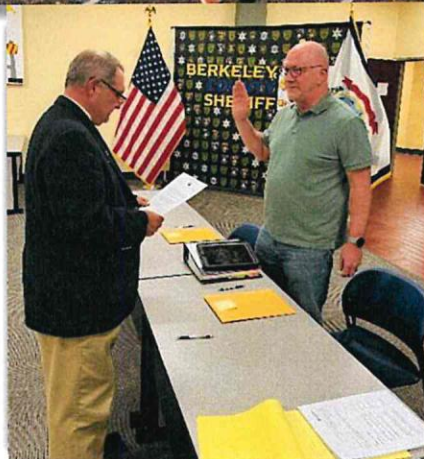
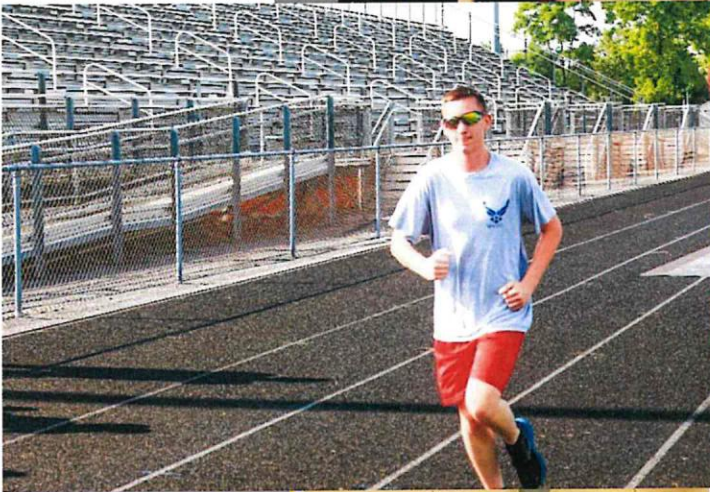


2024 Annual Report



Berkeley County Deputy Sheriff Civil Service Commission

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Mission Statement

The Berkeley County Deputy Sheriff Civil Service Commission is dedicated to ensuring a fair, transparent, and merit-based process for the recruitment, promotion, and retention of Deputy Sheriffs. We strive to uphold the highest standards of integrity, professionalism, and accountability, supporting the Berkeley County Sheriff's Office in its mission to serve and protect the community.



Vision Statement

Our vision is to be a model of excellence in civil service governance, fostering a culture of fairness, trust, and continuous improvement. We aim to empower a highly skilled and diverse law enforcement workforce that is committed to public service, enhancing community safety, and building lasting confidence in our justice system.

Foundation for the Submitting Annual Report

The Annual Report is being submitted in accordance with West Virginia State Code §7-14-6 (6), which states: *Make an annual report to the county court and sheriff showing its own actions, its rules and regulations, including all exceptions thereto in force, and the practical effects thereof, and any suggestions it may have for the more effectual accomplishment of the purposes of this article. Such report shall be available for public inspection five days after it shall have been delivered to the county court and sheriff.*

This report provides a comprehensive overview of the commission's activities and initiatives undertaken over the past year in compliance with statutory requirements. Through this submission, we reaffirm our commitment to transparency, accountability, and the continued fulfillment of our mission.

Welcome from Commission President Dale A. Buck, Esq.



On behalf of the Berkeley County Deputy Sheriff Civil Service Commission and support staff, I am proud to present the 2024 Annual Report.

Berkeley County can take great pride in the progress we have made through the efforts of the Deputy Sheriff Civil Service Commission—not only over the last year but over the many years this Commission has been serving our community. Together, we have worked diligently to support the Berkeley County Sheriff's Office by advancing initiatives that ensure fair hiring, promotion, and employment practices while upholding the highest standards of professionalism and integrity.

As we move forward, the Commission remains focused on enhancing our processes, including adopting modernized testing and evaluation methods, to better serve the needs of the Sheriff's Office and the citizens of Berkeley County. These investments not only support the dedicated men and women of law enforcement

but also strengthen public trust in the systems that protect our community.

This report is a testament to the hard work of the Civil Service Commission and those who collaborate with us to maintain a safe and thriving county. I hope it reflects the dedication and commitment of everyone involved in ensuring a strong foundation for the Sheriff's Office.

I am proud to share the achievements we have made together over this past year and look forward to continuing this important work in the service of Berkeley County.

Sincerely,

DALE A. BUCK, ESQ

President, Civil Service Commission

Civil Service Meetings:

Regular meetings of the Civil Service Commission are normally held the third Wednesday of every month in the County Commission Chambers, 400 W. Stephen St., Suite 205, Martinsburg, WV 25401. The public can view the sessions of the Civil Service Commission in-person and online via YouTube.

During the calendar year of 2024, the Civil Service Commission met ten (10) of the twelve (12) months, not meeting in February & June.

Meeting agendas are posted in advance on the County website <https://berkeleywv.org/> in compliance with West Virginia Open Governmental Meetings Act. Meeting minutes are posted to <https://www.berkeleywv.org/AgendaCenter> once signed as approved by the Civil Service Commission.

History of the West Virginia Civil Service

The West Virginia Civil Service System for Deputy Sheriffs is governed by West Virginia Code §7-14, which was created to establish standardized hiring, promotion, and discipline procedures for deputy sheriffs across the state. Here is a brief snapshot of history of its origin, development, and purpose:

1. Creation of the Civil Service System for Deputy Sheriffs:

- a. The Civil Service system for deputy sheriffs in West Virginia was established in 1949 with the passage of House Bill 223. It became effective on June 9, 1949.
- b. The law was designed to ensure that the employment and promotion of deputy sheriffs were based on merit and fitness, rather than political affiliation or favoritism.

2. Purpose and Intent. The Civil Service System was created with the following objectives:

- a. Merit-Based Employment: To eliminate patronage and political influence in the hiring and promotion of deputy sheriffs.
- b. Professionalism: To foster a professional and competent law enforcement workforce.
- c. Fair Discipline: To provide a structured, fair, and transparent process for disciplinary actions and appeals.
- d. Standardization: To ensure uniformity in employment practices across counties in West Virginia.

3. Key Provisions in the Code. The Civil Service system is codified in West Virginia Code Chapter 7, Article 14. Some of its main features include:

- a. Civil Service Commissions: Each county with a civil service system must have a three-member commission to oversee hiring, promotions, and grievances.
- b. Examinations: Hiring and promotions are based on competitive written examinations.
- c. Eligibility Lists: Successful candidates are placed on eligibility lists ranked by their scores.
- d. Probationary Periods: New hires must complete a probationary period before being fully appointed.
- e. Protections Against Dismissal: Deputies cannot be dismissed, suspended, or demoted without just cause.
- f. Appeal Rights: Deputies have the right to appeal disciplinary actions to the Civil Service Commission.

4. Why It Was Created:

- a. Historical Context: Before the Civil Service system, hiring and promotions for deputy sheriffs in West Virginia were often subject to political patronage, nepotism, and favoritism. This led to inconsistent standards and perceived corruption in law enforcement hiring practices.

- b. Reform Movement: The establishment of the Civil Service system for deputy sheriffs was part of a broader national reform movement in the mid-20th century to professionalize government and law enforcement jobs.
- c. Public Trust: The law aimed to increase public confidence in law enforcement by ensuring that deputies were selected and promoted based on qualifications and not political connections.

5. Amendments and Updates. Since its enactment in 1949, Chapter 7, Article 14 has been amended several times to address changes in law enforcement practices and modernize its provisions:

- a. 1970s-1990s. Amendments were introduced to further refine the hiring and promotion process, including the use of updated examination methods and enhanced protections for deputies.
- b. 2023. The West Virginia State code was changed to delete a residency requirement.
- c. 2024. A change was made to delete an upper age requirement.

6. Modern Relevance. Today, the Civil Service System for deputy sheriffs continues to serve as the foundation for fair and standardized personnel management within sheriff's departments in West Virginia. Its principles remain essential for maintaining integrity and professionalism in law enforcement.

Executive Summary

The Berkeley County Deputy Sheriff Civil Service Commission Annual Report for the year 2024 outlines our ongoing commitment to maintaining a fair, transparent, equitable, and efficient civil service system. This report highlights our key activities, recent decisions, and future objectives, reflecting our dedication to supporting the Berkeley County Sheriff's Office and the community we serve.

Key Activities and Achievements:

1. Recruitment and Promotions:

- Conducted recruitment and promotional processes, ensuring all candidates met the necessary qualifications and standards.
- Selected Stanard & Associates as the new testing vendor to enhance the quality and relevance of future promotional examinations. This selection marks a significant step toward improving the promotional process for deputy sheriffs.

2. Rules and Regulations Update. Progressed substantially in the comprehensive review and revision of the Civil Service Rules and Regulations. While the review is nearing completion, the updated rules will ensure clarity, fairness, and alignment with modern best practices once finalized.

3. Community Engagement. Maintained strong engagement with local stakeholders, seeking their feedback and ensuring that our processes align with community expectations and needs.

4. Challenges and Opportunities. The selection of Stanard & Associates as a test vendor represents a significant opportunity to improve the promotional examination process. However, the full implementation and integration of the new vendor will require careful planning and execution in the coming year. Additionally, the near completion of the Rules and Regulations review will solidify our framework for fair and effective civil service operations.

The Berkeley County Deputy Sheriff Civil Service Commission remains dedicated to upholding the principles of merit and equity in all its operations. With the near completion of the Rules and Regulations review and the strategic selection of a new testing vendor, we are well-positioned to support the continued growth and development of the Sheriff's Office and serve the citizens of Berkeley County effectively.

This report provides a detailed overview of our activities, achievements, and the challenges we faced over the past year. It also outlines our strategic goals for the upcoming year as we strive to support a professional, capable, and diverse law enforcement workforce.

Commissioners & Support Staff of Berkeley County Deputy Sheriff Civil Service Commission



Commissioner Dale Buck, ESQ is a resident of Berkeley County since 1988. Graduate of WVU undergrad and Law. He has served as Municipal Court Judge for the City of Martinsburg since 2017. Dale has a deep commitment to his profession; Dale has built a strong reputation for providing legal services across various areas, particularly in civil and criminal law. He has served on the Civil Service Commission since 2023

Commissioner James Moffitt has been a resident of Berkeley County for over 25 years. He is originally from Michigan and a graduate of Lake Superior State University in Sault Ste Marie Michigan. James is a retired professional who dedicated over 31 years to the Internal Revenue Service within their Information Technology Division where he held many positions including a senior

manager and supporting multiple buildings within the Headquarters division located in Washington DC and surrounding areas. James Moffitt continues to serve his community as a dedicated member of the Berkeley County Ambulance Authority, as well as a dedicated volunteer and Board Member for Berkeley County Meals on Wheels non-profit. He has served on the BCSDCSC since 2021.



Commissioner Stephen D. Dopson is a resident of Berkeley County. He is a graduate of Jefferson High School. Stephen D. Dopson is a Certified Public Accountant (CPA) based in Martinsburg, West Virginia. He is the principal of Dopson & Associates, PLLC, a full- service tax, accounting, and business consulting firm. Commissioner Dopson served as the President for the calendar year of 2024. He has served on the Civil Service mission since 2022.

Ex officio Clerk of the Berkeley County Deputy Sheriff Civil Service Commission

The Honorable Anthony “Tony” J. Petrucci, is a lifelong resident of Berkeley County and is the County Clerk of Berkeley County, West Virginia, serving since 2023. A graduate of Hedgesville High School and Shepherd (College) University, Tony is a former entrepreneur of Petrucci Ice and served as a Berkeley County Commissioner from 2009 to 2014. As County Clerk, he is dedicated to improving accessibility and modernizing services for the community he proudly calls home.



Administrative Assistant to the Berkeley County Deputy Sheriff Civil Service Commission

Deputy County Clerk John Alderton is a lifelong resident of Berkeley County and resides in Arden. He is a graduate of Martinsburg High School and attended Shepherd University. He’s a past Chief of Security Forces for the 167th Airlift Wing, Martinsburg, WV, where he served in that capacity for 22 years. Additionally he retired from the West Virginia Air National Guard with 31 years of military service, and retired as a Chief Master Sergeant.

Primary Responsibilities of the Civil Service Commission

In accordance with Chapter 7, Article 14 of the West Virginia State Code the Berkeley County Deputy Sheriff Civil Service Commission's key duties include: the establishment, maintenance, and enforcement of merit-based employment practices for deputy sheriffs. This ensures that all appointments, promotions, and disciplinary actions within the Berkeley County Sheriff's Office are conducted in a manner that is fair, impartial, and consistent with the principles of merit and fitness.

In West Virginia, the responsibilities of the Civil Service Commission for Deputy Sheriffs are outlined in Chapter 7, Article 14 of the West Virginia Code. Key duties include:

1. **Rulemaking:** Establish and enforce rules to implement civil service provisions, with the authority to amend as necessary.

2. **Record Keeping:** Maintain minutes of proceedings, examination records, and other official actions. Recommendations for applicants are preserved for ten years and are accessible to the public under reasonable regulations.

3. **Investigations:** Conduct inquiries into matters related to civil service enforcement, including the actions of examiners or public service individuals. Commissioners have the authority to administer oaths and gather testimony during these investigations.

4. **Subpoena Power:** Summon witnesses and require the production of pertinent documents for investigations. Non-compliance can be addressed as contempt of court.

5. **Position Classification and Promotion:** Develop plans for position classifications and promotions within the deputy sheriff's department.

6. **Annual Reporting:** Submit yearly reports to the county court and sheriff detailing the commission's actions, rules, and any recommendations for improving civil service processes. These reports are made available for public inspection.

7. **Examinations:** Organize competitive and medical examinations for deputy sheriff positions, ensuring appointments and promotions are merit-based. A probationary period of twelve months is mandated for all original appointments.

These responsibilities ensure that civil service commissions in West Virginia operate transparently and effectively, upholding the principles of merit and fairness in public service employment.

Year in Review

January 1, 2024 – December 31, 2024

1. **Resignations/Retirements**. In 2024, five (5) members (Hott, Roberts, Steerman, Yoder & Wright) of the Berkeley County Sheriff's Office retired or resigned from their positions. These departures reflect a variety of circumstances, and the Commission worked closely with the Sheriff's Office to address the need for replacements. The Berkeley County Sheriff's Office, along with the Civil Service Commission remains focused on recruiting and promoting qualified candidates to ensure the department continues to meet the needs of the community effectively.

2. **Promotional Testing**. In 2024, the Berkeley County Deputy Sheriff Civil Service Commission offered promotional opportunities for the Ranks of **Lieutenant, Sergeant, and Corporal**. The promotional process evaluated candidates based on objective criteria to ensure fairness and transparency.

a. **The process included:**

(1) **Written Examination (55%)**: Candidates were tested on knowledge and skills relevant to the rank they sought.

(2) **Years of Service (25%)**: Points were allocated based on the candidate's tenure with the department.

(3) **Evaluations (20%)**: Candidates' last two years of performance evaluations were factored into their final scores.

b. **Key Highlights:**

(1) **Corporal Testing:**

(a) **Test Date**: March 25, 2024

(b) **Eligible Candidates**: 20 deputies

(c) **Candidates Who Tested**: 14 deputies

(d) **Test Date**: May 20, 2024

(e) **Eligible Candidates**: 24 deputies

(f) **Candidates Who Tested**: 8 deputies

(2) **Sergeant Testing:**

(a) **Original Test Date:** May 20, 2024. Both eligible Corporals were unable to sit for the exam, leading to rescheduling.

(b) **Rescheduled Test Date:** June 13, 2024

(c) **Eligible Candidates:** 2 Corporals

(d) **Candidates Who Tested:** 1 Corporal

(3) **Lieutenant Testing:**

(a) **Test Date:** May 20, 2024

(b) **Eligible Candidates:** 2 Sergeants

(c) **Candidates Who Tested:** 1 Sergeant

(4) **Promotion Summary for 2024:**

(a) **Corporal:** Two Deputies (Wilmer & Pierce) were promoted to the Rank of Corporal.

(b) **Sergeant:** One Corporal (Richie) was promoted to the Rank of Sergeant.

(c) **Lieutenant:** One Sergeant (Boothby) was promoted to the Rank of Lieutenant.

c. **Process Reflection and Improvements.** The promotion process was successfully conducted with adherence to the scoring criteria. Moving forward, the Commission will focus on addressing scheduling challenges and encouraging broader participation to ensure all eligible candidates have the opportunity to advance.

Promotional testing continues to uphold the integrity of leadership appointments within the Berkeley County Sheriff's Office while fostering professional growth and development.

3. **Open Entry Testing.** In 2024, the Berkeley County Deputy Sheriff Civil Service Commission conducted **four open entry testing cycles** to recruit new deputy sheriff candidates. These tests ensure the most qualified and capable individuals are identified for service within the Berkeley County Sheriff's Office.

a. The open entry testing process includes:

(1) **Physical Agility Test:** A Physical Agility Test is administered to all applicants for the

position of Deputy Sheriff, unless the applicant is a Pre-Certified Law Enforcement Officer (LEO) whom is otherwise exempt. The standards for this examination are derived from the Physical Ability Standards as set forth by §149CSR2 (Title 149; Legislative Rule, Governor's Committee on Crime, Delinquency and Correction, Series 2, Law Enforcement Training and Certification Standards), which consist of:

- eighteen push ups, within one (1) minute
- twenty-eight sit ups, within one (1) minute
- mile and a half (1 ½) run within 14 minutes and 36 seconds (14:36)

(2) **Written Examination:** All applicants undergo a two (2) hour written examination, where their score is evaluated and based on an 84 question written examination which consists of:

- Basic Mathematics 12 Questions
- Interpersonal Relations and Dealing With People 15 Questions
- English Usage (Grammar/Spelling) 20 Questions
- Accident Diagrams and Maps 10 Questions
- Reading Time Schedule Information and Forms Completion 7 Questions
- Reading Comprehension 20 Questions

b. Key Highlights

(1) **February 24, 2024.** It's unknown how many applications were actually handed out or downloaded. However, we do know is six-teen (16) applications were returned by the cut-off date, of Wednesday, February 14, 2024. This resulted in six-teen (16) applicants being eligible to test. Unfortunately, out of the six-teen (16) only ten (10) applicants actually reported for the physical agility test. Out of the ten (10) three (3) applicants failed (1-on push ups, 1-on sit ups and 1-on mile and a half run). This left a balance of seven (7) applicants to take the written examination. However, only three (3) of those seven (7) passed the written examination.

(2) **August 3, 2024.** It's unknown how many applications were actually handed out or downloaded. However, we do know twenty-three (23) applications were returned by the cut-off date, of Thursday, July 18, 2024. This resulted in twenty -three (23) applicants being eligible to test. Out of the twenty-three (23) eligible, we had recieved notification, prior to test date that six (6) would not be reporting for various reasons to test. Thus leaving seven-teen (17) applicants to test. Unfortunately, out of the seven-teen (17) only ten (10) applicants actually reported for the physical agility test. Out of these ten (10) we had one person who failed (on push ups). This left a balance of nine (9) applicants to take the written examination. However, only six (6) of those nine (9) passed the written examination. **NOTE:** One (1) applicant passed, as result of being awarded 5 points, due to being a pre-certified officer.

(3) **October 26, 2024.** It's unknown how many applications were actually handed out or downloaded. However, we do know nine (9) applications were returned by the cut-off date, of Thursday, October 10, 2024. Out of the nine (9) eligible, we recieved notification, prior to test date that four (4) would not be reporting for various reasons to test. Thus leaving five (5) applicants to test. Unfortunately, out of the five (5) only four (4) applicants actually reported for the physical agility test. Out of these four (4) only two (2) were required to undergo the physical agility test, as the other two (2) were previously certified law enforcement officers (LEOs). Out of the two (2) who were required to complete the physical agility test, one (1) of them failed (on sit-ups 26 instead of the required 28). This left a balance of three (3) applicants to take the written examination.

However, only two (2) those passed the written examination. **NOTE:** Two (2) applicants passed, as result of being awarded 5 points, due to being a pre-certified officer and one of the applicants was award 10 points for both veterans points and being a previously certified law enforcement officer.

(4) **December 14, 2024.** It's unknown how many applications were actually handed out or downloaded. However, we do know six (6) applications were returned by the cut-off date, of Thursday, November 26, 2024. This resulted in six (6) applicants being eligible to test. Out of the six (6) eligible, all six (6) did report for testing on December 14, 2024. Out of these six (6) only four (4) were required to undergo the physical agility test, as the other two (2) were previously/currently certified law enforcement officers. Out of the four (4) who were required to complete the physical agility test, two (2) of them failed the 1 ½ mile run. This left a balance of four (4) applicants to take the written examination. However, only two (2) of those passed the written examination.

The Commission remains committed to maintaining rigorous and fair standards in the recruitment process, ensuring only the most dedicated and qualified individuals join the Berkeley County Sheriff's Office.

(5) Summary for 2024:

- a. Number of Applications Returned: **54**
- b. Number of Applicants to Undergo the Physical Agility Testing: **27**
- c. Number of Applicants to Pass the Physical Agility Testing: **20**
- d. Number of Previously-Certified Officers Not Required to Undergo the Physical Agility Testing: **8**
- d. Number of Applicants to Fail the Physical Agility Testing: **7**
- e. Number of Applicants to Undergo the Written Examination: **23**
- f. Number of Applicants to Pass the Written Examination: **13**
- g. Number of Applicants to Fail the Written Examination: **10**
- h. Number Applicants requested to be Removed/Stricken from the Eligibility List: **4**
- i. Number of Applicants Hired for the Position of Deputy Sheriff: **5**

4. **Compliance and Legal Matters.** Under West Virginia State Code Â§7-14-11, the Sheriff has the authority to object to one or more individuals on the eligibility list provided by the Civil Service Commission. This process requires the Sheriff to submit a formal request in writing to the Commission, citing reasons outlined in Section 10 of the same article, to have an applicant removed from the list.

Additionally, West Virginia State Code Â§7-14-10 provides a mechanism for applicants to appeal The recommendation made by the Sheriff. If an applicant is denied examination or certification, they may request a public hearing, at which they have the right to present their case either personally or through legal counsel. The Commission is required to schedule a hearing, take testimony, and issue subpoenas for witnesses as requested by the applicant, at the applicants expense.

Requests for Removal in 2024:

Throughout the 2024 calendar year, the Sheriff submitted five (5) requests to remove applicants from the eligibility list:

- May 2024: One (1) applicant was requested to be removed. The applicant did not request a public hearing.

- September 2024: Two (2) applicants were requested to be removed. One (1) applicant requested a public hearing, while the other did not.

Public Hearing October 16, 2024

A public hearing was held on October 16, 2024, for the applicant who requested a review of their removal. In accordance with legal requirements, a notice was published in The Journal under “Legal Notices”. The Civil Service Commission issued three (3) subpoenas for the hearing, summoning Sheriff Blair, Chief Young, and Deputy/Investigator Giangola to provide testimony. Commissioner Dale Buck presided over the hearing, ensuring due process for both the Sheriff and the applicant. The proceedings were also streamed live on YouTube.

On October 23, 2024, the Commission issued its decision. The Commissioners unanimously upheld the Sheriff’s request to remove the applicant from the eligibility list. The applicant was notified of the outcome via certified letter.

- December 2024: Two (2) additional applicants were requested to be removed. One (1) requested a public hearing, which was scheduled for January 15, 2025. However, on December 19, 2024, the applicant formally withdrew their request via email. The second applicant did not request a hearing.

No further removal requests were submitted in 2024.

5. **Promotional Test Vendor** – One of the most significant and time-consuming initiatives in 2024 was the pursuit of a third-party test vendor for promotional examinations for deputies. This issue, designated as **Item Number 2024-0003**, has been a topic of discussion for many years, with minimal progress. The matter was originally highlighted by the Berkeley County Deputy Sheriff’s Association, emphasizing the urgent need for reform in our promotional testing process.

Background:

Historically, deputies have been required to take promotional examinations provided by the West Virginia Division of Personnel (WVDOP). These tests have remained unchanged for over two decades and do not offer any preparatory materials. This lack of updated resources and study guides places deputies at a severe disadvantage, as they must face significant career advancement tests without adequate preparation.

The absence of such essential tools undermines their ability to perform effectively and limits their opportunities for professional growth.

Formal Action and Intensive Effort:

This issue was formally taken up as **Item Number 2024-0003** on March 27, 2024. The Civil Service Commission, along with support staff, aggressively worked on this matter. Numerous meetings were held involving the County Legal Department, the County Administrator, the Deputy County Administrator, along with the Sheriff, and his leadership team. The process included the drafting of several letters, such as cost comparison letters sent to four separate vendors, ensuring that all proposals were evaluated fairly, comparing “apples to apples and oranges to oranges”.

Additionally, permission had to be obtained from the WVDOP to utilize a different test vendor. This critical permission was received in a letter dated December 6, 2024, signed by the Deputy Director of the WVDOP. This approval marked a pivotal step forward in the initiative.

Decision and Future Steps:

At the monthly meeting, on December 18, 2024 of the Civil Service Commission, the commissioners unanimously agreed and voted to pursue Stanard and Associates, based in Chicago, IL, as the new promotional testing company. This decision was made after thorough deliberation and the comprehensive evaluation of the available options.

Current Challenges:

The reliance on the West Virginia Division of Personnel for promotional testing, while cost-free, has its drawbacks—most notably, the absence of study guides and preparatory materials. This deficiency hinders deputies from being thoroughly prepared for their promotional exams, affecting their ability to advance in their careers. In the realm of law enforcement, effective leadership is crucial for operational success, and it is imperative that our personnel are equipped with the necessary resources to excel. Asking our deputies to undertake these critical exams without proper preparation not only places undue stress on them but also diminishes their chances of success. This is an injustice to the dedicated professionals who serve our community.

Importance of Fairness and Preparation:

At times, up to 24 deputies have been eligible to take the First Line Supervisor test. Without proper preparation materials, these deputies face an uneven playing field, which can lead to frustration and decreased morale. Providing all candidates with equitable access to preparatory resources is essential for promoting fairness, boosting morale, and enhancing the overall efficiency of the department. Ensuring that

every candidate has the opportunity to prepare thoroughly will not only reflect positively on the Civil Service process but also foster a more motivated and capable workforce.

Strategic Investment in the Future:

This initiative goes beyond merely updating the promotional exams; it represents a strategic, long-term investment in the future of the Berkeley County Sheriff's Office and, by extension, the safety and well-being of the community. The quality of leadership within the Sheriff's Office has a direct impact on public safety, the effectiveness of law enforcement, and the trust citizens place in their protectors. By prioritizing the provision of comprehensive study materials and modernized testing, we are laying the groundwork for a stronger, more prepared leadership that will serve Berkeley County with excellence.

This initiative underscores our commitment to fairness, preparation, and the continuous improvement of our department, ensuring that our deputies are well-equipped to meet the challenges of their roles and to lead our community effectively into the future.

6. **New Logo & Branding**. We are excited to introduce our new logo, which we revealed at our monthly meeting on Wednesday, December 18, 2024 marking a fresh and professional identity for the Civil Service Commission. While we never had an official logo before, this new design reflects our commitment to growth, innovation, and service. The newly designed logo was created by Mr. Jeff Frye, of the Berkeley County Information & Technology Department, thoughtfully integrates symbols and colors that embody the essence of Berkeley County and its connection to West Virginia.



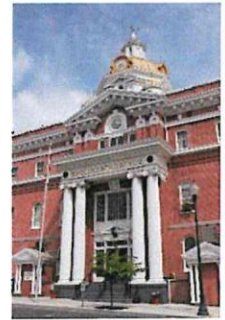
The prominent use of Blue and Gold pays homage to the official colors of the Great State of West Virginia, representing unity, strength, and pride in our state's rich history and culture. At the heart of the logo is the Badge, a powerful emblem that honors the dedication, service, and professionalism of the remarkable men and women of the Berkeley County Sheriff's Office, whose work ensures the safety and well-being of our community.

A star, positioned over the Eastern Panhandle, highlights Berkeley County's geographical location, emphasizing its importance within the state while serving as a beacon of local identity. This deliberate detail not only represents our region but also symbolizes the Commission's role in supporting the Sheriff's Office and the broader community.

Together, these elements unite to form a logo that is not only visually striking but also deeply meaningful, reflecting the values, traditions, and aspirations of Berkeley County. It serves as a proud representation of the partnership between the Commission, the Sheriff's Office, and the community we are honored to serve.

The logo incorporates to symbolize our values of; integrity, community, teamwork. We believe this new look will enhance our presence and help to further connect with the community we serve.

7. Relocation of the Civil Service Office. In a pivotal move towards modernization and enhanced service delivery, the Berkeley County Clerk's Office has transitioned from its historic location at the Historical Courthouse, 100 W. King Street, Martinsburg, WV, to the newly established offices at the Berkeley County Main Administrative Office Building, 400 W. Stephen Street, Suite 103, Martinsburg, WV. This relocation marks a significant milestone in the county's ongoing efforts to improve administrative efficiency and public service.



The final day of operations at the Historical Courthouse was Friday, October 11, 2024. The move was carefully orchestrated over the three-day Columbus Day holiday, allowing for minimal disruption to services. The new office officially opened its doors on Tuesday, October 15, 2024, welcoming staff and the public to a modern and streamlined environment.

The transition to the new location brings numerous benefits. The Main Administrative Office Building provides a contemporary setting with state-of-the-art facilities designed to enhance both employee productivity and customer experience. The upgraded office space includes advanced technological infrastructure, spacious meeting areas, and a layout tailored for efficient workflows.

One of the most significant advantages of the move is the provision of a dedicated private office for the Civil Service Commission. This much-needed space ensures that the commission can conduct its essential functions in privacy, supporting confidential discussions and decision-making processes. The new office environment is conducive to maintaining the integrity and professionalism of the commission's work.

The move from the Historical Courthouse to the Main Administrative Office Building also symbolizes the county's commitment to centralizing its operations for better coordination and resource utilization. By bringing multiple departments under one roof, the county aims to foster greater collaboration and streamline administrative processes, ultimately benefiting the residents of Berkeley County.

While the Historical Courthouse holds a cherished place in the county's history, the relocation to the new facility represents a forward-looking approach. The updated offices reflect the county's dedication to continuous improvement and its readiness to meet the evolving needs of the community in a modern and efficient manner.



This relocation underscores Berkeley County's ongoing efforts to enhance public service delivery. The new offices at the Main Administrative Office Building not only provide a functional and pleasant environment but also signify the county's vision for growth and development in the years to come.

8. Change in Administrative Assistants. In accordance with West Virginia State Code, the Berkeley County Clerk, Anthony "Tony" J. Petrucci, is tasked with providing the Berkeley County Deputy Sheriff Civil Service Commission with all necessary clerical and stenographic services to support its essential work. On March 20, 2024, Mr. Petrucci announced a significant change in the administrative staffing of the commission, transitioning from Ms. Susie Windon to Mr. John Alderton, with the change becoming effective on April 1, 2024.

Ms. Windon faithfully served as the administrative assistant from January 1, 2022, through March 31, 2024. Throughout her tenure, Ms. Windon demonstrated unwavering devotion and diligence in her duties, ensuring the smooth operation of the commission's activities. Her desirable attributes, including attention to detail and an unwavering commitment to excellence, made her an asset to the commission. The Civil Service Commission extends its heartfelt gratitude to Ms. Windon for her dedicated service and wishes her the very best in her future endeavors.

Following Ms. Windon's departure, Mr. John Alderton assumed the role of administrative assistant on April 1, 2024. Mr. Alderton brings a wealth of knowledge and experience to this position, having served previously as a past president of the Civil Service Commission and as an assistant secretary. His deep understanding of the commission's operations, combined with his extensive background in law enforcement and security positions, enabled him as an exemplary choice for this role.

Before his current appointment, Mr. Alderton played a pivotal role as the Installation Chief of Security Police at the 167th Airlift Wing, where he earned a reputation for his leadership and commitment to public safety. His distinguished career culminated in his retirement from the 167th Airlift Wing in 2014, after thirty-one years of dedicated service.

The transition from Ms. Windon to Mr. Alderton represents a thoughtful and strategic decision by the County Clerk, aimed at enhancing the efficiency and effectiveness of the Civil Service Commission's operations. The commission is confident that Mr. Alderton's extensive experience and proven leadership will further strengthen the commission's efforts in serving the Berkeley County Deputy Sheriff's Office and the community at large. This change not only marks the continuation of dedicated service to the commission but also reflects a commitment to maintaining the highest standards of administrative support, ensuring that the Civil Service Commission continues to fulfill its mission with excellence.

9. **Technology.** In collaboration with Mr. Chad Winebrenner, Berkeley County Deputy County Administrator, the county civil service launched a significant initiative aimed at modernizing the application process by transitioning from traditional paper-based application to a robust streamlined online system. This initiative, which officially began in July 2024, focuses on improving efficiency, accessibility, and accuracy in handling applications for various civil service positions.

The new system allows applicants to submit their applications digitally, directly transmitting their information to the civil service office. This not only enhances the readability of applications but also reduces the potential for errors and miscommunication that can occur with paper submissions. Moreover, applicants can conveniently upload all required supporting documents, such as resumes, certifications, and identification, ensuring a more comprehensive and organized application package.

By adopting this digital approach, the county aims to provide a more user-friendly experience for applicants while also streamlining internal processes, reducing paper usage, and saving time for both applicants and staff. This initiative marks a pivotal step toward modernizing the county's administrative functions and improving overall service delivery.

Additionally, with the move to the Dunn Building—Berkeley County's Main Administration Building—the Civil Service Commission began holding its monthly meetings in the County Commission Chambers. This transition has enabled the Civil Service Commission to enter the era of digital transparency by streaming its monthly meetings live. The meetings are broadcast on YouTube live and are also archived for future viewing, ensuring full transparency for the public. The Commission streamed its very first live meeting on Wednesday, October 16, 2024. This new capability allows the public to stay informed and

engaged with the Commission's activities and public hearings, fostering greater trust and accountability in the civil service process.

Another positive and professional advancement for the Commission, also related to the move to the Dunn Building, is the implementation of digital posting for documents. Previously, at the Historical Courthouse, all required document postings were handled using a traditional bulletin board. However, with the relocation to the Dunn Building, required documents are now posted on a digital monitor located outside the County Clerk's office. This change not only modernizes the way information is shared but also ensures that important notices and documents are more accessible and visible to the public. The use of a digital monitor enhances the efficiency and professionalism of the Commission's operations, providing a clear and organized method for disseminating information.

Together, these initiatives reflect the Commission's ongoing commitment to leveraging technology to improve transparency, accessibility, and efficiency in its operations, aligning with the broader goals of modernizing county services and enhancing public engagement.

10. **Outreach.** In May 2024, our Administrative Assistant collaborated with the Berkeley County Sheriff's Office to participate in the Workforce West Virginia Job Fair, held at the Berkeley County Parks & Recreation Center in Martinsburg, WV. This event was held between the hours of 11:00 AM - 5:00 PM. It was part of our outreach strategy, aiming to attract new talent to the Deputy Sheriff ranks. Although only 12 attendees collected applications to pursue a career as a deputy, the overall turnout at the job fair was notably higher than the previous year. This increased attendance underscored the importance of the Sheriff's Office's presence in raising awareness about our hiring efforts. The opportunity to engage directly with the community and potential recruits played a crucial role in disseminating information about career opportunities within the Sheriff's Office.

Another significant outreach initiative in 2024 was the development and distribution of a Public Service Announcement (PSA) promoting an Open Hire - Entry Level Testing opportunity. This PSA was personally delivered to two local radio stations (WEPM & WRNR) in Martinsburg, further enhancing our visibility and outreach within the community. The hand-delivery of the PSA led to an invaluable opportunity; an invitation to participate in a live radio interview on November 18, 2024 at WEPM's Radio Station. During this interview, a representative of the Civil Service Commission was able to articulate the mission of the Commission and provide detailed insights into the hiring process for becoming a Deputy Sheriff. This platform allowed for broader community engagement and helped demystify the application and testing procedures, encouraging more individuals to consider a career in law enforcement. This interview can be accessed by going to Panhandle News Network - WEPM/WCST | Podcast on Spotify at <https://open.spotify.com/episode/4hloaLEVSeYJ8wLa8oakPr>. **NOTE:** The interview starts at the 10:20 mark.

These outreach efforts reflect our commitment to enhancing the visibility of the Civil Service Commission and the Berkeley County Sheriff's Office, ensuring that we continue to attract dedicated and qualified individuals to serve our community.

11. **Budget.** In December 2024, County Clerk Anthony "Tony" J. Petrucci hosted a landmark budget collaboration meeting, marking a significant step in fostering cooperation among key stakeholders. This meeting, the first of its kind, brought together the Sheriff of Berkeley County, the President of the Civil Service Commission, and the Administrative Assistant for the Civil Service Commission.

The central focus was the pressing need to increase the Civil Service budget, which falls under the County Clerk's oversight. For FY 2023-2024, the Civil Service budget was \$14,135.58, covering three key line items: Postage, Advertising and Publication, and Professional Services. However, the proposed FY 2025-2026 budget seeks a significant increase to \$38,700.00.

This proposed increase is driven by the introduction of a new line item for Training & Education. This involves partnering with a modernized test vendor that provides study guides and allows for the customization of tests to include local policies, procedures, and West Virginia State Code. Additionally, there is a planned increase in the Advertising and Publication budget to support the Commission's goal of expanding outreach efforts, aiming to attract a larger pool of applicants for vacant positions.

This meeting served as crucial preparation for the County Clerk's upcoming budget proposal presentation to the County Commission in mid-February 2025. Clerk Petrucci sought to gain buy-in from all parties involved, ensuring the proposed budget would secure the necessary funding to support the Commission's critical functions and future growth.

This collaborative effort underscored the shared commitment to addressing the financial needs of the Civil Service Commission. The meeting demonstrated a united front, highlighting the collective dedication to ensuring the operational success and sustainability of Berkeley County's civil service operations.

12. **Civil Service Commission: Rules & Regulations Update.** Recognizing the need for a comprehensive update to the Rules & Regulations, which had basically remained unchanged since September 15, 2021. The Civil Service Commission initiated a significant revision process. Understanding the importance of diverse representation in this endeavor, the President of the Commission, Stephen D. Dopson, appointed a dedicated committee to oversee the revision process. This committee was designed to include representatives from key stakeholders, ensuring a balanced and thorough review.

a. **Formation of the Committee.** On June 6, 2024, President Dopson issued a formal letter of appointment titled "2024 Rules & Regulations Update & Review Committee." The committee was comprised of the following members:

- Stephen D. Dopson, President, Civil Service Commission
- Dale A. Buck, Esq., Commissioner, Civil Service Commission
- James Moffett, Commissioner, Civil Service Commission
- David S. Wilson, Representative appointed by Sheriff Blair
- Deputy William Henderson, Representative appointed by the Berkeley County Deputy Sheriff's Association (DSA)
- John H. Alderton, Administrative Assistant for the Civil Service Commission

b. **Committee Meetings and Review Process.** The committee convened for its first organizational meeting on September 12, 2024. This initial meeting set the foundation by establishing goals and objectives for the review. The committee's primary focus was to ensure that the revised Rules & Regulations would better align with current needs and practices, particularly in the area of promotional examinations, seniority scoring, and evaluation metrics. Subsequent meetings were held on the following dates:

- October 3, 2024

- October 31, 2024
- November 21, 2024
- December 19, 2024

Initially, the meetings took place at the CPA office of Dopson & Associates on Burke Street. Later, they transitioned to the Berkeley County Multi-purpose Room in the Dunn Building, 400 W. Stephen Street. Each meeting was scheduled from 2:00 to 4:00 PM. The meetings were marked by active discussions and collaborative efforts from all committee members.

c. Comprehensive Review and Key Discussions. The committee engaged in a detailed and exhaustive review of the existing Rules & Regulations. A significant portion of the discussions focused on promotional examination scoring, particularly the points awarded for seniority and the methods used for evaluation calculations. These discussions were critical in ensuring that the revised regulations would provide a fair and transparent process for all deputies.

Despite the considerable progress made, the committee concluded the year without finalizing the updated Rules & Regulations. However, the revisions were nearing completion, with a final publication expected in the first quarter of 2025.

d. Contributions and Acknowledgments. The success of this comprehensive review was due to the valuable insights and contributions from all committee members. Each member brought a unique perspective, ensuring that the updated Rules & Regulations would be both comprehensive and practical.

The Civil Service Commission extends its gratitude to all committee members for their dedication and hard work throughout this process. Their commitment has laid the groundwork for a more effective and equitable set of regulations that will benefit the Berkeley County Deputy Sheriff's Office for years to come.

The final publication of the updated Rules & Regulations will mark a significant milestone in the Commission's ongoing efforts to support the professional development and operational effectiveness of the Deputy Sheriff's Office.

Strategic Goals and Future Plans For 2025

As the Berkeley County Deputy Sheriff Civil Service Commission looks ahead to 2025, our commitment to excellence in service and community engagement remains at the forefront of our mission. Building on the successes of previous years, we have crafted a strategic plan that addresses both the immediate and long-term needs of our department and the community we serve. This plan is designed to ensure that our processes are transparent, equitable, and aligned with the highest standards of law enforcement.

The strategic goals for the upcoming year focus on enhancing recruitment efforts, streamlining promotional procedures, and fostering continuous professional development. We aim to strengthen our relationships with the community, increase transparency in our operations, and embrace innovative technologies to improve efficiency and effectiveness.

1. Enhance Recruitment Efforts:

a. **Candidate Outreach:** Implement targeted outreach programs to attract candidates from a variety of backgrounds, ensuring a workforce that reflects the community.

b. **Partnerships with Educational Institutions:** Collaborate with local schools, colleges, and academies to promote careers in law enforcement.

c. **Marketing and Recruitment Campaigns:** Launch a comprehensive marketing campaign utilizing social media, job fairs, and community events to increase awareness of career opportunities.

2. **Maintain Transparency and Community Engagement. Enhanced Online Presence:** Improve the Commission's website and social media channels to offer real-time updates and a FAQ section for public inquiries.

3. **Review and Update Policies. Integration of Best Practices:** Regularly benchmark policies against national standards and best practices in law enforcement civil service to ensure we remain a leader within the civil service arena.

4. Technological Advancements:

a. **Adoption of New Technologies:** Explore and implement new technologies that can enhance recruitment, training, and administrative processes.

b. **Data-Driven Decision Making:** Utilize data analytics to monitor and evaluate the effectiveness of Commission activities, making informed decisions based on measurable outcomes.

This comprehensive set of goals and objectives for 2025 is designed to foster a dynamic, well-supported, and community-oriented Deputy Sheriff's Office in Berkeley County.

Challenges & Opportunities for 2025

Challenges:

The Berkeley County Deputy Sheriff Civil Service Commission faces a variety of challenges in its ongoing mission to support the professional growth and operational efficiency of the Sheriff's Office. From adapting to evolving legal standards and technological advancements to managing limited resources and ensuring fair promotional opportunities, the commission must navigate complex issues. Additionally, maintaining transparency and public trust while addressing the unique needs of a diverse workforce presents an ongoing challenge. These hurdles require strategic planning, collaboration, and a commitment to continuous improvement to ensure the department remains well-equipped to serve the community effectively.

Here are some potential challenges that the Berkeley County Deputy Sheriff Civil Service Commission might face in 2025:

1. Adapting to New Testing Vendors:

a. **Challenge:** Transitioning from the West Virginia Division of Personnel to a new vendor like Stanard & Associates will require adjustments in procedures, training, and communication.

b. **Solution:** Ensure thorough training for all stakeholders, clear communication about the changes, and phased implementation to mitigate disruptions.

2. Budget Management:

a. **Challenge:** Balancing the costs associated with new testing vendors, study guides, and other resources while maintaining fiscal responsibility.

b. **Solution:** Regular budget reviews, transparent communication with the County Clerk, and exploring potential cost-saving measures.

3. Compliance with Revised Regulations:

a. **Challenge:** Ensuring all parties are fully aligned with the revised Civil Service Rules and Regulations.

b. **Solution:** Conduct briefings/workshops/seminars to educate deputies and administrative staff about the updates, and provide ongoing support and resources.

4. Technological Integration.

a. **Challenge:** Implementing new technologies, such as promotional testing platforms, which might encounter resistance or technical issues.

b. **Solution:** Provide comprehensive training, ensure robust IT support, and conduct pilot

tests before full-scale implementation.

5. Maintaining Transparency and Fairness

a. **Challenge:** Upholding the integrity of the promotional process and addressing any perceptions of bias or favoritism.

b. **Solution:** Implement clear, documented processes for test administration and results evaluation, and ensure an open line of communication with all stakeholders.

6. Enhancing Recruitment and Retention

a. **Challenge:** Competing with other law enforcement agencies for top talent while ensuring current deputies are motivated to pursue advancement.

b. **Solution:** Develop attractive recruitment strategies, provide clear career pathways, and offer incentives for professional development.

7. Managing Workload and Deadlines

a. **Challenge:** Coordinating the testing schedules, interviews, and evaluations efficiently amidst other duties.

b. **Solution:** Utilize project management tools, delegate responsibilities effectively, and maintain a well-organized calendar of events.

8. Stakeholder Engagement

a. **Challenge:** Keeping all stakeholders, including deputies, the Sheriff's Office, and the community, engaged and informed about Civil Service processes.

b. **Solution:** Regular updates, stakeholder meetings, and open forums to gather feedback and address concerns proactively.

By proactively addressing these challenges, the Commission can ensure smooth operations and continue to support the Berkeley County Sheriff's Office effectively.

Opportunities:

Amidst the challenges, the Berkeley County Deputy Sheriff Civil Service Commission is presented with numerous opportunities to enhance its impact and effectiveness. By leveraging new technologies, fostering community engagement, and promoting professional development, the commission can drive significant improvements in both operations and outcomes. The implementation of a new testing vendor, for instance, offers the chance to modernize promotional processes and better prepare deputies for leadership roles. Additionally, initiatives focused on diversity and inclusion, as well as partnerships with community stakeholders, provide avenues for growth and innovation, ensuring the commission's work aligns with the evolving needs of the department and the community it serves.

Exploring a testing site, for the possibility of Online Testing. We need a test site to accommodate up to 30 eligible deputies to test in one sitting. Currently, Berkeley County IT Department cannot meet this requirement. A collaboration with Blue Ridge Technical College may need to be forged to make this a reality.

Here's a list of potential opportunities for the Berkeley County Deputy Sheriff Civil Service Commission for the calendar year 2025:

1. Review and Update Rules and Regulations

- a. Conduct an annual review of the existing Rules and Regulations to ensure they remain up-to-date and aligned with current legal standards and departmental needs.
- b. Seek input from deputies and administrative staff to identify areas for improvement.

2. Implementation of New Testing Vendor

- a. Fully transition to the new testing vendor, Stanard & Associates, and ensure a smooth implementation process.
- b. Provide study guides and resources for deputies to prepare for promotional exams.
- c. Evaluate the effectiveness of the new testing system and gather feedback from participants.

3. Promotional Exam Administration. Ensure transparency and fairness in the promotion process by utilizing standardized testing and comprehensive review procedures.

4. Community Engagement and Outreach:

- a. Increase public awareness about the role and functions of the Civil Service Commission through community events and informational sessions.
- b. Create opportunities for community members to provide feedback on the commission's activities and initiatives.

5. Technology and Process Improvements

- a. Explore and implement new technologies to streamline administrative processes, such as electronic filing of applications and digital record-keeping.
- b. Enhance online resources for deputies and the public, including a dedicated webpage for updates and announcements.

6. Annual Budget Review and Planning

- a. Conduct a thorough review of the annual budget to ensure sufficient funds are allocated for testing, training, and other commission activities.
- b. Identify potential cost-saving measures and seek additional funding opportunities, if necessary.

7. Recognition:

- a. Establish a recognition program to honor outstanding deputies and staff members who demonstrate exceptional service and dedication.
- b. Consider special recognition for civilians who contribute to public safety and community well-being.

8. Policy Advocacy and Legislative Engagement

- a. Monitor legislative changes that may impact civil service operations or law enforcement practices.
- b. Engage with policymakers and stakeholders to advocate for policies that support the commission's mission and goals.

These opportunities will help ensure the Civil Service Commission remains proactive, transparent, and supportive of the professional development of deputies and the overall mission of the Berkeley County Sheriff's Department.

Appendices

1. **Rule & Regulations; Adopted on September 15, 2021.** The Rules and Regulations section outlines the foundational policies governing the Berkeley County Deputy Sheriff Civil Service Commission. This framework ensures fair and consistent practices in the recruitment, promotion, and discipline of deputies, reflecting the Commission's dedication to upholding integrity and transparency. The following pages detail the specific guidelines and procedures that have been carefully reviewed and updated to align with current standards and legal requirements, ensuring the effective operation of the Commission and the continued excellence of the Berkeley County Deputy Sheriff's Department.

RULES AND REGULATIONS FOR THE BERKELEY COUNTY DEPUTY SHERIFF'S CIVIL SERVICE

ARTICLE I INTRODUCTION

SECTION I – PURPOSE (§7-14-6)

As required in West Virginia Code Chapter 7 Article 14, the following rules and regulations are established to provide for the administration of the civil service requirements for the Deputy Sheriffs of Berkeley County, West Virginia. These rules and regulations have the full force and effect of law and apply to all those stipulated by West Virginia law. These rules and regulations supplement the West Virginia Code and §149CSR2 (Title 149; Legislative Rule, Governor's Committee on Crime, Delinquency and Correction, Series 2, Law Enforcement Training and Certification Standards) in so much as they provide for local requirements for the administration of the requirement of law. These rules and regulations so prescribed may, from time to time, be added to, amended or rescinded

SECTION II – DEFINITIONS (§7-14-2)

In addition to those definitions established in §7-14-2, the following are for the purpose of this rules and regulations:

- A. Berkeley County Deputy Sheriff's Civil Service Commission, also referred to as BCDSCSC, shall be the civil service commission within Berkeley County as required by §7-14-3.
- B. New Applicant – A citizen of this State who does NOT possess previous LE experience.
- C. Pre-certified LE Applicant – A citizen of this State who DOES possess previous LE experience and that said experience is as recent as within two years.

SECTION III – RESPONSIBILITIES

A. The Berkeley County Deputy Sheriff's Civil Service Commission (herein after referred to as BCDSCSC) is required under West Virginia Code to prescribe and enforce rules and regulations for carrying into effect the provisions of the law. A copy of all rules and regulations, and of any modifications thereof, shall be given, by mail, to the Sheriff; and said rules and regulations and any modifications thereof shall also be printed for public distribution. (§7-14-7)

1. These Rules and Regulations will specifically cover the following areas:

- a) Procedures for hiring new Deputy Sheriffs
- b) Procedures for hiring new Pre-certified LE Deputy Sheriffs
- c) Procedures for promoting Deputy Sheriffs
- d) Training and Retraining of Deputy Sheriffs
- e) Hearings and Appeals
- f) Position Classification Plan

B. Further, a copy of all rules and regulations and of any modifications thereof shall be given to the President of the Berkeley County Deputy Sheriff's Association.

C. The BCDSCSC will make an annual report based on the calendar year. This report will be completed and submitted to the Clerk of the County Court and the Sheriff of Berkeley County within the first quarter of the new calendar year. (§7-14-6)

D. The BCDSCSC will hold meetings as necessary throughout the year as needed. The Commission will hold a meeting of its members each January to prepare the annual report from the previous year. Additionally, at the January meeting the election of the President will be conducted.

E. Forms. Employment Applications, Medical Examination Forms, Physical Fitness Scoring and any other form necessary for enforcement of West Virginia Code Chapter 7 Article 14 will be prescribed by the BCDSCSC.

ARTICLE II EMPLOYMENT AS A DEPUTY SHERIFF

SECTION I - AUTHORITY

To be employed as a new Berkeley County deputy sheriff, a candidate must first be certified as eligible by the BCDSCSC. The BCDSCSC possesses sole authority to certify a new applicant and/or a pre-certified LE applicant, as having completed all requirements of these regulations, prior to the Sheriff making an offer of employment to a deputy sheriff applicant. A candidate is not eligible for employment until and unless certified as eligible by the BCDSCSC.

SECTION II - Notice of Vacancy (§7-14-11)

The Sheriff shall notify the BCDSCSC of any vacancy for the position of deputy sheriff that he desires to fill, and shall request the certification of eligible individuals from the BCDSCSC.

SECTION III - Eligibility Requirements

An applicant for deputy sheriff shall satisfy all elements of this section prior to certification:

- a. An applicant for deputy sheriff shall satisfy all requirements of the Application and Competitive Examination (more specifically described in Sections 5 and 6 of this Article, respectively, herein), prior to being considered eligible for employment, including but not limited to the following:
 - i. Application Packet (Article II Section 5)
 - ii. Written Examination (Article II Section 6.b)
 - iii. Fitness Exam (Article II Section 6.c)
 - iv. Medical Examination (Article II Section 6.e)
 - v. Background Examination (Article II Section 6.f)
- b. Further, for a Pre-Certified LE applicant to be considered as eligible for the position of Deputy Sheriff, the applicant shall satisfy the abbreviated requirements listed below:
 - i. Application Packet (Article II Section 5)
 - ii. Medical Examination (Article II Section 6.e)
 - iii. Current Occupation Background
- c. Further, to be considered eligible for the position of deputy sheriff, an applicant shall not violate any Preliminary Requirement under Section 4 herein, as determined by the BCDSCSC.

SECTION IV - Preliminary Requirements – Refusal to Examine or Certify (§7-14-10)

At any time during the application process, the BCDSCSC may refuse to examine or refuse to certify a candidate as eligible for any of the following reasons:

- d. Found to lack any of the established preliminary requirements for the examination or position of deputy sheriff for which he applies, including the submission of any requested documents by the established deadline.
- e. Physically so disabled as to be rendered unfit for the performance of the duties of the position of deputy sheriff.
- f. Addicted to the habitual use of intoxicating liquors or drugs, more specifically:

- i. For a period of at least thirty-six (36) months prior to application, an applicant for the position of deputy sheriff must be clean and sober from alcohol, drugs and any and all illegal substances, including but not limited to inhalants and hashish.
- ii. For a period of at least three (3) years prior to application, an applicant for the position of deputy sheriff cannot have more than **Limited Use** of any of the following:
 - 1. Marijuana (synthetic or natural)
 - 2. Cocaine
 - 3. Meth-Amphetamine/amphetamine
 - 4. Ecstasy

Limited Use is defined as an applicant's use of such substances no more than three (3) times in the last three (3) years.
- iii. No applicant for the position of deputy sheriff shall be considered by this commission if they have used any of the following substances:
 - 1. LSD
 - 2. PCP
 - 3. Methadone
 - 4. Heroin
 - 5. Misuse of and/or habitual user of any Prescription Medications
- g. Convicted of a felony, or guilty of infamous or notoriously disgraceful conduct, including but not limited to the following:
 - i. No applicant for the position of deputy sheriff shall be considered by the BCDSCSC if they have sold any drugs for profit or taken part in an illegal enterprise, such as carrying drugs for sale by a friend, family member or providing transportation for a friend or family member for the purpose of acquiring or distributing drugs or any illegal substances for sale.
 - ii. Associations with convicted felons or with those individuals that are under criminal investigation or indictment may be grounds for not being permitted to be tested or certified.
- h. Dismissed from public service for delinquency or misconduct;
- i. Made a false statement of any material fact, or practiced or attempted to practice any deception or fraud in his application, in any such examination, or in securing his eligibility. The BCDSCSC will not examine or certify any applicant for the position of deputy sheriff that fails to disclose negative information or falsely provide information to either the BCDSCSC or Sheriff's department background investigators. Examples include, but are not limited, to the following:
 - i. Providing incorrect information on the application regarding drug use and the number of times an illegal substance was used by the applicant and then giving the polygraph investigator a different number during that interview.
 - ii. Falsely providing information regarding employment history to the BCDSCSC or background investigators
- j. Refuses to comply with the rules and regulations of the BCDSCSC.
- k. The BCDSCSC will not examine or certify any applicant that has a history of bad debt, unaddressed debt, or bankruptcy for a period of the last 5 years.
- l. The BCDSCSC will not examine or certify an applicant that fails to provide child support payments or court ordered obligations.
- m. The BCDSCSC will not examine or certify any applicant that has been convicted of three (3) or more moving violations of the law during the past twenty-four (24) months.

SECTION V – APPLICATION (§7-14-8)

A. Persons applying for admission to any competitive examination to become a Berkeley County Deputy Sheriff shall submit a formal application to the BCDSCSC. The application form can be obtained from the BCDSCSC office. The application must be completed within the time prescribed by the BCDSCSC and turned in to the BCDSCSC office prior to the closing date and time listed in the vacancy announcement. A completed application must contain all documents that were with the application package when it was picked up. Each document must be filled out in its entirety and contain all required signatures. All documents must be turned in by the application deadline. Failure to turn in all documents by the deadline will result in the application not being considered and the individual not afforded the opportunity to test.

B. Residency Requirement. There is no residency requirement by West Virginia law other than the individual must be a United States citizen.

SECTION VI – COMPETITIVE EXAMINATIONS (§7-14-9)

A. Public Notice. Adequate public notice of the date, time and place of every competitive examination held, together with information as to the position to be filled, shall be given at least two weeks prior to such competitive examinations. This notice shall be given in the following manner:

1. Notice of application and examination will be posted in the local newspaper servicing the county.
2. Notice of application and examination will be posted in a public place at the BCDSCSC office.
3. A copy of notice of application and examination shall be given to the Sheriff.
4. A copy of notice of application and examination shall be given to the President of the Berkeley County Deputy Sheriff's Association.
5. A copy of notice of application and examination shall be given to the Berkeley County Council.

B. Written Examinations. After the application process has closed, the BCDSCSC will determine the number of tests needed and notify the West Virginia Division of Personnel to request the tests. Test date will generally be set for 14 days after the close of the application process. The written examination requires a minimum passing score of 70% in order for an applicant to be given further consideration (i).

C. Fitness Exam. A physical fitness exam will be administered to all applicants for the position of Deputy Sheriffⁱ, unless the applicant is a Pre-Certified LEO whom is otherwise exempt. The standards for this examination will be derived from the Physical Ability Standards as set forth by §149CSR2 (Title 149; Legislative Rule, Governor's Committee on Crime, Delinquency and Correction, Series 2, Law Enforcement Training and Certification Standards) (Attachment 1).

1. The Fitness Test is not given an overall score. The Fitness Test is a Pass/Fail competitive Examination. Failure to successfully complete the Fitness Test will result in the individual not being placed on the eligibility list.
2. Each part of the exam is graded as PASS/FAIL. Failure to complete any portion of the exam will result in the individual not being permitted to move to the next test and not being placed on the eligibility listing.
3. There are no retests.

D. The BCDSCSC shall post the name and corresponding grades of each applicant that (i) scored 70% or greater on the written examination and (ii) passed the fitness examination. This notice shall be given in the following manner:

1. A copy of the list shall be posted in a public place at the BCDSCSC office.
2. A copy of the-list shall be given to the Sheriff.
3. A copy of the-list shall be given to the President of the Berkeley County Deputy Sheriff's Association.

E. Medical Examination. All applicants for appointment to any position as a deputy sheriff in Berkeley County, who have passed the written examination and fitness examination specified above shall, before being appointed, undergo a medical examination which shall be conducted under the supervision of a board composed of two doctors of medicine appointed for such purpose by the sheriff of the county. Such board must certify that an applicant is free from any bodily or mental defects, deformity or diseases which might incapacitate him/her from the performance of the duties of the position of Deputy Sheriff and is physically fit to perform such duties before said applicant shall be appointed to that position. The medical form utilized will be the form prescribed by the West Virginia State Police Academy. A medical examination will not be conducted until the Sheriff is ready to appoint an individual from the eligibility listing.

F. Background Investigation. All applicants for appointment to any position as a deputy sheriff in Berkeley County, who have passed the written examination and fitness examination specified above shall, before being appointed, undergo a background investigation coordinated by the Sheriff to verify that the results of such investigation do not violate any provision of this Article.

1. On the day of the written examination, a member of the Berkeley County Sheriff's Office will provide each applicant a background questionnaire. This questionnaire is only one part of the background investigation that will be conducted. Once an applicant has completed the written exam they will take the background questionnaire with them and are to begin completing the questionnaire. When requested, each applicant must turn in a completed questionnaire to the Sheriff's Office. Failure to turn in the questionnaire by the required date will result in the individual being removed from further consideration for employment as a Berkeley County Deputy Sheriff. The questionnaire must be filled out in its entirety and detailed. Any area that does not apply is to be marked N/A or Not Applicable. No areas/questions are to be left blank. All credit reports must be current within 30 days.
2. The Sheriff shall conduct such further background investigations in such manner that ensures the delivery of such results in an efficient, effective manner, so that the Sheriff may promptly deliver to the BCDSCSC the Sheriff's Confirmation Form below.

SECTION VII - News Media.

Members of the press/news media will be permitted to attend any examination for the position of Deputy Sheriff. Prior to the examination, coordination by the press/news media must be accomplished with the BCDSCSC. However, no member of the press/news media will be permitted to film/photograph any portion of the examination. Additionally, no member of the press/news media will be permitted to ask any questions, conduct any interviews or broadcasts while the test is being administered.

F. SECTION VIII - Veteran Preference; W. V. Pre certified Law Enforcement.

WV Code Chapter 6, Article 13, Section 1 provides that qualified veterans who are disabled or served on active duty during specified time periods and who make a minimum passing grade on written examinations for hire may claim preference in state, county and local competitive hiring. Any applicant wishing to claim veteran preference IAW §6-13-1 must provide to the commission a certified copy of the individual's DD Form 214. Additionally, if

claiming an injury or hardship, copies of any documentation, medical or otherwise, showing they were discharged due to injury or hardship must be provided. This documentation will need to be provided to the commission no later than the day of the written examination. If the individual meets the requirements to receive the additional points, the points will be added to the written examination score.

Further, any West Virginia Pre-certified Law Enforcement Officer will be awarded an extra 5 points added to their final written examination score. This being an amendment to the Rules and Regulations, and effective August 18th, 2021.

SECTION IX – WRITTEN TEST RESULTS

1. The BCDSCSC shall forthwith provide the Sheriff the names of the three persons who received the highest averages at the Written Examination (“Written Examination List”). In the event there is a tie score for the third position on the eligibility listing, the names of those individuals that are tied in the third position will all be included on the Written Examination List that will be sent to the Sheriff (iii).
2. The Sheriff shall, thereupon, with sole reference to the relative merit and fitness of the candidates, make an appointment from the three names upon the Written Examination List: *Provided*, That should the Sheriff make objection to the BCDSCSC to one or more of these persons for any of the reasons stated in West Virginia Code Chapter 7 Article 14, the Sheriff will notify the BCDSCSC of this objection, in writing, detailing the reasons for the objection.
 - a. If the Sheriff makes a request to remove an individual from the Written Examination List, the BCDSCSC will immediately notify the applicant of the Sheriff’s objection and ascertain if the applicant wants a public hearing on the matter. Further, should such objection be sustained by the BCDSCSC after a public hearing along the lines of the hearing provided for in West Virginia Code Chapter 7 Article 14, if any such hearing is requested, the BCDSCSC shall thereupon strike the name of that person from the Written Examination List, and update the Written Examination List to include the next highest name for each person so stricken. As each subsequent vacancy occurs, in the same or another position, precisely the same procedure shall be followed.
 - b. Once the Sheriff has made a selection from the Written Examination List, the Sheriff will prepare the Completion List below.

SECTION X – SHERIFF TO PROVIDE COMPLETION LIST AND FORM

- a. From the Written Examination List candidates, the Sheriff shall provide to the BCDSCSC one candidate selected for each vacancy for the job of deputy sheriff (“Completion List”). The quantity of Completion List candidates shall be equal to the number of then-present vacancies.
- b. Together with the Completion List, the Sheriff shall execute a form designated by the BCDSCSC confirming that each candidate on the Completion List satisfies all requirements of these regulations (“Sheriff’s Confirmation Form”).
- c. To avoid doubt, a candidate may not be listed on the Completion List unless and until all requirements of these regulations are satisfied in advance. **The BCDSCSC has the final determination as to whether each requirement is satisfied.**

SECTION XI —Certify as Eligible. (§7-14-11)

After the BCDSCSC receives the Completion List and accompanying Sheriff's Confirmation Form(s) from the Sheriff, the BCDSCSC may certify, from such Completion List, one candidate for each vacancy for the job of deputy sheriff ("Eligibility List").

SECTION XII. Appointment by Reinstatement. (§7-14-8)

In the event any applicant formerly served as a deputy sheriff in Berkeley County, the following guidelines must be adhered to:

1. Must have served as a Deputy Sheriff in Berkeley County for a period of more than six months.
2. Resigned as a deputy sheriff at a time when there were no charges of misconduct or other misfeasance pending against them.
3. Makes application for reinstatement within a period of two years next preceding the date of his application.
4. At the time of their application resides within Berkeley County.
 - a). The applicant will be required to provide proof of residency. This can be accomplished by submitting a document that contains a physical address (no Post Office Boxes). Examples of this document are, but not limited to, a utility bill, cell phone bill, mortgage bill, insurance bill, voters registration card, etc. The document submitted for consideration should not be more than 30 days old.
5. Are not sixty-five years of age or older.
6. Shall undergo a medical examination.
 - a) This will be as required in §7-14-9.
 - b) Upon the determination by the BCDSCSC that the individual is eligible for reinstatement, a letter will be sent to the Sheriff informing the Sheriff that the individual is to be reinstated. The letter will advise the Sheriff that the Sheriff has 5 business days to schedule a medical examination appointment as required in §7-14-9 and will immediately notify the BCDSCSC of the date and time of the examination.
 - c) The results of the completed medical examination will be submitted to the Commission. This will serve as verification the medical examination was completed and the individual meets the requirements of law. The examination will be placed in the file with the individual's application and maintained in a secure location.
7. If such applicant shall be so appointed by reinstatement as aforesaid, they shall be the lowest in rank in the sheriff's office next above the probationers of the office, and not be entitled to seniority considerations (iv).

8. Shall be eligible for appointment by reinstatement in the discretion of the civil service commission without a competitive examination.

9. The civil service commission for deputy sheriffs has exclusive discretionary authority to reinstate an applicant for deputy sheriff, who formerly served as a deputy sheriff, without either a competitive examination or the concurrence of the sheriff or county commission (v).

SECTION XIII. Retesting.

Any applicant for the position of Deputy Sheriff that has been previously removed from an eligibility listing for cause, shall not be permitted to retest for the position of Deputy Sheriff until 36 months from the date of the letter of removal has passed.

ATTACHMENT 1

PHYSICAL FITNESS STANDARDS (149CSR2)

I. Physical Fitness standards for all applicants are the same for both male and female. A physical fitness exam will be administered to all applicants for the position of Deputy Sheriff. Each part of the exam is graded as PASS/FAIL. Failure to complete any portion of the exam will result in the individual not being placed on the eligibility listing. If an applicant fails one of the areas being tested, they will not be permitted to continue to the next test.

II. The physical fitness exam for applicants will consist of 3 tests. They are push-ups, sit-ups and a 1 ½ mile run.

A. Sit-ups (Muscular Endurance) - The applicant must successfully complete 28 bent-leg sit-ups in one (1) minute.

B. Push-ups (Absolute Strength) - The applicant must successfully complete 18 conventional push-ups in one (1) minute.

C. One and one-half mile run (Cardiovascular Capacity) - The score is the elapsed time in minutes and seconds required by the applicant to complete the run. The applicant must successfully complete the run in 14 minutes 36 seconds or less.

III. The Physical Fitness Exam Briefing.

All applicants for basic entry-level training are required to perform Physical Ability Standards as set forth in WV Code Chapter 7 Article 14 and established under TITLE 149 LEGISLATIVE RULE GOVERNOR'S COMMITTEE ON CRIME, DELINQUENCY AND CORRECTION SERIES.

This is a pass or fail screening. Each test element shall be passed before proceeding to the next test element.

An applicant must pass all elements of the physical fitness test before they are permitted to take the written exam. There are NO retests of any failed portion for this testing cycle.

The Physical Ability Tests shall consist of:

Sit-ups (Muscular Endurance) - The score is the number of bent-leg sit-ups completed in one (1) minute. The minimum number required for this test is 28.

Push-ups (Absolute Strength) – The score is the number of conventional push-ups performed in one (1) minute. A conventional sit-up is defined as an exercise performed in the prone position by raising and lowering the body with the straightening and bending of the arms, while keeping the back straight and supporting the body on the hands and toes. The minimum number required for this test is 18.

One and one-half mile run (Cardiovascular Capacity) - The score is the elapsed time in minutes and seconds required by the applicant to complete the run. The applicant must successfully complete the run in 14 minutes 36 seconds or less.

Are there any questions?

ATTACHMENT 2 THE WRITTEN EXAMINATION BRIEFING

Congratulations and welcome to the written examination portion of the application process for employment as a Berkeley County Deputy Sheriff.

I would again like to take a moment to introduce those members of the Civil Service Commission who will be your proctors for today's written exam.

_____, Civil Service Commissioner and/or
_____, Civil Service Commissioner and/or
_____, Administrative Assistant and Deputy County Clerk

Let us begin with a few basic local rules.

1. Turn off all cell phones. Do not just silence them, TURN THEM OFF.
2. Put your cell phone away. It is not to be lying on the desk/table.
3. You are not permitted any electronic devices while you are taking the exam.
4. If there is an emergency, the exits are located as follows:

All written exam scoring is done in Charleston, WV by the WV Division of Personnel. The local Civil Service Commission does NOT score any written exams. If, after you receive notification of your test score, you believe that there is an error in your score and you wish that your score be re-checked, you must file a written request with the Berkeley County Deputy Sheriffs Civil Service Commission to have your score verified. You must make this request within 5 business days of the written score being posted. Your request must state why you believe that your score is incorrect. The local Commission will make the request to the WV Division of Personnel.

This exam is only the second phase of your application process. Once you have successfully completed the written exam and based on your ranking on the eligibility listing, you will be ready for the next phase which is the background check. This is a detailed and extensive process. You will receive a background information packet from the Berkeley County Sheriff's Office. It is important that you complete this packet in its entirety, completing all forms with detailed information and do this as quickly as possible. Be complete, honest and detailed. If you provide references, make sure you check with those people before you put their name in your packet. If you are contacted and asked to turn in your packet but you have not completed it as of the date of the request, you may be subject to being passed over for consideration.

The written examination requires a minimum passing score of 70% in order for an applicant to be given further consideration.

Eligibility List. The BCDSCSC shall post the eligible list, containing the names and grades of those who have passed such competitive examinations for positions as deputy sheriffs. The list will be established based upon the written examination and the fitness test.

Veteran Preference. WV Code Chapter 6, Article 13, Section 1 provides that qualified veterans who are disabled or served on active duty during specified time periods and who make a minimum passing grade on written examinations for hire may claim preference in state, county and local competitive hiring. Any applicant wishing to claim veteran preference IAW §6-13-1 must provide to the commission a certified copy of the individual's DD Form 214. Additionally, if claiming an injury or hardship, copies of any documentation, medical or otherwise, showing they were discharged due to injury or hardship must be provided. This documentation will need to be provided to the commission no later than the day of the written examination. If the individual meets the requirements to receive the additional points, the points will be added to the written examination score. Does anyone have this documentation that has not turned it into the Commission yet?

Medical Examination. All applicants for appointment to any position as a deputy sheriff in Berkeley County, who have passed the competitive examination specified above shall, before being appointed, undergo a medical examination which shall be conducted under the supervision of a board composed of two doctors of medicine appointed for such purpose by the sheriff of the county. Such board must certify that an applicant is free from any bodily or mental defects, deformity or diseases which might incapacitate him/her from the performance of the duties of the position of Deputy Sheriff and is physically fit to perform such duties before said applicant shall be appointed to that position. A medical examination will not be conducted until the Sheriff is ready to appoint an individual from the eligibility listing.

Certification of Eligible Individuals. The BCDSCSC shall forthwith certify, from the eligible list, the names of the three persons thereon who received the highest averages at preceding competitive examinations and provide these three names to the Sheriff.

Tie Scores. In the event there is a tie score for the third position on the eligibility listing, the names of those individuals that are tied in the third position will all be included on the certified listing that will be sent to the Sheriff.

Appointment from Eligibility List. The Sheriff shall, thereupon, with sole reference to the relative merit and fitness of the candidates, make an appointment from the three names so certified.

Physical Fitness. Even though you have completed the Physical Fitness Test for the application process, you must continue to maintain your fitness qualification. If you are selected for employment, the first day at the WV State Police Academy you will be tested again on Physical Fitness utilizing the same standards as you were subject to today. If you fail any portion of that test, you will immediately be sent home. **DON'T SIT BACK AND THINK YOU ARE DONE!**

If you want a complete copy of the Application and Appointment rules, please notify one of us in the room after you complete your exam and we will provide you a copy.

Background Questionnaire. Now let me introduce to you _____ of the Berkeley County Sheriff's Office who has some information for you.

In a moment we will begin the exam process. Before we do, is there anyone who needs to go to the restroom at this time?

OK! Let us begin with the written exam rules and procedures. Good luck to each of you!

EXAM START TIME: _____
EXAM STOP TIME: _____

ARTICLE III PROMOTIONS

SECTION I – VACANCIES (§7-14-13)

A. Vacancies in positions of deputy sheriff shall be filled, so far as practicable, by promotion from among persons holding positions in the next lower grade.

B. The Sheriff shall immediately notify the BCDSCSC of any vacancy to be filled, and shall request the certification of eligible individuals. Completing competitive examinations in a timely manner is necessary (vi).

1. If the Sheriff decides not to fill a vacancy, the Sheriff will submit immediately, in writing, the reason for not filling the vacancy to the BCDSCSC.

SECTION II – ELIGIBILITY (§7-14-13)

A. No person shall be eligible for promotion from the lower grade to the next higher grade until such person shall have completed at least two years' service in the next lower grade. The date for eligibility in regard to the two years' service in the next lower grade must be set at the date of vacancy of the position for which the person is being promoted. Further, this two years in the next lower grade requirement must be continuous and immediately preceding the vacancy (vii).

B. Promotions shall be based upon merit and fitness, to be ascertained by competitive examinations to be provided by the civil service commission, and upon the superior qualifications of the persons promoted, as shown by their previous service and experience (viii). These categories of criteria which are to be used in deputy sheriff promotions are further defined as follows:

1. Qualification as shown by previous service and experience. Previous service means performance appraisals; experience means seniority.

2. Merit as ascertained by competitive examinations to be provided by the civil service commission. Merit will be determined by written examination.

3. Fitness will be determined by a medical examination.

SECTION III – COMPETITIVE EXAMINATIONS (§7-14-9)

A. Public Notice. Adequate public notice of the date, time and place of every competitive examination held, together with information as to the position to be filled by promotion, shall be given at least two weeks prior to such competitive examination. This notice shall be given in the following manner:

1. Notice of examination will be posted in a public place at the BCDSCSC office.
2. A copy of notice of examination shall be given to the Sheriff.
3. A copy of notice of examination shall be given to the President of the Berkeley County Deputy Sheriff's Association.
4. A copy of notice of examination shall be given to the Berkeley County Council.
5. Notice of examination will be posted in the local newspaper servicing the county.
6. Notice will be placed in the Deputy Sheriffs departmental mail/distribution boxes.

Deputy Sheriffs will be responsible for frequently checking the mail/distribution box for any such notices.

B. Written Examinations. The BCDSCSC will determine the number of tests needed and notify the West Virginia Division of Personnel to request the tests. A written examination will be given each time a new vacancy exists. Notice from the Sheriff that a vacancy exists may indicate that there are more than one vacancy in the same rank that is vacant at the same time. An example could be that the Sheriff's notice may state that he presently has 3 vacancies for the position of Corporal and is requesting an eligibility listing. In such a case the promotions can be made from one promotional exam and new eligibility listing so long as all of the vacancies existed at the same time of the Sheriff's request.

C. News Media. Members of the press/news media will be permitted to attend any examination for the promotion of a Deputy Sheriff. Prior to the examination, coordination by the press/news media must be accomplished with the BCDSCSC. However, no member of the press/news media will be permitted to film/photograph any portion of the examination. Additionally, no member of the press/news media will be permitted to ask any questions, conduct any interviews or broadcasts while the test is being administered.

D. Eligibility List. The BCDSCSC shall post the eligible list, containing the names and grades of those who have passed such competitive examinations for promotions of deputy sheriffs. This notice shall be given in the following manner:

1. Notice of the eligible list will be posted in a public place at the BCDSCSC office.
2. A copy of the eligible list shall be given to the Sheriff.
3. A copy of the eligible list shall be given to the President of the Berkeley County Deputy Sheriff's Association.

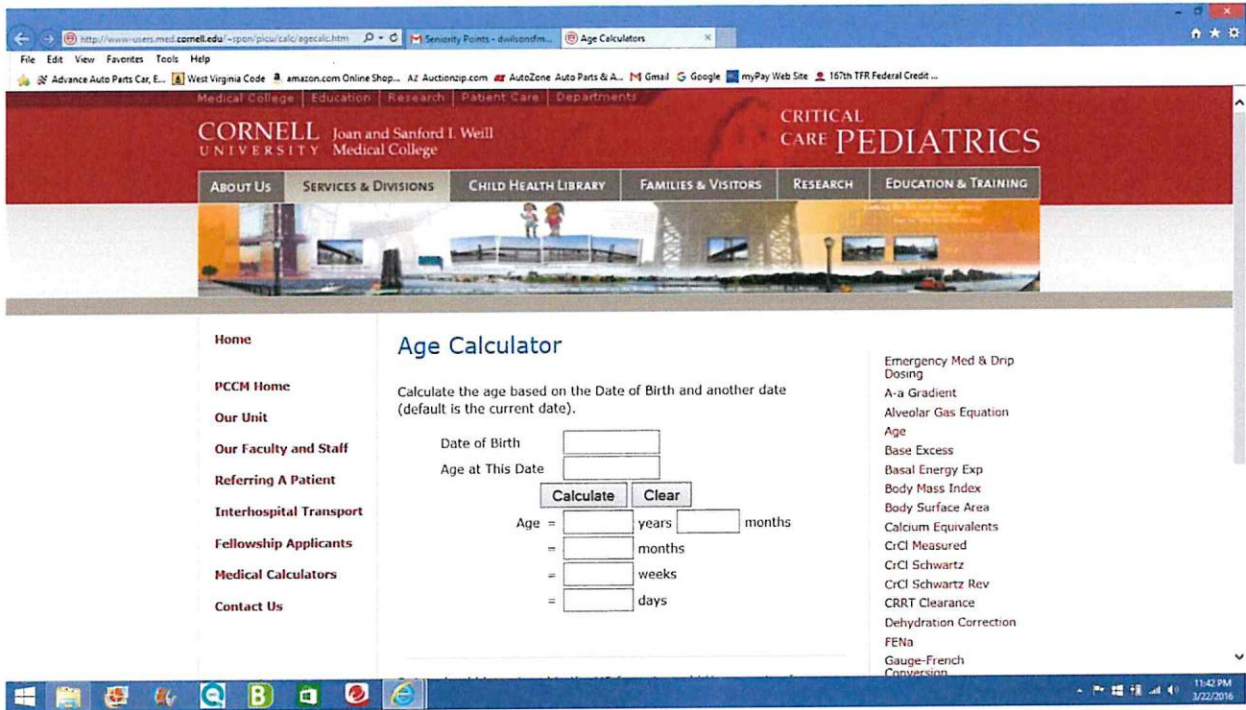
The eligibility list will be established utilizing the following criteria:

- | | | |
|---------------------------|--------------------|--------------------|
| 1. Written Examination | | 55% of total score |
| 2. Seniority | (experience) | 25% of total score |
| 3. Performance Appraisals | (previous service) | 20% of total score |

An eligibility listing will expire immediately after the vacancy(s) is/are filled that required a new eligibility listing.

E. Scoring for Seniority will be based upon the criteria of 4 points per year of completed service with the Berkeley County Sheriff's Office and will be calculated to the day of completed service. Only that service that has been continuous and immediately preceding the vacancy will be considered. Further, only that service with the Berkeley County Sheriff's Office as a law enforcement deputy sheriff will be considered.

1. Calculating the completed service is accomplished by using the Cornell University Age Calculator at the web address of <http://www-sers.med.cornell.edu/~spon/picu/calc/agecalc.htm>. In the block titled DATE OF BIRTH is placed the individual's hire date. In the block titled AGE AT THIS DATE is placed the date of the vacancy. The total months displayed is then multiplied at .333.
2. Point calculation was revised during the 18 August 2021 revision of the rules. This revision raised the total points per year to 4.



F. Scoring for Performance Appraisals will be based on the score that is provided to the BCDSCSC by the Sheriff. When the Sheriff requests the certification of eligible individuals, the Sheriff will be notified of the names of those individuals who are eligible. The Sheriff will in turn provide the BCDSCSC the overall evaluation scores, for each eligible individual's performance evaluations, for the 2 evaluations prior to the eligibility date. If the Sheriff does not provide 2 evaluations, a letter will be sent to the Sheriff immediately requesting the 2 evaluations as required by rule. The two evaluation scores will be added together. The combined score will be used in calculating the 20% of the overall score (ix).

G. Total Score is determined by the combination of the percentage scores of the Written Examination, Seniority and Performance Appraisals.

Civil Service Scoring System <i>EXAMPLE</i>				
Test Taker	Test Score x 55%	Evaluation x 20%	Years of Service x 25% 1/12 = 0.333 Point per Month	Total
1	88 x .55 = 48.40	2 x .20 = .40	$6 \times 12 = 72$ $72 \times .333 = 23.976$ $23.976 \times .25 = \mathbf{5.994}$	$48.40 + .40 + 5.994 = \mathbf{54.794}$
2	75 x .55 = 41.25	2 x .20 = .40	$10 \times 12 = 120$ $120 \times .333 = 39.96$ $39.96 \times .25 = \mathbf{9.99}$	$41.25 + .40 + 9.99 = \mathbf{51.64}$

H. Tie Scores (x). In the event of a tie score between individuals, the individual with the earliest hire date will be placed as the higher scoring individual on the eligibility listing. If still tied, then the individual with the highest written test score will be placed as the higher scoring individual on the eligibility listing. If still tied, then the

individual with the highest Evaluation Percentage Score will be placed as the higher scoring individual on the eligibility listing.

I. Medical Examination. All applicants for promotion of a deputy sheriff in Berkeley County, who have passed the competitive examination specified above, shall, before being promoted, undergo a medical examination which shall be conducted under the supervision of a board composed of two doctors of medicine appointed for such purpose by the sheriff of the county. Such board must certify that deputy sheriff is free from any bodily or mental defects, deformity or diseases which might incapacitate him/her from the performance of the duties of their promotion and is physically fit to perform such duties before said deputy sheriff shall be appointed to that position. The medical form utilized will be the form prescribed by the West Virginia State Police Academy which I utilized for new applicants. A copy of the completed medical examination will be submitted to the Commission. This will serve as verification the medical examination was completed and the individual meets the requirements of law. The examination will be placed in the file with the individual's application and maintained in a secure location.

J. Written and Medical Examination Exemptions. All personnel are required to complete a written examination and a medical examination for promotion. Eligible personnel will be required to take the written examination on the date set by the BCDSCSC. The following are exceptions that will be considered by the BCDSCSC.

1. Mandatory Military Service. Deputy Sheriffs that are required to perform military service and who are on official military orders, AND who are not in the area that the written examination is being administered, may at the discretion of the BCDSCSC, have a different date set for examination. A copy of the military orders must be submitted to the BCDSCSC for verification. Every effort will be made to work with the military unit's training division to proctor a written examination for the deputy sheriff.

2. Mandatory Duty as a Deputy Sheriff. If a Deputy Sheriff is not in the area that the written examination is being administered due to mandatory duty (i.e. previously scheduled training, prisoner transport or investigation that is court ordered or cannot be conducted by another deputy sheriff) may at the discretion of the BCDSCSC, have a different date set for examination. A letter from the Sheriff explaining fully the circumstances will be submitted to the BCDSCSC for consideration.

SECTION IV – APPOINTMENT

A. Certification of Eligible Individuals. The BCDSCSC shall forthwith certify the list of names of those individuals who have successfully completed the competitive examinations on merit and fitness. The names will be listed in ranking order beginning with the highest score to the lowest score. The list will contain only the total score value and not each individual category.

B. Appointment from Eligibility List. The Sheriff shall, thereupon, with sole reference to the relative merit and fitness of the candidates, make an appointment from the eligibility listing based on the ranking order (xi). The Sheriff will notify the BCDSCSC, in writing, of his selection(s).

**ARTICLE IV
TRAINING
(§7-14-16)**

SECTION I – INITIAL TRAINING REQUIREMENT

Every deputy first appointed a deputy of Berkeley County must satisfactorily complete a training program so as to meet the minimum standards prescribed by the governor's committee on crime, delinquency and correction established by Executive Order 7-A66, dated September one, one thousand nine hundred sixty-six and §149CSR2 (Title 149; Legislative Rule, Governor's Committee on Crime, Delinquency and Correction, Series 2, Law Enforcement Training and Certification Standards).

SECTION II – RETRAINING REQUIREMENT

Every deputy sheriff of Berkeley County must satisfactorily complete a prescribe retraining program from time to time in order to continue as a deputy sheriff of Berkeley County or to be eligible for promotion. This retraining program shall meet the minimum standards prescribed by the governor's committee on crime, delinquency and correction established by Executive Order 7-A66, dated September one, one thousand nine hundred sixty-six and §149CSR2 (Title 149; Legislative Rule, Governor's Committee on Crime, Delinquency and Correction, Series 2, Law Enforcement Training and Certification Standards).

ARTICLE V
HEARINGS and APPEALS
(§7-14-17)

SECTION I – REMOVAL, DISCHARGE, SUSPENSION, REDUCTION

- A. No deputy sheriff of Berkeley County subject to the provisions of this article may be removed, discharged, suspended or reduced in rank or pay except for just cause.
- B. Each Order by the BCDSCSC must set forth, in detail, the finding of facts upon which it's Order will be based and the conclusions of law and legal reasoning used to support its Order.
- C. No such deputy may be removed, discharged, suspended or reduced in rank or pay except as provided in this article and in no event until the deputy has been furnished with a written statement of the reasons for the action. This statement of reasons shall include, at a minimum, the violation committed, the act that led to the violation and the punishment intended.
- D. All hearings will be recorded. A written record of all testimony taken at the hearing shall be kept and preserved by the BCDSCSC, which record shall be sealed and not be open to public inspection unless an appeal is taken from the action of the BCDSCSC. The record will be properly filed with the Clerk of the County Court.
- E. If either side desires, they may make a short opening statement. The burden shall be upon the Sheriff to justify his or her action. As such, the Sheriff will address the BCDSCSC first and make its case.
- F. Witnesses may be called by either side. A list of witnesses will be provided to the BCDSCSC prior to the hearing date. If either side so desires for witnesses to be subpoenaed, the witness names must be submitted to the BCDSCSC in a timely manner but no later than 48 hours prior to the hearing. The BCDSCSC has the power to subpoena witnesses (§7-14-6).
- G. A request for a subpoena will be submitted to the Clerk of the County Court by the BCDSCSC.
- H. The Sheriff will provide a copy of the statement of reasons against any Deputy Sheriff, for which the Sheriff seeks the Removal, Discharge, Suspension or Reduction in Rank or Pay of the Deputy Sheriff, to the BCDSCSC. This statement of reason will be provided to the BCDSCSC immediately after the statement of reasons have been provided to the Deputy Sheriff in question.

SECTION II – APPEAL

- A. Appeal of a BCDSCSC Decision.
1. In the event the BCDSCSC sustains the action of the sheriff, the deputy has an immediate right of appeal to the circuit court of the county. In the event that the BCDSCSC reinstates the deputy, the sheriff has an immediate right of appeal to the circuit court.
 2. Any appeal must be taken within ninety days from the date of entry by the BCDSCSC of its final order. A BCDSCSC Order is considered final once it has been filed in the Order Book that must be kept with the Office of the County Clerk and such order must reflect the date of entry into the Order Book.

B. Appeal of a Hearing Board Decision.

1. The petition for appeal and supporting memoranda must be submitted to the BCDSCSC within thirty (30) days of the date in which the Hearing Board rendered its decision.

2. The prevailing party will be notified by the BCDSCSC that an appeal has been made. The prevailing party will have thirty (30) days upon which to make reply to the BCDSCSC.

3. If the BCDSCSC grants an appeal, the appeal will be conducted within ten (10) days after the reply of the prevailing party was due.

4. Standard of Review by the BCDSCSC. The BCDSCSC will not overturn a decision by a Hearing Board unless the decision by the board is clearly erroneous, not based on facts and evidence, or decided by virtue of a clear mistake of law.

5. The BCDSCSC will make its decision based on the following:

a) Testimony and exhibits

b) Written memoranda of law submitted for review

6. The BCDSCSC will render its opinion within thirty (30) days of the date in which the appeal was conducted.

ARTICLE VI
POSITION CLASSIFICATION PLAN
(§7-14-6)

SECTION I - The BCDSCSC will prepare a Position Classification Plan that will include position descriptions for the Berkeley County Sheriff's Office. The plan will be developed as a separate attachment from these rules and regulations.

SECTION II - The plan will be updated as need requires. Further, it will be reviewed, not to exceed every three years.

SECTION III - Once the plan is complete and approved, a copy of the plan will be distributed as follows:

- A. A copy of the approved plan shall be given to the Sheriff.
- B. A copy of the approved plan shall be given to the President of the Berkeley County Deputy Sheriff's Association.
- C. A copy of the approved plan shall be given to the Berkeley County Council.

SECTION IV - The following are the position classifications for the Berkeley County Sheriff's Office.

- A. Chief Deputy
- B. Captain/Lieutenant
- C. Sergeant/Corporal
- D. Deputy

ATTACHMENT 1
CLASSIFICATION PLAN
(§7-14-6)

I. CHIEF DEPUTY

DEPUTY SHERIFF
Chief Deputy
Classification: DSCD

System

West Virginia Civil Service

Distinguishing Characteristics

This position exists in the Berkeley County Sheriff's Department and involves responsibility for the protection of lives and property and the enforcement of general laws of West Virginia State and ordinances within the County. This is an executive classification within the Sheriff's Office. Employees may be appointed to and removed from this classification at the discretion of the Sheriff to meet the operational needs of the Sheriff's Office. After removal from service as a Chief Deputy, the employee will be returned to the highest level classification in the classified service in which he/she has attained regular, non-probationary status. This does not apply if the employee was terminated under circumstances that would have constituted cause for termination in the classified service.

To be responsible for the overall management of the law enforcement division within the Sheriff's Office including offices and staff positions; to develop and manage division budget; to establish goals and objectives; to supervise and direct staff activities; to evaluate and assess daily operations and programs; to respond to emergencies and major incidents; to act as liaison with other divisions, the community and local and state agencies; and to handle special assignments as assigned.

Provide leadership, management, and guidance in organizing, equipping and training of Deputy Sheriffs to meet mission requirements. Works closely with the Sheriff to best execute mission requirements. Direct resource activities as well as interpret and enforce policies and applicable directives. Resolves issues between subordinates and supervisors.

Works under limited direction with extensive latitude for the use of initiative and independent judgment. Does related work as required and or directed by the Sheriff of Berkeley County or his designated representatives.

Nature of Work

Employees in this position are the management within the department. Serves as chief of staff to the Sheriff assisting in the formulation of the Sheriff's objectives and coordination of operations. Assumes higher command when so directed by the Sheriff.

Employees are responsible to assist the general public in disasters, emergencies and other matters of a non-criminal nature. Employees work various shift hours and days off, and are expected to be able to perform the

functions and duties of all shifts in all required areas of law enforcement, with back-up only to the extent available. Employees are expected to handle a variety of potentially hostile and dangerous situations in a calm, competent manner. Employees are required to exercise discretion and judgment and to analyze situations quickly and objectively, to recognize actual and potential danger, and to determine proper courses of action. Performs operational command and assigns and reviews work of the three shifts of patrol operations and criminal investigation personnel.

Employees are required to use only that amount of force which is reasonably necessary to effect arrests, to protect persons or property, in accordance with West Virginia State Law and Department Policies and Procedures.

Employees are sworn to act in behalf of the Sheriff of Berkeley County and carry firearms in the performance of their duties. Qualification with firearms per Department policy, successful completion of basic police academy, and demonstrated proficiency in job skills thru performance evaluations are required for continued employment.

Special assignment positions which are a part of this classification include all other duties assigned to by the Sheriff of Berkeley County.

Environmental Factors and Physical Demands: Employees must be able to work in a variety of environmental conditions. Work includes both indoor and outdoor conditions in both light and dark conditions. Duties require the following abilities on various types of surfaces (mountainous terrain, water, ice, flat and dry) in various weather conditions (rain, snow, ice, and other slippery conditions): running, jumping, sitting or standing for extended periods, maintaining balance, climbing stairs, ladders and inclines, kneeling, bending, stooping, crouching, reaching, pushing, pulling, twisting.

Examples of Work. In addition to the essential elements listed in §149-2-8.3, the following tasks are required:

A. When performing law enforcement duties:

- May assist with patrols to enforce laws, investigate crimes and arrest violators;
- May drive patrol vehicle through assigned area, observing traffic violations and issuing citations;
- Locates and takes persons into custody on arrest warrants;
- May attend court and present evidence in connection with arrests made or cases investigated;
- Investigates illegal or suspicious activities of persons and quells disturbances;
- Maintains order in crowds, parades, fairs and other public gatherings;
- Prepare and write extensive and complex police reports; correspondence, staff reports and related documents; maintain daily log of all activities;
- May transport or escort prisoners between courtrooms, correction facilities and medical facilities;
- Answers questions for, directs and assists the public;
- Operates telephone, radio, computer and miscellaneous equipment;
- May serve court orders and processes, such as summonses, subpoenas and income executions;
- May perform terrain patrol, operating four-wheelers and other special equipment in navigable areas of the County.

B. Management. Plan, manage and administer all services provided by the division; implement division goals and objectives; monitor and evaluate daily operations, projects and programs; ensure methods and procedures are in compliance within all applicable rules and regulations;

- Prepare and administer division budget; manage expenditures to stay within budgetary constraints;
- Provide full supervision to division management staff; provide work direction; conduct performance evaluation; handle disciplinary actions; and make decisions regarding hiring, termination, pay changes or job changes;
- Coordinate division operations with other divisions, departments and state/local government agencies; represent

the Sheriff on various committees and multi-agency meetings.

- Conduct staff meetings to coordinate division activities, discuss major incidents and other issues and inform staff of revised or new policies and procedures. Chairs meetings to discuss problems, operational methods and requirements, holds counseling sessions with subordinates as required. Recommends subordinates for specialized schools to improve effectiveness;
- Reviews patrol and investigative incidents and traffic reports as required. Reviews attendance and prepares reports for superiors;
- Meets with superiors, other agency supervisors and other law enforcement agencies to discuss patrol requirements, operating procedures and special assignments. Maintains liaison with federal, state and local government agencies;
- Responds to telephoned and written inquiries and complaints. Investigates complaints when warranted and ensures staff compliance with the Sheriff's policies and procedures as well as established legal requirements;

Knowledge, Skills and Abilities

- Working knowledge of the West Virginia State Law, Vehicle and Traffic Law, Criminal Procedures and other applicable laws, regulations and ordinances;
- Working knowledge of internal affairs investigatory process and understanding of management principles;
- Working knowledge of office practices and personnel management;
- Ability to apply the use of defensive and restraining physical techniques;
- Ability to acquire skill in the use of special equipment including radar and breathalyzers;
- Ability to apply first aid;
- Ability to deal firmly yet courteously with the public;
- Ability to follow and communicate written and oral directions effectively;
- Ability to observe;
- Ability to make quick decisions regarding personal safety in emergency situations;
- Ability to reason clearly;
- Ability to remember facts and information;
- Ability to apply the principles, practices and procedures of record keeping;
- Ability to effectively apply report writing techniques;
- Ability to read English and interpret written materials;
- Ability to push/pull, lift, carry heavy objects, stretch, twist, bend, run and demonstrate physical agility;
- Ability to carry on their person a utility belt weighing approximately 10-15 pounds and wearing a ballistic vest weighing approximately 10-15 pounds;
- Ability to carry and discharge a firearm, along with the skill level to comply with agency qualification standards and the ability to maintain firearms and equipment;
- Ability to apply a heightened sense of awareness, the ability to concentrate, multitask, communicate, and react quickly in a constantly changing environment;
- Skill in developing strategic plans and operational procedures;
- Skill in making oral presentations to groups of various sizes;
- Skill to apply the principles and practices of team leadership;
- Skill to enforce the department rules, regulations, directives, policies and procedures;
- Skill to apply modern principles, practices and techniques of law enforcement;
- Skill to manage non-criminal actions such as conflict resolution;
- Skilled in the principles, practices and procedures of supervision and training;
- Skilled in the principles and practices of police administration and modern law enforcement;
- Skill to supervise, schedule, direct, train, motivate and evaluate assigned staff;
- Skill to effectively supervise and coordinate law enforcement activities at the scene of serious incidents.

Special Requirements

- Possession of a valid state driver's license.
- In order to be eligible for promotion, candidate must meet all current requirements of Chapter 7 Article 14 of the West Virginia State Code.
- Graduation from high school or possession of a high school equivalency diploma.
- Graduate of an approved and prescribed police training course.

II. CAPTAIN/LIEUTENANT

DEPUTY SHERIFF
Lieutenant/Captain
Classification: DSLC

System

West Virginia Civil Service

Distinguishing Characteristics

This position exists in the Berkeley County Sheriff's Department and involves responsibility for the protection of lives and property and the enforcement of general laws of West Virginia State and ordinances within the County. Provide highly effective leadership and management. They are program, project and policy managers. The Lieutenant/Captain performs supervisory and administrative enforcement work. Work involves managing and overseeing enforcement activities, offices and staff. Plans, assigns, and supervises the work of others. Works under limited direction with extensive latitude for the use of initiative and independent judgment. Does related work as required and or directed by the Sheriff of Berkeley County or his designated representatives.

Nature of Work

Employees in this position are the management within the department.

Their primary purpose is mission accomplishment. Translate the Sheriff's direction into specific tasks and responsibilities that all Deputy Sheriffs can understand and execute. Be an active and visible leader. Promote responsible behaviors within all Deputy Sheriffs. Readily detect and correct unsafe and/or irresponsible behavior.

Employees are responsible to assist the general public in disasters, emergencies and other matters of a non-criminal nature. Employees work various shift hours and days off, and are expected to be able to perform the functions and duties of all shifts in all required areas of law enforcement, with back-up only to the extent available. Employees are expected to handle a variety of potentially hostile and dangerous situations in a calm, competent manner. Employees are required to exercise discretion and judgment and to analyze situations quickly and objectively, to recognize actual and potential danger, and to determine proper courses of action. Performs operational command and assigns and reviews work of the three shifts of patrol operations and criminal investigation personnel.

Serves as staff to the Sheriff assisting in the formulation of the Sheriff's objectives and coordination of operations. Assigns staff to patrol needs as well as special functions and keeps patrol personnel advised of criminal or suspected criminal activities. Supervises, directs subordinates and keeps informed on active investigations. Assumes command of major case investigations until relieved.

Reviews patrol and investigative incidents and traffic reports and directs reports to other law enforcement staff as required. Compiles monthly patrol activity reports. Reviews attendance and prepares reports for superiors. Monitors and documents sick and personal leave requests. Reviews and forwards documents related to fugitive apprehension, warrants and mental patient transports.

Chairs meetings with shift supervisors to discuss problems, operational methods and requirements, holds

counseling sessions with subordinates as required and meets with Field Training instructors regarding trainee progress. Recommends subordinates for specialized schools to improve effectiveness.

Meets with superiors, other agency supervisors and other law enforcement agencies to discuss patrol requirements, operating procedures and special assignments. Maintains liaison with federal, state and local government agencies.

Responds to telephoned and written inquiries and complaints. Investigates complaints when warranted and ensures staff compliance with the Sheriff's policies and procedures as well as established legal requirements.

Assumes higher command when so directed by the Chief Deputy or Sheriff.

Work is reviewed by the supervisor through observation and evaluation of demonstrated ability to handle a variety of work situations.

Employees are required to use only that amount of force which is reasonably necessary to effect arrests, to protect persons or property, in accordance with West Virginia State Law and Department Policies and Procedures.

Employees are sworn to act in behalf of the Sheriff of Berkeley County and carry firearms in the performance of their duties. Qualification with firearms per Department policy, successful completion of basic police academy, and demonstrated proficiency in job skills thru performance evaluations are required for continued employment.

Special assignment positions which are a part of this classification include all other duties assigned to by the Sheriff of Berkeley County.

Environmental Factors and Physical Demands: Employees must be able to work in a variety of environmental conditions. Work includes both indoor and outdoor conditions in both light and dark conditions. Duties require the following abilities on various types of surfaces (mountainous terrain, water, ice, flat and dry) in various weather conditions (rain, snow, ice, and other slippery conditions): running, jumping, sitting or standing for extended periods, maintaining balance, climbing stairs, ladders and inclines, kneeling, bending, stooping, crouching, reaching, pushing, pulling, twisting.

Examples of Work. In addition to the essential elements listed in §149-2-8.3, the following tasks are required:

A. When performing law enforcement duties:

- May assist with patrols to enforce laws, investigate crimes and arrest violators;
- May drive patrol vehicle through assigned area, observing traffic violations and issuing citations;
- Locates and takes persons into custody on arrest warrants;
- May attend court and present evidence in connection with arrests made or cases investigated;
- Investigates illegal or suspicious activities of persons and quells disturbances;
- Maintains order in crowds, parades, fairs and other public gatherings;
- Prepare and write extensive and complex police reports; correspondence, staff reports and related documents; maintain daily log of all activities;
- May transport or escort prisoners between courtrooms, correction facilities and medical facilities;
- Answers questions for, directs and assists the public;
- Operates telephone, radio, computer and miscellaneous equipment;
- May serve court orders and processes, such as summonses, subpoenas and income executions;
- May perform terrain patrol, operating four-wheelers and other special equipment in navigable areas of the County.

-Perform all essential duties of the Deputy Sheriff classification as necessary.

B. Supervision. Manages subordinate supervisors who supervise the patrol and investigation divisions. Is responsible for the overall direction, coordination, and evaluation. Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include interviewing, recommending for hire, planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems. Exercises direct supervision over deputy sheriffs, civil process, court security officers and/or other assigned subordinate staff. May provide technical direction to clerical staff.

- Supervises the activity of the shift, unit, team or patrol;
- Plan, direct and review the work of subordinate staff;
- Assist with developing and maintaining shift schedules and determining work assignments;
- Patrol county to review deputies in the performance of their duties;
- Review and evaluate incident and activity reports submitted by subordinates;
- Prepare Performance Evaluations;
- Take appropriate actions to correct performance deficiencies;
- Recommend disciplinary actions and implement actions as directed by higher authority;
- Inspects subordinate staff for compliance with dress and appearance standards;
- Inspects subordinate staff equipment;
- Facilitate the flow of information between the department members and supervision/management;
- Enforce the rules of the department and ensure that subordinate staff complies with department directives and procedures;

Knowledge, Skills and Abilities

- Working knowledge of the West Virginia State Law, Vehicle and Traffic Law, Criminal Procedures and other applicable laws, regulations and ordinances;
- Working knowledge of internal affairs investigatory process and understanding of management principles;
- Working knowledge of office practices and personnel management;
- Ability to apply the use of defensive and restraining physical techniques;
- Ability to acquire skill in the use of special equipment including radar and breathalyzers;
- Ability to apply first aid;
- Ability to deal firmly yet courteously with the public;
- Ability to follow and communicate written and oral directions effectively;
- Ability to observe;
- Ability to make quick decisions regarding personal safety in emergency situations;
- Ability to reason clearly;
- Ability to remember facts and information;
- Ability to apply the principles, practices and procedures of record keeping;
- Ability to effectively apply report writing techniques;
- Ability to read English and interpret written materials;
- Ability to push/pull, lift, carry heavy objects, stretch, twist, bend, run and demonstrate physical agility;
- Ability to carry on their person a utility belt weighing approximately 10-15 pounds and wearing a ballistic vest weighing approximately 10-15 pounds;
- Ability to carry and discharge a firearm, along with the skill level to comply with agency qualification standards and the ability to maintain firearms and equipment;
- Ability to apply a heightened sense of awareness, the ability to concentrate, multitask, communicate, and react quickly in a constantly changing environment;
- Skill in developing strategic plans and operational procedures;

- Skill in making oral presentations to groups of various sizes;
- Skill to apply the principles and practices of team leadership;
- Skill to enforce the department rules, regulations, directives, policies and procedures;
- Skill to apply modern principles, practices and techniques of law enforcement;
- Skill to manage non-criminal actions such as conflict resolution;
- Skilled in the principles, practices and procedures of supervision and training;
- Skilled in the principles and practices of police administration and modern law enforcement;
- Skill to supervise, schedule, direct, train, motivate and evaluate assigned staff;
- Skill to effectively supervise and coordinate law enforcement activities at the scene of serious incidents.

Special Requirements

- Possession of a valid state driver's license.
- In order to be eligible for promotion, candidate must meet all current requirements of Chapter 7 Article 14 of the West Virginia State Code.
- Graduation from high school or possession of a high school equivalency diploma.
- Graduate of an approved and prescribed police training course.

III. SERGEANT/CORPORAL

DEPUTY SHERIFF Corporal/Sergeant Classification: DSCS

System

West Virginia Civil Service

Distinguishing Characteristics

This position exists in the Berkeley County Sheriff's Department and involves responsibility for the protection of lives and property and the enforcement of general laws of West Virginia State and ordinances within the County. The Corporal/Sergeant performs supervisory, investigative and limited administrative and/or staff support work. Epitomize excellence and lead by example through exhibiting professional behavior, personal bearing, respect for authority, and high standards of dress and appearance. On an assigned shift a Corporal/Sergeant may conduct investigations of offenses, apprehend violators, and/or conduct routine patrol operations in accordance with standard departmental operating procedures. The work is performed under the general supervision of a higher-ranking employee who gives specific instructions and assistance when special problems arise. Does related work as required and or directed by the Sheriff of Berkeley County or his designated representatives.

Nature of Work

Employees in this position are the first line of supervision within the department.

Accept and execute all duties, instructions, responsibilities and lawful orders in a timely and efficient manner. Lead and develop subordinates and exercise effective followership in mission accomplishment. Place the requirements of their official duties and responsibilities ahead of their personal desires. Have the authority to issue lawful orders appropriate for the completion of their assigned tasks. Detect and correct conduct and behavior that may place themselves or others at risk. Promote esprit de corps.

Employees are responsible to assist the general public in disasters, emergencies and other matters of a non-criminal nature. Employees rotate shift hours with varying days off, and are expected to be able to perform the functions and duties of all shifts in all required areas of law enforcement, with back-up only to the extent available. Employees work independently under the general supervision of a supervisor and are expected to handle a variety of potentially hostile and dangerous situations in a calm, competent manner. Employees are required to exercise discretion and judgment and to analyze situations quickly and objectively, to recognize actual and potential danger, and to determine proper courses of action. Unusual problems and situations are referred to a supervisor. Work is reviewed by the supervisor through observation and evaluation of demonstrated ability to handle a variety of work situations.

Employees are required to use only that amount of force which is reasonably necessary to effect arrests, to protect persons or property, in accordance with West Virginia State Law and Department Policies and Procedures.

Employees are sworn to act in behalf of the Sheriff of Berkeley County and carry firearms in the performance of their duties. Qualification with firearms per Department policy, successful completion of basic police academy, and demonstrated proficiency in job skills thru performance evaluations are required for continued employment.

Special assignment positions which are a part of this classification include K-9 Deputy, Court Security and all other duties assigned to by the Sheriff of Berkeley County. Employees may be required to perform the duties of any of these special assignments as detailed in corresponding position descriptions.

Environmental Factors and Physical Demands: Employees must be able to work in a variety of environmental conditions. Work includes both indoor and outdoor conditions in both light and dark conditions. Duties require the following abilities on various types of surfaces (mountainous terrain, water, ice, flat and dry) in various weather conditions (rain, snow, ice, and other slippery conditions): running, jumping, sitting or standing for extended periods, maintaining balance, climbing stairs, ladders and inclines, kneeling, bending, stooping, crouching, reaching, pushing, pulling, twisting.

Examples of Work

A. When performing law enforcement duties:

- Patrols assigned areas to enforce laws, investigate crimes and arrest violators;
- Drives patrol vehicle through assigned area, observing traffic violations and issuing citations;
- Assumes control at traffic accidents to maintain traffic flow, assists accident victims and investigates causes of accidents;
- Locates and takes persons into custody on arrest warrants;
- May attend court and present evidence in connection with arrests made or cases investigated;
- Notifies supervisors of major accidents or crimes and making preliminary investigations;
- Investigates illegal or suspicious activities of persons and quells disturbances;
- Maintains order in crowds, parades, fairs and other public gatherings;
- Prepare and write extensive and complex police reports; correspondence, staff reports and related documents; maintain daily log of all activities;
- May transport or escort prisoners between courtrooms, correction facilities and medical facilities;
- Answers questions for, directs and assists the public;
- Operates telephone, radio, computer and miscellaneous equipment;
- May serve court orders and processes, such as summonses, subpoenas and income executions;
- May perform terrain patrol, operating four-wheelers and other special equipment in navigable areas of the County.
- Perform all essential duties of the Deputy Sheriff classification as necessary.

B. While working/assisting court security:

- Shall guard and protect judges, non-judicial officers and employees, trial jurors, attorneys, witnesses, and the general public;
- Shall operate a magnetometer and/or other forms of metal detectors.

C. Supervision. Receives direction from assigned management staff. Exercises direct supervision over deputy sheriffs, civil process, court security officers and/or other assigned subordinate staff. May provide technical direction to clerical staff.

- Supervises the activity of the shift, unit, team or patrol;
- Plan direct and review the work of subordinate staff;
- Assist with developing and maintaining shift schedules and determining work assignments;
- Provides on-the-job training to assigned staff;
- Patrol county to review deputies in the performance of their duties;
- Review and evaluate incident and activity reports submitted by subordinates;
- Prepare Performance Evaluations;

- Take appropriate actions to correct performance deficiencies;
- Recommend disciplinary actions and implement actions as directed by higher authority;
- Inspects subordinate staff for compliance with dress and appearance standards;
- Inspects subordinate staff equipment;
- Provide supervision at incident and crime scenes; coordinate with other activities;
- Facilitate the flow of information between the department members and supervision/management;
- Enforce the rules of the department and ensure that subordinate staff complies with department directives and procedures;

Knowledge, Skills and Abilities. In addition to the essential elements listed in §149-2-8.3, the following tasks are required:

- Working knowledge of modern principles, practices and techniques of law enforcement;
- Working knowledge of the West Virginia State Law, Vehicle and Traffic Law, Criminal Procedures and other applicable laws, regulations and ordinances;
- Working knowledge of the local geography;
- Working knowledge of the operation of radio equipment;
- Working knowledge of search and frisk methods;
- Working knowledge of the use of defensive and restraining physical techniques;
- Ability to acquire skill in the use of special equipment including radar and breathalyzers;
- Ability to apply first aid;
- Ability to deal firmly yet courteously with the public;
- Ability to follow and communicate written and oral directions effectively;
- Ability to observe;
- Ability to make quick decisions regarding personal safety in emergency situations;
- Ability to reason clearly;
- Ability to remember facts and information;
- Ability to apply the principles, practices and procedures of record keeping;
- Ability to effectively apply report writing techniques;
- Ability to read English and interpret written materials;
- Ability to push/pull, lift, carry heavy objects, stretch, twist, bend, run and demonstrate physical agility;
- Ability to carry on their person a utility belt weighing approximately 10-15 pounds and wearing a ballistic vest weighing approximately 10-15 pounds;
- Ability to carry and discharge a firearm, along with the skill level to comply with agency qualification standards and the ability to maintain firearms and equipment;
- Ability to apply a heightened sense of awareness, the ability to concentrate, multitask, communicate, and react quickly in a constantly changing environment;
- Ability to apply the principles and practices of team leadership;
- Ability to enforce the department rules, regulations, directives, policies and procedures;
- Skill to manage non-criminal actions such as conflict resolution;
- Skilled in the principles, practices and procedures of supervision and training;
- Skilled in the principles and practices of police administration and modern law enforcement;
- Skill to supervise, schedule, direct, train, motivate and evaluate assigned staff;
- Skill to effectively supervise and coordinate law enforcement activities at the scene of serious incidents.

Special Requirements

- Possession of a valid state driver's license.

- In order to be eligible for promotion, candidate must meet all current requirements of Chapter 7 Article 14 of the West Virginia State Code.
- Graduation from high school or possession of a high school equivalency diploma.
- Graduate of an approved and prescribed police training course.

IV. DEPUTY

DEPUTY SHERIFF Classification: XDSE

System

West Virginia Civil Service

Distinguishing Characteristics

This position exists in the Berkeley County Sheriff's Department and involves responsibility for the protection of lives and property and the enforcement of general laws of West Virginia State and ordinances within the County. On an assigned shift a Deputy Sheriff may assist in investigations of offenses, apprehend violators, and/or conduct routine patrol operations in accordance with standard departmental operating procedures. The work is performed under the general supervision of a higher-ranking employee who gives specific instructions and assistance when special problems arise. Does related work as required and or directed by the Sheriff of Berkeley County or his designated representatives.

Nature of Work

Accept and execute all duties, instructions, responsibilities, and lawful orders in a timely and efficient manner. Complete assigned tasks and accomplish the mission. Place the requirements of official duties and responsibilities ahead of personal desires. Issue lawful orders when placed in charge of work activity or other assigned tasks.

Employees are responsible to assist the general public in disasters, emergencies and other matters of a non-criminal nature. Employees rotate shift hours with varying days off, and are expected to be able to perform the functions and duties of all shifts in all required areas of law enforcement, with back-up only to the extent available. Employees work independently under the general supervision of a supervisor and are expected to handle a variety of potentially hostile and dangerous situations in a calm, competent manner. Employees are required to exercise discretion and judgment and to analyze situations quickly and objectively, to recognize actual and potential danger, and to determine proper courses of action. Unusual problems and situations are referred to a supervisor. Work is reviewed by the supervisor through observation and evaluation of demonstrated ability to handle a variety of work situations.

Employees are required to use only that amount of force which is reasonably necessary to effect arrests, to protect persons or property, in accordance with West Virginia State Law and Department Policies and Procedures.

Employees are sworn to act in behalf of the Sheriff of Berkeley County and carry firearms in the performance of their duties. Qualification with firearms per Department policy, successful completion of basic police academy, and demonstrated proficiency in job skills in the successful completion of the FTO program and probation is required for continued employment.

Special assignment positions which are a part of this classification include K-9 Deputy, Court Security and all other duties assigned to by the Sheriff of Berkeley County. Employees may be required to perform the duties of any of these special assignments as detailed in corresponding position descriptions.

Environmental Factors and Physical Demands: Employees must be able to work in a variety of environmental conditions. Work includes both indoor and outdoor conditions in both light and dark conditions. Duties require the following abilities on various types of surfaces (mountainous terrain, water, ice, flat and dry) in various weather conditions (rain, snow, ice, and other slippery conditions): running, jumping, sitting or standing for extended periods, maintaining balance, climbing stairs, ladders and inclines, kneeling, bending, stooping, crouching, reaching, pushing, pulling, twisting.

Examples of Work

A. When performing law enforcement duties:

- Patrols assigned areas to enforce laws, investigate crimes and arrest violators;
- Drives patrol vehicle through assigned area, observing traffic violations and issuing citations;
- Assumes control at traffic accidents to maintain traffic flow, assists accident victims and investigates causes of accidents;
- Locates and takes persons into custody on arrest warrants;
- May attend court and present evidence in connection with arrests made or cases investigated;
- Notifies supervisors of major accidents or crimes and making preliminary investigations;
- Investigates illegal or suspicious activities of persons and quells disturbances;
- Maintains order in crowds, parades, fairs and other public gatherings;
- Prepare and write extensive and complex police reports; correspondence, staff reports and related documents; maintain daily log of all activities;
- May transport or escort prisoners between courtrooms, correction facilities and medical facilities;
- Answers questions for, directs and assists the public;
- Operates telephone, radio, computer and miscellaneous equipment;
- May serve court orders and processes, such as summonses, subpoenas and income executions;
- May perform terrain patrol, operating four-wheelers and other special equipment in navigable areas of the County.

B. While working/assisting court security:

- Shall guard and protect judges, non-judicial officers and employees, trial jurors, attorneys, witnesses, and the general public;
- Shall operate a magnetometer and/or other forms of metal detectors.

Knowledge, Skills and Abilities. At the completion of an entry level training program, an officer should be able to perform the following essential functions (§149-2-8.3):

- Arrest and Detain Persons. -- In arrest and detention, an officer may:
 - Advise persons of constitutional rights (Miranda Warning);
 - Arrest persons with a warrant;
 - Arrest persons without a warrant (non-traffic);
 - Conduct temporary detention ("stop and frisk") of suspicious persons;
 - Execute felony motor vehicle stop;
 - Investigate a suspicious vehicle;
 - Plan how to make and execute arrests;
 - Prepare information and complaint for the filing of charges following an arrest (criminal investigation);
 - Review warrants for completeness and accuracy;
 - Obtain arrest warrants and making proper returns;
 - Check for warrants on persons through NCIC.

-Protect Crime Scene and Collect Evidence and Information. -- In protecting the crime scene and collecting evidence and information, an officer may:

- Collect evidence and personal property from a crime scene;
- Diagram crime scenes;
- Document the chain of custody for evidence;
- Dust and lift latent fingerprints;
- Examine evidence and personal property from crime scenes to determine their importance;
- Package evidence or personal property;
- Use a camera (35mm/video camera, etc.);
- Protect a crime scene until specialized or back-up assistance arrives;
- Record location of physical evidence and fingerprints at the scene;
- Secure the crime scene;
- Initial, mark, and label evidence;
- Determine the area of the crime scene;
- Search crime scenes for physical evidence;
- Search dead bodies for personal property and evidence;
- Recover and inventory stolen property; and
- Tag evidence and confiscated property.

-Enforce Driving Under the Influence (DUI)/Traffic Laws. – In enforcement of DUI/Traffic laws, an officer may:

- Observe persons to recognize signs of drug or alcohol intoxication;
- Make custodial traffic arrests (e.g., DUI);
- Administer roadside sobriety tests;
- Fill out a warrant application to obtain DUI related blood or urine sample;
- Arrange for obtaining a blood or urine sample for blood alcohol content (BAC);
- Arrest DUI suspects;
- Determine probable cause to execute a DUI stop;
- Operate a secondary chemical test instrument to test blood alcohol content;
- Investigate hit and run violations;
- Investigate a traffic crash scene to identify points of impact;
- Record statements of witnesses to traffic crashes;
- Assist trapped persons;
- Direct a moving vehicle out of a line of traffic to execute a vehicle stop; and
- Stop vehicles to arrest, cite or warn occupants.

-Operate Patrol Vehicle. -- In operating a patrol vehicle, an officer may:

- Engage in emergency driving in a congested area;
- Engage in high-speed pursuit or response driving off road;
- Engage in high-speed pursuit or response driving on an open road;
- Respond to crime in progress calls; and
- Operate portable and car radio equipment.

-Conduct Search and Seizure. -- In conducting search and seizure, an officer may:

- Obtain warrants and make proper returns;
- Plan, organize, and conduct raids;
- Observe a person's body language to assess intentions and attitudes;
- Conduct a field search of arrested persons;
- Conduct a frisk or pat down;
- Search a movable automobile under independent probable cause;

- Search persons in accordance with a court order (e.g., blood sample, hair sample);
- Search premises or property incident to an arrest;
- Search premises or property in hot pursuit or emergency situations;
- Search premises or property with consent;
- Search premises or property with a warrant;
- Seize contraband; and
- Search for a person in a darkened building or environment.

-Use Physical Force to Control Persons. -- In using force to control persons, an officer may:

- Confront, in a riot formation, groups of agitated people;
- Control hostile groups (e.g., demonstrators, rioters);
- Use holds or devices to control or take a suspect down;
- Tackle a fleeing suspect;
- Physically subdue an attacking person;
- Use weaponless defense tactics;
- Subdue a person resisting arrest;
- Use body pressure points to control a person;
- Disarm a violent armed suspect;
- Remove a person out of vehicle who is resisting arrest;
- Strike a person with side-handled baton;
- Strike a person with straight baton;
- Use submission holds to control a person;
- Locate and observe crowd agitators;
- Patrol riot stricken or civil disturbance areas;
- Physically restrain a crowd;
- Catch a falling person to prevent injury;
- Use body language to project control and influence a situation;
- Use voice commands to project control and direct actions; and
- Hold a flashlight in one hand while performing various police duties.

-Use Deadly Weapons. -- In using deadly weapons, an officer may:

- Clean and inspect weapons;
- Discharge a firearm at a vehicle;
- Discharge a firearm in low light conditions;
- Discharge a firearm at a person;
- Draw a weapon to protect himself or herself or a third party;
- Participate in firearms training;
- Secure a firearm when off duty (e.g., home);
- Fire a weapon in a dark environment with a flashlight in one hand;
- Fire a weapon in low light combat (not including training);
- Fire a weapon in daytime combat (not including training);
- Carry a firearm when off duty; and
- Discharge a weapon at an animal.

-Provide Emergency Assistance. -- In providing emergency assistance, an officer may:

- Determine existence of hazardous materials at the scene of a wreck (e.g., train, vehicle, etc.);
- Evacuate persons from dangerous areas (e.g., fire, chemical accident, etc.);
- Secure accident and disaster scenes;
- Administer cardio-pulmonary resuscitation (CPR);

- Administer mouth-to-mouth resuscitation;
- Apply basic first aid to control bleeding;
- Apply basic first aid to treat for amputations;
- Apply basic first aid to treat for choking (e.g., Heimlich Method);
- Talk with a person attempting suicide to get him or her to stop or delay the attempt.
- Use protective gear to prevent contact with infectious diseases;
- Take a mentally ill person into custody for his or her own protection;
- Mediate family disputes;
- Fire a weapon in a dark environment with flashlight in one hand;
- Pull person out of a vehicle to perform a rescue; and
- Place children in protective custody (e.g., child abuse).

-Conduct Initial and Follow-Up Investigation of Various Crimes and Events. -- In conducting such investigation, an officer may:

- Conduct complete criminal investigations;
- Respond to and conduct preliminary investigation of events including but not limited to criminal activity, traffic crashes and disasters.
- Conduct on-the-scene suspect identifications (e.g., show-up or one-on-one suspect identification);
- Conduct stationary surveillance of individuals or locations;
- Determine whether incidents are criminal or civil matters;
- Determine whether recovered property is linked with a previous crime; and
- Exchange necessary information with other law enforcement officials (including intelligence information).

-Write and Read Reports and Other Documents. -- In writing and reading reports and other documents, an officer may:

- Complete an initial offense report;
- Complete arrest reports;
- Complete a criminal investigation report of felonies; and
- Record confessions in writing.

-Present Testimony. -- In presenting testimony, an officer may:

- Present evidence in legal proceedings;
- Review reports and notes prior to court testimony;
- Testify at evidence suppression hearings;
- Testify at probable cause preliminary hearings;
- Testify before grand juries;
- Testify in criminal trials; and
- Testify in administrative hearings (e.g., Division of Motor Vehicles' (DMV) driver's license revocation, breath test refusal):

-Transport Persons in Custody. -- In transporting persons in custody, an officer may:

- Operate a vehicle to transport prisoners; and
- Search a vehicle for weapons and contraband (e.g., before and after prisoner)

-Conduct Interviews and Interrogations. -- In conducting interviews and interrogations, an officer may:

- Interrogate adult suspects;
- Interview complainants, witnesses, etc.;
- Interview victims of sex crimes.
- Interrogate a suspect or witness with use of polygraph results;

- Interview informants;
- Take statements of witnesses; and
- Interrogate juvenile suspects.

-Conduct Traffic Crash Investigations. -- In conducting traffic crash investigations, an officer may:

- Collect physical evidence from a crash scene;
- Complete the standard Division of Highways traffic crash report form;
- Determine contributing factors to a crash;
- Diagram crash scenes;
- Protect traffic crash physical evidence for collection; and
- Take precautions to prevent additional crashes at a crash scene.

-Equipment Used by Law Enforcement Officers. In performing the essential functions of the job, an officer may use the following:

- A roadside preliminary breath test;
- An automobile;
- A baton (or other department authorized Less Than Lethal equipment, i.e. taser, mace/pepper spray);;
- Body armor;
- A fire extinguisher;
- A first aid kit;
- Road flares;
- A flashlight;
- Flexi-cuffs;
- Handcuffs;
- A handheld police radio;
- A police car radio;
- A public address system;
- A speed measuring device;
- A handgun;
- A shotgun;
- Lights and sirens;
- Rubber gloves;
- Ammunition and ammunition magazines; and
- Weapon cleaning equipment

Special Requirements

- Possession of a valid state driver's license.
- In order to be eligible for appointment candidate must meet all current requirements of Chapter 7 Article 14 of the West Virginia State Code.
- Graduation from high school or possession of a high school equivalency diploma.

End Notes

- (i) §7-14-7 states “Any such commission has the power and authority to require by rules and regulations a physical fitness examination as part of its competitive examination or as part of its medical examination”.
- (ii) §149CSR2 states “The minimum passing grade on an examination is seventy-five percent (75%) and an officer shall maintain an academic average of seventy-five percent (75%) for graduation and certification.” Considering this is the required standard for certification, the entrance examination should be of comparable requirement.
- (iii) §7-14-7 states “Any such commission has the power and authority to require by rules and regulations a physical fitness examination as part of its competitive examination or as part of its medical examination”.
- (iv) Civil Action 11-C92 stipulates that “The Commission’s responsibility, under WV Code 7-14-1, et seq, includes setting rules necessary to carry out the promotional process. This includes delineating, with proper notice and distribution, what should happen, for example, in the event of a tie score. These types of issues are the province of the Commission....”
- (v) Civil Action 11-C92 stipulates that “This Court should view of the two years in grade requirement in the same manner – the new appointment date is always the date for the two years in grade requirement – even if reinstatement was done pursuant to Article 8”.
- (vi) Civil Action 01-P-12, Meadows v. Hopkins stipulates that “For these reasons, we therefore hold that, pursuant to W. Va. Code § 7-14-8 (1972) (Repl. Vol. 2000), the civil service commission for deputy sheriffs has exclusive discretionary authority to reinstate an applicant for deputy sheriff, who formerly served as a deputy sheriff, without either a competitive examination or the concurrence of the sheriff or county commission.”
- (vii) Civil Action 11-C92 stipulates that “This language is a clear attempt to require the Commission and the Sheriff to fill vacancies in a reasonable time frame. Completing competitive examinations in a timely manner is necessary to the completion of this mandate. It appears that at least two options are available to the Commission: a recurring examination at least every two years, or an examination promptly given upon vacancy.....Accordingly, the Court should not and does not determine the rules for when competitive examinations are to be held going forward”.
- (viii) Civil Action 11-C92 stipulates that “Next, the date for eligibility in regard to the two years’ service in the next lower grade, must be set at the date of vacancy of the position for which the person is being promoted.....So, the Commission is ORDERED to make this the date for determining eligibility for the subject promotions. Further, it is clear that this two years in the next lower grade requirement must be continuous and immediately preceding the vacancy. So, the Commission is ORDERED to certify deputies for promotion following this interpretation”.
- (ix) Civil Action 11-C92 stipulates that “These sections read, in pari material and in light of prior precedent, establish two categories of criteria which are to be used in deputy sheriff promotions: (1) qualification as shown by previous service and experience; and (2) merit and fitness as ascertained by competitive examinations to be

provided by the civil service commission. Previous service means performance appraisals; experience means seniority. Syl. Pt. 3, Mangus v. Ashley, 199 W. Va. 651, 487 S.E.2d 309 (1997)."

(x) §7-14-13 states " *No person shall be eligible for promotion from the lower grade to the next higher grade until such person shall have completed at least two years' service in the next lower grade". Therefore consideration should be given to the evaluations of those two years immediately prior to the eligibility date.*

(xi) Civil Action 11-C92 stipulates that "*The Commission's responsibility, under WV Code 7-14-1, et seq, includes setting rules necessary to carry out the promotional process. This includes delineating, with proper notice and distribution, what should happen, for example, in the event of a tie score. These types of issues are the province of the Commission....*"

(xii) Civil Action No. 89-C-679-B, Meek v. Pugh stated: "*....allow no exercise of discretion and require the promotion of the highest scoring individual as a matter of law*".

These rules and Regulations of the Berkeley County Deputy Sheriffs Civil Service Commission were approved and adopted this 15TH day of SEPTEMBER, 2021.

BETSY PLUMER

President, Berkeley County Deputy Sheriffs Civil Service Commission

DAVID SKILLMAN

Commissioner, Berkeley County Deputy Sheriffs Civil Service Commission

JAMES MOFFITT

Commissioner, Berkeley County Deputy Sheriffs Civil Service Commission

2.

Open/Closed/Tabled Issue Running List

Table of Contents

Issue Item Number	Title	Opened	Closed - Tabled	OPR
2024 - 0001	Nomination of BCDSCSC President	January 27, 2024	April 24, 2024	All Commissioners
2024 - 0002	BCDS Chief Young's Request for Reinstatement Submittal/Withdrawal.	March 27, 2024	March 27, 2024	All Commissioners
2024 - 0003	REVISED Title; Investigating Test Providers for Deputy Sheriff Promotional Examination Services. Titled changed 9-18-2024, Civil Service Meeting Former Title: Online Testing for the Berkeley County Deputy Sheriff Department for Open Entry and Promotional exams.	????????	This item was TABLED on May 22, 2024, pending more information relating to a budget – financial obligation. ----- This item was readdressed on 9-18-2024 and was also TABLED again on 9-18-2024	All Commissioners
2024 - 0004	Amendment to BCDSCSC Rules & Regulation RE: Virtual Attendance.	March 27, 2024	April 24, 2024	All Commissioners
2024 - 0005	Hiring of Deputy Charles Hess.	October 19, 2023	March 27, 2024	All Commissioners
2024 - 0006	Promotional Exam for Corporal on Monday, March 25, 2024. RE: due to Steerman vacancy	January 23, 2024	April 24, 2024	Deputy County Clerk/ Asst. Secretary Mr. Alderton
2024 - 0007	Letter of Resignation for Lt Kurt Yoder, Effective March 12, 2024, received this Office on March 13, 2024	March 13, 2024	March 27, 2024	Deputy County Clerk/ Asst. Secretary Mr. Alderton
2024 - 0008	Promotional Exam Request for Rank of Lieutenant due to Lt Yoder's resignation, which created the vacancy as of March 13, 2024	March 27, 2024	July 17, 2024	All Commissioners

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Open/Closed/Tabled Issue Running List

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Issue Item Number	Title	Opened	Closed - Tabled	OPR
2024 - 0009	Promotional Exam Request for Rank of Sergeant due to Lt Yoder's resignation, which created the vacancy as of March 13, 2024	March 27, 2024	July 17, 2024	All Commissioners
2024 - 0010	Promotional Exam Request for Rank of Corporal Due to Lt Yoder's resignation, which created the vacancy as of March 13, 2024	March 27, 2024	July 17, 2024	All Commissioners
2024 - 0011	Transfer Request from Mr. Timothy Everhart	March 27, 2024	March 27, 2024	Deputy County Clerk/ Asst. Secretary Mr. Alderton
2024 - 0012	Part-Time Employment Amendment. IAW WV State Code §17-14-15a, to Rules & Regulations	January 27, 2024	April 24, 2024	Chief T.A. Young /Chief of Staff Eric Burnett
2024 - 0013	Open Hire Process IAW Current Rules & Regulation. Rules & Regulation Update/Review	April 24, 2024		President Dopson
2024 - 0014	Position Classification Plan – Does the Chief Administrator's Position Need to be added?	March 27, 2024	April 24, 2024	Deputy County Clerk/ Asst. Secretary Mr. Alderton
2024 - 0015	Master Classification & Proposed Rank Structure.	April 24, 2024	May 22, 2024	Chief T.A. Young All Commissioners
2024 - 0016	Draft of Revised Berkeley County Deputy Sheriff Civil Service Application	April 24, 2024	July 17, 2024	Deputy County Clerk/ Asst. Secretary Mr. Alderton
2024 - 0017	Open Hire Physical Agility & Written Examination (August 3, 2024)	May 22, 2024	August 21, 2024	All Commissioners
2024 - 0018	(Informational) Job Fair Participation (May 8, 2024)	May 22, 2024	May 22, 2024	Deputy County Clerk/ Asst. Secretary Mr. Alderton

Open/Closed/Tabled Issue Running List

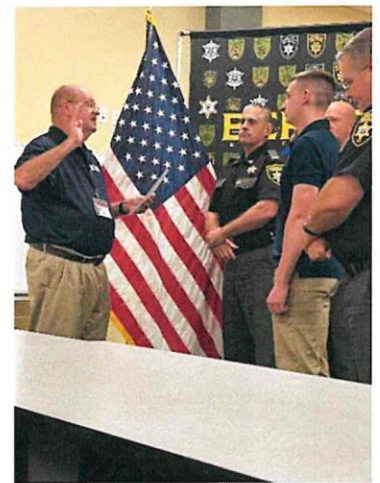
Table of Contents - Continued

2024 - 0019	(Informational) Resignation of Deputy Thadeuss Wright (Last Work Day, June 1, 2024)	May 22, 2024	May 22, 2024	Deputy County Clerk/ Asst. Secretary Mr. Alderton
2024 - 0020	Provisional Appointment(s)	July 17, 2024	July 17, 2024	All Commissioners
2024 - 0021	Preference Points for Certified Officers	July 17, 2024	July 17, 2024	Deputy County Clerk/ Asst. Secretary Mr. Alderton
2024 - 0022	(Informational) Demotion (Voluntary) Letter of Request. Re Sergeant Harold Heagy	July 1, 2024	July 17, 2024	Deputy County Clerk/ Asst. Secretary Mr. Alderton
2024 - 0023	Promotional Exam Request for Rank of Sergeant due to Sergeant Heagy Demotion (Voluntary) Request, which created the vacancy as of July 1, 2024	July 1, 2024	October 16, 2024	Deputy County Clerk/ Asst. Secretary Mr. Alderton
2024 - 0024	Request for New Open Hire Physical Agility Test & Written Examination.	August 21, 2024		Deputy County Clerk/ Asst. Secretary Mr. Alderton
2024 - 0025	Conditional Hiring Request for Approval RE: Applicant Bryce Reinhardt	September 18, 2024	September 18, 2024	All Commissioners
2024 - 0026	Request to Stricken/Remove Applicant RE: Jerry Lee Moschel	September 18, 2024	October 16, 2024	Deputy County Clerk/ Asst. Secretary Mr. Alderton
2024 - 0027	Request to Stricken/Remove Applicant RE: Stefan Cebotari	September 18, 2024	November 20, 2024	Deputy County Clerk/ Asst. Secretary Mr. Alderton
2024 - 0028	Conditional Hiring Request for Approval RE: Applicant Aden Drake	September 18, 2024	October 16, 2024	All Commissioners
2024 - 0029	Request for New Open Hire Physical Agility & Written Examination. RE December 14, 2024	October 30, 2024		Deputy County Clerk/ Asst. Secretary Mr. Alderton

3. Oath of Office for Deputy Sheriff of Berkeley County. The Oath of Office for the Deputy Sheriff of Berkeley County is a solemn pledge taken by each individual upon their appointment to the role. This oath serves as a binding commitment to uphold the Constitution of the United States, the Constitution of the State of West Virginia, and the laws of Berkeley County. It emphasizes the dedication to serving the community with integrity, honor, and respect for all individuals.

In taking this oath, the Deputy Sheriff affirms their duty to protect the rights and liberties of the citizens, maintain peace and order, and execute the responsibilities of their position with impartiality and diligence. The oath underscores the values of accountability, transparency, and ethical conduct in the performance of their duties.

This ceremonial act not only marks the official induction into the office but also reinforces the Deputy Sheriff's allegiance to the principles of justice and public service. It serves as a reminder of the significant trust placed in law enforcement officers by the community and the solemn obligation to fulfill their role with the highest standards of professionalism and dedication.



United States of America



State of West Virginia

County of Berkeley, ss:

Before me, Anthony (*Tony*) J. Petrucci, Clerk of the County and state aforesaid, personally appeared **(FULL NAME)** who has been duly appointed as a **Deputy Sheriff to the Office of Berkeley County Deputy Sheriff's Office, Berkeley County, West Virginia** and took and subscribed the following:

I, **(FULL NAME)** do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of West Virginia.

I, **(FULL NAME)** do solemnly swear that I will faithfully discharge the duties of the office of **DEPUTY SHERIFF; BERKELEY COUNTY DEPUTY SHERIFF'S OFFICE** to the best of my skill and judgment.

So help me God.

(FULL NAME)

Given under my hand this ____ day of Month Year

ANTHONY (*TONY*) J. PETRUCCI,
Clerk of the County Court of Berkeley County

Special Thank You

We, as a commission, want to take a moment to express our deepest appreciation for the incredible efforts of several individuals and teams who have played a pivotal role in our journey through 2024.



Kiersten Emerick, Penny Shewell and Aleah Tucker your exceptional administrative assistance in publishing our various items to the Berkeley County Official Web Page has been nothing short of outstanding. The meticulous attention to detail, commitment to accuracy, and professionalism you exhibit have significantly enhanced our online presence. Your efficiency ensures that our communications are not only timely but also clear, engaging, and effectively reaching our intended audience.



In addition to assisting with our online content, your expertise in creating a PDF fillable application has been incredibly helpful. Your ability to design a user-friendly, accessible document has streamlined our processes, making it easier for applicants to complete and submit their information efficiently. This has greatly improved accessibility and organization, benefiting both our staff and the public.

Beyond your technical skills, your responsiveness and willingness to go above and beyond have not gone unnoticed. Whether handling last-minute updates, ensuring compliance with necessary guidelines, or presenting information in a professional manner, your contributions have been invaluable.

We are profoundly grateful for your dedication and hard work, which have played a vital role in advancing our mission. Thank you for your continued efforts and unwavering commitment to excellence.

Additionally, we would like to extend a special thank you to the entire IT team for their unwavering support and behind-the-scenes contributions throughout the year. Their expertise and dedication have been instrumental in ensuring the seamless streaming of our meetings, enhancing accessibility and transparency for the public. Additionally, their assistance with formatting challenges in our documents has been invaluable in maintaining the professionalism and accuracy of our records.



A special acknowledgment goes to Mr. Jeff Frye, a talented member of the IT Department for designing the dynamic Civil Service Commission logo, which now serves as a strong visual representation of our mission and values. His creativity and technical skill brought this design to life, providing us with an identity that reflects our dedication to integrity and service.

The Commission recognizes and deeply values the IT Departments passion for excellence. Their seamless integration of technology, timely updates, and continuous support are vital to our operations, and we are truly appreciative of all they do to keep everything running smoothly.



We also extend our heartfelt thanks to Brandy Sullivan of the Berkeley County Sheriff's Office. Brandy is our go-to person for scheduling critical activities, including Open Hire Testing and Promotional Testing. Her professionalism, organizational skills, and commitment to excellence ensure that these processes run smoothly and efficiently.

Beyond scheduling, Brandy plays a crucial role in coordinating logistics, addressing last-minute challenges, and providing timely communication that keeps all parties informed. Her keen attention to detail, proactive approach, and willingness to go above and beyond make her an invaluable asset, not only to the Commission but also to multiple facets of the Sheriff's Office.

Her unwavering support and dedication do not go unnoticed. We deeply appreciate her hard work, reliability, and the positive impact she has on our operations. Brandy's contributions are truly indispensable, and we are incredibly grateful for all she does.

The Berkeley County Deputies – Lastly, but certainly not least, we want to recognize and thank the Berkeley County Deputies, who consistently go above and beyond to support our Entry-Level Open Hire Examinations. Your readiness to assist, regardless of the weather conditions, demonstrates an unwavering dedication to our community and to the success of these crucial events. Your presence and professionalism ensure that each examination is conducted with the utmost integrity and efficiency. We deeply value your continued support and are honored to have such a reliable team to count on.



Thank you *all* for your extraordinary contributions. It is through your collective efforts that we are able to achieve our goals and serve our community with excellence.

Berkeley County Deputy Sheriff Civil Service Commission Annual Report for 2024

Certification of Submission

The Berkeley County Deputy Sheriff Civil Service Commission hereby certifies that this Annual Report, detailing the activities, accomplishments, and data related to Commission for the calendar year 2024, has been prepared in accordance with the applicable provisions of West Virginia State Code.

The undersigned members of the Civil Service Commission affirm that this document is an accurate and comprehensive representation of the Commission's operations. This report is submitted to the County Clerk, who shall present it to the County Court (Berkeley County Commission) and the Sheriff of Berkeley County, as required by West Virginia State Code (§7-14-6, Powers and Duties of Commission)

Acknowledgment and Signatures

President

I, Dale A. Buck, Esq., as the President of the Berkeley County Deputy Sheriff Civil Service Commission, hereby affix my signature to this report, attesting to its accuracy and approval.

Signature: _____

Date: _____

Commissioner

I, Stephen D. Dopson, as a Commissioner of the Berkeley County Deputy Sheriff Civil Service Commission, hereby affix my signature to this report, attesting to its accuracy and approval.

Signature: _____

Date: _____

Commissioner

I, James G. Moffett, as a Commissioner of the Berkeley County Deputy Sheriff Civil Service Commission, hereby affix my signature to this report, attesting to its accuracy and approval.

Signature: _____

Date: _____



Civil Service Seal

For Submission to the County Clerk



This report is officially submitted to the Office of the Berkeley County Clerk, to be delivered to the County Court (Berkeley County Commission) and the Sheriff of Berkeley County.

Civil Service Commission Seal

For Submission to the County Court (County Commission) & Sheriff of Berkeley County

Submitted By:

Anthony (Tony) J. Petrucci, County Clerk of Berkeley County

Date: 3-19-25



Seal of the County Court