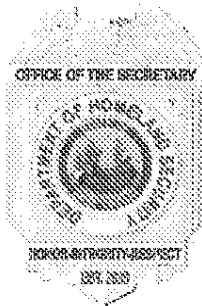


STATE OF WEST VIRGINIA
DEPARTMENT OF HOMELAND SECURITY
Building 1, Suite W-409
1900 Kanawha Blvd., East
Charleston, West Virginia 25305
Established May 28, 2020



OFFICE OF THE CABINET SECRETARY
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July 28, 2023

West Virginia Secretary of State
1900 Kanawha Boulevard, East
West Virginia State Capitol Complex
Charleston, West Virginia 25305

Re: Proposed Withdrawal of 149 CSR 10 – Sexual Assault Forensic Examinations Rule

To Whom It May Concern:

On July 27, 2023, it was brought to the attention of the Sexual Assault Forensic Examinations (“SAFE”) Commission, Division of Administrative Services/Justice and Community Services/Governor’s Committee on Crime, Delinquency and Correction and counsel that the Emergency Meeting held by the SAFE Commission on June 28, 2023, was inadvertently improperly noticed in conjunction with the Open Governmental Meetings Act.

At the June 28, 2023, Emergency Meeting, the SAFE Commission voted to have the Sexual Assault Forensic Examinations rule notice filed with the Secretary of State. Also, on June 28, 2023, the rule was notice filed with the Secretary of State noting the public comment period was to end on July 28, 2023, at 9:00 am.

A properly noticed Emergency Meeting was held by the SAFE Commission on July 28, 2023, at noon. During the meeting the SAFE Commission voted to withdraw the Sexual Assault Forensic Examinations rule, 149 CSR 10, and to schedule a properly noticed meeting of the SAFE Commission to vote to file the rule.

It is the intention of the SAFE Commission to re-file the rule after a properly noticed meeting is scheduled and conducted to initiate the rule-making process again from the beginning.

If you have any questions or concerns regarding the content of this letter, please reach out to the SAFE Commission, Division of Administrative Services/Justice and Community Services/Governor’s Committee on Crime, Delinquency and Correction or counsel of record.

Sincerely,

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