

ORDER OF THE LAW ENFORCEMENT STANDARDS BOARD
ADOPTING RULES

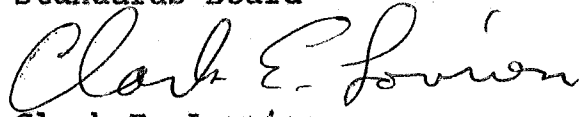
Pursuant to authority vested in the Wisconsin Law Enforcement Standards Board by section 165.85 Wisconsin Statutes, the Wisconsin Law Enforcement Standards Board hereby adopts rules as follows:

Sections LES 1 to 9 of the WISCONSIN ADMINISTRATIVE CODE are adopted to read as set forth in the attached certified copy of the rules of the Wisconsin Law Enforcement Standards Board.

The rules contained herein shall take effect on October 1, 1970.

Dated: Aug. 13, 1970

Wisconsin Law Enforcement
Standards Board


Clark E. Lovrien
Secretary

RULES OF
WISCONSIN LAW ENFORCEMENT STANDARDS BOARD

TABLE OF CONTENTS

Chapter

LES 1 General

LES 2 Recruitment Qualifications

LES 3 Training Standards

LES 4 Certifications

LES 5 Grants

LES 9 By-Laws of the Wisconsin Law Enforcement Standards Board

Chapter LES 1

GENERAL

LES 1.01 Statutory Authority. The rules of the Wisconsin Law Enforcement Standards Board are established and adopted in compliance with section 165.85 Wisconsin Statutes.

LES 1.02 Objectives. The objectives are to assist law enforcement by establishing minimum standards of recruitment and recruit training, and by encouraging and supporting other programs designed to improve law enforcement administration and performance.

LES 1.03 Definitions. As used in these rules:
(1) "Act" is the Wisconsin Law Enforcement Standards Act which is Chapter 466 of the Laws of 1969.

(2) "Allowable" means those tuition, living and travel expenses which the Board approves as reimbursable on the basis of state regulations and policy regarding such expenses.

(3) "Board" means the Wisconsin Law Enforcement Standards Board.

(4) "Bureau" means the Training and Standards Bureau of the Division of Law Enforcement Services in the Wisconsin Department of Justice.

(5) "Division" is the Division of Law Enforcement Services in the Wisconsin Department of Justice.

(6) "Law Enforcement Officer" means any person employed by the state or any political subdivision of the state for the purpose of detecting and preventing crime and enforcing laws or ordinances, and who is authorized to make arrests for violations of the laws or ordinances he is employed to enforce.

(7) "Political Subdivision" is a county, city, village or town.

(8) "Preparatory Training" is the basic training which a recruit must complete successfully before the Board may certify him as eligible for permanent appointment.

(9) "Recruit" is a law enforcement officer employed on a probationary or temporary basis, in compliance with the minimum recruitment qualifications set by the Board, who is thereby eligible to take the preparatory training required for certification of eligibility for permanent appointment.

(10) "Salary" means base salary, plus fringe benefits not to exceed 15% of the base salary figure, but not including overtime, for 160 hours.

Chapter LES 2

RECRUITMENT QUALIFICATIONS

LES 2.01 Minimum Qualifications for Recruitment.

(1) The minimum qualifications for recruitment shall be:

(a) The applicant shall be a citizen of the United States.

1. A birth or naturalization certificate shall serve as evidence of U.S. citizenship.

(b) The applicant shall possess a valid Wisconsin driver's license prior to completion of the preparatory training course.

1. The results of a check of the Wisconsin Division of Motor Vehicle's files shall constitute evidence of driver status.

(c) The applicant shall have attained a minimum age of 20 years.

1. A birth or naturalization certificate shall serve as evidence of applicant's date of birth.

(d) 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.

(e) The applicant shall possess a Wisconsin high school diploma or equivalent.

1. "Or equivalent" shall be deemed to mean:

a. A diploma issued by an out of state high school accredited by the appropriate agency of the state concerned, or

b. the passing of the General Education Development test or any other test recommended by the Wisconsin Department of Public Instruction as indicating High School graduation level.

(f) The applicant shall be of good character.

1. "Good Character" shall be determined from a written report containing the results of the following:

a. The fingerprinting of all applicants with a search of local, state and national fingerprint records.

b. Police and credit checks in all areas of residence.

c. Investigation at all schools attended beyond the age of 14.

d. Investigation in the applicant's current neighborhood of residence and in neighborhoods of former permanent residence.

e. Investigation at each place of employment. The interview of the applicant's current employer should be at or towards the end of the investigation. The applicant's specific permission for this interview must be obtained.

f. Such other investigation as may be deemed necessary to provide a basis of judgment on the applicant's loyalty to the United States, general reputation, caliber of associates and personal habits and interests.

(g) The applicant shall be free from any physical, emotional, or mental condition which might adversely affect performance of his duties as a law enforcement officer.

1. Applicant shall complete a personal medical history, a copy of which is to be submitted to the examining physician.

2. Examination shall be by a Wisconsin licensed physician who shall provide a written report on the results of the examination.

(h) The applicant shall submit to and complete with satisfactory results, an oral interview to be conducted by the employing authority or its representative or representatives.

1. "Satisfactory Results" shall be determined from the contents of a written rating by the interviewer expressing an opinion concerning the applicant's appearance, personality, and ability to communicate as observed during the interview.

(2) The employing authority shall supply the Training and Standards Bureau with copies of the documentation and reports concerning the above listed qualifications. Personal history, rating and report forms currently used by the employing authority are acceptable for this purpose. If such forms are not available, the Bureau will supply forms for this purpose upon request.

(3) If the applicant is employed on a probationary or temporary basis, the Bureau shall be immediately informed. The Bureau shall maintain a permanent file on each applicant.

(4) The foregoing are minimum qualifications. Higher qualifications are strongly recommended where the employing authority is in a position to require them.

Chapter LES 3

TRAINING STANDARDS

LES 3.01 Minimum Standards for Recruit Training:

(1) Minimum standards for recruit training shall require that:

(a) The minimum amount of preparatory training which must be successfully completed by a recruit before that recruit may be certified as eligible for permanent appointment shall be a total of 160 hours. The subjects to be covered in this preparatory training shall be determined by the Board after due consideration of recommendations made by the Advisory Curriculum Committee. The curriculum so decided upon may be changed by the Board as the need becomes apparent due to technological changes affecting law enforcement, current problems involving the public welfare, or additional recommendations made by the Advisory Curriculum Committee.

(b) Trainees must obtain passing grades in written examinations in all subjects, and qualifying scores in the use of firearms. The passing grades and qualifying scores shall be in accordance with the standards of the certified school attended.

(c) Each trainee must successfully complete this training within his original probationary period. Under justifiable circumstances, this period may be extended, but the total period during which a person may serve as a law enforcement officer on a probationary or temporary basis without successfully completing this training shall not exceed two years.

(d) The Law Enforcement Code of Ethics, as set forth below, shall be administered as an oath to all trainees during the preparatory course.

1. AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and

deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession..... law enforcement.

(2) It should be noted that the foregoing represents the minimum amount of training required. Additional preparatory training is strongly recommended where the employing authority is in a position to require it.

LES 3.02 Advisory Curriculum Committee: (1) The Board shall appoint a thirteen man advisory curriculum committee consisting of 6 Chiefs of Police and 6 Sheriffs to be appointed on a geographic basis of not more than one Chief of Police and one Sheriff from any one of the 8 state administrative districts together with the director of training of the Wisconsin state patrol. This committee will act in an advisory capacity in the establishment of the curriculum requirements.

(2) Membership of Chiefs of Police and Sheriffs on this committee shall be for a period extending from January 1 of an odd numbered year to December 31 of the next even numbered year. The first twelve appointments are to run from the date of appointment to 12/31/1972. However, no member shall serve beyond the time when he ceases to hold the office or employment by reason of which he was initially eligible for appointment.

(3) The committee shall elect its own officers.

Chapter LES 4

CERTIFICATIONS

LES 4.01 Certifications. (1) The following certifications shall be made by the Board on the basis of information to be acquired on forms designed by the Bureau and approved by the Board. Where necessary or deemed advisable, additional information may be acquired through personal inquiry at the direction of the Board. All Board decisions are subject to appeal by any interested party.

(a) Schools: Schools shall be certified on the basis of adequacy of facilities and competency of staff and faculty. Where the school is a permanent or on-going unit, the certification shall be for a period of one year, subject to renewal.

(b) Instructors: Instructors shall be certified when qualified to teach the subject or subjects for which certified. Their qualifications shall be determined on the basis of background information and credentials to be made available upon request.

(c) Trainees: Trainees shall be certified as eligible for permanent appointment when they have met the recruitment qualifications and recruit training standards as determined by information received from the employing authorities and training schools concerned.

Chapter LES 5

GRANTS

LES 5.01 Grants. (1) Political subdivisions shall be eligible for grants of reimbursement in an amount up to 100% of the salary, and of the allowable tuition, living and travel expenses incurred by law enforcement officers taking the preparatory course for the purpose of complying with the Board's training standards for permanent appointment, when the political subdivision concerned meets the following conditions:

(a) Adoption of the following resolution or ordinance by the governing body of the political subdivision:

1. WHEREAS, the City (County, Village or Town) of _____ is desirous of electing to participate in the recruit qualifications and training program under the Wisconsin Law Enforcement Standards Act which is Chapter 466 of the Laws of 1969; and

WHEREAS, in order that the City (County, Village or Town) of _____ be eligible for participation in the program, the law requires that, before an individual may be employed as a law enforcement officer, that individual must have been certified by the Wisconsin Law Enforcement Standards Board as being qualified under the standards set by the Board; and

WHEREAS, the City (County, Village or Town) of _____ will, as a minimum, establish the recruit qualifications and training standards set by the Board as prerequisites to the employment of its law enforcement officers henceforth:

NOW, THEREFORE BE IT RESOLVED, that the City (County, Village or Town) of _____ hereby elects to participate in the recruit qualifications and training program of the Wisconsin Law Enforcement Standards Board.

BE IT FURTHER RESOLVED, that, before an individual may commence employment on a probationary or temporary basis as a law enforcement officer,

that individual must have met the recruit qualifications set by the Wisconsin Law Enforcement Standards Board, and before an individual may commence employment on a part-time or full-time permanent basis as a law enforcement officer, that individual must have been certified by the Board as having met the recruit qualifications and as having successfully completed the preparatory training course required under the Board's recruit training standards.

BE IT FURTHER RESOLVED, that such recruit training must be successfully completed by the trainee within his probationary period. Under justifiable circumstances, this period may be extended, but the total period during which a person may serve as a law enforcement officer on a probationary or temporary basis without successfully completing a preparatory training course approved by the Wisconsin Law Enforcement Standards Board shall not exceed two years.

(In political subdivisions where a Police and Fire Commission exists, the following additional paragraph should be used:)

BE IT FURTHER RESOLVED, that the Board of Police and Fire Commissioners are hereby instructed and directed to make the necessary amendments to the Personnel Rules, the Manual of Rules of the _____ Police Department, and the rules of said Board of Police and Fire Commissioners, requiring that any person employed henceforth as a law enforcement officer by the _____ Police Department must meet the recruit qualifications and training standards set by the Wisconsin Law Enforcement Standards Board.

(In political subdivisions where law enforcement operates under a Civil Service System, the following additional paragraph should be used:)

BE IT FURTHER RESOLVED, that the Civil Service Commissioners are hereby instructed and directed to make the necessary amendments to the Personnel Rules, the Manual of Rules of the Police (Sheriff's) Department of _____ and Rules of said

Civil Service Commission, requiring that any person employed henceforth as a law enforcement officer by the Police (Sheriff's) Department of _____ must meet the recruit qualifications and training standards set by the Wisconsin Law Enforcement Standards Board.

(b) Compliance with the recruitment qualifications set by the Board.

(c) Successful completion of the preparatory course at a certified school by the law enforcement officer for whom reimbursement is claimed.

(d) Completion of forms to be obtained from the Bureau covering documentation of the above acts, and including a formal claim for a reimbursement grant.

(2) The Board shall determine the uniform percentage of reimbursement to be made at any time during the fiscal year when the Bureau is in a position to advise the Board of the funds available and the grant requests received for that year, but, in any case, no later than July 15 of the fiscal year following the fiscal year in which the training was given.

(3) The Board may make additional grants on programs designed to improve law enforcement through training, but the reimbursement grants for law enforcement officers taking the preparatory course of 160 hours for the purpose of complying with the Board's training standards for permanent appointment shall have first priority on the funds available.

Chapter LES 9

BY-LAWS OF THE WISCONSIN LAW ENFORCEMENT STANDARDS BOARD

LES 9.01 Membership. (1) The Board shall consist of fourteen members chosen or appointed in accordance with the provisions of the Act.

(2) Each member of the Board shall take and file the official oath prior to assuming office.

(3) The Attorney General is one of the ex-officio members of the Board. The Act states that he may designate a member of his staff to represent him. If the Attorney General chooses a designee, he shall advise the Chairman of the Board in writing of the designee's identity. This designee may then vote and shall be counted in determining whether a quorum is present. Any other Board member who is unable to attend a Board meeting may send a representative to present the absent member's views at the meeting. However, such a representative may not vote, and shall not be counted in determining a quorum.

LES 9.02 Officers. (1) The Board shall elect a Chairman and a Vice-Chairman. These officers shall be elected for terms of twelve months, and shall be eligible for re-election. The Vice-Chairman shall act as Chairman in the absence of the Chairman. 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 nonvoting Secretary of the Board.

LES 9.03 Meetings. (1) The Board shall meet quarterly on the first Tuesday of March, June, September and December of each year, and may meet at other times on the call of the Chairman or a majority of its total voting membership. The location of each meeting shall be determined by the Chairman or a vote of the Board.

(2) A quorum shall be necessary to conduct the business of the Board at Board meetings. A quorum shall be duly constituted when a majority of voting members is present.

(3) The rules contained in "Robert's Rules of Order Revised" shall generally govern the Board in its operations subject to such modifications as the Chairman and a majority of a quorum may deem necessary, or advisable, to the effective disposal of the Board's business.

LES 9.04 Executive Committee. (1) The Executive Committee shall consist of the Chairman, the Vice-Chairman, and three other members of the Board to be appointed by the Chairman. The Secretary shall also be included, in a nonvoting capacity.

(2) The Executive Committee shall meet upon the call of the Chairman or the Secretary for the purpose of considering matters which require immediate action. The Executive Committee shall be empowered to take necessary action on behalf of the Board in such situations provided that such action does not effect any change in the overall policies or the rules and regulations of the Board.

(3) A quorum shall be necessary to conduct business at Executive Committee meetings.

(4) A quorum shall be duly constituted when three voting members of the Committee are present.

LES 9.05 Staffing Procedures. (1) The Act provides that the Division of Law Enforcement Services shall supply the staffing needs of the Board. To meet the staffing responsibilities thus created by the Act, there has been established in the Division of Law Enforcement Services, a Training and Standards Bureau. In connection with this responsibility, the Administrator of the Division of Law Enforcement Services, who, by the provisions of the Act, is Secretary of the Board, shall:

(a) Attend all meetings of the Board and Executive Committee. If circumstances beyond his control prevent this, he shall designate an employee of the Bureau to attend on his behalf.

(b) Arrange for the recording and permanent maintenance of the minutes of all Board meetings and all Executive Committee meetings.

(c) Provide a copy of the minutes of each Board meeting and each Executive Committee meeting to each member of the Board.

(d) Provide a copy of the agenda for each regular meeting to each Board member at least one week prior to the date of each regular Board meeting.

(e) Make periodic reports to the Board on the activities of the Bureau in connection with programs based upon the Board's established standards and recommendations.

(f) Arrange for such other staffing procedures as may be required for the effective functioning of the Board.

LES 9.06 Rules. (1) The Board shall, by majority vote of the total voting membership of the Board, establish or modify the rules setting forth the standards and requirements deemed necessary to the establishment of its program and the achievement of its program responsibilities.

(2) These rules shall then be published in the Administrative Code under the procedures set out in Chapter 227 of the Wisconsin Statutes.