

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

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STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Gov. Comm. Crime, Delin. Corrections TITLE NUMBER: 149

RULE TYPE: Legislative; CITE AUTHORITY WV Code 30-29

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 2

TITLE OF RULE BEING AMENDED: Basic Training Academy, Annual
In-Service, and Biennial In-Service Training Standards

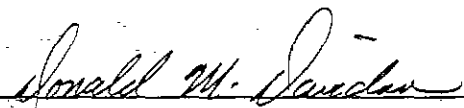
IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON January 31, 1988 AT 5:00 pm. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

Criminal Justice
Highway Safety Office
5790-A MacCorkle Ave SE
Charleston, WV 25304
Attn: Don Davidson

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.


Don Davidson, Field Rep.

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

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OCT 30 1973 AM 8:59
S. J. ...

Title 149

WEST VIRGINIA LEGISLATIVE ... RULE
GOVERNOR'S COMMITTEE ON CRIME, DELINQUENCY AND CORRECTION
CHAPTER 30-29-3
SERIES II

Title: Basic Training Academy, Annual In-Service, and Biennial In-Service
Training Standards.

**WEST VIRGINIA LEGISLATIVE EXEMPT RULE
GOVERNOR'S COMMITTEE ON CRIME, DELINQUENCY AND CORRECTION
CHAPTER 30-29-3
SERIES II**

Title: Basic Training Academy, Annual In-Service, and Biennial In-Service Training Standards.

- Section**
1. General
 2. Funding
 3. Academy Standards
 4. Academy Training Curriculum
 5. Staffing
 6. Policies
 7. Annual in-Service Training Standards
 8. Annual In-Service Curriculum
 9. Biennial In-Service Supervisory Training
 10. Supervisory Training Curriculum
 11. Staffing
 12. Policies
 13. Certification of Law Enforcement Officers

Annex A

Section 1. General

1.1 Scope - These legislative ~~rules~~ rules establish the basic academy, annual in-service, and biennial in-service training standards.

1.2 Authority and Related Code - W.Va Code 30-29-3.

1.3 Filing Date - ~~1/1/1981~~

1.4 Effective Date - ~~1/1/1981~~

Section 2. Funding

A special revenue account has been established for the funding of training academies and payment of expenses of the Governor's Committee. Funding for the special revenue account is provided by the assessment of an additional two dollar fee to the usual court costs of all criminal law of the state or any county or municipality, excluding those posted for the violation of municipal parking ordinances. A responsibility of the Governor's Committee is to seek supplemental funding from sources other than the one provided by the law. Possible sources include grants from the United State's government or any of its agencies; from associations, corporations, foundations, organizations or individuals having a legitimate interest in police training. Funds so received shall be deposited in the special revenue account and be disbursed for either training or administrative purposes as the Governor's Committee directs.

Section 3. Academy Standards (Basic Training)

Basic training may be provided at a single central location or at a central location and one or more regional locations. The standards outlined apply to any place where basic training will be conducted. Their adoption by the Governor's Committee will insure that the training will be carried out in an adequate and proper setting.

3.1 The facility may be a single building, a room or rooms in a building or more than one building, which will provide adequate space to meet the needs of people undergoing training over a period of several weeks.

3.2 The classroom(s) must be large enough to comfortably accommodate the largest anticipated attendance. Minimum registration for any basic class shall be twenty-five officers. Classrooms for this number must be at least twenty-by-thirty feet.

3.3 All desks shall have smooth and level tops of a width of no less than two (2) feet and shall be of sufficient size to accommodate adult trainees.

3.4 Artificial lighting shall be such as to provide good visibility at all times. Day lighting shall be controlled by either drapes or shades of such design and material to permit the utilization of visual training materials.

3.5 Adequate ventilation and seasonal temperature control must be provided. The system must provide for individual classroom control if more than one classroom is used.

3.6 Adequate acoustics to be heard from any point in the classroom and not interfered with by facility maintenance or operating equipment. A public address system must be provided if needed.

3.7 Display surfaces and chalk boards must be positioned as to permit unobstructed viewing from the rearmost area of the classroom. Chalk boards shall be at least forty inches by ninety inches in dimension.

3.8 Each classroom, if possible, shall be equipped with a lectern of sufficient size to accommodate lecture materials.

3.9 The following equipment must be available and operable when an instructor starts his class presentation for which he would have need for one of the following:

3.9.1 Sixteen Millimeter Projector

3.9.2 Thirty-five Millimeter Slide Projector

3.9.3 Overhead Projector

3.9.4 Projection Screen (minimum size 40" x 60")

3.10 The firearms range shall meet or exceed all safety standards promulgated by the National Rifle Association. It shall permit both handgun and shotgun firing. It shall be located within reasonable driving distance from the academy site. It shall permit sole occupancy by law enforcement agencies when in use by them for firearms training and/or qualification. Curriculum firearms training time does not include travel time if the range is more than a short walking distance from the academy.

3.11 Up-to-date court rulings as well as current copies of law enforcement related periodicals shall be made readily available to law enforcement trainees.

3.12 Each law enforcement training academy shall include one room of sufficient size to accommodate trainees during the conduct of physical fitness, self defense, and mechanics of arrest training.

3.13 Separate restroom facilities of sufficient size and number to accommodate the needs of both sexes shall be provided in close proximity to the classroom(s).

3.14 Adequate and free parking space shall be provided. Said parking space shall be within reasonable walking distance of all classrooms.

3.15 Each trainee shall be furnished with the following expendable supplies:

3.15.1 Ammunition (firearms training)

3.15.2 Notebooks (three ring binders) — sufficient number to accommodate all notes and handout materials.

3.15.3 Notebook indexes — sufficient number to permit indexing of each individual notebook.

3.15.4 Legal pads — sufficient number to permit taking of detailed notes throughout duration of training program.

3.15.5 Current copy of Chapter Seventeen of the West Virginia Code, as amended (West Virginia Motor Vehicle Laws).

3.15.6 Pencils — sufficient number to permit taking of detailed notes throughout duration of training program.

3.15.7 Copy of course schedule.

3.15.8 Copy of rules and regulations governing operation of training facility.

3.15.9 Handout materials as required by various instructors.

3.16 Law enforcement training academies shall provide food services in one of the following manners:

3.16.1 If in-house food service is available and provided, all food preparation and dining facilities shall be established and maintained in accordance with applicable State Health Department regulations.

3.16.2 If a training academy does not have food preparation and dining facilities and must utilize commercial food services, these services should be located within a distance which would allow the trainee to leave, eat, and return to class within sixty (60) minutes.

3.17 A medical facility within a reasonably close proximity to training site should be provided.

Section 4. Academy Training Curriculum

4.1 The objective is to provide all law enforcement officers with a minimum of 400 hours of basic training.

4.2 The curriculum contains 495 classroom hours of instruction and covers ~~some seventy-two~~ numerous areas of instruction, all directly related to law enforcement. The number of classroom hours is regarded as a core, or that which all officers must have as a minimum, to receive certification. ~~{Refer to Annex A}~~.

4.3 It is the responsibility of each agency to provide training in those areas not included in the core curriculum. Local ordinances, department policies and procedures, and care of motor equipment are examples of training that must be provided by each agency.

4.4 As need occurs the core curriculum will be amended to more nearly meet the needs of the largest possible number of police agencies. Changes in the approved core curriculum shall require prior approval of the Governor's Committee on Crime, Delinquency and Correction. Recommendations for change shall be made in writing.

Section 5. Staffing

5.1 The Director of Training (Training Officer) shall be made by the head of the law enforcement agency if the academy is under the control of a police agency. If under an academic institution the appointment may be made by the head of the department under which the training will be provided.

5.1.1 Approval of the director of training is required by the Governor's Committee. Approval will be based upon education, the amount and variety of experience in law enforcement, training experience and administrative experience, or a combination of these factors.

5.1.2 The training director has a broad range of responsibilities summarized in the overall responsibility for the operation of the training program and for its success or failure. Specific responsibilities are:

5.1.2.1 For compliance of all personnel with policies, procedures, and regulations governing the training academy as training programs:

5.1.2.2 For the selection of qualified instructors:

5.1.2.3 Recommend and request reassignment of training personnel:

5.1.2.4 For the maintenance of professional skills and abilities of personnel assigned to the training program:

5.1.2.5 To require performance of high quality of all personnel assigned a training function. It shall be a continuing responsibility to see that instructors are assigned only those topics which they are qualified to teach, and are supervised on a regular basis to insure that a high quality of instruction is maintained.

5.1.3 In general the director has that authority necessary to carry out assigned responsibilities. Specific authority is delegated to:

5.1.3.1 Require a medical examination of all applicants desiring to attend the Basic Police Training Program. Acceptance of the applicant to this program will be based on the results of the medical examination conducted by a medical physician. If an officer fails his medical examination, he may, after correcting his medical deficiency and with proof by proper medical documentation, reapply to the next scheduled basic program.

5.1.3.2 Exercise administrative and supervisory control over personnel.

5.1.3.3 Recommend and request reassignment of training personnel.

5.1.3.4 Dismiss trainees.

5.1.3.5 Excuse absences of trainees.

5.1.3.6 Delegate authority to a designate.

5.1.4 The director is accountable to the appointing authority for the operation of the training academy or program in compliance with agency policies and regulations relating to it. In a limited sense, the director is accountable to the law enforcement training subcommittee to keep it informed regarding the training program. Normally this will be accomplished through progress reports required under the grant. However, the director might occasionally be asked to appear to discuss with the subcommittee, or request to appear to discuss the training program and make recommendations regarding it.

5.2 All law enforcement instructors shall meet the standards established by the Governor's Committee on Crime, Delinquency and Correction for certification.

5.2.1 Law Enforcement officers and individuals applying for certification as law enforcement instructors who are graduates of a college or university with a bachelors degree must meet the following requirements.

5.2.1.1 Current certification as a law enforcement officer in the State of West Virginia if applicable.

5.2.1.2 Three [3] years of experience as a police officer or direct work experience in the occupation or area in which certification is desired.

5.2.1.3 Sixteen [16] hours of verified training in each subject area in which certification is desired.

5.2.1.4 A written recommendation from the applicant's chief or sheriff, or if a civilian, from a chief or sheriff by whom his/her teaching abilities are known.

5.2.2 Law enforcement officers and individuals applying for certification as law enforcement instructors who are not graduates of a college or university must meet the following requirements.

5.2.2.1 Current certification as a law enforcement officer in the State of West Virginia if applicable.

5.2.2.2 A high school diploma or its equivalent.

5.2.2.3 Six [6] years of experience as a police officer or direct work experience in the occupation or area in which certification is desired.

5.2.2.4 Sixteen [16] hours of verified training in each subject area in which certification is desired.

5.2.2.5 Forty (40) hours of instructor development training approved by the Committee. Included in the course content must be areas of communication, psychology of learning, techniques of instruction, use of instructional aids, preparation and use of lesson plans, preparing and administering tests.

5.2.2.6 A written recommendation from the applicant's chief or sheriff, or if a civilian, from a sheriff or chief from whom his/her teaching abilities are known.

5.2.3 Firearms instructors, in addition to other required qualifications, must have extensive experience in the area of firearms and must have completed a firearms instructor school, of not less than five days, approved by the Governor's Committee on Crime, Delinquency and Correction.

5.2.4 Members of the Bar, the medical profession and other similar professions; high school, community or junior college, college and university faculty members; certified emergency medical care or advanced first aid instructors; and employees of U.S. governmental agencies, or of state or local agencies which have police regulatory power and whose training assignments are of such short duration as to make certification impractical, are exempt from the certification process.

5.3 Certified law enforcement instructors must instruct at least a two hour block in a Committee certified in-service program every twenty-four (24) months from date of original certification in order to keep instructor certification active, or attend, at a minimum, a four (4) hour program on teaching updates or additional training in subject areas in which individual is certified to instruct, within twenty-four (24) months of the original instructor certification.

5.4 Instructors placed on inactive status must, within thirty-six (36) months, attend a teaching update program or teach a two hour block in a Committee approved program under the direct supervision of an active certified instructor. Failure to obtain one of the above in the time periods described will result in the instructor certification being voided by the Committee.

5.5 Firearms instructors must instruct at least a two hour block in a department recognized firearms certification program, either in a firearms associated classroom presentation or actually on the firearms range every twenty-four months from the date of original instructor certification in order to keep instructor certification active; or attend at a minimum a four hour program on teaching updates or additional training in subject areas in which individual is certified to instruct within twenty-four (24) months of original instructor certification date.

5.6 Firearms instructors placed on inactive status must within thirty-six (36) months from date of original instructor certification, attend a teaching update program or teach in a department recognized firearms program under the direct supervision of an active firearms instructor. Failure to obtain one of the above during the time periods described will result in instructor certification being voided by the Committee.

5.7 The Governor's Committee on Crime, Delinquency and Correction, at its discretion and upon the recommendation of the Law Enforcement Training Subcommittee, may waive any part(s) of the requirements if it finds a person, although not meeting all of the eligibility requirements, is otherwise qualified to be an instructor.

5.8 Law Enforcement Instructor Certification is valid for a period of forty-eight (48) months from the date of approval for instructors on active status. These dates appear on the Instructor Control Form.

5.9 The Governor's Committee on Crime, Delinquency and Correction may, at its discretion and upon the recommendation of the Law Enforcement Training Subcommittee, revoke an instructor's certification:

5.9.1 When an instructor is found to be no longer qualified;

5.9.2 When an instructor is terminated or asked to resign or resigns instead of being discharged for cause by his employer;

5.9.3 When a recommendation to revoke certification is made by a director of a training program certified by the Law Enforcement Training Subcommittee, or by the instructor's employer for failure to provide adequate instruction; or

5.9.4 For falsified or omitted information required on the application for instructor certification.

5.10 The duties, responsibilities, and authority are as outlined by the regulations or guidelines of the agency under to which the training is directed and conducted.

5.11 Instructors are accountable initially to a first-level supervisor if one exists. If there are no first level supervisors, they will be accountable to the director of the academy of training.

5.12 Instructor standards are applicable to the Basic Training Academy, Annual In-Service, and Biennial In-Service Training.

Section 6 Policies

6.1 Attendance at all classes and class functions is required unless excused by the director or his designate. Absences will be excused for illness or injury of the officer, for serious illness or death in the officer's immediate family, or for other causes approved by the director. An unexcused absence constitutes grounds for dismissal. Work missed while absent shall be made up.

6.2 Classes may be audited by law enforcement officers if space is available.

6.3 The minimum passing grade on examination is 70% and an average of 70% must be maintained for graduation and certification. Make-up examinations will be given within three to five days. In the event the trainee passes the make-up examination, he/she shall be retained in the training program

with the understanding that his/her academic standing shall reflect the score obtained on the original examination which will be recorded on the individual's class record.

6.4 Withdrawal from the academy may be necessary because of injury or extended illness. Re-entry to the basic training program shall be at the discretion of the director of training. Those who voluntarily withdraw or who are withdrawn by their agency, unless for good cause, must enter at the beginning of a later program.

6.5 Officers may be dismissed at the discretion of the director of training because of scholastic failure, disobedience of staff orders, a flagrant or repeated violation of academy regulations, or misconduct.

6.5.1 Written notice of dismissal shall be given by the academy director or director of training to the head of the agency employing the dismissed officer. A copy of the written notice will be given to the affected officer and a copy sent to the Executive Director of the Governor's Committee on Crime, Delinquency and Correction.

6.5.2 Any person dismissed for reasons other than scholastic failure has the right to appeal. The initial appeal shall be to the head of the agency or department sponsoring the training. If necessary, a subsequent appeal shall be to the Governor's Committee on Crime, Delinquency and Correction in accordance with the Administrative Procedures Act.

6.6 The trainee's salary, while undergoing training, and his travel cost to and from the training site, will be the responsibility of the trainee or the employing agency. Cost of training uniforms, fatigues and other personal equipment needed will either be paid for by the trainee or the employing agency.

6.7 Cost for food, lodging and training materials for trainees attending a live-in basic training academy may be paid by the Governor's Committee on Crime, Delinquency and Correction.

6.8 Other cost will be reviewed by the subcommittee upon submission of grant application in accordance with state regulations.

Section 7 Annual In-Service Training Standards

7.1 Standards for annual in-service and biennial supervisory level training facilities are similar to those for basic training but are less rigid because of the short duration and narrower scope of the training programs. While some flexibility in the selection of training sites is authorized, all in-service programs approved and supported by the Governor's Committee on Crime, Delinquency and Correction must be conducted in adequate and proper facilities. Approval of the training subcommittee of all such locations is required if financial support or credit to maintain certification standards is expected. When financial support or certification credit is not requested, these training standards do not apply.

7.2 The classroom used must comfortably accommodate the maximum number of trainees attending and must be approved by the training subcommittee. ~~at least sixty days in advance of the starting date.~~

7.3 Seating shall be of comfortable design and of sufficient size to accommodate adults.

7.4 Desks or tables shall have smooth, level tops of a width of not less than twenty inches. Tablet arm chairs, if used, must be of such size as to comfortably permit notetaking.

7.5 Artificial lighting shall be such as to provide good visibility under normal environmental conditions. Day lighting shall be controllable by dark drapes or shades to permit the use of audio visual training aids.

7.6 Adequate ventilation and seasonal temperature control shall be provided in the classroom.

7.7 Acoustics shall be adequate to enable the speaker to be heard from any place in the used area of the classroom. A public address system must be provided if needed.

7.8 Display surfaces and chalk boards shall be sufficient in size and so positioned as to permit adequate viewing by trainees seated in the rearmost used area of the classroom.

7.9 The classroom must be equipped with a lectern of some type and sufficiently large enough to accommodate lecture materials.

7.10 Audio visual training aids required to conduct any part of the training program must be on hand and operable when needed.

7.11 Separate restrooms for both sexes must be available.

7.12 Adequate parking space shall be provided and be located within reasonable walking distance of the training location.

Section 8 Annual In-Service Curriculum

8.1 Until further action by the Governor's Committee on Crime, Delinquency and Correction, annual in-service training funded by the Committee shall consist of eight classroom hours, exclusive of firearms refresher training and qualification.

8.2 It shall be the responsibility of each law enforcement agency to require, at a minimum, annual firearms qualification for all its members.

8.3 To qualify for funding and/or credit for continued certification, all curricula shall be approved by the Governor's Committee on Crime, Delinquency and Correction.

8.4 The training must be given in two hour minimums and may be given in four two-hour or two four-hour sessions or in one eight-hour session.

8.5 Subject matter must include the majority of subjects included in the basic training curriculum or other subjects of a specialized nature. Successful completion is required of all non-exempt personnel. It may be carried out in one or more of the following manners:

8.5.1 Through a common curriculum developed by the Governor's Committee on Crime, Delinquency and Correction and conducted on a statewide basis.

8.5.2 Through regionally developed curricula with programs conducted at locations within the regions.

8.5.3 Through curricula developed and programs conducted by the larger agencies within an area for their own needs but which the smaller agencies in the area can attend.

8.5.4 Through curricula developed by an agency addressing the agency's particular needs, or the needs of units within the agency, and to be attended primarily or entirely by the agency's personnel.

8.6 Requests for training funds and/or curricula approval shall, in addition to the curricula, list the program objectives, the names, titles and agencies of the instructors, the date and time scheduled, the facility at which the training will be conducted, and the name, title, and agency of the person in charge of the training.

8.7 Regulations of the host agency will govern the conduct of the training program; however, each officer is required to attend and complete the full eight-hour program and, if examinations are given, a grade of not less than 70% must be obtained if credit is to be given.

Section 9 Biennial In-Service Supervisory Training

9.1 Under the law, only sergeants and those above the rank of sergeant are recognized as exempt rank. First-level supervisors in the Department of Public Safety and in several sheriffs' departments hold the rank of corporal, and personnel of this rank are required to take annual in-service training. They may, at the discretion of the head of their law enforcement agency, also attend the biennial in-service supervisory training.

9.2 Supervisory level in-service training shall consist of a minimum of eight classroom hours, exclusive of firearms refresher or qualification courses.

9.3 It shall be the responsibility of each law enforcement agency to require, at a minimum, annual firearms qualification for all its members.

9.4 First level supervisors must not only learn and know how to discharge the responsibilities of that position effectively, but they must keep abreast of the work performed by those supervised.

Section 10 Supervisory Training Curriculum

10.1 The curricula for supervisory personnel may occasionally include some subject matter that is applicable to annual in-service training, or the supervisors may wish to voluntarily attend annual in-service classes.

10.2 Curricula for supervisory training should include some of the following subject matter but need not necessarily be limited to it: the role of the supervisor, supervisor/subordinate relationships, leadership, decision making, discipline, motivating/improving, reporting, interpersonal communications, the supervisor as a trainer, productivity, job stress, morale, evaluation of employee performance, budgeting and management by objectives.

Section 11 Staffing

11.1 Instructors in all in-service training where training funds or certification credit is desired, shall meet the standards established by the Governor's Committee on Crime, Delinquency and Correction for certification.

Section 12 Policies

12.1 Trainees are expected to commute to training sites with travel expenses being paid by their employing agencies.

12.2 Training materials, other than writing materials, will be provided by the Governor's Committee on Crime, Delinquency and Correction.

12.3 The rate of pay for instructors will not exceed \$15.00 per classroom hour. Preparation time will not be paid. Travel expenses will be paid in accordance with state travel regulations. The rate of pay for instructors in supervisory level in-service training programs will not exceed current state guidelines for consultant services and will require prior committee approval.

12.4 An agency may be reimbursed by the Governor's Committee on Crime, Delinquency and Correction when providing an instructor for an approved training program. Reimbursement will be provided for the instructor's classroom time and travel costs.

Section 13 Certification of Law Enforcement Officers

13.1 The certification of each law enforcement officer is reviewed annually following the first certification and until such time as the officer achieves exempt rank.

13.2 Certification may be revoked or not renewed if any law enforcement officer fails to attend annually an in-service training program, or if an officer of exempt rank fails to attend biennially an approved in-service supervisory level training program.

13.3 It is the responsibility of the Governor's Committee and the head of each West Virginia law enforcement agency to insure employee compliance with the law.

13.4 The Governor's Committee must receive pertinent information from law enforcement agencies, basic training academies and individual officers. Law enforcement agency heads are expected to provide written notice of employment or termination of employment of officers in their department giving full name and social security number, written notice of the status of annual in-service and supervisory in-service training, listing the name or names of anyone failing to meet the Governor's Committee requirements, and notification of the results of annual firearms qualification which shall include the full name and social security number of anyone failing to qualify with firearms.

13.5 Agency heads may request certification of certifiable personnel of their departments, but this is a legal requirement of the individual officer.

13.6 Individual officers successfully completing the basic academy program must make written application to the Governor's Committee within thirty days of completion of the training program requesting certification.

13.7 Individual officers beginning employment on or after the effective date of the law, who are certifiable of an equivalent or greater course of instruction, must make application to the Governor's Committee for certification within ninety days of employment.

13.8 The director of the state police academy or other basic training academies are requested to promptly provide the names of officers and their agencies successfully completing or failing to complete the basic training program.

Section 14 Equivalent Certification

14.1 Applicants for certification as law enforcement officers in the State of West Virginia by the equivalent training provision must:

14.1.1. Have completed a POST approved Basic Entry level training program.

14.1.2. Have been certified as a law enforcement officer in the state basic entry level training was completed.

14.1.3. Have left employment as a law enforcement officer within the last 36 months.

14.1.4. Have never been convicted of any felony, or misdemeanor involving moral turpitude or of sufficient member as to establish a general disregard for the law.

14.1.5. Have made a timely application for certification via the equivalent training provision of the law.

14.1.6. Complete the following basic entry level courses on a part time basis within twelve (12) months from the date of application:

14.1.6.A. Firearms Training and Certification

14.1.6.B. Defensive Driving

14.1.6.C. Mechanics of Arrest

14.1.6.D. Law of Arrest, Search and Seizure

14.1.6.E. West Virginia Motor Vehicle Law

14.1.6.F. Criminal Law

Section 15 Continued Certification

15.1.1. Police officers who have been separated from a law enforcement agency in good standing for not more than thirty-six (36) months.

15.1.2. Who were certified under the provisions of Chapter 30, Article 29, Section 5 of the West Virginia Code.

15.1.3. May be reappointed as a police officer by a law enforcement agency.

15.1.4. Will not be required to meet entrance level standards again if:

15.1.4.A. Within 30 days from the date of employment the officer attends and completes the mandated in-service training for the period and rank.

15.1.4.B. Within 30 days from the date of employment the officer qualifies with his firearm.

15.2.1. Police officers who have been separated from a law enforcement agency in good standing for more than thirty-six (36) months.

15.2.2. Who were certified under the provisions of Chapter 30, Article 29, Section 5, of the West Virginia Code.

15.2.3. May be reappointed as a police officer by a law enforcement agency.

15.2.4. Will be required to attend and successfully complete at the next available basic training class, or no more than twelve (12) months from date of employment:

15.2.4.A. Firearms Training and Certification

15.2.4.B. Defensive Driving

15.2.4.C. Mechanics of Arrest

15.2.4.D. Law of Arrest, Search and Seizure

15.2.4.E. West Virginia Motor Vehicle Law

15.2.4.F. Criminal Law Update

Section 16 Certification Denial

16.1. The GCCDC, upon the recommendation of the Law Enforcement Training Subcommittee, may suspend, revoke, or deny certification of a law enforcement officer:

16.1.1. Who was convicted of any state or by the federal government of any crime the punishment for which could have been imprisonment in a federal or state prison or institution:

16.1.2. Who was convicted of or pleaded guilty to or entered a plea of nolo contendere to any felony charge or to any violation of any federal or state laws or city ordinances, or to a sufficient number of misdemeanors to establish a pattern of disregard for the law;

16.1.3. Who was found to have supplied or acquiesced in false information being supplied to the Committee, Subcommittee or hiring authority;
or

16.1.4. Fail to participate in mandated in-service training required for rank.