

**LAW ENFORCEMENT STANDARDS BOARD (LESB)  
SPECIAL MEETING – Phone Conference**

**MINUTES – MARCH 27, 2020**

**ATTENDANCE:**

**LESB MEMBERS**

Anthony Burrell  
Chris Domagalski  
Casey Krueger  
Scott Parks  
Kurt Picknell  
Anna Ruzinski  
James Small  
Charles Tubbs  
Michelle Viste  
Laura Washer  
Ed Whealon

**ABSENT MEMBERS**

Jean Galasinski  
Jennifer Harper  
Tina Virgil

**STAFF**

David Holmes  
Stacy Lenz  
Katie Maule  
Jerry Mullen  
Stephanie Pederson  
Thessa Phillips  
Dan Ruzinski  
Shelly Sandry  
Frank Sullivan  
Laurie Valley  
Dana Vike

**Guests:** Rick Anderson, Shana Boll, Robert Botsch, Bob DeFrang, Troy Egger, Ryan Gilbert, Sara Gossfeld-Benzing, Tim Hufschmid, Edward Marshall, Paul Matl, Jody Oechsle, Clark Pagel, Jeremiah Pritzl, Harlan Reinders, Louis Richard

1. **Call the Meeting to Order** – Christopher Domagalski called the meeting to order at 10:01 am.

2. **Introduce Attendees**

3. **Proof of Posting of Meeting Notices**

The meeting notice publication procedures were followed in compliance with Wis. Stat. §19.84.

4. **Review and Approve Minutes for the March 19, 2020 Emergency Meeting of the LESB**

**Motion** to approve meeting minutes from the March 19, 2020 Emergency Meeting of the LESB. Move by Anna Ruzinski, second by Scott Parks. Roll Call Vote: Anthony Burrell, Chris Domagalski, Casey Krueger, Scott Parks, Kurt Picknell, Anna Ruzinski, James Small, Michelle Viste, Laura Washer, Ed Whealon. Motion carried unanimously.

Training and Standards provided the LESB with a list of instructors who expire on June 1, 2020 and did not register for an instructor update prior to expiration. Those individuals were not recommended for an extension. The LESB agrees that the individuals should not receive an extension.

5. **Consider extending the timeline for completion of the handgun qualification course and biennial vehicle pursuit training beyond six months from date of hire**

LESB policy requires law enforcement and tribal law enforcement officers, who gain law enforcement or tribal law enforcement employment more than one year following graduation from the preparatory training academy, to complete the handgun qualification course and current biennial vehicle pursuit training requirement within their first six months of employment.

In addition, law enforcement and tribal law enforcement officers, who leave law enforcement or tribal law enforcement employment and return to a law enforcement or tribal law enforcement position within three years following a break in service, are required to complete the handgun qualification course and current biennial vehicle pursuit training requirement within their first six months of employment.

Due to the COVID-19 pandemic and training cancellations, the Training and Standards Bureau has received requests to extend the six-month time period for meeting the handgun qualification course requirement and biennial vehicle pursuit training requirement for officers who fit into the categories above.

**Staff Recommendation:**

Provide one year from date of hire for law enforcement and tribal law enforcement officers who fit into any of the categories above, who are hired between March 1, 2020 and December 1, 2020, to meet the handgun qualification course completion requirement and the current biennial vehicle pursuit training requirement.

**Discussion:**

- Chief Ruzinski states that because the LESB has extended the annual recertification training requirements for this fiscal year, that it is acceptable to extend this requirement as well.
- Chief Domagalski states that he understands the need to extend vehicle pursuit training but as a Chief, he would be hesitant to working an officer before completing the LESB handgun qualification.

**Motion** to accept staff recommendation. Move by Laura Washer, second by Ed Whealon. Roll Call Vote: Anthony Burrell, Chris Domagalski, Casey Krueger, Scott Parks, Kurt Picknell, Anna Ruzinski, James Small, Michelle Viste, Laura Washer, Ed Whealon. Motion carried unanimously.

**6. Discussion on updated mass gathering ban and academy training**

On Wednesday, March 24, 2020, Governor Evers issued Emergency Order #12, Safer at Home Order. For the purposes of the Order: “all paid or volunteer first responders including law enforcement, EMS, and firefighters; **first responder training academies**; building inspectors; emergency management personnel; emergency dispatchers; court personnel; jurors and grand jurors; correctional personnel; hazardous materials responders; child protection and child welfare personnel; housing and shelter personnel; National Guard and military; and others working for or to support Essential Businesses and Operations are categorically exempt from this Order.”

The Training and Standards Bureau met with the academy directors on March 26, 2020, and relayed that they are exempt from the Governor’s orders. That being said, Wis. Stat. § 38.12(1) gives the technical college district boards exclusive control of their schools. Although the Governor’s orders do not pertain to first responder training academies, some technical college district boards are not permitting in-person training to continue at this time. Training and Standards provided the LESB with updated statuses of the academies.

During the discussion with the academy directors, there was a request to lower the minimum passing score for the end of phase exams back down to 70% while the academies are facing disruption due to the COVID-19 pandemic. Another request received was to permit completion of end-of-phase

exams at home for academies that are not permitting students back on campus.

An additional concern is OC exposure for students in the jail academy. After the meeting, Ron Betley provided the following information and advice:

“As far as the Jail OC Exposure PAT, it only requires an “Exposure.” There are three basic levels of OC exposure. A Level 1 exposure is a full contact spray to the face and eyes directly from the can at a safe distance, Level 2 exposure is where the OC is sprayed onto a secondary medium (like a towel, etc.), and applied to the desired area of the face or skin in a controlled fashion. Level 3 exposure is where the OC is sprayed into a confined area or room and the person enters the room for a prescribed period of time and is passively exposed to the airborne particles. If an academy is concerned about injuries attributed to a full Level 1 exposure or because of the potential of spreading of germs through bodily fluids (snot, etc.), we could specify only the minimum level of exposure to pass the PAT be utilized.”

The Training and Standards Bureau has also received a request from the Oak Creek Police Department to permit their recruits to complete hands-on portions of the law enforcement academy at their facilities with their LESB-certified instructors, and then provide the documentation of completion to Milwaukee Area Technical College.

Training and Standards presented the LESB with best practices for in-person training during the COVID-19 pandemic that will be provided to the academy directors.

**Staff Recommendation:**

Staff recommends against dropping the minimum passing score for the end of phase law enforcement exams below 75%. Staff also recommends against permitting recruits to complete end-of-phase exams at home where the exams will not be proctored.

In addition, staff recommends against permitting completion of preparatory training at an agency if it is not conducted under the auspices of a certified training academy. If an agency wants to provide the training for its recruits to prepare them to start field training before academy completion, that is not a problem, but the recruits will still be required to meet the training requirements and complete the physical skills assessments at the academy where they are enrolled, or under the auspices of the training academy at the recruit’s employing agency.

During the meeting with the academy directors, Milwaukee Area Technical College’s Academy Director, Geno Reyes, mentioned that they will be starting online training on Monday, March 30, 2020, and will be back in the classroom on June 8, 2020, to complete physical skills training and assessments with sponsored students. Pre-service students will be brought back in the fall to complete physical skills training and assessments.

**Discussion:**

- Some members of the LESB have received communication from chiefs regarding the need to continue academy training. Chief Ruzinski states that even though the circumstances are challenging, the LESB cannot lower standards for academy training. Furthermore, the basic training should be completed with the academies to ensure consistency.
- Chief Domagalski states that he encourages agencies to continue working with Training and Standards and the technical colleges, who are working together to continue basic training through the pandemic.

**Motion** to accept staff recommendations regarding the continuation of training for all employer-based and technical college academies. Move by Anna Ruzinski, second by Laura Washer. Roll Call Vote: Anthony Burrell, Chris Domagalski, Casey Krueger, Scott Parks, Kurt Picknell, Anna Ruzinski, James Small, Michelle Viste, Laura Washer, Ed Whealon. Motion carried unanimously.

7. **COVID-19 impact on medical assessment and drug testing requirement for new law enforcement, jail, and secure juvenile detention officers**

Due to the COVID-19 pandemic, many medical clinics are not performing pre-employment physical exams and/or pre-employment drug testing. Clinics do not want healthy individuals coming to their facilities where they may be unnecessarily exposed to COVID-19.

**Staff Recommendation:**

Due to the COVID-19 pandemic, if any officer hired between March 1, 2020 and July 1, 2020, is unable to have a pre-employment physical exam or pre-employment drug test completed, staff recommends permitting completion of the pre-employment physical exam and pre-employment drug test within six months following date of hire.

**Discussion:**

- Some clinics are still accepting appointments for new officers; however, this will likely become more difficult as the number of COVID-19 cases increases in Wisconsin.

**Motion** to accept staff recommendations for the extension of medical assessment and drug testing requirements for new law enforcement, jail, and secure juvenile detention officers. Move by Laura Washer, second by Anna Ruzinski. Roll Call Vote: Anthony Burrell, Chris Domagalski, Casey Krueger, Scott Parks, Kurt Picknell, Anna Ruzinski, James Small, Michelle Viste, Laura Washer, Ed Whealon. Motion carried unanimously.

Chief Domagalski recognizes that LESB Member Charles Tubbs has been present at the meeting but unable to speak due to technical difficulties.

The LESB thanks the Training and Standards Bureau and the academies for their work to continue basic training for officers.

8. **Adjournment**

**Motion** to adjourn. Move by Anna Ruzinski, second by Kurt Picknell. Motion carried unanimously.

s/ Tina R. Virgil

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Tina R. Virgil  
Secretary

Minutes taken by Katie Maule.