

**LAW ENFORCEMENT STANDARDS BOARD (LESB)
EXECUTIVE COMMITTEE (EC) MEETING**

MINUTES – FEBRUARY 12, 2019

ATTENDANCE:

LESB EC MEMBERS

Chris Domagalski
Mike Steffes
Scott Parks
Anna Ruzinski

ABSENT MEMBERS:

Joseph Collins

STAFF

Tina Virgil
Stacy Lenz
Dana Vike
Jerry Mullen
Thessa Phillips
Tom Bellavia
Samuel Berg
Katie Maule

Guests: Steve Wagner, Brinelle Nabors, Andrew Schauer, Sebrine Chappell, Todd Hoover

- 1. Introductions** – Christopher Domagalski called the meeting to order at 10:32 am.
- 2. Proof of Posting of Meeting Notices**
The meeting notice publication procedures were followed in compliance with Wis. Stat. §19.84.
- 3. Discussion on training requirements and re-certification eligibility for Officer Brinelle Nabors, Racine Police Department.**

Staff Recommendation:

Officer Brinelle Nabors was placed on paid administrative leave from his law enforcement position with the Racine Police Department on December 15, 2015. Officer Nabors was decertified by the Law Enforcement Standards Board (LESB) on September 5, 2018, for failure to meet annual recertification training requirements for two or more fiscal years.

Since Officer Nabors has not worked in a law enforcement capacity or taken part in annual recertification training for more than three years, it is recommended that Officer Nabors re-complete preparatory law enforcement officer training to be eligible for recertification, and that he be permitted a 12-month “probationary” period similar to a newly hired officer, from February 12, 2019 to February 12, 2020, to successfully complete the 720-hour preparatory law enforcement officer training academy.

Following successful completion of the academy, a recommendation for certification of Officer Nabors will be made at the next quarterly meeting of the LESB.

Discussion:

- Staff Attorney with the Wisconsin Professional Police Association, Andrew Schauer, is present to address the board on behalf of Officer Nabors. Mr. Schauer states that Officer Nabors was unable to work due to the Racine and Kenosha County District Attorney’s delay in charging him with a crime. Officer Nabors was acquitted in January 2019 and immediately began make-up training at his department.
- Racine Police Department’s Lieutenant Steve Wagner is also present to address the LESB. Lieutenant Wagner states that the agency was under the impression that the criminal allegations would be resolved

in a timely matter and that this officer would not need to be on leave for more than two years. Moving forward, Racine Police Department is committed to maintaining the training for individuals who are on leave for long periods of time. Officer Nabors has completed 104 hours of training since his acquittal. The training includes Taser, DAAT, Handgun, Tourniquet, and Naloxone. Lieutenant Wagner states that Officer Nabors has been completing his make-up training with six officers who have just completed the law enforcement academy and he has shown to be a great mentor to them. The agency has also had Officer Nabors complete scenario-based Rescue Task Force training with the fire department as well as scenario-based Taser and Handgun trainings. The only training that Officer Nabors needs to complete is the LESB Biennial Vehicle Pursuit for FY 18-19, which he will complete this in May 2019.

Motion to go into closed session pursuant to Wis. Stat. §§ 19.85 (1) (b) for the purpose of considering the licensing of a public employee, and/or pursuant to Wis. Stat. § 19.85 (1) (g) for the purpose of conferring with legal counsel about potential litigation related to the eligibility determination. Reconvene in open session, if closed proceedings have occurred. Move by Anna Ruzinski, second by Mike Steffes. Roll Call Vote: Chris Domagalski, Anna Ruzinski, Mike Steffes, Scott Parks. Motion carried unanimously.

Session opened at 10:59 am.

Motion to re-certify Brinelle Nabors on the condition that he complete the LESB Biennial Vehicle Pursuit training by June 30, 2019. Move by Anna Ruzinski, second by Mike Steffes. Motion carried unanimously.

Clarification on the motion: Officer Nabors is re-certified as of February 12, 2019 and will need to complete the LESB Vehicle Pursuit training by June 30, 2019, to remain in compliance for Fiscal Year 19. The LESB emphasizes the importance of Officer Nabors completing the pursuit training as soon as possible. In addition, the Board appreciates those in attendance today on behalf of Officer Nabors, as well as, the training program that the Racine Police Department implemented to bring him up to speed.

4. Requests for Waiver of Training & Education Requirements for Officers, Civilians & Instructors.

Preparatory Training Waiver Requests

- a. Aschinger, Michael T – Pre-employed
Staff recommends successful completion of the Reciprocity Examination. Mr. Ashinger shall successfully complete the Reciprocity Examination within the next year no later than March of 2020. If he passes the exam, he will be certifiable in Wisconsin for one year from the date of the exam.
- b. Cable, Lawrence E - Pre-employed
Staff recommends against successful completion of the Reciprocity Examination. Mr. Cable does not meet the requirements to take part in the Reciprocity Examination and shall complete law enforcement preparatory training in Wisconsin prior to consideration for certification as a law enforcement officer in Wisconsin.
- c. Greene, Nikolas - Pre-employed
Staff recommends successful completion of the Reciprocity Examination. Mr. Greene shall successfully complete the Reciprocity examination within the next year no later than March of 2020. If he passes the exam, he will be certifiable in Wisconsin for one year from the date of the exam.
- d. Huffman, Katie L - Pre-employed

Staff recommends successful completion of the Reciprocity Examination. Ms. Huffman shall successfully complete the Reciprocity Examination within the next year no later than March of 2020. If she passes the exam, she will be certifiable in Wisconsin for one year from the date of the exam.

e. Lear, Robert A - Pre-employed

Staff recommends successful completion of the Reciprocity Examination. Mr. Lear shall successfully complete the Reciprocity Examination within the next year and no later than March of 2020. If he successfully completes the exam, he will be certifiable in WI for one year from the date of the exam.

f. McCoy, Kathryn A - Pre-employed

Staff recommends successful completion of the Reciprocity Examination. Ms. McCoy shall successfully complete the Reciprocity Examination within the next year and no later than March of 2020. If she successfully completes the exam, she will be certifiable in WI for one year from the date of the exam.

g. Peters, Bradley M - Pre-employed

Staff recommends successful completion of the Reciprocity Examination. Mr. Peters shall successfully complete the Reciprocity Examination within the next year and no later than March of 2020. If he successfully completes the exam, he will be certifiable in WI for one year from the date of the exam.

h. Tomas, Joel B - Pre-employed

Staff recommends successful completion of the Reciprocity Examination. Mr. Tomas shall successfully complete the Reciprocity Examination within the next year and no later than March of 2020. If he successfully completes the exam, he will be certifiable in WI for one year from the date of the exam.

i. Vallejo, Joe G - Pre-employed

Staff recommends successful completion of the Reciprocity Examination. Mr. Vallejo shall complete the Reciprocity Examination within the next year and no later than March of 2020. If he successfully completes the exam, he will be certifiable in WI for one year from the date of the exam.

j. Williams, LaShun D - Pre-employed

Staff recommends successful completion of the Reciprocity Examination. Ms. Williams shall complete the Reciprocity Examination within the next year and no later than March of 2020. If she successfully completes the exam, she will be certifiable in WI for one year from the date of the exam.

k. Arenas, Vincent J – Kenosha Police Department

Staff recommends successful completion of the Reciprocity Examination. Mr. Arenas shall successfully complete the Reciprocity Examination within his probationary period and no later than 2/11/2020.

l. Boivin, Anthony T – Columbia County Sheriff's Office

Staff recommends successful completion of the Reciprocity Examination. Mr. Boivin shall successfully complete the Jail Reciprocity Examination during his probationary period with the Columbia County Sheriff's Office, and by no later than 10/18/2019.

m. Harris, John K – Pierce County Sheriff's Office

Staff recommends successful completion of the Reciprocity Examination. Mr. Harris shall successfully complete the Reciprocity Examination within the next year and no later than March of

2020. If he successfully completes the exam, he will be certifiable in WI for one year from the date of the exam.

- n. Klemmer, Trevor H – Fond du Lac County Sheriff's Office
Staff recommends successful completion of the Reciprocity Examination. Mr. Klemmer shall successfully complete the Reciprocity Examination within his probationary period and no later than 6/18/2019.
- o. Lee-Lo, Theresa – Columbia County Sheriff's Office
Staff recommends successful completion of the Reciprocity Examination. Ms. Lee-Lo shall successfully complete the Reciprocity Examination within her probationary period and no later than 10/8/2019.
- p. Remiker, Randy N – Algoma Police Department
Staff recommends successful completion of the Reciprocity Examination. Mr. Remiker shall successfully complete the Reciprocity Examination within his probationary period and no later than 12/1/2019.
- q. Schultz, Paul A – Fond du Lac County Sheriff's Office
Staff recommends successful completion of the Reciprocity Examination. Mr. Schultz shall successfully complete the Reciprocity Examination within his probationary period and no later than 9/10/2019.

College Credit Waiver Requests

- a. Hansen, Grant A – Military
Staff recommends Mr. Hansen receive a waiver for 18 college credits.
- b. Hirsch, Colin M – Law Enforcement Academy
Staff recommends Mr. Hirsch receive a waiver for 20 college credits.
- c. Navone, Anthony M – Jail Academy
Staff recommends Mr. Navone receive a waiver for 3 college credits.
- d. Salas, Christopher P – Military
Staff recommends Mr. Salas receive a waiver for 30 college credits.
- e. Schoepke, Aaron D – Military
Staff recommends Mr. Schoepke receive a waiver for 30 college credits.

Motion to accept staff recommendations on request for College Credit Waivers. Move by Kim Gaffney, second by J.D. Lind. Motion carried unanimously.

Discussion:

- Chairman Domagalski asks staff if the technical colleges have reviewed the law enforcement academy curriculum to determine how many college credits they will accept towards an associate's degree since the transition to 720-hours. Training and Standards will consult with the colleges at the next academy director's meeting.

Motion to accept staff recommendations for preparatory training and college credit waiver requests. Move by Mike Steffes, second by Anna Ruzinski. Motion carried unanimously.

Instructor Waiver Requests

- a. **Anderson, Leif – Eau Claire County Sheriff's Office**
Staff recommends allowing Leif Anderson's correctional officer experience with the WI DOC to count towards his occupational experience to attend instructor courses and to be certified as an instructor in jail training topics.
- b. **Carlson, Patrick – Burnett County Sheriff's Office**
Staff recommends permitting Patrick Carlson to attend an instructor update on April 17, 2019, April 18, 2019, or May 29, 2019, and allowing it to count toward his recertification for March 1, 2016 to March 1, 2019. He will also need to complete an additional Instructor Update between March 1, 2019 and March 1, 2022. Failure to meet any of the above requirements will result in a recommendation of decertification of Patrick Carlson's instructor certification status.
- c. **Devroy, Kurt – Chippewa Valley Technical College**
Staff recommends approving the waiver request for the Tactical Emergency Casualty Care Law Enforcement Officer (TECCLEO) Instructor Course for Kurt Devroy, as he meets all other requirements and previously attended a comparable 40-hour TEMS course. Staff recommends certifying Kurt Devroy as a TECCLEO Instructor.
- d. **Hanson, Terrell – Rock County Youth Services Center**
Staff recommends permitting Terrell Hanson to attend an instructor update on April 17, 2019, April 18, 2019, or May 29, 2019, and allowing it to count toward his recertification for March 1, 2016 to March 1, 2019. He will also need to complete an additional Instructor Update between March 1, 2019 and March 1, 2022. Failure to meet any of the above requirements will result in a recommendation of decertification of Terrell Hanson's instructor certification status.
- e. **Probst, Timothy – Waukesha County Technical College**
Staff recommends permitting Timothy Probst to attend an instructor update by April 18, 2019, and allowing it to count toward his recertification for March 1, 2016 to March 1, 2019. He will also need to complete an additional Instructor Update between March 1, 2019 and March 1, 2022. Failure to meet any of the above requirements will result in a recommendation of decertification of Timothy Probst's instructor certification status.
- f. **Skiles, Shawn – Juneau County Sheriff's Office**
Staff recommends permitting Shawn Skiles to attend an instructor update by April 18, 2019, and allowing it to count toward his recertification for March 1, 2016 to March 1, 2019. He will also need to complete an additional Instructor Update between March 1, 2019 and March 1, 2022. Failure to meet any of the above requirements will result in a recommendation of decertification of Shawn Skiles's instructor certification status.
- g. **Van Haren, Kyle – Madison Area Technical College**
Staff recommends permitting Kyle Van Haren to attend an instructor update by April 18, 2019, and allowing it to count toward his recertification for March 1, 2016 to March 1, 2019. He will also need to complete an additional Instructor Update between March 1, 2019 and March 1, 2022. Failure to meet any of the above requirements will result in a recommendation of decertification of Kyle Van Haren's instructor certification status.
- h. **Willmann, Michael – Dodge County Sheriff's Office**
Staff recommends permitting Michael Willmann to attend an instructor update by April 18, 2019, and allowing it to count toward his recertification for March 1, 2016 to March 1, 2019. He will also need to complete an additional Instructor Update between March 1, 2019 and March 1, 2022.

Failure to meet any of the above requirements will result in a recommendation of decertification of Michael Willmann's instructor certification status.

Discussion:

- The LESB is concerned with the frequency of these requests. Thessa Phillips sends out multiple notifications to the instructors and their agency administrators with details on how to maintain instructor certification. Many instructors wait to enroll in the required update until the end of their three year time frame.
- Staff recommends the waiver for the completion of the instructor update for Terrell Hanson, Timothy Probst, Shawn Skiles, Kyle Van Haren, and Michael Willmann because these individuals requested the extension before their certifications expired.

Motion to accept staff recommendations for Instructor Waiver requests. Move by Mike Steffes, second by Scott Parks. Anna Ruzinski opposes. Motion carried.

5. Requests for Extension of the Time Limits to Gain Employment and Requests for Extension of the Time Limits to Complete Preparatory Training for Officers & Civilians.

Training and Standards does not have any extension requests at the time of the meeting.

6. Division of Law Enforcement Services (DLES) Update

- State Crime Lab: Kerrie Spitzer is the new Wausau Crime Lab Director and her contact information is now available. The new controlled substance submission guidelines will be posted on February 15, 2019.
- Bureau of Justice Information and Analysis (BJIA) continues working on the UCR to IBRS conversion that will be implemented by January 2021. In addition, BJIA projects that the use of force data will begin collection in TraCS by fall 2019.

7. Training & Standards Bureau Update

- The T&S Director's position has been posted and the application deadline is February 18, 2019.
- Instructor Updates for spring 2019 are full but Thessa Phillips will make priority for instructors with upcoming expirations.
- The applications for Command College Class 7 are now open.
- Training and Standards is re-working the First Line Supervisor curriculum. There will be a DACUM for Law Enforcement first line supervisors on March 7, 2019, and a DACUM for Jail first line supervisors on March 8, 2019. T&S is looking for assistance from individuals working in the positions to develop the training.
- The Leadership in Police Organizations (LPO) training has begun in Prairie du Chien. Oshkosh Police Department, Ozaukee County Sheriff's Office, and Marathon County Sheriff's Office/Wausau Police Department will also be hosting the trainings this year.
- T&S has been looking at the specialized training grants in the penalty surcharge account, which is in deficit. The objective is to transfer the entitlement budget (re-certification training and academy reimbursement funds) over to a sum-sufficient account. This will bring the penalty surcharge out of deficit and free up funds for specialized training.
- John Morrissey has been hired to work on suicide prevention and wellness trainings. He is currently working on the peer support training curriculum and with Employee Assistance Program (EAP) providers to ensure they can meet the needs of first responders.
- T&S is working with Cardinal Stritch University on the Vision 2029 Conference that will be held April 15th – 17th at the Harley Davidson Museum in Milwaukee. This conference will focus on the future of policing.
- Dana Vike and Jerry Mullen are working on a form to present at the Academy Director's meeting on March 6, 2019. This form will be used to collect entry Physical Readiness Test data that will be analyzed to see if there is a disparate impact on female applicants

- Justice Programs is releasing a funding announcement for technical assistance grants for specialized training on dealing with youth in departments. This will help the agencies remain in compliance with Juvenile Justice Grants.
- The first 200-hour jail academy has begun at Gateway Technical College. Staff will update the LESB on the progress and feedback.
- Stephanie Pederson is currently re-writing the test questions for the law enforcement reciprocity exam and this will hopefully be completed in March.
- Chairman Domagalski asks DLES if Training and Standards could create a suggested training curriculum for new sheriffs who will not maintain law enforcement certification through the LESB. In addition, the Chairman asks T&S to seek legal advice on the rights and requirements for undersheriffs and chief deputies who do not maintain a state certification. Training and Standards will also consult with the Badger State Sheriff's Association on their recommendations for training.
- Chairman Domagalski directs Thessa Phillips to draft a letter regarding instructor certification requirements to be sent out to the instructors and their agency administrators. Chairman Domagalski will sign the letter.

8. Public Comment/Roundtable

- Sheriff Scott Parks asks for Training and Standards to clarify the requirement for three years of certified work experience for an officer to become an instructor. Sheriff Parks wonders why the date of certification is used instead of the date of swearing in at the agency. T&S staff states that the certification date is used to ensure that the work experience begins accruing after the officer has completed the law enforcement academy. Using the certification date is effective in standardizing the required work experience. Staff reiterates that the officer needs 2.5 years or 5,000 hours of certified work experience to be eligible for the Instructor Development Course. Agencies are encouraged to contact their payroll to see if the officer has reached 5,000 hours of certified experience through overtime.

9. Adjournment

Motion to adjourn by Anna Ruzinski, second by Mike Steffes. Motion carried unanimously.

X

Tina Virgil
Secretary

Minutes taken by Katie Maule.