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CERTIFICATE

STATE OF WISCONSIN

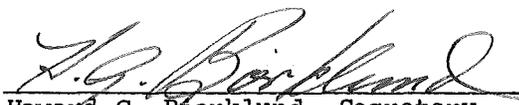
DEPT. OF JUSTICE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Howard G. Bjorklund, Secretary of the Law Enforcement Standards Board, and custodian of the official records of said Board, do hereby certify that the annexed rules, relating to the Law Enforcement Standards Board's basic law enforcement officer and jail officer training requirements were duly approved and adopted by this Board on September 5, 1984.

I further certify that said copy has been compared by me with the original on file in this Board and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at the Capitol in this City of Madison, this 14th day of September A.D. 1984.


Howard G. Bjorklund, Secretary
Law Enforcement Standards Board

11-1-84

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ORDER ADOPTING RULES

ORDER OF THE LAW ENFORCEMENT STANDARDS BOARD

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RENUMBERING, RENUMBERING AND AMENDING, AMENDING, REPEALING AND RECREATING
AND CREATING RULES

Introduction:

An order to repeal LES 2.01 (1)(e) 1 and 2.01 (1)(f) 1; to renumber LES 1.03 (6) to (10), 2.01 (1)(d), 2.01 (1)(f) 1 a to f, 3.01 (2) and 3.04; to renumber and amend LES 2.01 (1)(b), (c), (e) (intro.), (f) (intro.), (g) and (h); to amend LES 1.02, 1.03 (9), 2.01 (1) (intro.), 2.01 (1)(f) 1 f as renumbered, 3.01 (1) (intro.), 3.01 (1)(a) and (c) and 4.01 (1)(c); to repeal and recreate LES 5.01; and to create LES 1.03 (6) and (7), 3.01 (2) and 3.04 relating to mandatory employment and training standards for jail officers and to competency-based training for new law enforcement officers.

Analysis (Prepared By The Wisconsin Department of Justice)

Rules in this order implement sections 165.85 (4)(b) 1, 165.85 (4)(b) 2, 165.85 (4)(c), 165.85 (5)(a), and 165.85 (5)(b), Stats., relating to employment and training of local jail officers and to competency-based training for new law enforcement officers.

These sections of state statutes require the Law Enforcement Standards Board to establish jail officer employment standards, to develop an 80 hour mandatory basic training standard and to reimburse political subdivisions for 100% of authorized basic training expenses. Jail officers will be required to meet employment standards similar to those required for law enforcement officers.

In addition, the Standards Board is required to establish a competency-based recruit training course not to exceed 320 hours for law enforcement officers as an alternative to its current 240 hour conventional course. The board is also required to authorize reimbursement of 100% of approved training expenses for officers who complete 320 hours of competency-based instruction. Law enforcement agencies whose officers attend conventional training for 320 hours receive 100% reimbursement for the initial, required 240 hours and 60% reimbursement of approved expenses for up to an additional 80 hours of basic instruction.

Competency-based instruction (CBI) will be implemented over a three year period during which both CBI and conventional courses will be conducted. The Standards Board wants to convert all basic training to CBI within three years.

Pursuant to authority vested in the Law Enforcement Standards Board by section 165.85 (3)(a), Stats., the board hereby proposes to renumber, renumber and amend, amend, repeal and recreate, and create rules interpreting sections 165.85 (4)(b) 1 and 2 and (c) and (5)(a) and (b), Stats., as follows:

Section 1. LES 1.02 is amended to read:

LES 1.02 **Objectives.** Objectives of the Law Enforcement Standards Board 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 and jail administration and performance.

Section 2. LES 1.03 (6) to (10) are renumbered (8) to (12).

Section 3. LES 1.03 (6) and (7) are created to read:

LES 1.03 (6) "Jail" means a county jail, a rehabilitation facility established by section 59.07 (76), a county house of correction under

section 56.16 or a secure detention facility as defined in section 48.02 (16).

(7) "Jail officer" means any person employed by any political subdivision of the state for the purpose of supervising, controlling or maintaining a jail or the persons confined in the jail. "Jail officer" includes officers regardless of whether they have been sworn regarding their duties or whether they serve on a full-time basis.

Section 4. LES 1.03 (9) is amended to read:

LES 1.03 (9) "Recruit" is a law enforcement or jail 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.

Section 5. LES 2.01 (1) (intro.) is amended to read:

LES 2.01 (1) Before an individual may commence employment on a probationary, temporary, part-time or full-time basis as a law enforcement or jail officer, that individual must have met recruit qualifications established by the board. The minimum qualifications for recruitment shall be:

Section 6. LES 2.01 (1)(b) is renumbered LES 2.01 (1)(a) and amended to read:

LES 2.01 (1)(a) The applicant shall possess a valid Wisconsin driver's license or such other valid operator's permit recognized by the Wisconsin department of transportation as authorizing operation of a motor vehicle in

Wisconsin prior to completion of the preparatory training course. The results of a check of the issuing agency's motor vehicle files shall constitute evidence of driver's status.

Section 7. LES 2.01 (1)(c) is renumbered LES 2.01 (1)(b) and amended to read:

LES 2.01 (1)(b) The applicant shall have attained a minimum age of 18 years. ~~-4-~~ A birth or naturalization certificate shall serve as evidence of applicant's date of birth.

Section 8. LES 2.01 (1)(d) is renumbered LES 2.01 (1)(c).

Section 9. LES 2.01 (1)(e) (intro.) is renumbered LES 2.01 (1)(d) and amended to read:

LES 2.01 (1)(d) The applicant shall possess a Wisconsin high school diploma or ~~equivalent~~. a diploma issued by an out-of-state high school accredited by an appropriate agency of the state or shall have passed the general education development test or any other test recommended by the Wisconsin department of public instruction as indicating high school graduation level.

Section 10. LES 2.01 (1)(e) 1 is repealed.

Section 11. LES 2.01 (1)(f) (intro.) is renumbered LES 2.01 (1)(e) and amended to read:

LES 2.01 (1)(e) The applicant shall be of good character. "Good character" shall be determined from a written report containing the results of the following:

Section 12. LES 2.01 (1)(f) 1 (intro.) is repealed.

Section 13. LES 2.01 (1)(f) 1 a to f are renumbered LES 2.01 (1)(e) 1 to 6.

Section 14. LES 2.01 (1)(f) 1 f as renumbered is amended to read:

LES 2.01 (1)(f) 1 f Such other investigation as may be deemed necessary to provide a basis of judgment on the applicant's loyalty to the United States or detect conditions which adversely affect performance of one's duty as a law enforcement or jail officer.

Section 15. LES 2.01 (1)(g) is renumbered LES 2.01 (1)(f) and is amended to read:

LES 2.01 (1)(f) The applicant shall be free from any physical, emotional or mental condition which might adversely affect performance of duties as a law enforcement or jail officer.

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

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

Section 16. LES 2.01 (1)(h) is renumbered LES 2.01 (1)(g) and is amended to read:

LES 2.01 (1)(g) The applicant shall submit to an complete with satisfactory results, an oral interview to be conducted by the employing authority or its representative or representatives. -4- "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.

Section 17. LES 3.01 (1) (intro.) is amended to read:

LES 3.01 (1) Minimum standards for recruit training for law enforcement officers shall require that:

Section 18. LES 3.01 (1)(a) and (c) are amended to read:

LES 3.01 (1)(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 240 hours. The subjects and the minimum time during which they are to be covered in this preparatory training shall be determined by the board after due consideration of recommendations made by the advisory curriculum committee identified in s. LES 3.02. 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. The 240 hour preparatory training curriculum approved by the board is identified in s. LES 303 (1) to (11). A 320 hour competency-based curriculum which has been developed to eventually replace the conventional 240 hour course and in which new officers are encouraged to be enrolled is identified in s. LES 3.04 (1) to (11).

(c) Each trainee must successfully complete this training within his original probationary period. Under justifiable circumstances, this period may be extended for a period not to exceed one year, but the total period during which a person may serve as a full-time law enforcement officer

on a probationary or temporary basis without successfully completing this training shall not exceed 2 years. Part-time officers must successfully complete at least one 40 hour block of instruction from the 240 hour preparatory course during each subsequent 12 month period following their initial employment and successfully complete the entire course in not more than 6 years. The total period during which a person may serve as a part-time law enforcement officer on a probationary or temporary basis without successfully completing this training shall not exceed 6 years. For purposes of this section, a part-time law enforcement officer is a law enforcement officer who routinely works not more than one-half of the normal annual work hours of a full-time employee of the employing agency or unit of government.

Section 19. LES 3.01 (2) is renumbered LES 3.01 (3).

Section 20. LES 3.01 (2) is created to read:

LES 3.01 (2) Minimum standards for jail officer recruit training shall be as follows:

(a) A minimum of 80 hours of preparatory training shall be successfully completed by a jail officer recruit before that recruit may be certified as eligible for permanent appointment. The subjects and minimum number of hours for each subject to be covered in this preparatory training shall be determined by the board. The curriculum as established may be changed by the board as the need becomes apparent due to technological changes affecting jail administration, current problems involving the public welfare or additional recommendations made by the advisory curriculum committee identified in s. LES 3.02.

(b) Recruits shall obtain passing grades in examinations in all subjects. The passing grades shall be in accordance with the standards of the certified school attended.

(c) Each recruit shall successfully complete this training within his or her original probationary period. Under justifiable circumstances this period may be extended for a period not to exceed one year.

Section 21. LES 3.04 is renumbered LES 3.05.

Section 22. LES 3.04 is created to read:

LES 3.04 Competency-based Instruction Curriculum. Students enrolled in competency-based instruction shall achieve performance objectives approved by the board for the following tasks:

- (1) DEMONSTRATE DEFENSIVE TACTICS
 - (a) Design and implement physical fitness programs
 - (b) Recognize and cope with job stress
 - (c) Use RISC Management self defense tactics and techniques
Note: RISC means rapid, intense, specific, competencies. It is a system of self defense techniques designed for the Law Enforcement Standards Board.
- (2) DEMONSTRATE CARE AND USE OF FIREARMS
 - (a) Identify legal requirements and department policies for using firearms
 - (b) Implement department's firearm-holster policy
 - (c) Load and unload firearms
 - (d) Clean service handguns
 - (e) Fire service handgun
 - (f) Fire shotgun
 - (g) Follow procedures after firearms combat

(3) DEMONSTRATE MEANS OF COMMUNICATION

- (a) Prepare reports and field notes
- (b) Receive information requests and inquiries from citizens by telephone
- (c) Transmit and receive radio messages
- (d) Use field identification system to identify suspects

(4) IDENTIFY COMMUNITY RELATIONS POLICIES

- (a) Use inoffensive language
- (b) Use knowledge of ethical law enforcement conduct
- (c) Use knowledge of community make-up
- (d) Use knowledge of negative citizen attitudes about law enforcement officers

(5) PERFORM EMERGENCY MEDICAL SERVICES

- (a) Conduct "First Responder" emergency medical procedures
Note: "First Responder" is a uniform emergency medical assistance program developed by the U.S. department of transportation.
- (b) Secure injured person's property

(6) CONDUCT INTERVIEWS

- (a) Direct or inform citizens
- (b) Interview adult suspects
- (c) Interview juvenile suspects
- (d) Interview adult victims and witnesses
- (e) Interview juvenile victims and witnesses
- (f) Receive criminal confessions
- (g) Use lineup and picture identification procedures
- (h) Deliver emergency messages to citizens
- (i) Conduct press relations at scenes of incidents

(7) DEMONSTRATE ARREST PROCEDURES

- (a) Search within legal limits

- (b) Obtain search warrants
- (c) Make felony arrests
- (d) Make misdemeanor arrests
- (e) Take juveniles into custody
- (f) Detain persons who may be emotionally disturbed
- (8) OPERATE PATROL VEHICLES
 - (a) Test patrol car for malfunctions or missing equipment
 - (b) Use pursuit guidelines
 - (c) Use emergency vehicle driving techniques
 - (d) Respond to crimes in progress
 - (e) Use patrol vehicle red lights, siren and loud speaker
 - (f) Establish road blocks
 - (g) Use patrol car accident procedures
 - (h) Use patrol car to protect scenes of accidents or incidents
- (9) PERFORM PATROL OPERATIONS
 - (a) Detect traffic law violators
 - (b) Stop traffic law violators
 - (c) Conduct high risk vehicle stop
 - (d) Issue traffic law violations citations
 - (e) Give balance-coordination tests to persons suspected of driving while intoxicated
 - (f) Give preliminary breath tests to persons suspected of driving while intoxicated
 - (g) Process intoxicated suspects after arrest
 - (h) Direct traffic
 - (i) Use patrol driving and walking techniques
 - (j) Identify suspicious auto and pedestrian activity
 - (k) Conduct business and residential checks

- (l) Gather and report information on organized criminal activities
- (m) Enforce liquor laws
- (n) Enforce gambling laws
- (o) Enforce narcotics laws
- (p) Enforce prostitution laws
- (q) Inform citizens of crime prevention techniques
- (r) Use informants
- (10) RESPOND TO CALLS FOR LAW ENFORCEMENT ASSISTANCE
 - (a) Conduct preliminary investigations
 - (b) Identify, collect and preserve evidence
 - (c) Conduct searches
 - (d) Make decisions
 - (e) Respond to injured persons
 - (f) Respond to domestic abuse
 - (g) Respond to loss or destruction of property
 - (h) Respond to persons
 - (i) Respond to groups
 - (j) Respond to emergencies
- (11) PREPARE CASES FOR TRIAL AND TESTIFY IN COURT
 - (a) Prepare for judicial proceedings
 - (b) Testify in court

Section 23. LES 4.01 (1)(c) is amended to read:

LES 4.01 (1)(c) **Trainees**. Trainees shall be certified as eligible for permanent appointment when they have met the recruitment qualifications and

recruit training standards for law enforcement or jail officers as determined by information received from the employing authorities and training schools concerned.

Section 24. LES 5.01 is repealed and recreated to read:

LES 5.01 (1) Political subdivisions shall be eligible for reimbursement of the salary and the allowable tuition, living and travel expenses incurred by officers who satisfactorily complete training in schools approved by the board. Reimbursement of those expenses shall be on a uniform basis as follows:

(a) 100% of the expenses listed in Sub. (1) for the first 240 hours of conventional or competency-based law enforcement recruit training.

(b) 60% of the expenses listed in Sub. (1) for additional conventional law enforcement recruit training up to 320 hours.

(c) 100% of the expenses listed in Sub. (1) for additional competency-based law enforcement training up to 320 hours.

(d) 100% of the expenses listed in Sub. (1) for the first 80 hours of conventional or competency-based jail officer training.

(e) After June 30, 1985, if the claims under this subsection exceed the monies available for reimbursement, the department shall prorate the reimbursement of salary expenses under this paragraph.

(2) Political subdivisions shall receive reimbursement in the amounts listed in Sub. (1) upon meeting the following conditions:

(a) Successful completion of the entire preparatory course conventional training of up to 320 hours or the entire competency-based training of 320 hours by full-time law enforcement officers or of 40 hour

blocks of instruction from the preparatory course by part-time officers at board certified schools by officers for whom reimbursements are claimed or the entire 80 hour conventional or competency-based training by full or part-time jail officers.

(b) Political subdivisions may be reimbursed for the expenses of part-time law enforcement officers upon successful completion of 40 hour blocks of instruction from the preparatory course.

(c) Reimbursement shall be based on training at board certified schools by officers for whom reimbursements are claimed.

(3) Law enforcement or jail recruit officers enrolled in the preparatory course may not be utilized by their employing agencies, except for emergency situations, on any day during which the recruit completes 8 hours of training.

Rules contained in this proposed order shall take effect on the first day of the month following their publication in the Wisconsin Administrative Register as provided in section 227.026 (1) (intro.), Stats.

September 14, 1984


Howard G. Bjorklund, Secretary
Law Enforcement Standards Board



Wisconsin Department of Justice
Division of Law Enforcement Services

TRAINING AND STANDARDS BUREAU
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Bronson C. La Follette
Attorney General

Howard G. Bjorklund
Division Administrator

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September 14, 1984

The Honorable Douglas LaFollette
Secretary of State of Wisconsin
13 West State Capitol
Madison, Wisconsin 53702

Dear Secretary LaFollette:

Please find enclosed a Certificate and an Order Adopting Rules for Sections LES 1.02, 1.03, 2.01, 3.01, 3.04, 4.01, and 5.01 of the Wisconsin Administrative Code for publication in the Wisconsin Administrative Register. The Law Enforcement Standards Board repealed, amended, or adopted these sections at its meeting on September 5, 1984.

Very truly yours,

A handwritten signature in cursive script that reads 'Kenneth A. Vanden Wymelenberg'.

Kenneth Vanden Wymelenberg, Director
Training and Standards Bureau

KVW/11h

Enclosures