Virginia Secretary of State Office guidelines concerning public meetings. Those held since May 2020 have been held in compliance with virus safeguard procedures in place for the members and individuals attending.

Sheriff Steve Stephens, now the West Virginia Sheriffs Association representative on the LEPS Subcommittee, served as the Chair for the LEPS Subcommittee during this period. The eleven 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, except for the position occupied by the West Virginia Human Rights Commission during this reporting period. That position has been vacant since the spring of 2017 with the retirement of their representative who had been a long-time member. That vacancy has now been filled as of the July 2020 meeting. 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 Danielle C. Jarrett, Criminal Justice Specialist II, at (304) 766-5849 (w), or Danielle.C.Jarrett@wv.gov. Questions concerning the LEPS Subcommittee may be directed to Retired Captain Sadler as well or to Sheriff Stephens, LEPS Subcommittee Chair, at sstephens@woodcountywv.com or (304) 424-1834.

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 Danielle C. Jarrett.

Summary of training activities – FY 2020-2021 Training Year Period

1. Number of law enforcement officers awarded law enforcement certification by the LEPS Subcommittee: **357**
 - A. City, County, State, College/University, Airport and Natural Resources Police
 1. Completed full Basic Program **274**
182nd, 183rd, 184th, 185th, 186th Basic Class. 188th Basic Class set to graduate January 2022 delayed due to the COVID-19 virus.
 2. Completed Equivalent Certification Program **52**
held during FY2020-FY2021
 - B. State Police -69th Cadet Class Graduated during FY21 **31**.
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. **6**
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. **1**
5. Number of law enforcement certifications reviewed by the LEPS Subcommittee: **2**
 - A. Certification revoked **1**
 - B. Certification surrender accepted **1**
 - C. Certification left in place **1**
6. Number of requests for training/certification as a private citizen reviewed by the LEPS Subcommittee: **0**

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: **0**
- A. Approved **0**
 - 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: **0**
- A. Appeal upheld at GCCDC level **0**
 - B. Appealed to Circuit Court **0**
 - C. Appealed to Supreme Court **0**
10. Number of applicants for admission to a basic entry level training program reviewed by the LEPS Subcommittee due to prior arrest. **9**
- A. Reviewed and approved **8**
 - B. Reviewed and denied **1**
 - 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: **1**
- A. Stop work order issued until training started **0**
 - B. Review tabled, medical release required to attend **1**
12. Number of requests for accommodations relating to the physical ability test (PAT) made to the LEPS Subcommittee. **1**
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:	10
A. Required to complete three (3) week re-certification training.	3
B. Required to complete full entry level training	0
	24
17. Number of individuals who were either granted law enforcement instructor certification or approved in additional areas of expertise by the LEPS Subcommittee.	
A. Approved as new instructors	10
B. Approved with additional areas	0
18. Number of officer certification reactivation reviews completed as a result of officer employed at another agency:	24
A. Standard review and approved	24
B. Review required due to how separated	24
(1) Approved	24
(2) Denied	0
(3) Revoked certification	0
18. Number of current and active law enforcement instructors in the State.	317
19. Number of individuals who were either granted law enforcement instructor certification or approved in additional areas of expertise by the LEPS Subcommittee:	43
A. Approved as new instructors	27
B. Approved with additional areas	16
20. 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:

- | | |
|---|------------|
| 21. Number of Supervisory In-Service Training Programs approved by the LEPS Subcommittee: | 126 |
| 22. Number of Annual In-Service Training Programs approved by the LEPS Subcommittee: | 17 |
| A. Annual In-Service 4 | |
| B. Supervisory In-Service 13 | |
| 23. Number of Personal Training Programs approved by the LEPS Subcommittee. | 7 |
| A. Approved 7 | |
| B. Denied 7 | |
| 24. Review of instructor level (Train the Trainer) classes. | 1 |
| A. Approved 1 | |
| B. Denied 1 | |
25. Items carried out on behalf of, or by, the LEPS Subcommittee members or program staff:
26. 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 FY2020 through FY2021 period. Those awards were for the 182nd, 183rd, 184th, 185th and 1186th Basic Classes, an ammunition purchase award for the 182nd through 186th Basic Classes and the Academy Civilian Support Staff award for the FY2020 through FY2021 period.
27. Due to public and training gathering restrictions put in place by the Governor because of the COVID-19 virus secured a waiver from the West Virginia Secretary of State's Office as to in-service and firearms qualification requirements for the FY2020 through FY2021 period. Those officers who were unable to meet these requirements during the period because of the restrictions in place did not have any action concerning the status of their certification as a law enforcement officer.
28. 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 concerning the startup of that program. That startup was delayed because of the virus.
 - B. Developed and secured approval of required changes to CSR 149-2 during the 2020 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.

29. 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 2020-2021 in-service class schedule.
30. 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.
31. Worked with the staff of the West Virginia State Police Academy concerning program and schedule changes for the entry level training program.
32. 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.
33. Responded to one (1) Freedom of Information Act (FOIA) requests and ten (10) subpoenas for officer training records by providing the requested information.

Report Attachments:

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

Attachment 1

Law Enforcement Training Fund

Financial Summary

FY 2020-FY2021

July 1, 2020 to June 30, 2021

**LAW ENFORCEMENT PROFESSIONAL STANDARDS (LEPS) FUND
BALANCE REPORT
FY2021**

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

Cash Balance Beginning Fiscal Year 2020, July 1, 2019 \$837,359.90 ADD:

Fees collected
Tuition deposits
Grant receipts

Gross receipts FY2020

Total funds available FY2020

Less: Unexpended grant awards for FY2021

Disbursements for LEPS awards

\$963,005.72

\$28,500.00

19,000.00

\$1,010,505.72

\$1,847,865.62

-\$1,108,325.20

-\$451,563.07

Cash Balance Ending Fiscal Year 2018, June 30, 2021

Unawarded balance as of June 30, 2021 \$287,977.35

Attachment 2

Law Enforcement Professional Standards (LEPS) Subcommittee

Membership Roster

Law Enforcement Professional Standards (LEPS) Subcommittee Membership FY2020-FY2021 Period

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

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

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

Chief Joseph Martin
President
West Virginia Chiefs of Police
Association
102 South Street
Ripley, WV 25271

Sheriff Steve Stephens
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

VACANT – filled during July 2020
West Virginia Human Rights
Commission
1321 Plaza East
Room 104-206
Charleston, WV 25301-1400

Retired Mayor John Manchester
West Virginia Municipal League
City of Lewisburg
942 Washington Street West
Lewisburg, WV 24901

Sheriff Steve Deweese
President
West Virginia Sheriffs Association
Putnam County Sheriff's Office
236 Courthouse Drive, Suite 8
Winfield, WV 25213-7908

Corporal James Baker
President
West Virginia Trooper's Association
210 Chesapeake Avenue
Charleston, WV 25301