



Rules and Regulations — June 18, 2025 —

Berkeley County Deputy Sheriff Civil Service Commission

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Foreword

The Deputy Sheriff Civil Service Commission is an independent all volunteer body established under West Virginia State code §7-14-3, to ensure a fair, transparent, and merit-based system for the hiring, selection, promotion, and discipline of deputy sheriffs. The Commission operates within a framework of civil service laws and regulations, to include local Rules & Regulations designed to uphold the integrity and professionalism of the Berkeley County Sheriff's Office.

The Commission is comprised of three (3) members. one (1) of whom shall be appointed by the Bar Association of Berkeley County, one (1) of whom shall be appointed by the Berkeley County Deputy Sheriff's Association, and one (1) of whom shall be appointed by the County Commission of Berkeley County.

The appointed commissioners shall be qualified voters of Berkeley County for which they are appointed, and at least two of the commissioners shall be persons in full sympathy with the purposes of Article 14. Additionally, not more than two (2) of the commissioners, at any one time, shall be members of the same political party. Commissioners are chosen for their confidence in ensuring a balanced and knowledgeable approach to the Commission's responsibilities will be adhered to.

Respectfully,

The President

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 (specifically, but not limited to, §7-14, §6-13, §30-29) 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 These rules and regulations so prescribed may, from time to time, be added to, amended or rescinded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 these rules and regulations:

1. 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.
2. New Applicant – A citizen of the United States who does NOT possess previous Law Enforcement (LE) experience.
3. Previously certified LE Applicant – An applicant who DOES possess previous LE experience and that said experience is as recent as within two years.
4. Berkeley County Deputy Sheriffs Association – herein and after referred to as BCDSA.
5. New Employment Eligible List – A list that contains the names of those who have met the requirements of the written examination.

Section III – Responsibilities

1. 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)

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

- (1) Procedures for hiring new Deputy Sheriffs
- (2) Procedures for hiring **Previously** certified LE Deputy Sheriffs
- (3) Procedures for promoting Deputy Sheriffs
- (4) Training and Retraining of Deputy Sheriffs
- (5) Hearings and Appeals
- (6) 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 BCDSA.

c. The Berkeley County Deputy Sheriff Civil Service Commission (BCDSCSC) will prepare an annual report based on the calendar year. The process of drafting the report will commence in January and must be completed no later than March 31 of each year. Upon completion, the report shall be submitted to the Clerk of the County Court for presentation to the County Court (County Commission) and the Sheriff of Berkeley County. The report will be made available for public inspection five (5) days after its submission to the County Court (County Commission) and the Sheriff. (§7-14-6)

d. Each January the Commission will hold a meeting to elect the President of the Commission.

e. Forms. Forms necessary for enforcement of West Virginia Code Chapter 7 Article 14 will be prescribed by the BCDSCSC. They include, but not limited to:

- (1) Application (provided by the commission)
- (2) Physical Fitness Scoring (developed and used by the commission)
- (3) Medical Examination (as prescribed by the WV State Police Academy and used/provided by the Sheriff)

Section IV – Meetings

1. Commission meetings shall be held monthly on the third Wednesday at a central location. Additional meetings may be held as necessary and/or required.

2. Commission members who are not present in person shall have the right to participate by telephone, subject to any limitations established in rules adopted by the Commission to govern such participation. These procedures are outlined in Attachment 7 of this document.

3. Meetings. Meetings shall be conducted in accordance with the procedures set forth in the Roberts Rules of Order and the Open Meetings/Sunshine Law as established by the West Virginia Ethics Commission.

4. Quorum. A Quorum shall consist of at least 2 members of the commission.

a. The presence of a quorum shall be established by a roll call at the beginning of the meeting and on the demand of any member. Such a demand may be made following the departure of any member or following the taking of any vote for which the announced totals add to less than a quorum.

5. Obtaining the floor. To seek recognition by the chair, a member shall address the chair and state his or her own name.

6. Voting methods. All votes shall be taken by voice.

7. Meeting agenda items are to be submitted to The Civil Service Commission no later than 7 days before the regularly scheduled meeting.

8. Amended agendas are required to be posted a minimum of 2 full business days ahead of the scheduled meeting.

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 the sole authority to certify a new applicant and/or a previously 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:

1. An applicant for deputy sheriff shall satisfy all requirements of the Application, Competitive Examination (more specifically described in Sections 5 and 6 of this Article, respectively, herein), and requirements of law prior to being considered eligible for employment, including but not limited to the following:

- a. Application Packet
- b. Written Examination
- c. Fitness Exam
- d. Medical Examination
- e. Background Investigation
- f. Polygraph Examination
- g. Psychological Assessment

2. For a Previously Certified LE applicant to be considered as eligible for the position of Deputy Sheriff, the applicant shall satisfy the abbreviated requirements listed below. The final approving authority for Previously Certified applicants rests with the Law Enforcement Professional Standards committee (LEPS).

- a. Application Packet
- b. Written Examination
- c. Medical Examination
- d. Background Investigation

3. 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 as well as has not admitted to committing any criminal acts that did not result in a conviction.

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

1. 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:

- a. 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.
- b. Physically so disabled as to be rendered unfit for the performance of the duties of the position of deputy sheriff.
- c. An applicant for the position of deputy sheriff must be clean and sober from alcohol and any, and all, illegal substances or scheduled narcotics.
- d. For a period of at least twelve (12) months prior to application, an applicant cannot have any use of Marijuana (synthetic or natural). This includes medical marijuana.
- e. No applicant for the position of deputy sheriff shall be considered by this commission if they have habitually used any prescription medications that were not specifically prescribed for the applicant.

Habitual use is defined as use that is done regularly or repeatedly. Each situation will be reviewed on a case by case basis.

f. Convicted of a felony, or guilty of infamous or notoriously disgraceful conduct, including but not limited to the following:

(1) 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.

(2) 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.

g. Dismissed from public service for delinquency or misconduct;

h. 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:

(1) 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.

(2) Falsely providing information regarding employment history to the BCDSCSC or background investigators

i. Refuses to comply with the rules and regulations of the BCDSCSC.

j. 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.

k. The BCDSCSC will not examine or certify an applicant that fails to provide child support payments or court ordered obligations.

l. 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.

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

Section V – Application (§7-14-8)

1. People 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.
2. The application must be completed within the time prescribed by the BCDSCSC and turned into the BCDSCSC office prior to the closing date and time listed in the vacancy announcement. Applications will be accepted up until close of business 2 days before the published test date.
3. 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.
4. 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.

Section VI – Competitive Examination (§7-14-9)

1. 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 and shall be published in the local newspaper. This notice shall be given in the following manner:
 - a. Notice of application and examination will be posted in the local newspaper servicing the county.
 - b. Notice of application and examination will be posted in a public place at the BCDSCSC office.
 - c. A copy of the notice of application and examination shall be given to the Sheriff.
 - d. A copy of notice of application and examination shall be given to the President of the Berkeley County Deputy Sheriff's Association.
 - e. A copy of the notice of application and examination shall be given to the Berkeley County Commission.
2. 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 2 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

3. Fitness Exam. A physical fitness exam will be administered to all applicants for the position of Deputy Sheriff, unless the applicant is a previously LEO who 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**).

a. 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.

b. 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.

c. There are no retests.

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

a. A copy of the list shall be posted in a public place at the BCDSCSC office. This will include the listing being posted on the County Clerk's digital monitor outside of the clerk's office.

b. A copy of the-list shall be given to the Sheriff.

c. A copy of the-list shall be given to the President of the Berkeley County Deputy Sheriff's Association.

5. 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.

6. 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 conducted by the Sheriff to verify that the results of such investigation do not violate any provision of this Article.

a. On the day of the written examination, a member of the Berkeley County Sheriff's Office

will provide each applicant with 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.

b. The Sheriff shall conduct background investigations in such a 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 Verification Letter.

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.

Section VIII – Veteran Preference & Previously Certified Law Enforcement

1. WV Code Chapter 6, Article 13, Section 2 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.
2. Any applicant wishing to claim veteran preference In Accordance With §6-13-1 *et seq* 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.
3. Further, any Previously Certified Law Enforcement Officer will be awarded an extra 5 points added to their final written examination score.

Section IX – Written Test Results

1. The BCDSCSC shall, forthwith, provide the Sheriff with the names of the three persons who received the highest averages at the Written Examination. In the event there is a tie score for the third position on the list, the names of those individuals that are tied in the third position will all be included on the eligibility listing that will be sent to the Sheriff. iii
2. There may be the occasion that there are not enough of individuals taking the written exam to provide the required three names. In the event there are **NOT** three names of persons that can be provided to the Sheriff, the names that are available will be provided to the Sheriff. The Sheriff will then proceed in the same manner as if he had three names.
3. The Sheriff shall, thereupon, with sole reference to the relative merit and fitness of the candidates, make an appointment from the names on the eligibility listing: *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 eligibility listing, the BCDSCSC will immediately notify the applicant of the Sheriff's objection and ascertain if the applicant wants a public hearing on the matter.
 - b. 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 eligibility listing, and update the eligibility listing to include the next highest name for each person so stricken.
 - c. As each subsequent vacancy occurs, in the same or another position, precisely the same procedure shall be followed.
4. Once the Sheriff has made a selection from the eligibility listing, the Sheriff will notify the BCDSCSC as described below.

Section X – Sheriff's Verification Requirements

1. From the eligibility listing, the Sheriff shall provide, to the BCDSCSC, one candidate selected for each vacancy for the job of deputy sheriff. The quantity of selected candidates shall be equal to the number of current vacancies.
2. The Sheriff shall notify, in writing, the BCDSCSC confirming that each candidate satisfies all requirements of these regulations and law. (See attached verification letter)
3. **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 verification from the Sheriff, 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. In the event there is a tie score for the third position on the list, the names of those individuals that are tied in the third position will all be included on the eligibility listing that will be sent to the Sheriff.

Section XII – Appointment by Reinstatement (§7-14-8)

1. Any applicant who formerly served as a Deputy Sheriff in Berkeley County may be eligible for reinstatement subject to the following guidelines:

- a. Must have served as a Deputy Sheriff in Berkeley County for a period of more than six months.
- b. Resigned as a deputy sheriff at a time when there were no charges of misconduct or other misfeasance pending against them.
- c. Makes application for reinstatement within a period of two years of the date of resignation as a deputy sheriff.
- d. At the time of their application resides within Berkeley County.
 - (1) 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, voter's registration card, etc. The document submitted for consideration should not be more than 30 days old.
- e. Shall undergo a medical examination.
- f. Shall undergo a psychological examination.
- g. Shall undergo a background investigation.

2. 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 and will immediately notify the BCDSCSC of the date and time of the examination.

3. The Sheriff shall notify, in writing, the BCDSCSC confirming that each candidate satisfies all requirements of these regulations and law. (See attached verification letter)
4. 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
 - a. 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 – Noncompetitive Examination for Filling Vacancy: Provisional Appointment (§7-14-12)

1. Whenever there are urgent reasons for filling a vacancy in any position of deputy sheriff, **AND** there is no list of persons eligible for appointment after a competitive examination, the appointing sheriff may nominate a person to the civil service commission. **In these circumstances, a written competitive exam is not required.**
2. The nominee must complete the following:
 - a. Medical Examination
 - b. Background Investigation
 - c. Polygraph Examination
 - d. Psychological Assessment
3. If the nominee is certified by the commission as qualified, he may be appointed **provisionally** to fill such vacancy.
4. A **provisional** appointment is until a selection and appointment can be made, **after competitive examination**, as prescribed previously in Article II.
5. The provisional appointment shall not continue for a period longer than three months.
6. There shall not be successive provisional appointments made to the same position.
7. If the person filling the provisional appointment desires to fill the vacancy, they must apply for the position as described in the rules for competitive examination.

Section XIV – 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.

ARTICLE III – PROMOTIONS

Section I – Vacancies (§7-14-13)

1. 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.
2. 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](#)
 - a. 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)

1. 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 regards 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](#)
2. In the event that there are no eligible candidates, or in the event only one deputy sheriff is eligible and declines the promotion, the following procedures will be taken until such time there is at least one eligible person for promotion, and they accept the promotion when offered.
 - a. No Candidates Eligible to Test. The BCDSCSC will, every 30 days from the date of vacancy, request from the Sheriff if there is anyone eligible for promotion for the vacancy that exists. The Sheriff will respond, in writing, to the BCDSCSC if there is/is not anyone eligible. This procedure will be repeated every 30 days until an eligible candidate exists and desires to take the written examination.
 - b. Only Candidate Eligible Declines Test/Promotion.
 - (1) Any deputy sheriff that declines to take the written exam, or declines a promotional offer, will do so in writing to the BCDSCSC. This will be done within 5 days of their notice they are eligible or within 5 days after they are advised they have passed the written examination.

(2) Once this notice is received, the BCDSCSC will, every 30 days from the date of vacancy, request from the Sheriff if there is anyone eligible for promotion for the vacancy that exists. The Sheriff will respond, in writing which may be in the form of letter or e-mail, to the BCDSCSC if there is/is not anyone eligible. This procedure will be repeated every 30 days until an eligible candidate exists and desires to take the written examination.

(3) If, after declining the opportunity previously during this particular vacancy, the deputy sheriff reconsiders the opportunity, then a new written exam will be administered. However, **it will be the responsibility of the deputy sheriff** to request reconsideration and must be done in writing to the BCDSCSC.

c. Date of Vacancy Vs Date of Eligibility. In these such circumstances it is important to recognize that the Date of Vacancy (DOV) and the Date of Eligibility (DOE) may be different. The DOV will never change. However, the DOE may change to coincide with the candidate having two years previous service in the next lower grade.

3. 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:

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

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

c. Fitness will be determined by a medical examination.

Section III – Competitive Examinations (§7-14-9)

1. 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 and published in the local newspaper. This notice shall be given in the following manner:

a. Notice of examination will be posted in a public place at the BCDSCSC office.

b. A copy of the notice of examination shall be given to the Sheriff.

c. A copy of notice of examination shall be given to the President of the Berkeley County Deputy Sheriff's Association.

- d. A copy of the notice of examination shall be given to the Berkeley County Commission.
- e. Notice of examination will be posted in the local newspaper servicing the county.
- f. Notice will be placed in the Deputy Sheriffs departmental mail/distribution boxes.
- g. Deputy Sheriffs will be responsible for frequently checking the mail/distribution box for any such notices.

2. 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 eligibiliy listing so long as all of the vacancies existed at the same time of the Sheriff's request.

3. 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.

4. 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:

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

5. Scoring for Seniority will be based upon the criteria of 2 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.

a. 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 are then multiplied at .333.

6. 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 average of the combined score will be used in calculating the 20% of the overall score. ix

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

Civil Service Promotional Scoring Examples										
Test	55%	Eval1	Eval2	Total	Average	20%	Mos Service	2pt/.166	25%	TOTAL
74	40.7	52	42	94	47	9.4	74.8	12.416	3.104	53.204
72	39.6	42	38	80	40	8	71.9	11.935	2.983	50.583

Test Score = Exam Score x 55%

Eval Score = Eval1 + Eval2 = then divided by 2 x 20%

Time In Service Score = Months Service x .166 = then x 25%

Total Score = 55% total + 20% total + 25% total

NOTE: (20 February 2025) Only the new evaluations will be used in the new scoring procedures. Until all deputy sheriffs have received 2 evaluations under the new system, only the one new evaluation will be used in the scoring process. This will keep the system competitive since the evaluations are added together and then divided to get the final evaluation score.

8. 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.

9. 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 a board must certify that the 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 is 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.

10. Written and Medical Examination Exceptions. 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.

a. 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.

b. 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.

c. Special Circumstances. These circumstances are short notice/emergency situations. **Each situation will be decided upon on a case by case basis.** In order to receive such consideration, at least one of the three civil service commissioners **must be contacted prior to the start** of any testing. The initial request must contain the deputy's name and a detailed reason for such consideration.

(1) If the initial request is granted, a special meeting of the commission will be held within 3 business days to consider the request completely. The requesting deputy sheriff will be responsible for all documentation/witnesses/evidence to support their request. If the request is granted, then a make-up test date will be set as soon as possible so as not to delay, any further, the testing cycle.

Section IV – Appointment (§7-14-13)

1. 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.

2. 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

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 prescribed 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

Section I – Removal, Discharge, Suspension, Reduction

1. 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.
2. Each Order by the BCDSCSC must set forth, in detail, the finding of facts upon which its Order will be based and the conclusions of law and legal reasoning used to support its Order.
3. 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.
4. 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.
5. 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.
6. 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).
7. A request for a subpoena will be submitted to the Clerk of the County Court by the BCDSCSC.
8. 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 has been provided to the Deputy Sheriff in question.

Section II – Appeal

1. Appeal of a BCDSCSC Decision.

- a. In the event the BCDSCSC sustains the action of the sheriff, the deputy has an immediate right to 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.
- b. 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.

2. Appeal of a Hearing Board Decision.

- a. The petition for appeal and supporting memoranda must be submitted to the BCDSCSC within thirty (30) days of the date on which the Hearing Board rendered its decision.
- b. 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 a reply to the BCDSCSC.
- c. If the BCDSCSC grants an appeal, the appeal will be conducted within ten (10) days after the reply of the prevailing party was due.
- d. 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.
- e. The BCDSCSC will make its decision based on the following:
 - (1) Testimony and exhibits
 - (2) Written memoranda of law submitted for review
- f. The BCDSCSC will render its opinion within thirty (30) days of the date in which the appeal was conducted.

Section III – Petition

1. Anyone wishing to petition the Commission concerning any issue, other than those issues specifically outlined in §7-14-17, will make their request as outlined in this section. Make investigations, either sitting as a body or through a single commissioner, **concerning all matters touching the enforcement and effect of the provisions of this article and the rules and regulations prescribed** hereunder; and, in the course of such investigations, each commissioner shall have the power to administer oaths and affirmations and to take testimony.

2. All requests will be accompanied with the following:

- a. Name and contact telephone number or address of the petitioner.
 - b. A written statement of the reasons for the request. This should be detailed, clearly stated and the relief sought.
 - c. Supporting documentation.
 - d. Potential witnesses
-

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

Section I – Purpose

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 (**See Attachment 3**) from these rules and regulations.

Section II – Review

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

Section III – Overview

1. 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 – Position Classifications

1. The following are the position classifications for the Berkeley County Sheriff's Office.

- a. Chief Deputy (Staff)
- b. Chief Deputy (Operations)
- c. Major
- d. Captain
- e. Lieutenant

f. Sergeant

g. Corporal

h. Deputy



APPENDICES

End Notes

i §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.*

ii §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”.*

iii 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.....”*

iv 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”.*

v 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.”*

vi 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”.*

vii 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”.*

viii 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).”*

ix §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.

x 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.....”*

xi 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”.*

ATTACHMENTS

Attachment 1 – Physical Fitness Standards (149CSR2)

1. 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.
2. 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.
3. The Physical Fitness Exam Briefing.
 - a. 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.
 - b. This is a pass or fail screening. Each test element shall be passed before proceeding to the next test element.
 - c. 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.
 - d. The Physical Ability Tests shall consist of:
 - (1) 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.

(2) 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.

(3) 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.

4. Are there any questions?



Attachment 2 – 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.

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, on 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 part of that test, you will immediately be sent home. DON'T SIT BACK AND THINK YOU ARE DONE!

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.

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 with 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: _____



Attachment 3 – Classification Plan (§7-14-6)

The Sheriff of Berkeley County's law enforcement positions, in descending order of classification, are:

- Sheriff
- Chief Deputy of Staff – DCSD(s)
- Chief Deputy of Field Operations – DCSD(o)
- Major - xmaj
- Captain – DSLC(c)
- Lieutenant – DSLC(l)
- Sergeant – DSCS(s)
- Corporal – DSCS(c)
- Deputy Sheriff - XDSE

NOTE: Classification Acronyms. Capital letters represent state classification positions. Lower case letters are locally developed.

Additionally, the law enforcement segment of Department personnel is supplemented by the Deputy Sheriff Reserve unit.

All Department members shall be held accountable for their actions, or their failure to act, within the scope of their identified duties and responsibilities. The accountability of Department members, described in the following sections, is an issue of fundamental importance in carrying out the Department's mission. The principle of accountability ensures that all members of the Department are continually striving to provide the highest quality service to the community and citizens we serve.

The following are the position classification descriptions for each position under the Sheriff.

I. CHIEF DEPUTY (STAFF)

DEPUTY SHERIFF
Chief Deputy of Staff
Classification: DSCD(s)

System

West Virginia Civil Service

Distinguishing Characteristics

The Chief Deputy of Staff is second in command of the Department and assumes the duties of the Sheriff in his/her absence. As the chief assistant to the Sheriff, the Chief Deputy of Staff provides advice on administrative issues which include Department direction, legislative and operational concerns, and budgetary and personnel matters. 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.

Nature of Work

Is responsible for the effective management of department personnel and budget resources. The Chief Deputy of Staff commands and is responsible for the activities of the Chief Deputy of Field Operations, Majors, Captains, Specialty Units, and the overall operations of the Law Enforcement Division to include Patrol, Special Operations and the Administrative Division. 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.

Examples of Work

The duties of this classification of Chief Deputy of Staff include, but not limited to the following:

- Ensuring that the oversight responsibility of the Chief Deputy of Field Operations and/or Majors for the efficient administration of Divisions and Specialized Units and/or programs are effectively maintained;
- Advising the Sheriff on administrative and policy matters;
- Overseeing responsibility for the planning and implementation of Departmental policies and plans for the Sheriff's Office;
- Oversight of budgetary matters
- Responsible for the overall management of the Department, including all civilian office and staff positions.
- Establish goals and objectives, administer their implementation, review results of the same
- Supervise and direct staff activities/evaluations

- Evaluate and assess daily operations and programs.
- Provide leadership, management, and guidance in organizing, equipping, and training Deputy Sheriffs to meet Department requirements
- Direct Department resources/Locate and implement grant funding
- Interpret and enforce Code and Policy compliance.
- Conduct meetings departmentally, locally, and abroad.
- Press Releases
- Organize schooling/training and potential growth of assets/equipment w Chain of Command Reports
- Maintain and Manage the Military Surplus Program – 1033
- Implementation and oversight of contractual assignments of staff
- Making public appearances on behalf of the Sheriff; and
- Representing the Sheriff at various commissions, committees, and law enforcement meetings
- Act as liaison with other divisions, the community, and local and state agencies
- Any other duties as requested/ordered by the Sheriff

Knowledge, Skills and Abilities

The standards by which the Chief Deputies shall judge the performance of personnel assigned to their areas of responsibility are embodied in law (both statutory and case law), MOU's, the Department's Manual of Policy and Procedures, all Division directives in support of the Department's vision, our Mission Statement, Core Values Statement, and the Law Enforcement Code of Ethics.

The Chief Deputies in their role(s) must consider the impact of their decisions and those of the interests of the Department, their areas of responsibility, the members of the Department and the citizens which the Department serves. It is incumbent upon the Chief Deputies to ensure the Department works in good faith and cooperation with the Berkeley County Civil Service Commission to best serve these interests of the community.

In addition to position specific responsibilities, the Chief Deputies are accountable for:

- Their personal acts and omissions, and, when reasonable and appropriate, the acts and omissions of subordinates. In connection therewith, their supervisory and managerial responsibilities shall include, among others:
 - a responsibility to take appropriate corrective measures consistent with their rank and authority when they are, or reasonably should be, aware that such measures are called for; and
 - a responsibility to use the information and management tools available to them, including but not limited to, manual and automated personnel information, to attempt to anticipate and address, through corrective measures consistent with their authority, reasonably identifiable Departmental risks or potential employee misconduct;
- Maximizing the reverence for human life by critical oversight of the Department's systems for reporting, reviewing, and training the use of force;
- Supporting and promoting the Department's Core Values, Service Oriented Policing philosophy, affirmative action guidelines, and the Law Enforcement Code of Ethics by both actions and

statements, and demanding that subordinate Command Staff personnel do the same with their subordinates;

- Reinforcing through actions and statements the Department's position on discrimination, sexual harassment, and cultural diversity;
- Keeping the public trust by demanding a high degree of personal integrity from all Command Staff personnel and, in turn, requiring they do the same with their subordinates;
- Minimizing the risk of litigation to the County, the Department, and its employees by reviewing and either approving or recommending for approval those recommendations submitted by either of the Majors or other Command Staff personnel which identify changes to procedures or policies that are consistent with effective risk management;
- Knowing the strengths, weaknesses and special skills of their immediate subordinates, and where reasonably possible, those of the other subordinates in their area of responsibility. Rating their subordinates in a timely and objective manner;
- Ensuring that professional competence and skillful enforcement of the law remain at the highest levels by instilling such values in subordinate command personnel by word, action, example and inspection, and by demanding that they do the same with their subordinates;
- Promoting community partnerships by mentoring subordinate Command Staff personnel;
- Ensuring that Department policy and procedures are effectively communicated to all personnel;
- Demanding nothing less than lawful behavior from subordinate Command Staff personnel and, in turn, requiring that they do the same with their subordinates;
- The efficient operation of the Division and/or Units within their area of responsibility, as well as ensuring that they operate within their given budget;
- Ensuring that personnel assigned to their area of responsibility receive the appropriate training required for their position and that they are held accountable for the information and direction gained through that training;
- Ensuring that subordinate personnel have a clear understanding of appropriate and expected conduct when dealing with both co-workers and the community we serve;
- Keeping the Sheriff apprised of any problems, issues, or significant activities within their area of responsibility;
- The quality, timeliness and accuracy of their paperwork, as well as the quality, timeliness and, when appropriate, the accuracy of paperwork prepared at their direction by a subordinate;
- Maintaining, and where possible, enhancing their professional knowledge and skills, and keeping current on events that affect the Department and their areas of responsibility;
- Utilizing safe driving techniques while driving county vehicles;
- Being well groomed and appropriately attired.

Special Requirements

Possession of a valid state driver's license.

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. CHIEF DEPUTY (OPERATIONS)

DEPUTY SHERIFF
Chief Deputy of Operations
Classification: DSCD(o)

System

West Virginia Civil Service

Distinguishing Characteristics

The Chief Deputy of Field Operations, the appointed executive, is responsible for the efficient operation of the Patrol and Special Operations Division and is third in the Chain of Command. 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.

Nature of Work

Is responsible for the overall management of the law enforcement division within the Sheriff's Office. 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. 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.

Examples of Work

The duties of this classification of Chief Deputy of Field Operations include, but not limited to the following:

- Ensuring the oversight responsibility of the Majors for the efficient administration of Divisions and Specialized Units and/or programs are effectively maintained;
- Reviewing administrative investigations on alleged misconduct by personnel, civilian complaints, and recommending appropriate action to be taken;
- Supervise and direct staff activities/evaluations
- Evaluate and assess daily operations and programs.
- Provide leadership, management, and guidance in organizing, equipping, and training Deputy Sheriffs to meet Department requirements
- Establish goals and objectives, administer their implementation, review results of the same
- Corroborate with the Civil Service Commission for entrance testing, promotional exams and disciplinary action

- Ensure investigations are being conducted and thorough investigative reports are completed to include traffic investigations and reports
- Review Use of Force/Pursuits/Department Crashes to ensure policy compliance
- act as liaison with other divisions, the community, and local and state agencies
- Oversight and overall responsibility for safe and effective handling of all Mental Hygiene cases, to include preparation, transportation, frequent long-term care, and furthering implementation of new and improved hygiene methods.
- Any other duties as requested/ordered by the Sheriff

Knowledge, Skills and Abilities

The standards by which the Chief Deputies shall judge the performance of personnel assigned to their areas of responsibility are embodied in law (both statutory and case law), MOU's, the Department's Manual of Policy and Procedures, all Division directives in support of the Department's vision, our Mission Statement, Core Values Statement, and the Law Enforcement Code of Ethics.

The Chief Deputies in their role(s) must consider the impact of their decisions and those of the interests of the Department, their areas of responsibility, the members of the Department and the citizens which the Department serves. It is incumbent upon the Chief Deputies to ensure the Department works in good faith and cooperation with the Berkeley County Civil Service Commission to best serve these interests of the community.

In addition to position specific responsibilities, the Chief Deputies are accountable for:

- Their personal acts and omissions, and, when reasonable and appropriate, the acts and omissions of subordinates. In connection therewith, their supervisory and managerial responsibilities shall include, among others:
 - a responsibility to take appropriate corrective measures consistent with their rank and authority when they are, or reasonably should be, aware that such measures are called for; and
 - a responsibility to use the information and management tools available to them, including but not limited to, manual and automated personnel information, to attempt to anticipate and address, through corrective measures consistent with their authority, reasonably identifiable Departmental risks or potential employee misconduct;
- Maximizing the reverence for human life by critical oversight of the Department's systems for reporting, reviewing, and training the use of force;
- Supporting and promoting the Department's Core Values, Service Oriented Policing philosophy, affirmative action guidelines, and the Law Enforcement Code of Ethics by both actions and statements, and demanding that subordinate Command Staff personnel do the same with their subordinates;
- Reinforcing through actions and statements the Department's position on discrimination, sexual harassment, and cultural diversity;
- Keeping the public trust by demanding a high degree of personal integrity from all Command Staff personnel and, in turn, requiring they do the same with their subordinates;
- Minimizing the risk of litigation to the County, the Department, and its employees by reviewing and either approving or recommending for approval those recommendations submitted by either

of the Majors or other Command Staff personnel which identify changes to procedures or policies that are consistent with effective risk management;

- Knowing the strengths, weaknesses and special skills of their immediate subordinates, and where reasonably possible, those of the other subordinates in their area of responsibility. Rating their subordinates in a timely and objective manner;
- Ensuring that professional competence and skillful enforcement of the law remain at the highest levels by instilling such values in subordinate command personnel by word, action, example and inspection, and by demanding that they do the same with their subordinates;
- Promoting community partnerships by mentoring subordinate Command Staff personnel;
- Ensuring that Department policy and procedures are effectively communicated to all personnel;
- Demanding nothing less than lawful behavior from subordinate Command Staff personnel and, in turn, requiring that they do the same with their subordinates;
- The efficient operation of the Division and/or Units within their area of responsibility, as well as ensuring that they operate within their given budget;
- Ensuring that personnel assigned to their area of responsibility receive the appropriate training required for their position and that they are held accountable for the information and direction gained through that training;
- Ensuring that subordinate personnel have a clear understanding of appropriate and expected conduct when dealing with both co-workers and the community we serve;
- Keeping the Sheriff apprised of any problems, issues, or significant activities within their area of responsibility;
- The quality, timeliness and accuracy of their paperwork, as well as the quality, timeliness and, when appropriate, the accuracy of paperwork prepared at their direction by a subordinate;
- Maintaining, and where possible, enhancing their professional knowledge and skills, and keeping current on events that affect the Department and their areas of responsibility;
- Utilizing safe driving techniques while driving county vehicles;
- Being well groomed and appropriately attired.

Special Requirements

Possession of a valid state driver's license.

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. MAJOR

DEPUTY SHERIFF

Major

Classification: xmaj

System

West Virginia Civil Service

Distinguishing Characteristics

Majors are a senior executive of the Department who command and are responsible for the activities of their concerned Division(s), as well as any other specialized Units/programs assigned by the Sheriff and/or Chief Deputy and in accordance with the policies prescribed by the Sheriff and Chief Deputy. In managing a Division, a Major is responsible for anticipating the problems, needs, trends, and resources of the Division and its personnel, and for providing the appropriate leadership to accomplish goals which complement the mission of the Department. The Sheriff may designate a Major to assume the duties assigned to the second in command of the Department. This designation would be in effect during the Sheriff's and the Chief Deputy's absence(s).

Nature of Work

The standards by which the Major shall judge the performance of personnel assigned to their respective areas of responsibility are embodied in law (both statutory and case law), MOU's, the Department's Manual of Policy and Procedures, all Division directives in support of the Department's vision, our Mission Statement, Core Values Statement, and the Law Enforcement Code of Ethics.

In their roles of executive staff to the Sheriff, Majors must consider the impact of their decisions on the interests of the Department, their respective areas of responsibility, the members of our Department, and the citizens we serve.

Examples of Work

The duties of this classification include the following:

- Overseeing the administration of Divisions and Specialized Units and/or programs;
- Advising and assisting the Sheriff and Chief Deputy in administrative and policy matters;
- Participating in strategic planning as directed by the Sheriff, providing direction, guidance and assistance to Captains and Lieutenants while holding them accountable for goal development and proper management of their responsibilities consistent with Division goals;
- Planning for the expansion or reorganization of operations within their assigned areas to meet growing or changing law enforcement, custodial, or service needs;
- Directly supervising Captains and indirectly the remaining elements in the chain of

- command;
- Enforcing Department policy and procedures;
- Recommending disciplinary action affecting personnel within their areas of responsibility;
- Providing insight to the preparation of the Division budget;
- Conducting inspections of Division Units to ensure compliance with established laws and operational standards;
- Representing the Sheriff at various commission, committee, and law enforcement meetings; and
- Representing the Department in public appearances on behalf of the Department.

Knowledge, Skills and Abilities

In addition to position specific responsibilities, the Majors are accountable for:

- Their personal acts and omissions, and when reasonable and appropriate, the acts and omissions of their subordinates. In connection therewith, their supervisory and managerial responsibilities shall include, among others:
 - a responsibility to take appropriate corrective measures consistent with their rank and authority when they are, or reasonably should be, aware that such measures are called for; and
 - a responsibility to use the information and management tools available to them, including, but not limited to, manual and automated personnel information, to attempt to anticipate and address, through corrective measures consistent with their authority, reasonably identifiable Departmental risks or potential employee misconduct;
- Maximizing the reverence for human life by critical oversight of the Department's system for reporting, reviewing, and training the use of force;
- Supporting and promoting the Department's Core Values, Service Oriented Policing philosophy, affirmative action guidelines and the Law Enforcement Code of Ethics by both actions and statements;
- Reinforcing, through actions and statements, the Department's position on discrimination, sexual harassment, and cultural diversity;
- Minimizing the risk of litigation to the County, Department, and its employees by monitoring, reviewing, documenting, disciplining, and rewarding employee performance, as well as identifying procedures or policies that need changes and recommending those changes to the Chief Deputy and Sheriff;
- Ensuring that professional competence and skillful enforcement of the law remain at the highest levels by instilling such values in subordinate Command Staff personnel by word, action, example, and inspection;
- Keeping the public trust by demanding a high degree of personal integrity from all Command Staff personnel and, in turn, requiring that they do the same with their subordinates;
- Demanding nothing less than lawful behavior from subordinate Command Staff personnel and, in turn, requiring that they do the same with their subordinates;
- Promoting community partnerships by mentoring subordinate Command Staff personnel;
- The efficient operation of the Units within their areas of responsibility, as well as ensuring

that they operate within their given budget;

- Knowing the strengths, weaknesses, and special skills of their immediate subordinates, and where reasonably possible, those of the other subordinates in their areas of responsibility. Rating their subordinates in a timely and objective manner;
- Ensuring that personnel assigned to their areas of responsibility receive the appropriate training required for their position and that they are held accountable for the information and direction gained through that training;
- Ensuring that Department policy and procedures are effectively communicated to all personnel;
- Ensuring that subordinate personnel have a clear understanding of appropriate and expected conduct when dealing with both co-workers and the community we serve;
- Keeping the Sheriff and Chief Deputy apprised of any problems, issues, or significant activities within their areas of responsibility;
- The quality, timeliness and accuracy of their paperwork, as well as the quality, timeliness and, when appropriate, the accuracy of paperwork prepared at their direction by a subordinate;
- Maintaining, and where possible, enhancing their professional knowledge and skills, and keeping current on events that affect the Department and their areas of responsibility;
- Managing Human Resources - knowing the strengths, weaknesses and special skills of their immediate subordinates and, where reasonably possible, those of the other subordinates in their area of responsibility. Ensuring that professional competence and skillful enforcement of the law remain at the highest levels by instilling such values in subordinate Command Staff personnel by word, action, example, and inspection. Effectively and efficiently managing and retaining subordinates in a manner that inspires and supports harmonious working relationships among all Department members, other agencies, and the community. Rating subordinates in a timely and objective manner;
- Managing Financial and Material Resources - the productive planning and use of material resources. Identifying and monitoring available budget resources; while at the same time addressing short and long term planning needs that affect their command;
- Managing Work (Systems and Operations) - the development and implementation of realistic short and long term plans that emphasize productivity and provide for evaluations of effectiveness designed to ensure that Divisional goals are achieved in a timely manner. The quality, timeliness and accuracy of their paperwork, as well as the quality, timeliness and, when appropriate, the accuracy of paperwork prepared at their direction by a subordinate;
- Managing Information - processing information thoroughly and promptly for relevance and significance. Productively using information to communicate constructively with Department members, other agencies, and the community;
- Managing as a Member of the Team - promoting a positive public relations image and fostering productive relationships with peers, other Departments, and agencies, using management and leadership skills to strengthen and promote a healthy organizational loyalty;
- Managing Change - handling emergencies and responding to internal and external influences. Being resourceful and adaptive, while planning and anticipating for the future;
- Self-Management Practices - demonstrating decisiveness, independence, consistency, reliability, and accepting responsibility. Exhibiting ethical, personal, and organizational

courage, while providing ethical guidance to staff members. Maintaining, and where possible, enhancing their professional knowledge and skills, and keeping current on events that affect the Department and their area of responsibility.

- Managing Loss/Liability Prevention - actively monitoring potential areas of risk and liability to the Division. Ensuring appropriate preventive and remedial actions are taken by Division managers with regard to unauthorized force, discrimination, and other areas of risk. Determining that appropriate training and program needs are met to promote personnel competence and safety; and
- Being well groomed and appropriately attired; and
- Utilizing safe driving techniques while driving County vehicles.

Special Requirements

Possession of a valid state driver's license.

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. CAPTAIN

DEPUTY SHERIFF
Captain
Classification: DSLC(c)

System

West Virginia Civil Service

Distinguishing Characteristics

A Captain is the commanding officer of a Specialty Unit, Sub-Unit of a Division, Station, or may hold other special positions as directed by the Sheriff. Captains are responsible for ensuring that personnel under their command are meeting Department and Division standards of operations. Captains shall be personally versed in their Units' major operational indices (personnel, budget, incidence of force and complaints, risk management, liability, etc.) and have an affirmative obligation to provide Lieutenants with appropriate support and direction in the maintenance of standards. Captains shall set the operational philosophies of their Units to ensure the needs and goals of the community, the Department, and their staffs are met to the highest degree possible. In addition, Captains shall personally respond to specified incidents and provide insight and guidance to ensure that the interests of the Department and its individual members are protected.

Nature of Work

A Captain's leadership shall be manifested through clear and concise interpretation of existing laws (both statutory and case law) MOU's, the Department's Manual of Policy and Procedures, all Division directives in support of the Department's vision, and our Mission statement, Core Values Statement, and the Law Enforcement Code of Ethics, training requirements and any other direction given by appropriate authority. As the junior member of the senior Command Staff of the Department, Captains will be available if needed for consultation or response on a 24-hour basis, including weekends and holidays.

Examples of Work

The duties of this classification include the following:

- Commanding an area composed of an assigned Specialty Unit, Sub-Unit of a Division, and/or Station and providing direction, control, and coordination of activities as appropriate;
- Acting on behalf of the Major in their absence;
- Acting as an Incident Commander during major Department mobilization during emergencies;
- Making recommendations for formulation of Division policy and procedures;
- Developing in conjunction with their Majors, appropriate Unit goals and objectives which are consistent with Department strategic plans;
- Conducting Division investigations and special research studies;

- Conducting inspections and audits of Unit operational and management functions to ensure consistency and adherence to policy; and
- Assisting in formulating and implementing the Division budget.
- Enforcing policies and regulations of the Department and their assigned Division;
- Conducting special investigations;
- Supervising subordinate personnel;
- Documenting the performance of subordinate personnel;
- Maintaining discipline;
- Making reports and recommendations;
- Acting as liaison with communities serviced by their personnel;
- Ensuring compliance with established laws and operational standards at their Units of assignment and correcting deficiencies in a timely manner; and
- Provide guidance, mentoring, and/or counseling to subordinates whose performance demonstrates a need for intervention.

Knowledge, Skills and Abilities

In addition to position specific responsibilities, each Captain is accountable for:

- Their personal acts and omissions, and when reasonable and appropriate, the acts and omissions of their subordinates. In connection therewith, their supervisory and managerial responsibilities shall include, among others:
 - a responsibility to take appropriate corrective measures consistent with their rank and authority when they are, or reasonably should be, aware that such measures are called for; and
 - a responsibility to use the information and management tools available to the, including, but not limited to, manual and automated personnel information, to attempt to anticipate and address, through corrective measures consistent with their authority, reasonably identifiable Departmental risks or potential employee misconduct.

Fiscal Management

- Use of Overtime - being fully aware of their Unit's status with regard to the use of overtime, and make prudent decisions on an independent basis when approving overtime usage;
- Staffing - assigning the necessary staff to effectively manage their Unit's workloads, and local community needs within budget constraints.

Administration of Personnel

- Knowledge - knowing the strengths, weaknesses and special skills of their immediate subordinates, and where reasonably possible, those of other subordinates;
- Training/Development - establishing an effective training program and ensuring that all personnel receive the appropriate training required and validate all training on an on-going basis. They shall offer staff development training whenever possible and require managers/supervisors to observe and accurately record the training and development of

personnel. They shall ensure that new policies/procedures are made known to their members and remedial training is given to individuals who demonstrate a need. They shall hold their subordinates accountable for information and direction received through training;

- Discipline/Reward - reviewing and evaluating all information that may lead to a disciplinary action or commendation. They shall regularly review the administrative investigation process and ensure cases are handled in a timely manner and that all the reports are thorough and accurate. They shall establish a reward/recognition program for the Unit;
- Conduct - ensuring that their personnel have a clear understanding of appropriate and expected conduct when dealing with the community, prisoners and co-workers, by placing emphasis on: Integrity and Ethics, Harassment and Discrimination issues, Departmental Core Values, and Service Oriented Policing;
- Use of Force - striving to eliminate excessive and unnecessary use of force through an established system of supervision, training, incident evaluation and application of remediation as appropriate. Holding Lieutenants and Sergeants accountable for appropriately detailed force review and documentation, as well as for disseminating training of value from incident analysis among subordinates. Maximizing reverence for human life by ensuring that Lieutenants and Sergeants understand and communicate to subordinates how the value relates to use of force;
- Evaluation - ensuring that the performance of their personnel, both positive and negative, is accurately documented and that evaluations are submitted in a timely manner. Rating their immediate subordinates in a timely and objective manner and developing and implementing ongoing strategies to enhance their professional performance;
- Ensuring they are available and accessible to provide assistance, guidance, and insight to their subordinates; and
- Reinforcing, through actions and statements, the Department's position on discrimination, sexual harassment, and cultural diversity.
- Health and Safety - establishing an ongoing wellness program, and follow-up and assisting their injured/ill members;
- Personal Relations - treating every member of this Department, sworn and civilian, with the same dignity and respect that they would expect in return. They must also remain thoroughly familiar with applicable MOU'S, employee relations issues, and personnel rules and regulations; and
- Personnel Policies - supporting and promoting the Department's affirmative action guidelines.

Delivery of Service

- Ensuring that the public interaction and community involvement of subordinate commands meet Department standards, are reflective of the Department's Service Oriented Policing philosophy and promote community partnerships; and
- Ensuring that Units deliver service at contracted or specified levels and that service is appropriate to the needs and sensitivities of the community; and

Efficient and Effective Operations

- Ensuring that their subordinate Lieutenants are meeting Departmental standards within their assigned scope. They should be proactive and vigilant in ensuring that subordinate Units are operating:
 - within established budgets;
 - within appropriate discipline and non-discrimination guidelines;
 - within appropriate qualitative and quantitative performance levels;
 - with adequate information flow upward and downward;
 - within given requirements for internal inspection;
 - with appropriate management oversight of force, liability, and other areas of risk; and
 - advising the Majors and/or subordinates of any significant problems, issues, or activities within their areas of responsibility.
- Goals - by actions and statements they shall actively strive toward accomplishing the Departmental and Unit goals, while encouraging subordinates to follow their example and ensuring that all subordinate staff are knowledgeable of Departmental and Unit goals;
- Reports/Notifications - communicating with their supervisors and keeping them aware of problems, issues, and activities concerning their areas of responsibility. They shall also ensure that all reports and notifications are accurate and timely;
- Information - establishing a formal system that ensures the flow of information throughout their Unit.

Role Model

- Physical Appearance - setting an example of professionalism and pride by appearing well groomed and appropriately attired;
- Demeanor/Attitude - by actions and statements reflecting maturity, objectivity, enthusiasm and a commitment to excellence in accomplishing the mission, goals and programs of the Department;
- Communicative/Interpersonal Skills - encouraging and promoting open and constructive relationships with citizens, co-workers, subordinates and superiors through understanding, empathy and tolerance. Their written and oral communication should be clear and concise;
- Social Skills - demonstrating actions and decisions that reflect consideration of social, cultural, and political factors which are important to the community and Department; maintaining a liaison with other persons or agencies which affect their command; regularly attending Departmentally supported functions and encouraging their Unit's participation when appropriate;
- Self-improvement - maintaining and enhancing their professional knowledge and skills, and remaining current on events that affect the Department and their Unit;
- Innovation - continually evaluating and seeking methods of improving the operation of their Unit, the well-being of their personnel and the level of service that their Unit provides;
- Ethical Conduct - by their actions and statements, possessing the highest standards of moral and ethical conduct; and
- Core Values - demonstrating clear expectations of acceptable conduct, including the tenets of the Department's established Core Values.

Tactical Command

- Responding to a variety of tactical situations to exercise oversight and/or command responsibilities as dictated by the circumstances of the situation.

Risk Management

- Minimizing risk to the Department and personnel by monitoring, reviewing, documenting, disciplining and rewarding their employees' performance; and
- Utilizing safe driving techniques while driving County vehicles.

Special Requirements

Possession of a valid state driver's license.

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.

V. LIEUTENANT

DEPUTY SHERIFF
Lieutenant
Classification: DSLC(I)

System

West Virginia Civil Service

Distinguishing Characteristics

Lieutenants manage the operations of a given shift or activity, command a specialized detail, or provide staff assistance to a superior Command Staff officer.

Nature of Work

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.

Examples of Work

The duties of this classification include all of the following:

- Performing as Shift Commander of a given shift for a large or complex operation;
- Acting as a coordinator of operations on assigned shifts for a smaller or less complex operations;
- Acting as a staff assistant to a superior Command Staff officer;
- Supervising Unit personnel;
- Documenting the performance of subordinate personnel;
- Scheduling work assignments;
- Ensuring that required documentation reaches their employee's personnel file;
- Making procedural decisions in emergency or unusual situations;
- Inspecting personnel, equipment, and records;
- Taking routine disciplinary action;
- Conducting administrative investigations; and
- Provide guidance, mentoring, and/or counseling to subordinates whose performance demonstrates a need for intervention.

Knowledge, Skills and Abilities

In addition to position specific responsibilities, each Lieutenant is accountable for:

- Their personal acts and omissions, and when reasonable and appropriate, the acts and omissions of their subordinates. In connection therewith, their supervisory and managerial responsibilities shall include, among others:
 - a responsibility to take appropriate corrective measures consistent with their rank and authority when they are, or reasonably should be, aware that such measures are called for; and
 - a responsibility to use the information and management tools available to them, including, but not limited to, manual and automated personnel information, to attempt to anticipate and address, through corrective measures consistent with their authority, reasonably identifiable Departmental risks or potential employee misconduct.

Fiscal Management

- Use of Overtime - being aware of their Units' status with regard to the expenditure of overtime. They shall be aware of applicable guidelines, such as MOU provisions and FLSA requirements and make prudent decisions on an independent basis when approving the use of overtime;
- Staffing - assigning subordinates in a manner that most effectively and safely completes the Unit's missions or special operations. They shall exercise creative solutions to enhance productivity while minimizing the use of overtime; and

Management of Personnel

- Knowledge - knowing the strengths, weaknesses, and special skills of their immediate subordinates and where reasonably possible, those of other subordinates;
- Training/Development - identifying the training needs of each subordinate and developing training programs to meet those needs. Ensuring, through observation and recordation, that all subordinates are developing at an acceptable rate and level consistent with established guidelines;
- Discipline/Reward - gathering all information regarding incidents which may lead to discipline or reward; accurately documenting information and completing the report(s) in a timely manner; holding supervisors accountable for documenting both positive and negative comments regarding subordinates' activities; actively pursuing recognition for exceptional actions by employees; leading supervisors in developing programs for problem employees to alter inappropriate behavior through training, supervision or discipline;
- Conduct - ensuring that subordinates have a clear understanding of appropriate and expected conduct when dealing with the community, prisoners and co-workers by placing emphasis on: Integrity and Ethics, Harassment and Discrimination issues, Departmental Core Values and Service Oriented Policing;
- Use of Force - reviewing, analyzing and documenting the use of force diligently and attentively. Critically evaluating the tactics leading to use of force and maximizing subordinates' ability to learn from experience. Maximizing subordinates' embracing of the core value "reverence for life" by supporting the value in discussions and training about force, both before and after its use;
- Evaluation - ensuring that the performance of subordinates, both positive and negative, is

accurately documented and that evaluations are submitted in a timely manner. Rating their immediate subordinates in a timely and objective manner and developing and implementing strategies to enhance their professional performance;

- Health and Safety - supporting and encouraging Unit-level wellness programs and keeping a safe, secure, and clean work place; and
- Personal Relations - treating every member of this Department, sworn and civilian, with the same dignity and respect that they would expect in return.

Delivery of Service

- Supporting and promoting the Department's Core Values and Service Oriented Policing philosophy, as well as community partnerships.

Efficient and Effective Operations

- Goals - by actions and statements actively striving toward accomplishing Departmental and Unit goals, while encouraging their subordinates to follow their example;
- Reports/Notifications - communicating with their supervisors and keeping them aware of problems, issues and activities concerning their areas of responsibility. They shall also ensure that all reports and notifications are accurate and timely; and
- Information - functioning as a primary agent of information exchange between top management and subordinate personnel.

Role Model

- Physical Appearance - setting an example of professionalism and pride by appearing well groomed and appropriately attired;
- Demeanor/Attitude - by actions and statements reflecting maturity, objectivity, enthusiasm, and a commitment to excellence in accomplishing the mission, goals and programs of the Department;
- Communicative/Interpersonal Skills - encouraging and promoting open and constructive relationships with the public, co-workers, subordinates, and superiors through understanding, empathy and tolerance. Their written and oral communications should be clear and concise;
- Social Skills - demonstrating actions and decisions that reflect consideration of social, cultural, and political factors which are important to the community and the Department;
- Self-improvement - maintaining and enhancing their professional knowledge and skills, remaining current on events that affect the Department and their Units and maintaining liaison with other persons of equal rank on matters which affect their Unit of assignment;
- Innovation - continually evaluating and seeking methods of improving the operation of their Units, the well-being of their personnel and the level of service provided by their Units;
- Ethical Conduct - by their actions and statements, possessing the highest standards of moral and ethical conduct; and
- Core Values - demonstrating clear expectations of acceptable conduct, including the tenets of the Department's established Core Values.

Risk Management

- Striving to minimize risk to the Department and personnel through monitoring, evaluating, reporting, and remediating their employees' performance; and
- Utilizing safe driving techniques while driving County vehicles.

Critical Incident Management

- Possessing a thorough understanding of emergency procedures and management of significant incidents;
- Effectively assuming command or reviewing the performance of on-the-scene emergency activities of subordinates, supporting compliance with Department policy, and ensuring efficient use of resources; and
- Monitoring their work location for safety and safety-related hazards and taking immediate remedial action, if appropriate.

Special Requirements

Possession of a valid state driver's license.

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.

VI. SERGEANT

DEPUTY SHERIFF
Sergeant
Classification: DSCS(s)

System

West Virginia Civil Service

Distinguishing Characteristics

Sergeants are the most visible and critical element of sworn supervision within the Department. Sergeants are first-line supervisors with primary responsibility for ensuring compliance with the professional and ethical standards of the Department by all subordinate Deputies, Corporals, and civilian employees. Sergeants shall know the duties and responsibilities of a first-line supervisor with regard to the WV Law Enforcement Officer's Bill of Rights, Civil Service Rules, applicable MOU'S, FLSA, the disciplinary and employee grievance processes and administrative investigation procedures. Sergeants shall strive to be positive role models and to provide leadership in delivering Service Oriented Policing and in assisting the community in solving problems and maintaining the peace.

Nature of Work

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. . 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.

Examples of Work

The duties of this classification include the following:

- Acting as a Squad Sergeant, supervising the activities of a given patrol shift;
- Acting as Operations Sergeant in specialized Unit;
- Acting as a staff assistant to the head of a major Unit;
- Performing specialized duties such as range operation, legal research, or manual or order writing;
- Inspecting and briefing assigned personnel;
- Conducting in-service training;
- Handling minor disciplinary and personnel problems;
- Evaluating and documenting the job performance of assigned personnel;
- Provide guidance, mentoring, and/or counseling to subordinates whose performance

- demonstrates a need for intervention;
- Preparing records and reports;
- Performing specialized investigations requiring specialized techniques and skills in such areas as burglary, sexual assaults, robbery, forgery and fraud;
- Gathering evidence and preparing detailed reports of the results of investigations;
- Assisting in the preparation of legal documents such as search warrants;
- Coordinating the activities of subordinate personnel in planning and conducting major or large-scale investigations;
- Interviewing witnesses and complainants;
- Apprehending and interrogating suspects; and
- Acting as a Deputy Sheriff Reserve coordinator on major scenes, directly supervising Reserve activity, when needed;

Knowledge, Skills and Abilities

In addition to position specific responsibilities, each Sergeant is accountable for:

- Their personal acts and omissions and when reasonable and appropriate, the acts and omissions of their subordinates. In connection therewith, their supervisory and managerial responsibilities shall include, among others:
 - a responsibility to take appropriate corrective measures consistent with their rank and authority when he is, or reasonably should be, aware that such measures are called for; and
 - a responsibility to use the information and management tools available to them, including, but not limited to, manual and automated personnel information, to attempt to anticipate and address, through corrective measures consistent with their authority, reasonably identifiable Departmental risks or potential employee misconduct.

Role Identification

- Possessing a clear understanding of their role as first-line supervisors who are accountable for the safety, development, and actions of subordinates. This basic supervisory requirement is reinforced in the Core Value of being fully accountable for their own actions or failures and when appropriate, for the actions or failures of their subordinates.

Transition

- Demonstrating leadership abilities by recognizing the difference between doing the work and getting it done through others. Constantly maintaining their supervisory integrity by knowing the limits of their authority and following through on promised actions.

Fiscal Management

- Use of Overtime - monitoring those assignments requiring the use of overtime and ensuring that they are handled in a manner consistent with established overtime guidelines. They shall

be aware of applicable guidelines, such as MOU provisions and FLSA requirements and make prudent decisions when approving the use of overtime; and

- Staffing - continually monitoring their personnel resources and re-assigning them as needs change, for maximum efficiency.

Critical Incident Management

- Demonstrating a thorough understanding of emergency procedures and management of officer involved incidents. The effective direction of on-the-scene emergency activities of subordinates is mandatory.

Training

- Meeting their responsibilities as trainers. They must be capable of planning, coordinating, and conducting meaningful roll call and in-service training. They shall identify the training needs of each subordinate and develop training programs to meet those needs and ensure, through observation and recordation that all subordinates are developing at an acceptable rate. They shall conduct post-incident training debriefings and critiques to maximize subordinates' ability to learn from experience. Additionally, they must actively participate in the career development and guidance of their subordinates.

Supervision of Personnel

- Knowledge - knowing the strengths and weaknesses and special skills of each of their subordinates;
- Counseling/Documentation - being timely and accurate in documenting and counseling both positive and negative subordinate conduct and performance, utilizing the Departmental Performance forms, when appropriate;
- Conduct - ensuring that subordinates have a clear understanding of appropriate and expected conduct when dealing with the community, prisoners and co-workers by placing emphasis on: Cultural Awareness, Integrity and Ethics, Harassment and Discrimination issues, Departmental Core Values and Service Oriented Policing;
- Use of Force - directly supervising the use of force by being present when possible and directing and controlling subordinate activities as appropriate. Accepting notifications about use of force and initiating the force review process by notifying the supervising Lieutenant and accomplishing appropriate documentation tasks. Critically evaluating the tactics leading to use of force and maximizing subordinates' ability to learn from experience. Maximizing subordinates' embracing our Core Values by supporting the value in discussions and training about force, both before and after its use;
- Evaluation - rating subordinates in an objective and timely manner;
- Health and Safety - supporting and encouraging Unit-level wellness programs, and keeping a safe, secure and clean work place; and
- Personal Relations - treating every member of this Department, sworn and civilian, with the same dignity and respect that they would expect in return.

Delivery of Service

- Supporting and promoting the Department's Core Values and Service Oriented Policing philosophy, as well as community partnerships.

Efficient and Effective Operations

- Goals - by actions and statements actively striving toward accomplishing Departmental and Unit goals, while encouraging subordinates to follow their example;
- Reports/Notifications - communicating with supervisors and keeping them aware of problems, issues and activities concerning their areas of responsibility. Ensuring that all reports and notifications are accurate and submitted in a timely manner; and
- Information - functioning as an agent of information exchange between management and subordinate personnel.

Role Model

- Physical Appearance - setting an example of professionalism and pride by appearing well groomed and appropriately attired;
- Demeanor/Attitude - by actions and statements, reflecting maturity, objectivity, enthusiasm and a commitment to excellence in accomplishing the mission, goals and programs of the Department;
- Communicative/Interpersonal Skills - encouraging and promoting open and constructive relationships with citizens, co-workers, subordinates and superiors through understanding, empathy and tolerance. Their written and oral communications should be clear and concise;
- Social Skills - demonstrating actions and decisions that reflect consideration of social, cultural and political factors which are important to the community and the Department;
- Self-improvement - maintaining and enhancing their professional knowledge and skills, remaining current on events that affect the Department and their Units of assignment;
- Innovation - continually evaluating and seeking methods of improving the operation of their Units;
- Ethical Conduct - by their actions and statements, possessing the highest standards of moral and ethical conduct; and
- Core Values - demonstrating clear expectations of acceptable conduct, including the tenets of the Department's established Core Values.

Risk Management

- Striving to minimize risk to the Department and personnel through monitoring, inspecting, reporting, and improving their employees' performance;
- Utilizing safe driving techniques while driving County vehicles; and
- Monitoring their work location for safety and safety-related hazards and taking immediate remedial action, if appropriate.

Special Requirements

Possession of a valid state driver's license.

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.

VII. CORPORAL

DEPUTY SHERIFF Corporal Classification: DSCS(c)

System

West Virginia Civil Service

Distinguishing Characteristics

Corporals are a vital element in the supervision of the Deputy Sheriffs, whom are the main work force from the sworn category, and are responsible for performing a wide variety of law enforcement functions. Corporals are tasked to ensure compliance with the professional and ethical standards of the Department by all Deputy Sheriffs and civilian employees. Corporals shall know the duties and responsibilities of their Sergeant and be familiar with the WV Law Enforcement Officer's Bill of Rights, Civil Service Rules, applicable MOU'S, FLSA, the disciplinary and employee grievance processes and administrative investigation procedures.

Nature of Work

Corporals shall focus on being positive role models to their subordinates, while also addressing concerns to their leadership on behalf of their personnel. Corporals must be service-oriented and actively assist community members in solving problems and maintaining the peace. Corporals shall be held accountable for their actions and must adhere to Departmental Core Values.

Examples of Work

The duties of this classification include the following:

- Acting as an assistant to their Squad Sergeant, and assisting with the supervision of a given patrol shift;
- Acting as an assistant to an Operations Sergeant in specialized Unit;
- Acting as an assistant to a staff assistant to the head of a major Unit;
- Performing specialized duties such as range operation, legal research, or manual or order writing;
- Inspecting and briefing assigned personnel;
- Conducting in-service training;
- Handling minor disciplinary and personnel problems;
- Evaluating and documenting the job performance of assigned personnel;
- Provide guidance, mentoring, and/or counseling to subordinates whose performance demonstrates a need for intervention;

- Preparing records and reports;
- Performing specialized investigations requiring specialized techniques and skills in such areas as burglary, sexual assaults, robbery, forgery and fraud;
- Gathering evidence and preparing detailed reports of the results of investigations;
- assisting in the preparation of legal documents such as search warrants;
- Coordinating the activities of subordinate personnel in planning and conducting major or large-scale investigations;
- Interviewing witnesses and complainants;
- Apprehending and interrogating suspects; and
- Acting as a Deputy Sheriff Reserve coordinator on major scenes, directly supervising Reserve activity, when needed;

Knowledge, Skills and Abilities

In addition to position specific responsibilities, each Corporal is accountable for:

- Their personal acts and omissions and when reasonable and appropriate, the acts and omissions of their subordinates. In connection therewith, their supervisory and managerial responsibilities shall include, among others:
 - a responsibility to take appropriate corrective measures consistent with their rank and authority when he is, or reasonably should be, aware that such measures are called for; and
 - a responsibility to use the information and management tools available to them, including, but not limited to, manual and automated personnel information, to attempt to anticipate and address, through corrective measures consistent with their authority, reasonably identifiable Departmental risks or potential employee misconduct.

Role Identification

- Possessing a clear understanding of their role as first-line supervisors who are accountable for the safety, development, and actions of subordinates. This basic supervisory requirement is reinforced in the Core Value of being fully accountable for their own actions or failures and when appropriate, for the actions or failures of their subordinates.

Transition

- Demonstrating leadership abilities by recognizing the difference between doing the work and getting it done through others. Constantly maintaining their supervisory integrity by knowing the limits of their authority and following through on promised actions.

Fiscal Management

- Use of Overtime - monitoring those assignments requiring the use of overtime and ensuring that they are handled in a manner consistent with established overtime guidelines. They shall be aware of applicable guidelines, such as MOU provisions and FLSA requirements and

- make prudent decisions when approving the use of overtime; and
- Staffing - continually monitoring their personnel resources and re-assigning them as needs change, for maximum efficiency.

Critical Incident Management

- Demonstrating a thorough understanding of emergency procedures and management of officer involved incidents. The effective direction of on-the-scene emergency activities of subordinates is mandatory.

Training

- Meeting their responsibilities as trainers. They must be capable of planning, coordinating, and conducting meaningful roll call and in-service training. They shall identify the training needs of each subordinate and develop training programs to meet those needs and ensure, through observation and recordation that all subordinates are developing at an acceptable rate. They shall conduct post-incident training debriefings and critiques to maximize subordinates' ability to learn from experience. Additionally, they must actively participate in the career development and guidance of their subordinates.

Supervision of Personnel

- Knowledge - knowing the strengths and weaknesses and special skills of each of their subordinates;
- Counseling/Documentation - being timely and accurate in documenting and counseling both positive and negative subordinate conduct and performance, utilizing the Departmental Performance forms, when appropriate;
- Conduct - ensuring that subordinates have a clear understanding of appropriate and expected conduct when dealing with the community, prisoners and co-workers by placing emphasis on: Cultural Awareness, Integrity and Ethics, Harassment and Discrimination issues, Departmental Core Values and Service Oriented Policing;
- Use of Force - directly supervising the use of force by being present when possible and directing and controlling subordinate activities as appropriate. Accepting notifications about use of force and initiating the force review process by notifying the supervising Lieutenant and accomplishing appropriate documentation tasks. Critically evaluating the tactics leading to use of force and maximizing subordinates' ability to learn from experience. Maximizing subordinates' embracing our Core Values by supporting the value in discussions and training about force, both before and after its use;
- Evaluation - rating subordinates in an objective and timely manner;
- Health and Safety - supporting and encouraging Unit-level wellness programs, and keeping a safe, secure and clean work place; and
- Personal Relations - treating every member of this Department, sworn and civilian, with the same dignity and respect that they would expect in return.

Delivery of Service

- Supporting and promoting the Department's Core Values and Service Oriented Policing philosophy, as well as community partnerships.

Efficient and Effective Operations

- Goals - by actions and statements actively striving toward accomplishing Departmental and Unit goals, while encouraging subordinates to follow their example;
- Reports/Notifications - communicating with supervisors and keeping them aware of problems, issues and activities concerning their areas of responsibility. Ensuring that all reports and notifications are accurate and submitted in a timely manner; and
- Information - functioning as an agent of information exchange between management and subordinate personnel.

Role Model

- Physical Appearance - setting an example of professionalism and pride by appearing well groomed and appropriately attired;
- Demeanor/Attitude - by actions and statements, reflecting maturity, objectivity, enthusiasm and a commitment to excellence in accomplishing the mission, goals and programs of the Department;
- Communicative/Interpersonal Skills - encouraging and promoting open and constructive relationships with citizens, co-workers, subordinates and superiors through understanding, empathy and tolerance. Their written and oral communications should be clear and concise;
- Social Skills - demonstrating actions and decisions that reflect consideration of social, cultural and political factors which are important to the community and the Department;
- Self-improvement - maintaining and enhancing their professional knowledge and skills, remaining current on events that affect the Department and their Units of assignment;
- Innovation - continually evaluating and seeking methods of improving the operation of their Units;
- Ethical Conduct - by their actions and statements, possessing the highest standards of moral and ethical conduct; and
- Core Values - demonstrating clear expectations of acceptable conduct, including the tenets of the Department's established Core Values.

Risk Management

- Striving to minimize risk to the Department and personnel through monitoring, inspecting, reporting, and improving their employees' performance;
- Utilizing safe driving techniques while driving County vehicles; and
- Monitoring their work location for safety and safety-related hazards and taking immediate remedial action, if appropriate.

Special Requirements

Possession of a valid state driver's license.

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.

VIII. DEPUTY SHERIFF

DEPUTY SHERIFF **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. Deputy Sheriffs are the main work force from the sworn category, and are responsible for performing a wide variety of law enforcement functions. Deputy Sheriffs must exhibit discretion, a comprehensive knowledge of the law and highest ethical standards. Deputy Sheriffs must be service-oriented and actively assist community members in solving problems and maintaining the peace. Deputy Sheriffs shall be held accountable for their actions and must adhere to Departmental Core Values.

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 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

The duties of this classification include the following:

- Protecting life and property;
- Preventing crime;
- Apprehending criminals;
- Investigating reports of crime;
- Managing the care, custody and transportation of prisoners;
- Serving as a bailiff/court security in the courts;
- Delivery of all civil and criminal process from the courts; and
- Working in an administrative or support function.

Knowledge, Skills and Abilities

At the completion of an entry level training program, an officer should be able to perform the following essential functions as outlined in §149-2-8.3.

In addition to position specific responsibilities, each Deputy Sheriff is accountable for:

- Their personal actions and omissions;
- Fiscal - making every reasonable effort to complete their duties within their assigned shift. Those assignments that require the use of overtime shall be handled in a manner consistent with established overtime guidelines, MOU's and FLSA provisions;
- Delivery of Services - supporting and promoting the Department's Core Values and Service Oriented Policing philosophy;
- Efficient and Effective Operations - being aware of their Unit's mission and goals and actively striving to accomplish these objectives through their actions and statements. reports and notifications shall be complete, accurate and timely;
- Personal - maintaining a professional appearance and demeanor, treating the community they serve in a fair and impartial manner and conducting themselves in keeping with the highest ethical standards;
- Risk Management - utilizing officer safety equipment and techniques authorized by the Department in an effort to minimize risk. Utilizing safe driving techniques while driving County vehicles;
- Health and Safety - supporting Unit-level wellness programs and keeping a safe, secure, and clean work place;
- Personal Relations - treating every member of this Department, sworn and civilian, with the same dignity and respect that he would expect in return;
- Demeanor/Attitude - by actions and statements, reflecting maturity, objectivity, enthusiasm and a commitment to excellence in accomplishing the mission, goals and programs of the Department;
- Communicative/Interpersonal Skills - encouraging and promoting open constructive relationships with the public, co-workers, subordinates and superiors through understanding, empathy and tolerance. Written and oral communications should be clear and concise;

- Social Skills - demonstrating actions and decisions that reflect consideration of social, cultural, and political factors which are important to the Department;
- Self-Improvement - maintaining their professional knowledge and skills and remaining current on events that affect the Department and their Unit; and
- Innovation - continually evaluating and seeking methods of improving the operation of their Unit.

Field Training Officers

Field training officers are responsible for training, supervising, guiding and evaluating Deputies newly assigned to the Patrol Division. Field training officers are teachers, mentors, leaders and role models. They must display strong ethics and the highest possible degree of personal and professional integrity. They must be positive and supportive and teach by example all requisite skills necessary to enable the Deputy being trained to successfully complete the Field Training Program. Field training officers must be dedicated to the training mission and support Departmental Core Values.

Special Requirements

- Possession of a valid state driver's license.
- 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.
- 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
 - Department authorized Less Than Lethal equipment, i.e. taser, mace/pepper spray, baton
 - 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
 - A rifle
 - Lights and sirens
 - Rubber gloves
 - Ammunition and ammunition magazines
 - Weapon cleaning equipment

Attachment 4 – Sheriff's Verification Letter

1 November 2024

Sheriff
Berkeley County Sheriff
510 S Raleigh Street
Martinsburg, WV 25401

Berkeley County Deputy Sheriffs Civil Service Commission
400 West Stephen Street
Martinsburg, WV 25401

Verification Of Candidate Eligibility

This is to certify that the below listed name(s) of deputy sheriff candidates have met the minimum requirements of law, and local rules, to be considered for employment as a law enforcement deputy sheriff with the Berkeley County Sheriff's Office.

These requirements include:

1. A complete and thorough investigation into the person(s) background and moral character, including, but not limited to, a nationwide criminal background check consisting of inquiries of the National Instant Criminal Background Check System, the West Virginia criminal history record responses and the National Interstate Identification index.
2. The person(s) has submitted to a psychological assessment and has been recommended for hire as a result.
3. The person(s) has submitted to and passed a polygraph examination.
4. The person(s) has submitted to a complete and thorough medical examination by a licensed physician, selected by the Sheriff, as required by law and has passed the medical examination.

Based upon the successful completion of these requirements, I am requesting that the following individual(s) be certified as eligible for hiring as a Berkeley County Law Enforcement Deputy Sheriff.

, Sheriff
Berkeley County, West Virginia

Attachment 5 – Request/Decline Public Hearing Form

Intent to Request/Decline a Public Hearing

I, _____, understand that the Berkeley County Sheriff's Department has initiated a request to remove my name from the current list of eligible candidates for hire due to reasons stated in Chief Young's correspondence. In accordance with the WV State Code & the Berkeley County Deputy Sheriff Civil Service Commission Rules and Regulations, I acknowledge my right to request/decline a public hearing to contest/accept this action.

Please indicate your decision below:

___ I **request** a public hearing to contest my removal from the list of eligible candidates.

___ I **decline** to request a public hearing and accept the removal of my name from the list of eligible candidates.

I understand that if I fail to notify the Civil Service Commission of my decision in writing by, **Month Day, Year, 5:00 PM** it will be deemed that I have waived my right to a public hearing, and my name will be removed from the list of eligible candidates without further appeal.

By signing below, I acknowledge my understanding of this matter, and my decision as indicated above.

Signature: _____

Date: _____

Attachment 6 – Promotional Examination Confirmation Form

BERKELEY COUNTY CIVIL SERVICE COMMISSION Promotional Examination Confirmation Form

This form is required to confirm your intent to participate in the promotional examination process. Please complete all sections and submit this form to the Civil Service Commission by the specified deadline.

SECTION 1: Personal Information

- **Full Name:** _____
- **Current Rank:** _____
- **Contact Information (Phone/Email):** _____

SECTION 2: Examination Selection

Please check the rank for which you are testing:

- ☐ Corporal
- ☐ Sergeant
- ☐ Lieutenant
- ☐ Captain
- ☐ Major

SECTION 3: Examination Policy Acknowledgment

I, the undersigned, hereby confirm my intent to report for the promotional examination for the rank indicated above. I understand and agree to the following:

1. Reimbursement Obligation:

I acknowledge that if I fail to appear for the scheduled examination without providing written notice to the Civil Service Commission at least 72 hours in advance, I will be responsible for reimbursing Berkeley County for all costs incurred in administering the examination on my behalf.

2. 72-Hour Notification Requirement:

If I am unable to attend the scheduled examination, I will provide written

notification to the Civil Service Commission at least 72 hours before the examination, including the reason for my inability to attend.

3. No Exceptions Policy:

I understand that failure to appear for the exam without proper notification will result in mandatory reimbursement, regardless of reason.

SECTION 4: Deputy's Certification

I certify that I have read, understood, and agree to the terms outlined in this form. I understand my responsibilities and the consequences of failing to appear for the promotional examination.

☐ I **WILL** attend the scheduled promotional examination on the date and time specified by the Civil Service Commission.

☐ I **WILL NOT** attend the scheduled promotional examination on the date and time specified by the Civil Service Commission.

Signature: _____

Printed Name: _____

Date: _____

SECTION 5: 72-Hour Notification (If Applicable)

If you are unable to attend the scheduled examination, complete this section and submit it to the Civil Service Commission at least 72 hours before the examination date.

- **Reason for Inability to Attend:**
- **Notification Submitted By:**

Signature: _____

Printed Name: _____

Date: _____

SECTION 6: For Civil Service Commission Use Only

- **Form Received By:** _____
- **Date Received:** _____
- **Approved Testing Date:** _____

Attachment 7 – Civil Service Commission Meetings Call-In Procedures

Commission meetings shall be held monthly on the fourth Wednesday at a central location. Commission members who are not present in person shall have the right to participate by telephone, subject to any limitations established in rules adopted by the Commission to govern such participation.

1. Login information. The Commission Secretary shall send by e-mail to every member of the Commission, at least 2 days before each meeting, the time and location of the meeting and the phone number and any access code needed to connect to the telephone conference call. The Commission Secretary shall also include a copy of, or a link to, these rules.
2. Call-in time. The Recording Secretary shall schedule a telephone conference call, using equipment provided by the Commission or a free service, to begin 5 minutes before the start of each meeting.
3. Meeting-room equipment. The Commission shall provide a speakerphone at each meeting, which the Recording Secretary shall connect to the telephone conference call at least 5 minutes before the start of the meeting.
4. Location of chairman. The chair of the meeting must be present in the meeting room.
5. Arrival announcements. Members who participate in the meeting by phone shall announce themselves at the first opportunity after joining the telephone conference call, but may not interrupt a speaker to do so.
6. Departure announcements. Members who leave the telephone conference call or the meeting room before adjournment shall announce their departure, but may not interrupt a speaker to do so.
7. Quorum calls. The presence of a quorum shall be established by roll call at the beginning of the meeting and on the demand of any member. Such a demand may be made following the departure of any member or following the taking of any vote for which the announced totals add to less than a quorum.

8. Obtaining the floor. To seek recognition by the chair, a member shall address the chair and state his or her own name.

9. Motions submitted in writing. Members who participate in the meeting by phone may not submit motions in writing during the meeting, but are entitled to make motions orally. Members may, however, submit motions in writing by sending them at least 2 days before the meeting to the Commission Secretary, who shall send any such pre-submitted motions by e-mail to all members in advance of the meeting and shall provide copies to the members present in person at the meeting.

10. Voting methods. All votes shall be taken by roll call. Unless the Commission orders a fully recorded roll-call vote, only the number of votes on each side and the number of members present but not voting (including members participating by phone) shall be entered in the minutes. Business may also be conducted by unanimous consent.

11. Loss of meeting-room connection. Any business transacted while the meeting-room speakerphone is disconnected from the telephone conference call is null and void, except that the members present in the meeting room at such a time may take those actions that are in order in the absence of a quorum.

12. Other technical malfunctions and requirements. Each member is responsible for his or her connection to the telephone conference call; no action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting.

13. Forced disconnections. The chair may order the Recording Secretary to disconnect or mute a member's connection if it is causing undue interference with the telephone conference call. The chair's decision to do so, which is subject to an undebatable appeal that can be made by any member, shall be announced during the meeting and recorded in the minutes.

ADOPTED

We, the undersigned members of the Berkeley County Deputy Sheriff's Civil Service Commission, do hereby certify that the revised Berkeley County Deputy Sheriff's Civil Service Commission Rules and Regulations, formally adopted on this date of, **June 18, 2025**, shall serve as the guiding principles for all matters under our jurisdiction. These rules have been established with the goal of ensuring a fair, transparent, and merit-based system for the hiring, selection, promotion, and discipline of deputy sheriffs and for all parties involved.

The integrity of the Commission's proceedings and the equitable treatment of all individuals is paramount. These regulations will provide a structured and consistent framework to guide decisions, uphold the rights of those governed by them, and maintain the highest standards of professionalism within the Berkeley County Deputy Sheriff's Office and Civil Service Commission.

We affirm that these Rules and Regulations shall be followed without prejudice, bias, or partiality, in keeping with the mission of the Commission to maintain the trust and confidence of the members of the Berkeley County Sheriff's Department, and all those who serve under its purview.

NOTE: This revision supersedes previous version dated, September 15, 2021.



DALE A. BUCK

President, Berkeley County Deputy Sheriffs Civil Service Commission



STEPHEN D. DOPSON

Commissioner, Berkeley County Deputy Sheriffs Civil Service Commission



D. SCOTT WILSON

Commissioner, Berkeley County Deputy Sheriffs Civil Service Commission



Civil Service Seal

