WEST VIRGINIA CODE CHAPTER 7 ARTICLE 26

WV Legislature

§7-26-1. Creation; purpose; composition.

(a) For the purpose of providing better law enforcement for the counties of our state and for providing standardization and uniformity of services and operation of the sheriff offices throughout the state, there is hereby created the West Virginia Sheriffs' Bureau of Professional Standards.

(b) The bureau shall be comprised of nine members, as follows:

(1) Two statutory members:

(i) The Secretary of the Department of Military Affairs and Public Safety, or his or her designee; and

(ii) The Executive Director of the West Virginia Sheriffs' Association; and

(2) Seven members representing the public and law enforcement to be appointed by the Governor:

(i) Five sheriffs of the counties of West Virginia, to be recommended for appointment by the West Virginia Sheriffs' Association; and

(ii) Two citizen members.

(c) Service of members of the bureau shall be conditioned upon signing all necessary nondisclosure agreements relating to confidential law-enforcement information.

(d) Each bureau member shall serve a two-year term commencing July 1, 2015, except that three of the first five sheriffs beginning their term on July 1, 2015, shall serve a one-year term expiring July 1, 2016, at which time new selections for regular two-year terms shall be made for these three positions.

(e) Any vacancy on the bureau for a sheriff position shall be filled for the remainder of the unexpired term by selection of the West Virginia Sheriffs' Association. Any vacancy on the bureau for a citizen member position shall be filled for the remainder of the unexpired term by appointment of the Governor.

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§7-26-2. General powers and duties; legislative rules.

(a) The bureau may enter into contracts regarding training and operation of state sheriffs' offices. The bureau may recommend policies and procedures to sheriffs' offices, including, but not limited to, those that promote cooperation between all state and local law-enforcement officers, eliminate duplication of work, promote the proper and efficient operation of the office of the sheriff, and which seek to standardize operations of sheriffs' offices throughout the state. The bureau may propose legislative rules which adopt a standard badge, uniform, and color for the motor vehicles used by the various sheriffs and deputy sheriffs of West Virginia.

(b) The bureau may assist the sheriffs of each county of the state to provide Handle With Care program training to law-enforcement supervisors and patrols and to actively participate in and use all law enforcement-related components of the Handle With Care program to help trauma-inflicted children in the public or private school systems.

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§7-26-3. Bureau officers.

The bureau shall select a chair, vice chair and secretary from within its appointed membersto keep an accurate record of the actions of the bureau and perform such duties as the bureau may prescribe.

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§7-26-4. Training promoted by the bureau.

The bureau may contract with or agree with any state university or college in West Virginia or any other organization for a university, college or other organization to provide specialized training for sheriffs and deputies as it deems appropriate for the efficient operation of a sheriff's office: Provided, That nothing herein shall be construed to circumvent or replace the duties or authority of the training of law-enforcement officers in this state as prescribed in article twenty-nine, chapter thirty of this code.

WV Legislature

§7-26-5. Standard color for motor vehicles used by sheriffs; standard badges and uniforms; wearing other than standard uniform or badge; unauthorized wearing of official uniforms or badges.

(a) The bureau, by legislative rules, may adopt a standard color for the motor vehicles used by the various sheriffs and deputy sheriffs of West Virginia.

(b) For purposes of uniformity, the bureau may establish a standard badge and uniform to be worn by all sheriffs and deputy sheriffs.

(c) On and after July 1, 2015, any sheriff or deputy sheriff shall not wear any uniform or badge other than the standard uniform and badge as provided in subsection (b) of this section, except when engaged in specialized duty or undercover work, or other similar duties wherein the identity of the officer should be undisclosed: Provided, That nothing herein shall be construed to prevent members of any military, fraternal or similar organization or any other law-enforcement officer from wearing any insignia officially adopted or worn prior to the effective date of this section.

(d) Nothing in this article prevents an honorably retired sheriff or deputy sheriff from acquiring a standard uniform and insignia in accordance with section seventeen-d, article fourteen of this chapter.

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§7-26-6. Standards for interagency cooperation.

(a) This section is created for the purpose of enhancing cooperative efforts undertaken by sheriff offices for the more efficient investigation and apprehension of persons who violate the criminal laws of the state of West Virginia or the United States and also to assist the victims of such crimes. The provisions of this section are meant to promote interagency communication, intelligence gathering, multijurisdictional investigations, provision of personnel to work on temporary special assignment with the personnel of another sheriff's office and making available equipment, training, technical assistance and information systems.(b) Sheriffs and deputy sheriffs may, from time to time, be called upon by a sheriff of another jurisdiction for assistance during incidents where the resources of that county are not adequate to meet the needs of a particular circumstance or emergency in accordance with article ten, chapter fifteen of this code. Sheriffs and deputy sheriffs are hereby authorized to provide multiagency assistance to another county pursuant to the requirements outlined in this section: Provided, That any mutual aid agreement entered into by a sheriff of any county shall remain in effect unless and until the agreement is withdrawn in writing by the sheriff of that county, regardless of whether a new sheriff of the county is elected or appointed.

(c) The provisions of this section apply only to requests for assistance made by and to authorized representatives of a sheriff's office whose jurisdiction is involved in a mutual aid agreement pursuant to article ten, chapter fifteen of this code. The provisions of this section shall be activated only upon request by one of the aforementioned authorized representatives or their designee.

WV Legislature