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

MINUTES – NOVEMBER 14, 2023

ATTENDANCE:

ABSENT MEMBERS

LESB EC MEMBERS Kalvin Barrett Timothy Carnahan Todd Delain Jessie Metoyer Steve Wagner <u>STAFF</u> Ron Betley Katie Maule Jerry Mullen Dana Vike

Guests: Brian Edwards, Adam Maritato, AAG Mike Murphy, Sean Price

1. Call the Meeting to Order – Todd Delain called the meeting to order at 10:00 am.

2. Introductions

3. Proof of Posting of Meeting Notices

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

4. Proposed Decision and Objections in the Matter of an Appeal from a Decision of the Administrator of the Division of Law Enforcement Services (Acting Director of the Bureau of Training and Standards), to restrict a law enforcement recruit's re-enrollment in a 720-hour law enforcement training academy in Wisconsin until May 1, 2024

AAG Mike Murphy provided a brief update. On August 31, 2023, the LESB Executive Committee heard the contested matter of Javin Bradley. AAG Murphy has circulated a proposed decision to the parties. The proposed decision will be an agenda item at the next full LESB meeting.

5. Requests for Waivers of Training and Education Requirements for Officers, Civilians, and Instructors

Preparatory Training Waiver Requests

- Beloungy, Paul H. Sauk County Sheriff's Office Staff recommends successful completion of the reciprocity examination. The applicant shall complete the jail reciprocity examination within their probationary period and no later than March 20, 2024.
- b. Garduno Jr., Robert E. Chippewa County Sheriff's Office Staff recommends successful completion of the reciprocity examination. The applicant shall complete the jail reciprocity examination within their probationary period and no later than May 1, 2024.
- c. Kersten, Paul A. Green County Sheriff's Office Staff recommends successful completion of the reciprocity examination. The applicant shall complete the jail reciprocity examination within their probationary period and no later than January 3, 2024.

- d. Kissack, Jason C. Wisconsin Dells Police Department 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 January 31, 2024.
- e. Krause, Kourtnie L. Brown County Sheriff's Office Staff recommends successful completion of the reciprocity examination. The applicant shall complete the jail reciprocity examination within their probationary period and no later than June 12, 2024.
- f. Lau, Tyler R. Chippewa County Sheriff's Office Staff recommends successful completion of the reciprocity examination. The applicant shall complete the jail reciprocity examination within their probationary period and no later than October 17, 2023. *The applicant passed the Jail Reciprocity exam on 9/21/2023.
- g. Lemmermann, Ronald J. Oneida County Sheriff's Office Staff recommends successful completion of the reciprocity examination. The applicant shall complete the jail reciprocity examination within their probationary period and no later than March 13, 2024.
- h. Zimmerman, James F. Langlade County Sheriff's Office Staff recommends successful completion of the reciprocity examination. The applicant shall complete the jail reciprocity examination within their probationary period and no later than June 26, 2024.

*The applicant passed the Jail Reciprocity exam on 10/17/2023.

- i. Brothers, Nicholas 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 November 14, 2024.
- j. Eisenberg-Arce, Jarrett 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 November 14, 2024.
- k. Lasiter, Kevin D. 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 November 14, 2024.
- I. Mason, Sean 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 November 14, 2024.

m. Westmoreland, Derick – 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 November 14, 2024.

Motion to approve staff recommendations for preparatory training waiver requests. Move by Kalvin Barrett, second by Timothy Carnahan. Motion carried unanimously.

College Credit Waiver Requests

- a. Erichmann, Derick Military Staff recommends Mr. Erichmann receive a waiver for 27 college credits.
- b. Fisher, Ryan G. Military Staff recommends Mr. Fisher receive a waiver for 33 college credits.
- c. Fudge, John Military Staff recommends Mr. Fudge receive a waiver for 22 college credits.
- Kinney, Patrick Military
 Staff recommends Mr. Kinney receive a waiver for 35 college credits.
- Laurent, Kaden A. Military
 Staff recommends Mr. Laurent receive a waiver for 5 college credits.
- f. LeGrave, Mitchell Military Staff recommends Mr. LeGrave receive a waiver for 23 college credits.
- g. MacQueen, Ethan Military Staff recommends Mr. MacQueen receive a waiver for 60 college credits.
- h. Moen, Jason Military Staff recommends Mr. Moen receive a waiver for 60 college credits.
- i. Mrozinski, Michael Military Staff recommends Mr. Mrozinski receive a waiver for 60 college credits.
- j. Trevino, Brandon LE Academy Staff recommends Mr. Trevino receive a waiver for 16 college credits.
- Wright, Payton Military
 Staff recommends Mr. Wright receive a waiver for 46 college credits.

Motion to accept staff recommendations for college credit waiver requests. Move by Jessie Metoyer, second by Kalvin Barrett. Motion carried unanimously.

Instructor Waiver Requests

- Maulick, Hunter Fox Valley Metropolitan Police Department Staff recommends approving the waiver request for completion of the 16-hour Tactical Emergency Casualty Care for Law Enforcement Officer (TECCLEO) Instructor Course for Officer Maulick since he previously attended a comparable course. Staff recommends Officer Maulick be eligible for certification as a General Law Enforcement instructor and credentialing as a TECCLEO Instructor on March 1, 2024 (the earliest date he was eligible for law enforcement certification).
- b. Price, Sean Wisconsin State Capitol Police Department Staff recommends approving Officer Price's waiver request to use military police experience to attend the Criminal Justice Instructor Development Course, and to meet the instructor certification occupational experience requirements.
- c. Wehn, Matthew Wisconsin Department of Natural Resources Staff recommends Matthew Wehn complete the 32-hour CJIDC 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 March 1, 2024. Once Warden Wehn completes the 32-hour CJIDC or views the PowerPoint and successfully answers questions regarding LESB instructor certification and recertification procedures, his request for recertification as a General Law Enforcement Instructor will be processed.

Motion to accept staff recommendations as provided. Move by Timothy Carnahan, second by Kalvin Barrett. Motion carried unanimously.

- 6. 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
 - Barnes, Brandon M. Ashland County Sheriff's Office Staff recommends the applicant receive an extension until 12/2/2024 to allow him to complete preparatory jail officer training.
 - b. Curtis, McKenzie A. Barron County Sheriff's Office Staff recommends approval of the waiver request. The recommendation for the approval is based on the following mitigating circumstances/conditions:
 - The applicant missed the one-year full time work experience by only one month.
 - The applicant's break in employment is only three days.

The applicant will not be required to pass the Law Enforcement Reciprocity Exam (Exam passed 9/15/2022).

- Richmond, Stacia M. Chippewa County Sheriff's Office
 Staff recommends the applicant receive an extension until 10/17/2024 to allow her to complete preparatory jail officer training.
- Ahlgren, Travis K. –Columbia County Sheriff's Office
 Staff recommends the applicant receive an extension until 8/22/2024 to allow him to complete preparatory jail officer training.

Todd Delain requested that Columbia County be notified that the extension is granted, and to get Travis Ahlgren registered for the Jail Academy as soon as possible.

e. Turner, Patricia M. – Door County Sheriff's Office

Staff recommends approval of the waiver request. The recommendation for the approval is based on the following mitigating circumstances/conditions:

- The applicant has completed both the 160 and the 200-hour jail academy.
- The applicant completed the 200-hour jail academy on 8/14/2020. The applicant's hire date of 9/25/2023 is about five weeks past the deadline of the three-year window to gain full-time employment (de-minimus).

The applicant will not be required to pass the Jail Reciprocity Exam.

- f. Alisankus, Thomas J. Footville Police Department
 Staff recommends approval of the waiver request. The recommendation for the approval is based on the following mitigating circumstances/conditions:
 - The applicant has extensive experience in law enforcement (31 years).
 - The applicant has completed over 1,200-hours of training (that training does not include academy training) averaging over 40 hours of in-service training per year (well above the 24-hour requirement).
 - The applicant shall complete the Law Enforcement Reciprocity Exam by 4/1/2024.
- g. Brechbuehler, Urs Grafton Police Department
 Staff recommends approval of the waiver request. The recommendation for approval is based on the following mitigating circumstances/conditions:
 - The break in employment is only three days.

The applicant shall not be required to take the Law Enforcement Reciprocity Exam.

- h. Sackmaster, Nicole Jackson County Sheriff's Office
 Staff recommends the applicant receive an extension until 11/29/2024 to allow her to complete preparatory jail officer training.
- Rueth, Christopher E. Jefferson County Sheriff's Office Staff recommends the applicant receive an extension until 12/5/2024 to allow him to complete preparatory law enforcement officer training.
- j. Delgado, Michael D. Milwaukee County Sheriff's Office Staff recommends the applicant receive an extension until 10/31/2024 to allow him to complete preparatory jail officer training.
- Kirk, Miranda R. Milwaukee County House of Correction Staff recommends the applicant receive an extension until 10/31/2024 to allow her to complete preparatory jail officer training.
- Hoevker, Jacob F. Ozaukee County Sheriff's Office Staff recommends the applicant receive an extension until 1/2/2025 to allow him to complete preparatory jail officer training.
- m. Hall, Michael A. Polk County Sheriff's Office
 Staff recommends the applicant receive an extension until 10/5/2024 to allow him to complete preparatory jail officer training.

- n. Hauschild, David J. Price County Sheriff's Office Staff recommends <u>against</u> any further extensions. David Hauschild has held employment as a jail officer with the Price County Sheriff's Office for approximately 2 years and 5 months without completion of the academy. Furthermore, the agency does not have a plan to send him to the academy, and the agency has already received two prior extensions.
- Lopez-Marin, Stevie B. Sheboygan County Sheriff's Office Staff recommends the applicant receive an extension until 1/24/2024 to allow him to complete preparatory jail officer training.
- p. Turben, Thomas G. Vernon County Sheriff's Office
 Staff recommends approval of the waiver request. The recommendation for the approval is based on the following mitigating circumstances/conditions:
 - The applicant is requesting an extension of approximately three months beyond the deadline (7/3/2023).
 - The applicant shall complete an extensive jail field training program per Jail Administrator Michael Davig.

The applicant shall complete the Jail Reciprocity Exam by 4/1/2024.

- q. Whittow, Ryan B. Waukesha Police Department Staff recommends approval of the waiver request. The recommendation for the approval is based on the following mitigating circumstances/conditions:
 - The applicant has eight years of law enforcement experience from South Carolina.
 - The break in employment is about two months.
 - The applicant has completed 52 hours of recertification training since August of 2022. The applicant shall not be required to take the Law Enforcement Reciprocity Exam.
- Gerard, Preston W. Waukesha County Sheriff's Office Staff recommends the applicant receive an extension until 12/14/2024 to allow him to complete preparatory jail officer training.
- S. Zamzow, Michael D. Winneconne Police Department Staff recommends the applicant receive an extension until 8/8/2024 to allow him to complete law enforcement officer training.
- Preuss, Brian D. Wisconsin State Capitol Police Department
 Staff recommends approval of the waiver request. The recommendation for approval is based on the following mitigating circumstances/conditions:
 - The applicant has held full time employment as an armed security officer for SSM Health since 2016.
 - The applicant has eight years of law enforcement experience.

The applicant shall complete the Law Enforcement Reciprocity Exam by 4/1/2024.

u. Dubois, Zackery J. – Pre-Employed

Staff recommends approval of the waiver request. The recommendation for approval is based on the following mitigating circumstances/conditions:

• The deadline for the applicant to gain employment shall be 12/9/2023 (60 days).

The applicant shall complete the Law Enforcement Reciprocity Exam (contingent upon meeting the hiring deadline) by 4/1/2024.

Todd Delain requested that Kohler Police Department and/or Mr. Dubois are notified of the approval and short deadline. Jerry confirmed that he will ensure they are fully aware.

v. Edwards, Brian D. – Pre-Employed

The staff recommendation has not changed from the initial recommendation on 8/8/2023. Staff still recommends **against** approval of the waiver. The applicant's break in service from his last law enforcement position (part-time position) has been more than three years (he left employment on 8/28/2020), and the applicant last held full-time law enforcement employment more than seven years ago, on 5/17/2016.

Brian Edwards addressed the LESB Board. He stated that he was a trainer and worked approximately 300 hours per year, minimum, during his part time employment. If requested, he could get records and more accurate numbers by the next full LESB Meeting.

w. Sherven, Craig I. - Pre-Employed

Staff recommends approval of the waiver request. The recommendation for approval is based on the following mitigating circumstances/conditions:

- The applicant has extensive experience in law enforcement (27 years).
- The deadline for the applicant to gain employment shall be 2/10/2024 (90 days).

The applicant shall complete the Law Enforcement Reciprocity Exam (contingent upon meeting the hiring deadline) by 4/1/2024.

Motion to approve the staff recommendations under section 6 except for the staff recommendation for Brian Edwards. Move by Jessie Metoyer, second by Timothy Carnahan. Kalvin Barrett, Timothy Carnahan, and Jessie Metoyer voted in favor of the motion. Todd Delain voted against the motion. The motion carried.

Motion to grant Brian Edwards a 30-day waiver, until December 14, 2023 to re-gain law enforcement employment, and if he is re-hired, until 4/1/2024 to complete the Reciprocity Examination. Move by Jessie Metoyer, second by Kalvin Barrett. Motion carried unanimously.

7. Requests for Certification Extensions for Officers on a Leave of Absence Status Dana Vike explained LESB policy as it relates to required annual training.

There are ten Wisconsin officers on a leave of absence status who have failed to complete annual recertification training as mandated by state statute for two consecutive state fiscal years or more (minimum of 48 hours of recertification training, handgun qualification, and/or biennial vehicle pursuit training).

On October 4, 2023, letters were sent via email attachment to each of the officers with copies sent to their agency administrators, letting them know that they may petition the LESB for additional time to make up missed training and return to active duty. The letters indicated that petitions for an extension will be reviewed by the Executive Committee on November 14, 2023. Failure to submit a petition for an extension, and/or if a petition for extension is denied, a

recommendation of decertification will be made at the December 5, 2023 meeting of the LESB. Petitions for an extension were requested by November 3, 2023.

Extension requests have been received for eight out of the ten officers. Staff has not heard back from Officer Heather Hutchins. An email message was received from Officer Jeffrey Henry on November 8, 2023, saying that he is trying to get in touch with his lawyer. If a petition for additional time is provided before the December 5, 2023, LESB meeting, staff will include it for review at the December 5 meeting.

Staff recommends extending certification for Herbert Davis, Adam Maritato, Andrew Wilkiewicz, Nicole Blaskowski, Jessie Lewis Jr., Eric Tollackson, Wayne Blanchard, and Brian Kastelic until June 30, 2024 (one additional state fiscal year). The seven officers will be expected to make-up missed training as well as complete 24 hours of recertification training for FY24 and return to active officer employment by June 30, 2024.

Motion to approve staff recommendations for extension requests for officers on a leave of absence status who submitted petitions for an extension, to June 30, 2024. Move by Kalvin Barrett, second by Timothy Carnahan. Motion carried unanimously.

8. Training and Standards Bureau (TSB) Update

- Administrator Steve Wagner introduced the new Director of Training and Standards Ron Betley. Director Betley was hired as the new director on October 22, 2023.
- Training and Standards has two open positions; Director Betley's previous position as an education consultant and a two-year project position that will help to develop virtual training for law enforcement academies. Both positions will be posted soon.
- At the next full LESB Meeting, we will be requesting an increase in FY 2024 officer recertification reimbursements from \$160 to \$240. In FY 2025, legislature has approved doubling the \$160 to \$320 for individual officer reimbursements.

9. Roundtable

• Todd Delain asked the Executive Board to give serious thought about the Physical Readiness Test and what you would like Chief Bakken to work on.

10. Adjournment

Motion to adjourn by Timothy Carnahan, second by Kalvin Barrett. Motion carried unanimously.

Steven Wagner Secretary

Minutes taken by Dawn Strassman.