

**WEST VIRGINIA  
SECRETARY OF STATE  
NATALIE E. TENNANT  
ADMINISTRATIVE LAW DIVISION**

Form #5

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OFFICE OF THE WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE  
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: West Virginia State Police TITLE NUMBER: 81

CITE AUTHORITY: §15-2-3

RULE TYPE: PROCEDURAL \_\_\_\_\_ INTERPRETIVE XX

EXEMPT LEGISLATIVE RULE \_\_\_\_\_

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES X NO \_\_\_\_\_

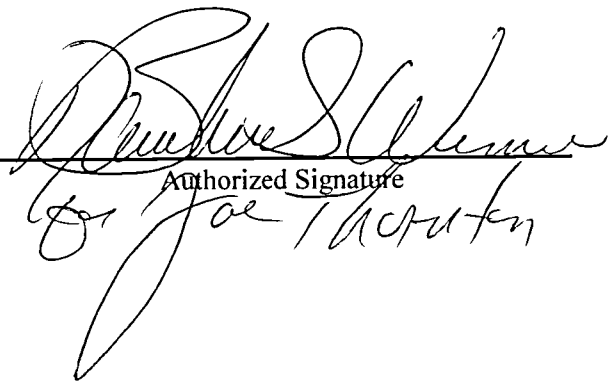
IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 13

TITLE OF RULE BEING AMENDED: Organizational Structure

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE  
EFFECTIVE DATE OF THIS RULE IS August 25, 2011

  
Authorized Signature

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**TITLE 81  
INTERPRETIVE RULE  
WEST VIRGINIA STATE POLICE**

OFFICE OF THE WEST VIRGINIA  
SECRETARY OF STATE

**SERIES 13  
ORGANIZATIONAL STRUCTURE**

**§81-13-1. General.**

- 1.1. Scope. -- These rules govern the internal administrative structure of the West Virginia State Police.
- 1.2. Authority. -- W.Va. Code §15-2-3.
- 1.3. Filing Date. -- July 25, 2011.
- 1.4. Effective Date. -- August 25, 2011.

**§81-13-2 Organizational Structure.**

- 2.1. This section relates to W. Va. Code §15-2-2, 3 & 4.
- 2.2. The ranks within the membership of the State Police shall be Colonel, Lieutenant Colonel, Major, Captain, First Lieutenant, Second Lieutenant, First Sergeant, Sergeant, Corporal, Trooper First Class, Senior Trooper, Trooper or Cadet Trooper.
- 2.3. The term Executive Office shall encompass the following positions: (1) Superintendent; (2) Deputy Superintendent; (3) Chief of Field Operations; (4) Chief of Staff Services; (5) Chief of Executive Services; (6) Deputy Chief of Field Operations; (8) Deputy Chief of Staff Services; (8) Director, Professional Standards, (9) Director, Planning and Research.
- 2.4. The Superintendent shall be the executive and administrative head of the State Police. The Superintendent shall hold the rank of Colonel and is entitled to all rights, benefits and privileges of regularly enlisted members.
- 2.5. The Superintendent shall appoint a member from within the ranks of the State Police to serve as the Deputy Superintendent. The Deputy Superintendent shall hold the rank of Lieutenant Colonel and be next in authority to the Superintendent. The Deputy Superintendent shall serve as the principal coordinator of State Police field operations, staff services and executive services functions. The Deputy Superintendent shall perform all other duties as assigned by the Superintendent.
- 2.6. The Superintendent may appoint from the membership of the State Police 17 principal supervisors who shall receive the compensation and hold the temporary ranks of Lieutenant Colonel, Major and Captain.
- 2.7. The Chief of Field Operations shall be responsible to the Deputy Superintendent for the planning, conducting and monitoring of all field operations and the correlation of activities and duties of field operations with those of staff services and executive services. The Chief of Field Operations shall perform all other duties as assigned by the Superintendent or Deputy Superintendent.

2.8. The Chief of Staff Services shall be responsible to the Deputy Superintendent for the coordination of all staff services functions and the correlation of activities and duties of staff services with those of field operations and executive services. The Chief of Staff Services shall perform all other duties as assigned by the Superintendent or Deputy Superintendent.

2.9. The Chief of Executive Services shall be responsible to the Deputy Superintendent for the coordination of all executive services functions and the correlation of activities and duties of executive services with those of field operations and staff services. The Chief of Executive Services shall perform all other duties as assigned by the Superintendent or Deputy Superintendent.

2.10. The Deputy Chief of Field Operations shall be responsible to the Chief of Field Operations for the planning, conducting and monitoring of all field operations and the correlation of activities and duties of field operations with those of staff services and executive services. The Deputy Chief of Field Operations shall perform all other duties as assigned by the Chief of Field Operations or higher authority.

2.11. The Deputy Chief of Staff Services shall be responsible to the Chief of Staff Services for the coordination of all staff services functions and the correlation of those functions with those of field operations and executive services and shall perform all other duties as assigned by the Chief of Staff Services or higher authority.

2.12. The Director, Professional Standards, shall be responsible to the Superintendent for the operation of the Professional Standards Section of the Department.

2.13. The Director, Planning and Research shall be responsible to the Chief of Executive Services for general planning and specific research functions and shall oversee the State Police written directive system.

2.14. Field Operations shall consist of Executive Protection, Special Operations, the Bureau of Criminal Investigations, the Crimes Against Children Unit, Crime Scene Team, Traffic Crash Reconstruction and the number of troops, districts and detachments specified by the Superintendent.

2.15. Staff Services shall consist of Accounting, Communications, the Forensic Laboratory, Grants Management, Procurement, Traffic Records, Criminal Records, the Medical Unit, the Photography Lab and other sections within the general headquarters structure as deemed necessary by the Superintendent to meet statutory and other identified obligations and to assist field operations in the performance of its duties.

2.16. Executive Services shall consist of the Training Academy, Personnel, Planning and Research, Career Progression, Media, Recruiting and other sections within the general headquarters structure as deemed necessary by the Superintendent to meet statutory and other identified obligations and to assist field operations and staff services in the performance of its duties.

2.17. Each Troop shall be staffed by a Troop Commander, Executive Officer, Logistics Officer, Inspector, District, Detachment and Assistant Detachment Commanders and other members and civilian employees as is deemed necessary by the Superintendent.

2.18. The Troop Commander shall be responsible to the Chief of Field Operations and shall be responsible for planning, conducting and monitoring all field operations within their respective areas of command. Each Troop Commander shall be responsible for the correlation of activities and duties of members and civilian employees assigned to the troop with those of staff services. The Troop Commander shall perform duties as assigned by the Chief of Field Operations or higher authority.

2.19. The Troop Executive Officer shall be responsible to the Troop Commander. In the absence of the Troop Commander, the Executive Officer shall serve as the Acting Troop Commander and exercise all powers, functions, duties and responsibilities of the Troop Commander. The Troop Executive Officer shall perform duties as assigned by the Troop Commander or higher authority.

2.20. The Troop Logistics Officer shall be responsible to the Troop Commander. In the absence of the Troop Commander and the Executive Officer, the Logistics Officer shall serve as the Acting Troop Commander and shall exercise all powers, functions, duties and responsibilities of the Troop Commander. The Logistics Officer shall perform duties as assigned by the Troop Commander or higher authority.

2.21. The Troop Inspector shall be responsible to the Director, Professional Standards. In the absence of the Troop Commander, Executive Officer and Logistics Officer, the Inspector shall serve as the Acting Troop Commander and as such shall exercise all powers, functions, duties and responsibilities of the Troop Commander. The Inspector shall perform duties as assigned by the Director, Professional Standards or higher authority.

2.22. The District Commander shall be responsible to the Troop Commander and shall plan, conduct and monitor all field operations occurring within the district. Each District Commander shall be responsible for the correlation of the activities and duties of members and civilian employees assigned to their command with those of staff services. The District Commander shall perform duties as assigned by the Troop Commander or higher authority.

2.23. The Detachment Commander shall be responsible to the District Commander for the planning, conducting and monitoring of all field operations occurring within the detachment's area of operations. Each Detachment Commander shall be responsible for the correlation of the activities and duties of members and civilian employees assigned to their command with those of staff services. The Detachment Commander shall perform duties assigned by the District Commander or higher authority.

2.24. The Assistant Detachment Commander shall be responsible to the Detachment Commander and shall assist the Detachment Commander in planning, conducting and monitoring of law enforcement operations within the detachment's area of responsibility. The Assistant Detachment Commander shall perform all other duties as assigned by the Detachment Commander or higher authority.

2.25. If the Superintendent is unable to discharge the powers and duties of the office due to illness, disease, injury or any other cause or is absent from the geographical boundaries of West Virginia, the order of succession within the Executive Office shall be as follows:

- (a) Deputy Superintendent;
- (b) Chief of Field Operations;
- (c) Chief of Staff Services;
- (d) Chief of Executive Services;
- (e) Deputy Chief of Field Operations; and
- (f) Deputy Chief of Staff Services;

- (g) Whenever the Deputy Superintendent or a member of the Executive Office succeeds to the Office of the Superintendent, they shall exercise all powers, functions, duties and responsibilities of the Superintendent.



West Virginia State Police  
725 Jefferson Road  
South Charleston, West Virginia 25309-1698  
Executive Office

Earl Ray Comblin  
Governor

Colonel C. R. "Jay" Smithers  
Superintendent

TO: THE OFFICE OF THE SECRETARY OF STATE

FROM: COLONEL C. R. "JAY" SMITHERS  
SUPERINTENDENT

A handwritten signature in black ink, appearing to read "CRS", enclosed in a circular scribble.

DATE: JULY 25, 2011

RE: INTERPRETIVE RULE §81CSR13, ORGANIZATIONAL STRUCTURE

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The Comment Period for amendments to Interpretive Rule §81CSR13, West Virginia State Police Organizational Structure, ended on July 10, 2011. There were no comments received in this office regarding the proposed amendments to this rule.