

**LAW ENFORCEMENT STANDARDS BOARD (LESB)  
QUARTERLY BOARD MEETING**

**MINUTES – MARCH 3, 2020**

**ATTENDANCE:**

**LESB MEMBERS**

Anthony Burrell  
Chris Domagalski  
Scott Parks  
Kurt Picknell  
Anna Ruzinski  
Todd Schaller  
James Small  
Charles Tubbs  
Tina Virgil  
Michelle Viste  
Laura Washer  
Ed Whealon

**ABSENT MEMBERS**

Jean Galasinski  
Jennifer Harper  
Robert Hughes

**STAFF**

Ronald Betley  
Katie Maule  
Jerry Mullen  
Stephanie Pederson  
Thessa Phillips  
Dan Ruzinski  
Shelly Sandry  
Frank Sullivan  
Dana Vike

**Guests:** Robert Botsch, Jodi Crozier, Tim Hufschmid, Clark Pagel

**Presenters:** Derek Veitenheimer

- 1. Introductions** – Christopher Domagalski called the meeting to order at 10:01 am.
- 2. Proof of Posting of Meeting Notices**  
The meeting notice publication procedures were followed in compliance with Wis. Stat. §19.84.
- 3. Proposed Decision in the Matter of the Law Enforcement Certification of David Martinez**  
The LEBS is presented with a proposed decision to reinstate Officer David Martinez as a certified Law Enforcement Officer effective March 3, 2020.

**Discussion:**

Chief Domagalski states that after listening to evidence at the hearing, he concluded that there were mitigating circumstances and the officer tried to the best of his ability to complete the training.

**Motion** to approve the proposed decision to reinstate Officer David Martinez as a certified Law Enforcement Officer effective March 3, 2020. Move by Laura Washer, second by Scott Parks. Motion carried unanimously.

- 4. Review and Approve Minutes for the December 3, 2019 Meeting of the LESB**

**Motion** to approve minutes and motions of the December 3, 2019 Quarterly meeting of the LESB. Move by Anna Ruzinski, second by Laura Washer. Motion carried unanimously.

- 5. Review of Executive Committee (EC) Meeting, Updates, Addenda and Final Actions**

- a. **Review and Approve February 11, 2020 Executive Committee Hearing Meeting Minutes and Motions**
  - i. Motion subjects include: Evidentiary Appeal Hearing for David Martinez.
- b. **Review and Approve Minutes for the November 12, 2019 Executive Committee Meeting of the LESB**

**Motion** to approve minutes and motions of the November 12, 2019 Executive Committee Meetings of the LESB. Move by Anna Ruzinski, second by Scott Parks. Motion carried unanimously.

- i. **Review and Consider Addenda Requests for Waiver of Training and Education Requirements for Officers, Civilians, and Instructors; Requests for Extension of the time Limits to gain Employment for Officers and Civilians; and Requests for Extension of the time Limits to Complete Preparatory Training for Officers and Civilians.**

**Preparatory Training Waiver Requests:**

- a. Chisholm, Timothy – Pre-employed  
Staff recommends successful completion of the Law Enforcement Reciprocity Examination. Successful completion will result in certifiability as a law enforcement officer in Wisconsin for one year from the date of the exam. The applicant shall complete the Law Enforcement Reciprocity Examination by March 2021.
- b. Hauser, Christopher – Pre-employed  
Staff recommends successful completion of the Law Enforcement Reciprocity Examination. Successful completion will result in certifiability as a law enforcement officer in Wisconsin for one year from the date of the exam. The applicant shall complete the Law Enforcement Reciprocity Examination by March 2021.
- c. McManus, Nicole – Pre-employed  
Staff recommends successful completion of the Law Enforcement Reciprocity Examination. Successful completion will result in certifiability as a law enforcement officer in Wisconsin for one year from the date of the exam. The applicant shall complete the Law Enforcement Reciprocity Examination by March 2021.
- d. Piazza, Steven – Pre-employed  
Staff recommends successful completion of the Law Enforcement Reciprocity Examination. Successful completion will result in certifiability as a law enforcement officer in Wisconsin for one year from the date of the exam. The applicant shall complete the Law Enforcement Reciprocity Examination by March 2021.
- e. Reyes, Matthew – Pre-employed  
Staff recommends successful completion of the Law Enforcement Reciprocity Examination. Successful completion will result in certifiability as a law enforcement officer in Wisconsin for one year from the date of the exam. The applicant shall complete the Law Enforcement Reciprocity Examination by March 2021.
- f. Romano, Eric – Pre-employed  
Staff recommends successful completion of the Law Enforcement Reciprocity Examination. Successful completion will result in certifiability as a law enforcement officer in Wisconsin

for one year from the date of the exam. The applicant shall complete the Law Enforcement Reciprocity Examination by March 2021.

- g. Frechette, Mequon – Menominee County Sheriff's Office  
Staff recommends successful completion of the Law Enforcement Reciprocity Examination. The applicant shall complete the Law Enforcement Reciprocity Examination within their probationary period and no later than 12/11/2020.
- h. Kiser, Garrett – St. Croix County Sheriff's Office  
Staff recommends successful completion of the Law Enforcement Reciprocity Examination. The applicant shall complete the Law Enforcement Reciprocity Examination within their probationary period and no later than 2/3/2021.
- i. Longmore, Matt – Fond du Lac County Sheriff's Office (Jail)  
Staff recommends successful completion of the Jail Reciprocity Examination. The applicant shall successfully complete the Jail Reciprocity Examination within their probationary period and no later than 8/19/2020.

**Motion** to approve staff recommendations for preparatory training waiver requests. Move by Kurt Picknell, second by Laura Washer. Motion carried unanimously.

#### **Time to Complete Preparatory Training Extension Requests**

- a. Breidenbach, Emily – Chetek Police Department  
Staff recommends an extension until 12/31/2020 to allow the applicant to complete law enforcement officer preparatory training.
- b. Frankie, Russell Jr. – Kenosha County Sheriff's Office  
Staff recommends an extension until 12/31/2020 to allow the applicant to complete jail officer preparatory training.
- c. Engel, Jacob – Marathon County Sheriff's Office  
Staff recommends an extension until 10/1/2020 to allow the applicant to complete secure juvenile detention officer preparatory training.
- d. Kauffman, Tyler – Marathon County Sheriff's Office  
Staff recommends an extension until 10/1/2020 to allow the applicant to complete secure juvenile detention officer preparatory training.

#### **Discussion:**

The LESB requested an update on two recipients of past waivers. Jerry Mullen reports that Samuel Harrington successfully completed the exit PRT. Sam McKnight has stated he will complete the exit PRT by June 2020.

**Motion** to accept staff recommendations for preparatory training extension requests. Move by Anna Ruzinski, second by Laura Washer. Motion carried unanimously.

#### **College Credit Waiver Requests**

- a. Thomas, Joseph – Military  
Staff recommends the applicant receive a waiver for 30 college credits.

**Motion** to accept staff recommendations for college credit waiver requests. Move by Anna Ruzinski, second by Scott Parks. Motion carried unanimously.

**Instructor Waiver Requests**

- a. Buteyn, Brett – Lakeshore Technical College  
Staff recommends against a waiver.
  
- b. Pendergast, Nicholas – WI Department of Justice, Division of Criminal Investigation  
Staff recommends against an extension for Special Agent Pendergast. His certification lapsed over one year ago, he has surpassed the six-month grace period. In order to be eligible for instructor certification in the future, new instructor certification requirements apply, including re-completion of instructor development training, topic specific instructor course completion, and submission of form DJ-LE-317, all within a period not to exceed two years.
  
- c. Stigen, Joseph – Green Lake County Sheriff’s Office  
Based on his current full-time employment as a jail officer with the Green Lake County Sheriff’s office (since June 23, 2017), and his prior employment as a fulltime correctional officer (for two years and eight months), staff recommends waiving the occupational experience requirements for Deputy Stigen to be eligible for jail instructor certification.

**Motion** to accept staff recommendations for Instructor Waiver Request. Move by Anna Ruzinski second by Michelle Viste. Motion carried unanimously.

**6. Training and Standards Bureau (TSB) Quarterly Report**

**Certified Officers:**

At the end of the second quarter of Fiscal Year 20 there were a total of **16,265** active, primary, certified officers. Below is a breakdown of officers by assignment.

Officer by Assignment	Total
Tribal Law Enforcement	93
Law Enforcement	12,107
Jail Officer	2,054
Secure Juvenile Detention (SJD)	164
Law and Jail	1,567
Law and SJD	0
Law, Jail and SJD	4
Jail and SJD	276
<b>Total Active, Primary and Certified</b>	<b>16,265</b>

**Certified Instructors:**

As of February 14, 2020, there are 3,649 LESB certified instructors. Many instructors are certified in several topics, and therefore instructors may be counted more than once in the tables below. The technical colleges and employer-based academies also employ 203 LESB certified master instructor trainers (MITs). Again, there are MITs who are certified in several MIT topic areas who may be counted more than once in the MIT table below.

### LESB Certified Instructors

Instructor Category	Certified Instructors
Law Enforcement Instructors	3,258
Jail Instructors	384
Juvenile Detention Instructors	201

### Certified instructors in the Tactical Topics

Tactical Topics	Certified Instructors
DAAT (720)	888
Emergency Vehicle Operation & Control (EVOG)	798
Handgun	348
Handgun & Rifle	1,340
Officer Wellness	139
OMVWI/SFST	362
Principles of Subject Control (POSC)	179
Professional Communication Skills (PCS)	619
Scenarios	733
Tactical Emergency Casualty Care (TECC)	28
Tactical Response (720)	582
Vehicle Contacts	951

### Master Instructor Trainers (MITS)

MIT Topics	Certified MITs
CJIDC	35
DAAT	38
EVOG	31
Handgun & Rifle	42
OMVWI/SFST	21
PCS	28
POSC	18
Scenarios	42
Tactical Emergency Casualty Care	6
Tactical Response	36
Vehicle Contacts	36

**WILENET Quarterly Report:**

The following WILENET quarterly report covers the month of January 2020. This quarter the WILENET.ORG website had about 23,032 unique IP addresses each month. Below is a list of the most visited pages for January 2020.

Position	Page	Unique Page Views
1	<a href="https://wilenet.org/html/employment/index.jsp">https://wilenet.org/html/employment/index.jsp</a>	17,403
2	<a href="https://wilenet.org/html/employment/showopportunities.jsp">https://wilenet.org/html/employment/showopportunities.jsp</a>	15,478
3	<a href="https://wilenet.org">https://wilenet.org</a>	12,760
4	<a href="https://wilenet.org/html/login.html">https://wilenet.org/html/login.html</a>	10,953
5	<a href="https://wilenet.org/secure/html/index.html">https://wilenet.org/secure/html/index.html</a>	10,832
6	<a href="https://wilenet.org/html/employment/agenciesforposition.jsp?pt=Police+Officer">https://wilenet.org/html/employment/agenciesforposition.jsp?pt=Police+Officer</a>	10,329
7	<a href="https://wilenet.org/html/employment/agenciesforposition.jsp?pt=Deputy+Sheriff">https://wilenet.org/html/employment/agenciesforposition.jsp?pt=Deputy+Sheriff</a>	3,894
8	<a href="https://wilenet.org/html/employment/otherpositions.jsp">https://wilenet.org/html/employment/otherpositions.jsp</a>	3,298
9	<a href="https://wilenet.org/dynamic/secure/courses/search/sorttraininglist.jsp?tt=ALL">https://wilenet.org/dynamic/secure/courses/search/sorttraininglist.jsp?tt=ALL</a>	2,324
10	<a href="https://wilenet.org/secure/html/resources/doc/locintro.htm">https://wilenet.org/secure/html/resources/doc/locintro.htm</a>	2,069
11	<a href="https://wilenet.org/html/career/students/law-enforcement/index.html">https://wilenet.org/html/career/students/law-enforcement/index.html</a>	2,036
12	<a href="https://wilenet.org/index.html">https://wilenet.org/index.html</a>	1,906
13	<a href="https://wilenet.org/html/employment/agenciesforposition.jsp?pt=Police+Chief">https://wilenet.org/html/employment/agenciesforposition.jsp?pt=Police+Chief</a>	1,886
14	<a href="https://wilenet.org/html/logonrequired.html">https://wilenet.org/html/logonrequired.html</a>	1,831
15	<a href="https://wilenet.org/dynamic/secure/courses/search/index.html">https://wilenet.org/dynamic/secure/courses/search/index.html</a>	1,682

**7. Request to Certify/Recertify/Register/Retroactively Certify/Rescind Law Enforcement Officers, Tribal Law Enforcement Officers, Jail Officers, Secure Juvenile Detention Officers and Instructors**

**Officer Certification Summary Report:****Total Officers Meeting Certification Requirements = 404**

Jail Officers (FT/PT) – 120

Law Enforcement Officers (FT/PT) – 276

Secure Juvenile Detention Officer (FT/PT) – 6

Tribal Law Enforcement Officers (FT/PT) – 0

Retroactive Certifications (FT/PT) – 2

Rescinded Certifications – 2

**Motion** to approve staff recommendations. Move by Laura Washer, second by Ed Whealon. Motion carried unanimously.

**Instructor Certification and Recertification Summary Report****Total Instructor Applicants = 875**

New Instructors & Instructors Adding Additional Certifications – 284

New Credentialed Instructor Registrants & Credentialed Instructors Adding Additional Registrations - 39

Recertified Instructors and Credentialed Instructor Registration Renewals - 522

New Master Instructors – 12

Recertified Master Instructors - 18

**Motion** to approve staff recommendations. Move by Laura Washer, second by Scott Parks. Motion carried unanimously.

## 8. New Business

### a. Board Elections

#### **Wisconsin State Statute §15.07(2) Selection of Officers:**

“At its first meeting in each year, every board shall elect a chairperson, vice chairperson and secretary each of whom may be reelected for successive terms, except that... (g) A representative of the department of justice designated by the attorney general shall serve as nonvoting secretary to the law enforcement standards board.”

#### **Wisconsin Administrative Code §9.02 Officers:**

“(1) The board shall elect a chairperson and a vice-chairperson. These officers shall be elected for terms of 12 months and shall be eligible for re-election. The vice-chairperson shall act as chairperson in the absence of the chairperson. Voting shall be by secret ballot unless there is only one nomination for the office to be filled. To be elected, a candidate must receive a majority of the votes cast.” (2) The act provides that the administrator of the division of law enforcement services of the department of justice shall be the non-voting secretary of the board.”

**Motion** to nominate Chris Domagalski as Chairman of the Law Enforcement Standards Board. Move by Anna Ruzinski. Motion carried unanimously.

**Motion** to nominate Anna Ruzinski as Vice-Chairwoman of the Law Enforcement Standards Board. Move by Scott Parks, second by Michelle Viste. Chris Domagalski moves that a unanimous ballot be cast. Motion carried unanimously.

### b. Letter from Milwaukee Police Chief Morales for clarification on continued certification of law enforcement officers on leave of absence status

Chief Morales is requesting guidance from the LESB regarding officers who are on extended light duty and leave status as a result of medical restrictions. Currently, if an officer is on leave of absence for more than two years in Acadis, the LESB does not decertify the officer if they have completed the annual recertification training.

In the letter, Chief Morales asks “Does the LESB believe that law enforcement officers should be authorized to recertify for both biennial pursuit driving instruction and the annual handgun qualification requirement even though the officer has been “On Leave” for more than two (2) consecutive years in Acadis?” According to Chief Morales, physicians are unable to medically clear the officers to return to full duty, but they are medically clearing the officers to be able to complete the recertification training requirements. Chief Morales is looking for clarification on the current recertification requirements in the LESB Policy and Procedures Manual.

#### **Discussion:**

- The LESB states that its role is not to decertify officers that are meeting the annual recertification requirements. That is more of an agency issue.
- Chief Ruzinski states that the LESB should look more into extend leave of absence in the future. If an individual is out of Law Enforcement employment for three years, they cannot be recertified without basic training. Under current LESB policy, if an officer is on leave for

more than three years but is meeting the recertification requirements to maintain their certification, they can come back to work without re-completing the basic training.

- Chief Domagalski concurs with Chief Ruzinski. The LESB has made a strong policy statement in terms of the importance of work experience as an active Law Enforcement Officer. If someone isn't getting the work experience as an active Law Enforcement Officer in order to keep up with the dynamic job duties for a three-year period, they need to go back through the academy. Chief Domagalski cautions that the LESB should be careful not to enact a leave of absence policy that would make it difficult to consider the variables with each individual officer's situation.
- Chief Domagalski agrees with Milwaukee in that if an officer is not medically qualified for full duty, then they should not be medically qualified for Vehicle Pursuit or Handgun Qualification trainings.
- Consideration of work experience for on leave officers brings up more issues. Work experience at agencies is difficult to monitor. There are retired officers who complete the recertification training and work at an agency a couple of days a year in order to maintain their certification.
- Director Tubbs agrees that the resolution should come from the Chief and their Union.
- The LESB requests an Attorney General's Opinion on the concern from Chief Morales. The Executive Committee is directed to review the opinion and bring their findings to the full LESB.

**c. Certify/Recertify Basic Training Schools/Academies**

According to Wisconsin Administrative Code § LES 4.01(1), training schools (technical colleges and employer-based academies) are certified for a period of two (2) years subject to renewal. Western Technical College and Northeast Wisconsin Technical College are due for recertification. The two academies are recommended for full recertification for two additional years, until March 2022.

**Motion** to recertify Western Technical College and Northeast Wisconsin Technical College until March 2022. Move by Anna Ruzinski, second by Laura Washer. Motion carried unanimously.

Chief Domagalski thanks the technical colleges for their partnership in academy training.

**d. Occupational experience requirements for Master Instructor Trainer Fitness Assessors**

On June 4, 2019, the LESB approved the requirements for MIT Physical Fitness Assessor certification eligibility. The requirements include:

General MIT requirements:

1. Applicant is a LESB-certified or credentialed instructor in the discipline/s (Physical Fitness Assessor).
2. Applicant instructs LESB-approved curriculum.
3. Applicant has documented subject-matter expertise (based on qualifying resume).
4. Applicant has five (5) or more years of experience as a criminal justice practitioner.
5. Applicant serves as a primary instructor for recruit and/or in-service training in the discipline/s.

Additional Requirement for MIT Physical Fitness Assessors:

1. Hold credentialed registration with the LESB as a Physical Fitness Instructor.
2. Be able to pass the Physical Readiness Test (PRT) exit standards (provide certificate of completion from within the past two years).
3. Have administered the PRT once within the past three years (list date and location).
4. Complete one of the following courses: LESB approved Physical Fitness Assessor, FitForce



Coordinator, or Cooper Law Enforcement Specialist, or hold certification through the American College of Sports Medicine.

Two of the 16 attendees who completed the LESB-approved MIT Physical Fitness Assessor course do not qualify for MIT certification as they do not meet the following requirement: "Applicant has five (5) or more years of experience as a criminal justice practitioner."

**Staff recommendation:**

Remove the requirement of "five (5) or more years of experience as a criminal justice practitioner" from the eligibility requirements for MIT Physical Fitness instructor certification.

Secondly, going forward allow only the LESB-approved Physical Fitness Assessor Course or the FitForce Instructor Course to be accepted toward meeting the course requirements for credentialed instructor registration as a Physical Fitness Assessor/MIT certification as a Physical Fitness Assessor.

**Discussion:**

The LESB asks if Waukesha County Technical College accepts PRTs through their area's YMCA and do those instructors meet the requirements? Shelly Sandry responds that yes, those instructors are credentialed through the correct process within Training and Standards.

**Motion** to accept staff recommendations presented today. Move by Anna Ruzinski, second by Laura Washer. Motion carried unanimously.

**e. Recertification requirements for Officer Mark Thoms**

On December 6, 2017, Officer Thoms was decertified for failure to meet annual recertification training requirements for two consecutive fiscal years (he was short 8 hours for FY17, and short 24 hours for FY18), including the handgun qualification course and the biennial vehicle pursuit training requirement. Officer Thoms was unable to complete recertification training due to an on-duty injury.

Officer Thoms has since recovered from his injury and gained full-time law enforcement employment with the Webster Police Department effective October 21, 2019. Officer Thoms and Webster PD Chief Stephenie Wedin have inquired as to what is required for Officer Thoms to be eligible for recertification as a law enforcement officer.

**Staff Recommendation:**

Within his first 6 months of re-employment, by April 21, 2020, Officer Thoms shall complete 36 hours of recertification training for the hours he missed for FY17 and FY18, including the handgun qualification course and current biennial vehicle pursuit training requirement.

Since Officer Thoms was hired on October 21, 2019, he has successfully completed the handgun qualification course (1 hour) on October 17, 2019. He has also completed 24 hours of patrol officer in-service at Wisconsin Indianhead Technical College. He still needs to complete 11 hours of training including the 4-hour biennial vehicle pursuit training requirement for the current biennium.

If Officer Thoms does not meet the recertification training requirements by April 21, 2020, he shall be required to complete the 720-hour law enforcement officer training academy by October 21, 2020 (1 year from his date of hire).

**Motion** to accept staff recommendations on the recertification requirements for Officer Mark Thoms. Move by Laura Washer, second by Michelle Viste. Motion carried unanimously.

**f. Pre-Employment Drug Testing at Columbia County Sheriff's Office**

Columbia County Sheriff's Office discovered that their local hospital had stopped sending pre-employment drug specimens to a SAMHSA-approved lab for testing.

Specimens for 24 officers hired by the Columbia County Sheriff's Office were collected at Divine Savior Healthcare, and screenings of the specimens were conducted by the Divine Savior Healthcare laboratory, which is not a SAMHSA-approved lab. The Divine Savior Healthcare's laboratory is accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) and holds a Clinical Laboratory Improvement Amendments (CLIA) certification.

**Staff Recommendation:**

Staff recommends accepting the pre-employment drug screens from Divine Savior Healthcare for the 24 officers. Staff shall send the agency a letter stating that this is a one-time waiver and any future noncompliant drug screens will need to be re-tested at a SAMHSA-approved lab at the agency's expense.

**Discussion:**

Does the agency conduct random drug testing? Yes, Training and Standards was told that the agency does conduct random drug testing.

**Motion** to accept staff recommendations. Move by Anna Ruzinski, second by Laura Washer. Motion carried unanimously.

**g. Discussion on employment of jail and/or juvenile detention officers with misdemeanor domestic violence convictions**

In April 2014, Section 165.85(3)(cm), Wis. Stats. was revised to state: The board may: "Decertify law enforcement, tribal law enforcement, jail, or juvenile detention officers who terminate or are terminated, who violate or fail to comply with a rule, policy, or order of the board relating to curriculum or training, who falsify information to obtain or maintain certified status, who are certified as the result of an administrative error, who are convicted of a felony or of any offense that, if committed in Wisconsin, could be punished as a felony, who are convicted of misdemeanor crime of domestic violence, or who fail to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse, or who fail to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings..."

Wisconsin Administrative Code Chapter LES 2 sets forth the minimum recruitment qualifications for law enforcement, tribal law enforcement, jail, and juvenile detention officers. Section LES 2.01(1)(c) includes a provision which prohibits employment of law enforcement, tribal law enforcement, jail, and juvenile detention officers with felony convictions. Section LES 2.02(1)(c), states: "The applicant shall not have been convicted of any federal felony or of any offense which

if committed in Wisconsin could be punished as a felony unless the applicant has been granted an absolute and unconditional pardon.”

Currently, individuals with the following misdemeanor convictions are prohibited from possessing a firearm, and are therefore ineligible for employment as a law enforcement or tribal law enforcement officer: convicted of a misdemeanor crime of domestic violence, as defined in the federal statutes, or convicted of a crime that falls under the definition of domestic abuse, as defined in s. 968.075 (1) (a), or convicted of a crime that is subject to the imposition of the domestic abuse surcharge under s. 973.055(1), regardless of whether any part of the surcharge was waived by the court under s. 973.055 (4).

There are no provisions that disqualify individuals with misdemeanor domestic violence convictions as defined above from being eligible for employment as a jail or juvenile detention officer.

The issue of misdemeanor domestic violence convictions and eligibility for employment as a jail or juvenile detention officer was brought before the Executive Committee on February 11, 2020. The Executive Committee asked staff to bring the issue to the full board with a recommendation that any policy for misdemeanor domestic violence convictions be the same for law enforcement, tribal law enforcement, jail, and juvenile detention officers.

**Staff Recommendation:**

Update Wisconsin Administrative Code Chapter LES 2 and the LESB Policy and Procedures Manual to include the following additional qualification requirement for law enforcement, tribal law enforcement, jail, and juvenile detention officers: “The applicant shall not have been convicted of a misdemeanor crime of domestic violence, as defined in the federal statutes, or convicted of a crime that falls under the definition of domestic abuse, as defined in s. 968.075 (1) (a), or convicted of a crime that is subject to the imposition of the domestic abuse surcharge under s. 973.055(1), regardless of whether any part of the surcharge was waived by the court under s. 973.055 (4).”

**Motion** to accept staff recommendations. Move by Anna Ruzinski, second by Michelle Viste. Motion carried unanimously.

**9. Current Projects**

**a. Division of Law Enforcement Services (DLES) Updates**

- i. Crime Information Bureau (CIB) – Frank Sullivan on behalf of Deputy Director Brad Rollo
  - As of February 29, 2020, there are 377,725 valid CCW licenses with 6,976 new applications and 4,840 renewals submitted so far this calendar year.
  - The Handgun Hotline has conducted 27,562 background checks, which is 5,000 more than the number of checks they conducted this time last year.
  - The AFIS go-live date has been pushed to June.
- ii. Bureau of Justice Information and Analysis (BJIA) – Director Derek Veitenheimer  
National Incident-Based Reporting System:
  - BJIA continues work on following the FBI in transitioning from the summary-based Uniform Crime Reporting (UCR) to the National Incident-Based Reporting System (NIBRS) by January 2021. The following statistics show BJIA and Wisconsin’s law enforcement progress in the transition:

- 42% of agencies have been certified.
- 20% of agencies are currently in the certification process.
- 12% of agencies have submitted their intent to begin the certification process and they will be certified within this calendar year.
- 15% of agencies have expressed interest to begin the certification process.
- 11% of agencies are either not responding to BJIA's correspondence to begin certification or have pushed back on the certification process because they do not know how they can make the transition.
- BJIA can project that by January 2021, 90% of the crime reported in Wisconsin will be covered by NIBRS and over 85% of Wisconsin's population will be served by NIBRS.
- Funding opportunities are available to agencies for assistance with the transition to NIBRS.
- BJIA is working with the Wisconsin State Patrol Traffic and Criminal Software (TraCS) Unit to develop an incident form for agencies to utilize that supports incident-based reporting. This form will not be done by January 2021.
- BJIA is granting agencies a year extension to transition to NIBRS if they are moving towards using the TraCS incident form.
- BJIA predicts that the FBI will grant a year extension to transition if agencies sign a letter to commit to NIBRS in the future.

Use of Force Reporting:

- A Use of Force reporting form is also being developed with the TraCS Unit. This form will be released with the TraCS update at the end of March 2020. Notification on a specific launch date will be sent out after the DOJ and State Patrol IT departments have successfully tested the data submission processes.
  - BJIA is treating this year as a year of on-boarding agencies to use the Use of Force form and the statewide data collection system should have all agencies participating by 2021. There are training tools available to help agencies become acquainted with the form.
  - Agencies are reminded to submit the Use of Force form even if they have zero incidents to report. This will help BJIA identify which agencies are reporting. Agencies are also reminded what constitutes a Use of Force incident – when an officer causes a death, an officer causes significant or serious bodily harm, or if a firearm is discharged at or in the direction of a person.
  - Chief Domagalski asks if BJIA has guidance for different situations such as an incident that occurs where multiple agencies could report the Use of Force incident? Derek Veitenheimer states that BJIA is in the process of creating guidance for those scenarios. In that instance, the agency whose officer used force should submit the form. The FBI and BJIA will work with agencies to remove duplicate incidents.
  - BJIA will also provide guidance on how to identify and choose the lead agency in a task force and who should submit the incident forms.
- iii. Training and Standards Bureau (T&S) Update – Frank Sullivan & Dana Vike
- Lara Kenny has been hired as the new Director for the Bureau of Justice Programs. Ms. Kenny began working as the Director on March 2, 2020 and she comes to the DOJ from Wisconsin Emergency Management (WEM).
  - Final Interviews have been conducted for the Training and Standards Director position. Training and Standards will announce the new director once a candidate has been selected and has accepted the position.

- Training and Standards has secured funding to rebuild Wilenet. This will allow for many changes including a functional search tool and the ability for T&S staff to update the website without having to go through web developers.
- The spring Instructor Updates are starting March 11, 2020.
- Stephanie Pederson has been working on Crisis Management Curriculum.
- Shelly Sandry is working on how to put a portion of the 160-hour Secure Juvenile Detention Academy online.
- Two Peer Support Trainings will be conducted this spring in Stevens Point and at the Dane County Training Center. There are 40 registrants for each session. The trainers are Kristen Strothers, who oversees peer support programs for the Milwaukee Fire Department, and Felicia Labatore, who oversees peer support at Kenosha Police Department.
- Training and Standards is looking at how to regionalize peer support programs for smaller agencies that wouldn't normally have access. Dana Vike has been researching programs throughout the country and is working with the Attorney General's Office on legislation that would provide privilege for peer support volunteers.

#### **10. Public Comment/Roundtable**

- Stephanie Pederson – A new guideline for Eyewitness ID will be brought before the LESB in June. The new guideline will recommend that agencies video or audio record the entire eyewitness ID process. This recording will provide juries with background on how the witness identified a suspect.

#### **11. Adjournment**

**Motion** to adjourn. Move by Anna Ruzinski, second by Laura Washer. Motion carried unanimously.

s/ Tina R. Virgil

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Tina R. Virgil  
Secretary

Minutes taken by Katie Maule.