

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

MINUTES – AUGUST 9, 2022

ATTENDANCE:

LESB EC MEMBERS

Benjamin Bliven
Todd Delain
Earnell Lucas
Michelle Viste
Steve Wagner

ABSENT MEMBERS

STAFF

Katie Maule
Jerry Mullen
Thessa Phillips
Dawn Strassman
Frank Sullivan
Dana Vike

Guests: Will Kostock, Michael Love, Justin Timm, Becky

- 1. Call the Meeting to Order** – Todd Delain called the meeting to order at 10:01 a.m.
- 2. Introductions**
- 3. Proof of Posting of Meeting Notices**
The meeting notice publication procedures were followed in compliance with Wis. Stat. §19.84.
- 4. Requests for Waivers of Training & Education Requirements for Officers, Civilians, and Instructors.**

Preparatory Training Waiver Requests

- a. Anderson, Dylan – Pre-Employed
Staff recommends against a waiver. The applicant has not held full-time law enforcement employment for at least one full year within the last three years. (The applicant has submitted a letter for consideration.)
- b. Brey, Jonathan – Pre-Employed
Staff recommends successful completion of the 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 August 9, 2023.
- c. Davis, Patrick – Pre-Employed
Staff recommends successful completion of the reciprocity examination. The applicant shall complete the law enforcement reciprocity examination and gain Wisconsin law enforcement employment by January 1, 2023. (Three years from last date of law enforcement employment.)
- d. Geryol, Jayson – Pre-Employed
Staff recommends successful completion of the 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 August 9, 2023.

- e. Glover, Theotis – Pre-Employed
Staff recommends successful completion of the 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 August 9, 2023.
- f. Gorst, Luke – Pre-Employed
Staff recommends successful completion of the 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 August 9, 2023.
- g. Henkelman, Carly – Pre-Employed
Staff recommends successful completion of the 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 August 9, 2023.
- h. Kline, Shawn – Pre-Employed
Staff recommends successful completion of the reciprocity examination. Successful completion will result in certifiability as a law enforcement officer in Wisconsin for up to one year from the date of the exam. The applicant shall complete the law enforcement reciprocity examination by August 9, 2023.
- i. Kotloski, Joseph – Pre-Employed
Staff recommends successful completion of the 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 successfully complete the law enforcement reciprocity examination by August 9, 2023.
- j. Malkowski, James – Pre-Employed
Staff recommends successful completion of the reciprocity examination. The applicant shall successfully complete the law enforcement reciprocity examination by August 9, 2023, and must gain law enforcement employment in Wisconsin by no later than January 1, 2024 (Three years from last date of law enforcement employment).
- k. Murray, Michael – 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 successfully complete the law enforcement reciprocity examination by August 9, 2023.
- l. O’Hare, Patrick – 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 successfully complete the law enforcement reciprocity examination by August 9, 2023.
- m. Roden, 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 successfully complete the law enforcement reciprocity examination by August 9, 2023.

n. Stuck, Jason – 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 successfully complete the law enforcement reciprocity examination by August 9, 2023.

o. Timmers, Teagan – 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 successfully complete the law enforcement reciprocity examination by August 9, 2023.

p. Amaro, Adam – River Falls Police Department

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 within their probationary period and no later than 5/20/2023.

q. Dunbar, Jacob – Price County Sheriff's Office

Staff recommends successful completion of the reciprocity examination. The applicant shall complete the jail officer reciprocity exam within their probationary period and no later than 12/1/2022.

r. Gudleske, Phillip – Fond du Lac County Sheriff's Office

Staff recommends successful completion of the reciprocity examination. The applicant shall complete the jail officer reciprocity exam within their probationary period and no later than 10/4/2022.

s. Hilleman, Steven – Fond du Lac County Sheriff's Office

Staff recommends successful completion of the reciprocity examination. The applicant shall complete the jail officer reciprocity exam within their probationary period and no later than 1/24/2023.

t. Scurto, Joseph – Williams Bay Police Department

Staff recommends successful completion of the reciprocity examination. Although the applicant does not meet the requirement for reciprocity testing, specifically the requirement to hold a minimum of one year of full-time law enforcement employment, the recommendation to approve the waiver is based on the following mitigating circumstances: Employment at Williams Bay Police Department has been for nine months. The combined full-time employment period is beyond the one-year requirement. The applicant has submitted numerous letters of support from agency and community leaders attesting to his maturity and ability to perform at a high level as a police officer. Subject to the approval of the LESB, the applicant shall complete the law enforcement reciprocity examination within their probationary period and no later than 11/12/2022.

Motion to approve staff recommendations for preparatory training waiver requests. Move by Benjamin Bliven, second by Earnell Lucas. Motion carried unanimously.

College Credit Waiver Requests

- a. Barker, Jack – Military
Staff recommends Mr. Barker receive a waiver for 56 college credits.
- b. Brathol, Kali – Military
Staff recommends Ms. Brathol receive a waiver for 40 college credits.
- c. Briel, Caleb – LE Academy
Staff recommends Mr. Briel receive a waiver for 20 college credits.
- d. Button, Michael – Military
Staff recommends Mr. Button receive a waiver for 25 college credits.
- e. Capek, Kevin – LE Academy
Staff recommends Mr. Capek receive a waiver for 20 college credits.
- f. Cotter, Davin – Military
Staff recommends Mr. Cotter receive a waiver for 60 college credits.
- g. Ehley, Jonathan – Military
Staff recommends Mr. Ehley receive a waiver for 35 college credits.
- h. Hanneman, Kyle – Military/LE Academy
Staff recommends Mr. Hanneman receive a waiver for 41 college credits.
- i. Hein, Montana – Military
Staff recommends Mr. Hein receive a waiver for 23 college credits
- j. Hernandez, Andy – Military/LE Academy
Staff recommends Mr. Hernandez receive a waiver for 36 college credits.
- k. Jefferson, Naquianna – Military/LE Academy/Jail Academy
Staff recommends Ms. Jefferson receive a waiver for 58 college credits.
- l. Jirsa, Bryan – LE Academy/Jail Academy
Staff recommends Mr. Jirsa receive a waiver for 25 college credits.
- m. Kies, Owen – LE Academy
Staff recommends Mr. Kies receive a waiver for 20 college credits.
- n. Knox, Hayden – Military/LE Academy
Staff recommends Mr. Knox receive a waiver for 39 college credits.
- o. Lindbauer, Jesse – Military
Staff recommends Mr. Lindbauer receive a waiver for 28 college credits.

- p. Morris, Jacob – LE Academy
Staff recommends Mr. Morris receive a waiver for 20 college credits.
- q. Nash, Monica – Military
Staff recommends Ms. Nash receive a waiver for 6 college credits.
- r. Plourde, Paul – Military
Staff recommends Mr. Plourde receive a waiver for 40 college credits.
- s. Rykal, Jonathan – Military/LE Academy
Staff recommends Mr. Rykal receive a waiver for 48 college credits.
- t. Seitz, Andrew – Military/LE Academy
Staff recommends Mr. Seitz receive a waiver for 35 college credits.
- u. Thies, Joseph – Military
Staff recommends Mr. Thies receive a waiver for 24 college credits.
- v. Williams, Timothy – LE Academy
Staff recommends Mr. Williams receive a waiver for 20 college credits.
- w. Woods, Brandon – LE Academy
Staff recommends Mr. Woods receive a waiver for 20 college credits.
- x. Yaggia, David – LE Academy
Staff recommends Mr. Yaggia receive a waiver for 20 college credits.

Motion to accept staff recommendations for college credit waiver requests. Move by Michelle Viste, second by Benjamin Bliven. Motion carried unanimously.

Instructor Waiver Requests

- a. Hakes, Travis – Cornell Police Department.
Due to extenuating circumstances, staff recommends in favor of the waiver. Officer Hakes should submit the Instructor Recertification Request Form (DJ-LE-318) with a letter of recommendation with two dates he taught within the certification period of June 1, 2019, to June 1, 2021, by November 1, 2022.
- b. Martell, Matthew – Wauwatosa Police Department
Staff recommends in favor of the waiver with certification of a General Law Enforcement Instructor and DAAT Instructor to be added effective September 1, 2022.
- c. Smallwood, Mark – Portage County Sheriff's Office
Staff recommends Deputy Smallwood complete the 32-hour CJIDC approved by the LESB or view a PowerPoint provided by the Training and Standards Bureau and answer questions regarding LESB Instructor Certification and recertification procedures. This must be completed by December 1, 2022. Once he has completed the 32-hour CJIDC or viewed the PowerPoint and successfully answered questions regarding LESB instructor certification and recertification procedures, he may submit a request for instructor certification (Form DJ-LE-317) as a General Law Enforcement Instructor.

Motion to accept staff recommendations for instructor waiver requests. Move by Benjamin Bliven, second by Michelle Viste. Motion carried unanimously.

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

- a. Allen, Samuel – Buffalo County Sheriff’s Office
Staff recommends the applicant receive an extension until 4/1/2023 to allow him to complete preparatory jail officer training.
- b. Kolek, Abigail – Calumet County Sheriff’s Office
Staff recommends the applicant receive an extension until 12/31/2022 to allow her to complete preparatory jail officer training.
- c. Hart, Whitney – Jackson County Sheriff’s Office
Staff recommends the applicant receive an extension until 12/31/2022 to allow her to complete preparatory jail officer training.
- d. Lunderville, Wayne – Jackson County Sheriff’s Office
Staff recommends the applicant receive an extension until 6/1/2023 to allow him to complete preparatory jail officer training.
- e. Riordan, James – Milwaukee County Sheriff’s Office
Staff recommends the applicant receive an extension until 6/30/2024 to allow him to complete preparatory jail and preparatory law enforcement officer training.
- f. Gilbertson, Tyson – Monroe County Sheriff’s Office
Staff recommends the applicant receive an extension until 12/31/2022 to allow him to complete preparatory jail officer training.
- g. Witt, Caleb – Monroe County Sheriff’s Office
Staff recommends the applicant receive an extension until 12/31/2022 to allow him to complete preparatory jail officer training.
- h. Lemere, McKenna – Oconto County Sheriff’s Office
Staff recommends the applicant receive an extension until 12/31/2022 to allow her to complete preparatory jail officer training.
- i. Hochrein, Katrianna – Sawyer County Sheriff’s Office
Staff recommends the applicant receive an extension until 6/1/2023 to allow her to complete preparatory jail officer training.
- j. Salmon, Wade – Vernon County Sheriff’s Office
Staff recommends the applicant receive an extension until 12/31/2022 to allow him to complete preparatory jail officer training.
- k. Schettko, Cody – Waukesha County Sheriff’s Office

Staff recommends the applicant receive an extension until 12/31/2022 to allow him to complete preparatory jail officer training.

I. Skoug, Ashley – Waukesha County Sheriff's Office

Staff recommends the applicant receive an extension until 6/1/2023 to allow her to complete jail officer training.

m. Wipfli, Jace – Wood County Sheriff's Office

Staff recommends the applicant receive an extension until 6/1/2023 to allow him to complete preparatory law enforcement officer training.

n. Love, Michael – Pre-Employed

Staff recommends against granting the waiver for the following reasons: The applicant was a certified police officer for five years. Deference has been granted in the past for extensions of 60 days or less for retired officers with more than 20 years of experience. Although the applicant has been working in the field of training at Vortex, the extension request is for ten months beyond the deadline. Extensions of more than 60 days have not been granted by the LESB in the past. Letters in support of the extension are included in the packet.

o. Rahn, Smith – Pre-Employed

Staff recommends approval of the extension pursuant to the following: The applicant has extensive experience and although he is beyond three years from his last full-time assignment, he was working as a certified officer in a part-time capacity until April 2021. A condition of approval will be the requirement to pass the Wisconsin Law Enforcement Reciprocity Exam by 12/1/2022 and regain law enforcement employment by 12/1/2022.

Discussion:

Jerry Mullen addressed the two waiver requests from Calumet and Oconto Counties. You will be seeing this in the full Board Meeting in September. The reason for the request for extensions is the failure of the Jail Academy at Northeast Wisconsin Technical College in June. There will be an agenda item potentially petitioning the LESB for a review of the situation.

Michael Love has a request for an extension on the timeframe to regain law enforcement employment. Mr. Love had been involved in Tactical Training, however the lapse of time to regain law enforcement employment is nine months and this is more time than the LESB has approved in the past.

Todd Delain asked about the differences between Mr. Love and Mr. Smith in regard to one being recommended and one not being recommended? Jerry responded that Mr. Smith's part-time employment lasted until April 2021, so there is a shorter lapse in law enforcement employment, and Mr. Smith also had over 20 years of experience on the job when he retired.

Motion to approve Mr. Love to address the board. Move by Michelle Viste, second by Earnell Lucas. Motion carried unanimously.

Mr. Love addressed the board in regard to the waiver.

Mr. Love was a City of Madison Police Officer because he wanted to help, he wanted to be a protector. He left employment with the city due to his wife's health as he worked the evening shift. He went to

work for Vortex on the day shift as a manager of the sales team and the training team. Mr. Love developed the curriculum for the training with state-of-the-art training systems. His work at Vortex is very much like his work with the Madison Police Department as a firearms instructor and as a police officer. Mr. Love would like to be a part-time deputy to be a deterrent at local schools in Iowa County. He was the oldest graduate from the Madison Police Department and graduated top of his class in the largest recruit class Madison Police Department had to date. He has had a break in service for almost four years.

Jerry Mullen noted this is an example of the why Wisconsin needs a one-week specialized training class for someone that left law enforcement employment and would like to return. Some other states have this refresher training, and the funding is available for this purpose.

Benjamin Bliven agrees with Jerry, but as a Standards Board, needs to be consistent with standards and supports the staff recommendation.

Michelle Viste agrees that the board has an obligation to uphold the standards but also feels that creating a shortened course for those that left law enforcement after a lengthy career, would be beneficial.

Michelle Viste also shared her concern on jail waivers. People are hired and there is a delay to get into the academy. Those people then have the work experience, and yet not meeting the standards of the academy. Some of these people have two years on the job. There is not a solution, but this should be reviewed.

Todd Delain also expressed that Mr. Love would be the ideal candidate for a law enforcement refresher class to return to law enforcement duty.

Motion to approve staff recommendations for extension requests of time to re-gain employment and time to complete basic training requirements. Move by Earnell Lucas, second by Michelle Viste. Motion carried unanimously.

6. Consider Appeal of Jail Academy Student Failure at Northeast Wisconsin Technical College

Postposed until the September 7, 2022, LESB Meeting

Steven Wagner stated that there will be a couple more waivers so the board can deal with everything altogether in the larger meeting.

Jerry Mullen added that after he submitted the agenda, he received waivers, which was after the deadline for this meeting.

Motion to postpone agenda item 6 until the September 7, 2022, LESB Meeting. Move by Earnell Lucas, second by Benjamin Bliven. Motion carried unanimously.

7. Training and Standards Bureau (TSB) Update

- Act 82: The Act that requires law enforcement agencies to share personnel files and may bring the LESB in a direction to be involved in a greater number of decertification issues. The subcommittee will be meeting this month. There have been very robust conversations during the meetings and expect to have something to bring to the Board in December.

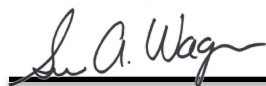
- Act 183: Search Warrant Reporting and what type of mechanism is needed to collect information from agencies for the search warrant reporting requirement. The subcommittee will be meeting this month.
- Training and Standards has staff at the WCPA Conference and will have staff at the Sheriff's and Deputy Sheriff's Conference in October.
- The November LESB Executive Meeting will most likely have another hearing on an end of employment status. There is another appeal on an end of employment status, but this one may not be ready by November, if it does require a hearing. Todd Delain asked for an update on the designation of the end of employment status reporting options. Steven answered that the options will be expanded. A probationary termination would not be a red flag unless it was for misconduct. Additionally, we are trying to define misconduct. Is it a Brady violation? The current two appeals are both "Resigned Prior to Completion of Internal Investigation," which are red flags that Steve does not think will change.

8. Roundtable

- Jerry Mullen - Regarding Director Viste's observation about the Jail Academy: One of the issues is due to the jail officers having been working in their respective jails and doing things a different way than what is taught at the academy. Their jail policy may be different, and they are warned of this at the academy. For example, if a co-worker is being assaulted, the steps to deal with this may be different due to jails having different resources. This is not typical in the Law Enforcement Academy as they may not work as a law enforcement officer until they attend the academy. Todd Delain gave the example that some jails have medical staff that respond immediately, others may not any at all. There are many examples. Bottom line, students at the academy must respond the way they were taught at the academy to pass the academy.
- Steven Wagner noted that several law enforcement agencies dropped their education standard down to the LESB minimum, 60 credits in five years. Most agencies in the recent past required 60 credits upon hire. A couple other agencies dropped their hiring age down to 20, which is still within the LESB requirements. Those agencies have had success increasing their applicant pool, one agency as much as 33%. Todd Delain noted that this speaks to the hiring challenges. It is extremely difficult to keep jails staffed and this is consistent across the state. About 1/10 of the applicants we had in the past are applying for law enforcement positions. Michelle Viste mentioned this is also another reason to have a way for retirees with a lot of experience to re-enter law enforcement employment.

9. Adjournment

Motion to adjourn by Benjamin Bliven, second by Earnell Lucas. Motion carried unanimously.



Steven Wagner
Secretary