



2015

West Virginia Law Enforcement Training



Annual Report

§30-29-3, sub-part (j) of the West Virginia 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 **3,600** 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 2015 Training Year reporting period of July 1, 2014 through June 30, 2015 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. One (1) additional meeting was held during April 2015 to conduct a legislative rules review retreat immediately prior to the regularly scheduled April meeting. Each meeting was conducted as prescribed by the West Virginia Secretary of State Office guidelines concerning public meetings.

Retired Chief Steve Stephens, the Public-at-Large member on the LEPS Subcommittee, served as the Chair for the LEPS Subcommittee during this training year period. The eleven positions, as set by statute, on the LEPS Subcommittee were fully filled during the course of the training year through the action of Department of Military Affairs (DMAPS) Secretary Joe Thornton.

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 Program Manager, 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 Retired Chief Stephens, LEPS Subcommittee Chair, (304) 834-0101 or sstephens@woodcountywv.com General information, to include copies of minutes 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>.

Summary of training activities – 2015 Training Year

1.	Number of law enforcement officers awarded law enforcement certification by the LEPS Subcommittee:	250
	A. City, County, State University and Natural Resource Police	
	1. Completed full Basic Program 158 th , 159 th , 160 th and 161 st Basic Classes	199
	2. Completed Equivalent Certification Program held September 2014	8
	B. State Police – 65th Cadet Class	43
2.	Number of officers who completed training requirements for recertification as West Virginia law enforcement officers held during September 2014 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	5
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.	10
5.	Number of law enforcement certifications reviewed by the LEPS Subcommittee:	6
	A. Certification revoked	4
	B. Certification surrender accepted	2
6.	Number of requests for training/certification as a private citizen reviewed by the LEPS Subcommittee:	2
	A. Approved	1
	B. Denied	1

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: **10**
- A. Total approved **7**
 - B. Total denied **3**
8. Number of appeal requests for equivalent certification as a law enforcement officer considered by the LEPS Subcommittee: **1**
- A. Requests approved **1**
 - B. Requests denied **0**
9. Number of appeals from individuals aggrieved by a decision of the LEPS Subcommittee: **2**
- A. Appeal upheld at GCCDC level **1**
 - B. Appealed to Circuit Court **1**
 - C. Pending review/decision **2**
10. Number of applicants for admission to a basic entry level training program reviewed by the LEPS Subcommittee due to prior arrest. **3**
- A. Reviewed and approved **3**
 - 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 training started **0**
 - B. Review tabled, medical release provided to attend **0**
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: **1**
- Accommodation request denied **1**
15. Number of requests for waiver of tuition fees for the entry level training program. Requested review as a private citizen prior approval, request denied. **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 required training to complete to bring certification current:		2
A. Required to complete three (3) week re-certification training.	2	
B. Required to complete full entry level training	0	
17 Number of officer certification reactivation reviews completed as a result of officer employed at another agency		182
A. Standard review and approved	172	
B. Review required due to how separated	10	
(1) Reactivation approved	7	
(2) Reactivation denied	2	
(3) Review tabled	1	
18 Number of current and active law enforcement instructors in the State:		350
19 Number of individuals who were either granted law enforcement instructor certification or approved in additional areas of expertise by the LEPS Subcommittee:		44
A. Approved as new instructors	33	
B. Approved with additional areas	11	
20 Number of reviews of instructor certifications:		0
A. Revoked, due to officer de-certification	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:		168
22 Number of Annual In-Service Training Programs approved by the LEPS Subcommittee:		574
23 Number of Personal Training Programs approved by the LEPS Subcommittee.		386
A. Annual level in-service	306	
B. Supervisory level in-service	80	

- A. Approved **9**
- B. Denied **0**

Additionally:

- 25 Six (6) grant awards were recommended for approval to the Governor's Office and were subsequently awarded totaling **\$819,168** from the LEPS Fund. The following awards were recommended in support of the law enforcement training effort.
 - A. **\$116,443** for the operation of the 160th Basic Class.
 - B. **\$117,696** for the operation of the 161st Basis Class.
 - C. **\$119,172** for the operation of the 162nd Basic Class
 - D. **\$124,841** for the operation of the 163rd Basic Class
 - E. **\$115,466** for the bulk purchase of ammunition to use during entry level training classes (161st to 164th) to maximize availability of ammunition while minimizing the cost.
 - F. **\$225,550** for the salaries of five (5) civilian support staff personnel at the West Virginia State Police Academy.
- 26 Worked with the staff of the Division of Justice and Community Services (DJCS) to receive funding from Purdue Pharma asset forfeiture funds to allow for the legislative rules review held during April 2015.
- 27 Identified officers not in compliance as to required in-service completion for the 2014 Training Year, July 1, 2013 to June 30, 2014. These officers were brought before the Subcommittee members during the Subcommittee's August 2014 meeting. Requirements were set for them to complete to bring their certification current as to training requirements. Followed up to verify that required training and/or firearms qualifications were completed.
- 28 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. An interim study resolution passed during the 2014 legislative session was completed and approved during the 2015 legislative session. The report did indicate that the funding mechanism was insufficient to meet the full demands of the training program, but stated that in the current economic environment within the state that no legislative funds could be allotted to address the shortfall. Any funding increase would have to come from new funding sources.
- 29 Subcommittee members, representing the Subcommittee and their associations and organizations, worked with members of the West Virginia Legislature during their 2015 session concerning revisions to CSR 149-1, et. al. and 149-2 et al. that had been developed by the Subcommittee during a legislative rule retreat in the spring of 2014. The approved changes took effect following the 2015 legislative session.
- 30 Completed a rules review during the spring of 2015 of Legislative Rules Series 149, Title 2, by identifying proposed changes to rules to best continue the training and certification of officers and to address and clarify the medical application process for entry into the entry level training program and to examine the setting of set course of fire for firearms qualifications. Applicable steps to be completed to have these proposed changes addressed during the 2016 session of the West Virginia Legislature.
- 31 Revised and updated the procedural guide for officer appearances before the LEPS Subcommittee on matters involving potential officer certification matters.

- 32 Revised and updated the LEPS Subcommittee By-Laws.
- 33 Revised the scoring standards for the Physical Abilities Test (PAT) used for officer's entry into the Academy's entry level training programs as required to bring them in line with national fitness standards set by The Cooper Institute as set forth in the legislative rule. New scoring standards took effect on January 5, 2015.
- 34 Worked with the Director of Division of Justice and Community Services (DJCS) as to the revisions prepared and passed during the 2015 legislative session concerning the restructuring of the Governor's Committee on Crime, Delinquency and Correction (GCCDC) and applicable sections of 30-29, et. al. of the State Code relating to that restructuring.
- 35 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.
- 36 Worked with the staff of the West Virginia State Police Academy concerning program and schedule changes for the entry level training program relating to the Basic Class Program.
- 37 Continued the implementation of the Law Enforcement Professional Standards Information System (LEPSIS) through awareness and education programs to officers and administrators within the state.
- 38 Responded to two (2) Freedom of Information Act (FOIA) requests and one (1) subpoena for officer training records by providing the requested information.

Report Attachments:

- 39 **Attachment 1:** Law Enforcement Training Financial Summary
- 40 **Attachment 2:** Law Enforcement Training Subcommittee Membership

Attachment 1
Law Enforcement Training Fund
Financial Summary

**LAW ENFORCEMENT PROFESSIONAL STANDARDS (LEPS) FUND
BALANCE REPORT
FY2015**

**Special Revenue
FY 2015 LEPS Account #6801**

30 Jun 15 Report

Cash Balance Beginning Fiscal Year 2015, July 1, 2014 \$1,234,185.58

ADD:

Fees collected	\$288,470.28	
Tuition deposits	\$255,125.00	
Grant receipts (CDDP)	<u>\$ 0.00</u>	
Gross receipts FY2014		<u>\$ 543,595.28</u>

Total funds available FY2014 \$1,777,780.86

Less: Unexpended grant awards for FY-2015 - **\$714,197.24**

13-LET-104	\$ 72,256.84
14-LET-103	\$ 11,216.71
14-LET-105	\$ 20,919.12
15-LET-101	\$ 21,096.77
15-LET-102	\$115,466.00
15-LET-103	\$ 82,675.51
15-LET-104	\$118,016.29
16-LET-101	\$222,555.00
LEPSIS	<u>\$ 50,000.00</u>
Total	\$714,197.24

Disbursements for LEPS awards - **\$625,191.39**

Cash Balance Ending Fiscal Year 2015, June 30, 2015 \$ **438,392.23**

Attachment 2

Law Enforcement Professional Standards (LEPS) Subcommittee

Membership Roster

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

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 Ray Fridley
President
West Virginia Chiefs of Police
Association
102 South Street
Ripley, WV 25271

Retired Chief Steve Stephens
Chair, LEPS Subcommittee
Public-at-Large Member
202 39th Street
Vienna, WV 26105

Ms. Patricia L. Hamilton
Executive Director
West Virginia Association of Counties
2211 Washington Street, East
Charleston, WV 25301

Colonel C. R. "Jay" Smithers
Superintendent
West Virginia State Police
725 Jefferson Road
South Charleston, WV 25309

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

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

Sheriff Tom McComas
Immediate Past President
West Virginia Sheriffs Association
Cabell County Sheriff's Office
750 5th Ave, Room 101
Huntington, WV 26047

Secretary J. Thornton, Chairman
Governor's Committee on Crime
Delinquency and Correction
Department of Military Affairs and
Public Safety (DMAPS)
Building One, State Capitol Complex
Charleston, WV 25317

First Lieutenant James C. Lee
President
West Virginia Trooper's Association
210 Chesapeake Avenue
Charleston, WV 25301

