

**LAW ENFORCEMENT STANDARDS BOARD (LESB)  
PRT SUBCOMMITTEE MEETING**

**MINUTES – FEBRUARY 20, 2024**

**ATTENDANCE:**

**PRT SUBCOMMITTEE**

Kelly Bakken  
Ryan Chaffee  
Christopher Domagalski  
Josh Kaul  
Jeremiah Pritzl  
Mike Steffes  
Heidi Studnicka  
Nicole Waldner  
Mark Westen

**ABSENT MEMBERS**

Shawn Becker  
Christy Knowles  
Jeremy Peery

**STAFF**

Ron Betley  
Ashley Billig  
Susan Happ  
Alesha Hawkins  
Katie Maule  
Jerry Mullen  
Mark Rather  
Shelly Sandry  
Jeff Simcox  
Dana Vike

**Guests: Jay Smith (Fit Force)**

**1. Call the Meeting to Order** – Kelly Bakken 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. Mission Statement**

The Law Enforcement Standards Board (LESB) Subcommittee on the Physical Readiness Test (PRT) will make recommendations to the LESB using a collaborative and inclusive approach that will be fair and impartial to law enforcement recruits testing to enter an academy, and at the completion of a law enforcement academy. We will achieve this by discussing the history of the current testing process, as well as current testing data with state subject matter experts, regional, and national leaders in the physical testing industry. The goal of the LESB Subcommittee is to ensure that Wisconsin has a Physical Readiness Test that will benefit Wisconsin law enforcement agencies.

**5. Legal Considerations (Attorney General Josh Kahl and AAG Greg Simcox)**

*a. The LESB may entertain a motion to go into closed session, pursuant to Wis. Stat. §19.85(1)(b) and (g), for the purpose of considering licensing of public employees and conferring with legal counsel about potential litigation.*

*b. Reconvene in open session if closed deliberations have occurred.*

Attorney General Josh Kaul thanked everyone who is part of this process. Wisconsin has a very strong tradition of law enforcement standards and outstanding training. The Training and Standards Bureau does fantastic work and are rightly proud of that work. Officers around the state are proud of the training and the standards they have in Wisconsin. Part of the way we remain a national leader, is by continuously evaluating what we do and identifying ways to improve. Thank you all for your time and for being a part of this process.

**Motion** to go into Closed Session. Move by Christopher Domagalski, second by Mike Steffes. Motion carried unanimously.

***The meeting went into Closed Session at 10:14 am.***

**Motion** to return to Open Session. Move by Ryan Chafee, second by Mark Weston. Motion carried unanimously.

***Session opened at 11:09 am.***

## **6. Review of Current Physical Readiness Testing (Jay Smith)**

Jay Smith from FitForce gave an overview of the Wisconsin Physical Readiness Test (PRT).

The Wisconsin Department of Justice, Training and Standards Bureau contracted with FitForce, Inc. to transport job-related physical readiness tests and standards for the law enforcement officer position to the Law Enforcement Standards Board (LESB), the certifying body for officers in the State of Wisconsin. FitForce created a job analysis procedure to rate and quantify the physical demands of the statewide position. The results of the analysis were compared against the job findings for other jurisdictions.

FitForce utilized a criterion-construct approach to validate physical readiness tests and standards. The process also contained elements of content validation in that FitForce identified essential job-tasks and developed job-task simulation tests to use as the criterion measure of successful job performance.

FitForce compared identical job analysis ratings for law enforcement position in Wisconsin to those collected in four original criterion-concurrent validation studies for state-wide or multiple jurisdiction clients to identify the similarities between the job of a law enforcement officer in those locations. According to the Uniform Guidelines and other pertinent industry standards as well as the prevailing antidiscrimination legislation and litigation, when there is close correspondence and validity evidence exists, it is appropriate to transport standards from one location to another location. Comparisons with the State of Wisconsin demonstrated several agencies were appropriate for consideration. The strength of the relationship between the Wisconsin law enforcement officer position and the Nevada POST-Category 1 Peace Officer position was considered strongest and the decision was made to transport the Nevada test battery and standards to Wisconsin.

### **Discussion About the Test Battery**

Question: Can a plank test be done instead of sit-ups? What are the ramifications of this?

Answer: FitForce looked to the field of exercise physiology for the test. There are validation studies that suggest that testing sit ups in this method is related or predicts trunk muscular endurance. The validation study was completed, then FitForce took the results and validated its relationship to the job. If we want to look at an alternative test, we must first look at the field of exercise physiology to explore if there is an alternative test for trunk muscular endurance. The plank test is not one of those tests. There is no validity evidence for a plank test. There is no dynamic use of the trunk in a plank. Stomach crunch has no validity evidence. FitForce is open to entertaining tests where there is some valid alternative.

### Discussion About Scoring Matrices

Question: What are thoughts about a scoring matrix, if you do more sit ups, can that help with being below the cut off for push-ups? Is a point system a consideration?

Answer: The test represents the minimum. There is a very economical test battery. We don't have multiple tests of aerobic capacity. We don't have multiple tests of muscular strength or muscular endurance or explosive power. You can't make up a lack of aerobic capacity with muscular strength. You can't make up for the difference. This would affect our ability to defend the standards if there was a sliding scale. The FBI has a sliding scale, and the FBI lost the first time they were challenged. The sliding scale defies the logic and legal implications of what is the minimum.

### Subjectivity of Test Administration

FitForce very strongly recommends that everyone administering the test reads a script. There needs to be no variability in the instructions given. One of the challenges is, what is a push up? This can be difficult, but briefing staff before the testing starts, and an exit brief with staff after the test, to review what was done, will help with differences. As another layer, do the in-brief, then have one fitness coordinator counting and another person evaluating the pushups. It also helps to have someone provide an example of a good push up. Compliance is an ongoing issue, and it is critical. There is a piece of equipment that clicks when you are low enough in your push up, but it is not height adjustable. The error associated with this testing is rather small. In the end, those that are administering the test must know how to correctly administer the test. FitForce is working on push up alternatives but there are none yet.

### Difference Between Entry and Exit Standard

The proposed standards are identified as the ability to do the job. This should be the graduation requirement. FitForce believes the entrance standard can be lower. The standard can be based on the duration of the training. If you have a six-month academy, you can let people in at a much lower level of fitness. For consideration, if you have inconsistencies in your equipment, or training for the number of hours, and you want to standardize this, you must consider the least common denominator. If you allow an academy a very low level of contact hours, that should be what drives it. The second consideration is when you lower the standards one of the things that can potentially happen is people are injured in training due to their lower level of fitness. The job is more dangerous than training, there are no safety mechanisms on the street.

## **7. Review Data Collected from the Academies' (Ashley Billig)**

Research Analyst Alesha Hawkins presented. RedCap has close to two years of entrance and exit data. The data changes daily.

Question: Is bad data affecting the percentage of pass/fails? Or do we simply eliminate it?

Answer: After cleanup, there is still about 5% of data quality issues. The bad data is not eliminated, and the duplicate data is the greatest issue.

Observation: Jay Smith noted the high spike in passing scores when training is added. He added that there is a legal doctrine that suggests in the absence of any effort to prepare, there may not be any adverse impact. He also added that the difference between males and females passing the test is very small. Fitness levels dictated pass/fail attempts.

Ashley Billig added that there is no data on those who have passed everything. If an applicant passes a portion of the PRT, they stop at the passing score regardless of if they could go on (continue to perform push-ups, etc.). This is due to saving energy to perform the next portion of the test.

**8. Review Other State Physical Testing (Kelly Bakken)**

Tabled.

**9. Next Steps**

Tabled.

**10. Public Comment**

There was no public comment.

**11. Roundtable**

Tabled.

The next meeting date will be selected by Doodle Poll.

**12. Adjourn**

**Motion** to adjourn by Ryan Chaffee, second by Mike Steffes. Motion carried unanimously.

  

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Kelly Bakken

LESB Physical Readiness Test (PRT) Subcommittee Chairperson

Minutes taken by Dawn Strassman.