

Chapter LES 1

GENERAL

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LES 1.01 Statutory authority. The rules of the Wisconsin law enforcement standards board are established and adopted in compliance with s. 165.85, Stats.

History: Cr. Register, September, 1970, No. 177, eff. 10-1-70.

LES 1.02 Objectives. The 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, tribal law enforcement, jail and secure detention administration and performance.

History: Cr. Register, September, 1970, No. 177, eff. 10-1-70; am. Register, October, 1984, No. 346, eff. 11-1-84; am. Register, November, 1997, No. 503, eff. 12-1-97.

LES 1.03 Definitions. As used in these rules:

(1) "Accredited credits" means those credits which have been awarded by a member of the Wisconsin technical college system or by its equivalent in another state or by a private or state college or university with current membership in good standing in a predominant, nationally recognized accrediting organization for private or state colleges or universities.

(1m) "Act" is the Wisconsin law enforcement standards act which is ch. 466, 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) "Applicant" means a person, including a currently employed law enforcement, tribal law enforcement, jail or secure detention officer seeking employment as a law enforcement, tribal law enforcement, jail or secure detention officer in the state of Wisconsin.

(4) "Approved laboratory" means a laboratory certified by the United States department of health and human services, substance abuse and mental health services administration.

(5) "Board" means the Wisconsin law enforcement standards board.

(6) "Bureau" means the training and standards bureau of the division of law enforcement services in the Wisconsin department of justice.

(7) "Collection site" means a place designated by the approved laboratory where the applicant goes for the purpose of providing a urine specimen to be analyzed for the presence of drugs.

(8) "Collection site person" means a person who instructs and assists applicants at a collection site and who receives and makes an initial examination of the urine specimen provided by those individuals.

(9) "Confirmatory test" means a testing of the urine specimen performed, after an initial screening test of that specimen, by a gas chromatography/mass spectrometry (GC/MS) testing procedure or an equally rigorous scientific test approved by the board.

(10) "Controlled substance" has the meaning specified in s. 961.01 (4), Stats.

(11) "Division" is the division of law enforcement services in the Wisconsin department of justice.

(12) "Drug" means a controlled substance as defined in s. 961.01 (4), Stats.

(13) "Fringe benefit" means benefits paid to or on behalf of an officer above his or her hourly rate or salary and not required by law to be paid. Items excluded from fringe benefits shall include, but not be limited to, unemployment taxes, workers compensation premiums, and social security taxes.

(14) "Initial positive test result" means a finding by an initial screening test of the presence in the tested urine of any of the controlled substances or classes of controlled substances or their metabolites identified in s. LES 2.02 (5) (b) in levels at or above the threshold detection levels identified in s. LES 2.02 (5) (b).

(15) "Initial screening test" means a test of the urine specimen accomplished by immunoassay or an equally rigorous scientific test approved by the board.

(16) "Jail" means a county jail, a rehabilitation facility established by s. 59.53 (8), Stats., a county house of correction under s. 303.16, Stats., or a secure detention facility as defined in s. 48.02 (16), Stats.

(17) "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.

(18) "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 the person is employed to enforce.

(19) "Political subdivision" means a county, city, village, town or public inland lake protection and rehabilitation district.

(20) "Positive test result" means a finding by a confirmatory test of the presence in the tested urine of any of the controlled substances or their metabolites identified in s. LES 2.02 (5) (c) in levels at or above the threshold detection levels identified in s. LES 2.02 (5) (c).

(21) "Preparatory training" is the basic training which a recruit must complete successfully before the board may certify the recruit as eligible for permanent appointment.

(22) "Prospective employing agency" means the state or any political subdivision of the state considering employing an applicant as a law enforcement, jail or secure detention officer or any tribal law enforcement agency considering employing an applicant as a tribal law enforcement officer.

(23) "Recruit" means a law enforcement, tribal law enforcement, jail or secure detention 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.

(24) "Salary" means base salary, plus fringe benefits not to exceed 15% of the base salary figure, but not including overtime, for the period specified in s. LES 3.01 (1) (a).

(25) "Secure detention officer" means any person employed by any political subdivision of the state to supervise, control or

maintain a secure detention facility or the persons confined in a secure detention facility. "Secure detention officer" includes officers regardless of whether they have been sworn regarding their duties or whether they serve on full-time or part-time basis.

(26) "Termination of employment" means complete termination of relationship between employer and employe. Any employer approved leave of absence or suspension, caused by medical, military, educational, or other reasons shall not cause a termination of employment.

(27) "Tribal law enforcement officer" means a person who is employed by a tribal law enforcement agency for the purpose of detecting and preventing crime and enforcing the tribe's laws or

ordinances and who is authorized by the tribe to make arrests of Indian persons for violations of the tribe's laws or ordinances and who agrees to accept the duties of law enforcement officers under the laws of this state.

History: Cr. Register, September, 1970, No. 177, eff. 10-1-70; am. (10), Register, January, 1974, No. 217, eff. 2-1-74; renum. (6) to (10) to be (8) to (12) and am. (11), cr. (6) and (7), Register, October, 1984, No. 346, eff. 11-1-84; correction in (8) and (10) made under s. 13.93 (2m) (b) 5., Stats., Register, October, 1984, No. 346; cr. (5m) and (13), Register, February, 1991, No. 422, eff. 3-1-91; correction in (6) made under s. 13.93 (2m) (b) 7., Stats., Register, February, 1991, No. 422; renum. (3) to (13) to be (5), (6), (11), (13), (16) to (19), (21), (23) to (25), ch. (3), (4), (7) to (10), (12), (14), (15), (20) and (22), Register, August, 1993, No. 452, eff. 11-29-93; renum. (1) and (25) to be (1m) and (26), cr. (1), (25) and (27), am. (3), (19), (22) and (23), Register, November, 1997, No. 503, eff. 12-1-97; **corrections in (10), (12) and (16) made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1999, No. 528.**