



Van H. Wanggaard

Wisconsin State Senator

January 11, 2024

Testimony on Senate Bill 829

Thank you committee members for hearing Senate Bill 829 today. This bill will allow licensed Tactical Emergency Medical Services (TEMS) professionals to legally possess and discharge a firearm while acting in the line of duty.

In extremely high-risk emergencies, such as active shooter situations, specialized law enforcement departments, such as SWAT teams are utilized. Likewise, there are medical professionals that specialize in responding in especially dangerous situations. In Wisconsin, we refer to them as Tactical Emergency Medical Services professionals. TEMS professionals are highly trained and licensed through the Department of Health Services.

In Wisconsin, we have a number of limitations on who can possess a firearm. State law also prohibits individuals from possessing a firearm in some locations such as state fish hatcheries, wildlife refuges, and school zones. However, there are exemptions for certain people including current and former law enforcement officers. SB 829 adds TEMS professionals to that list.

The bill also adds TEMS professionals to the list of people exempt from the prohibition on carrying a concealed firearm. Others exempt include peace officers, law enforcement officers, and concealed carry permit holders.

It's important to note that this bill will not create a free-for-all that allows any EMS professional to carry a firearm. First, the bill creates a definition for what a tactical emergency medical services professional is. (Someone endorsed by DHS as someone who may provide medical services when operating as part of a tactical team.)

Second, it charges the Law Enforcement Standards Board (LESB) with creating required standards and certifying qualified TEMS professionals. This ensures they will undergo firearm training and annual certification.

Lastly, because this bill allows a new group of professionals to carry and potentially use firearms, the bill incorporates TEMS professionals into the law enforcement use-of-force law.

Thank you again committee members for hearing Senate Bill 829. I urge you to support its passage.

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RON TUSLER

STATE REPRESENTATIVE • 3rd ASSEMBLY DISTRICT

Testimony on Senate Bill 829

Senate Committee on Judiciary and Public Safety

01/11/2024

Chair Wanggaard and members of the Senate Committee on Judiciary and Public Safety,

Thank you for hearing testimony on Senate Bill 829, relating to allowing a tactical emergency medical services professional to carry a firearm in prohibited areas.

When shootings occur, Tactical Emergency Medical Service (TEMS) professionals only have minutes to administer life-saving first aid to officers and victims. Oftentimes, TEMS professionals have to enter an active scene that is dangerous and unpredictable which can put their lives at risk. Current law prohibits a person from carrying a firearm in certain places, including public buildings such as police stations, jails, courthouses, and school zones, as well as in places that have clear signage of the prohibition of firearms. Current law also makes many exceptions, including an exception for law enforcement officers acting in the line of duty. This bill adds an exception for TEMS professionals that mirrors the exception for law enforcement officers and requires the same handgun operation training from the Law Enforcement Standards Board.

This bill came about from TEMS professionals in Appleton who reached out to us because they were fearing for their safety when responding to dangerous active scenes. This bill is a result of significant collaboration with TEMS professionals and law enforcement officers statewide. Additionally, we've found that Florida and Ohio have implemented similar exceptions to this bill.

In closing, by passing this bill we have the opportunity to ensure the safety of TEMS professionals responding to dangerous emergencies by allowing this exception which has already been proven with law enforcement.

Thank you for your consideration.



To: Members, Senate Committee on Judiciary and Public Safety
From: Badger State Sheriffs' Association (BSSA)
Wisconsin Sheriffs and Deputy Sheriffs Association (WS&DSA)
Date: January 11, 2024
RE: Testimony for information only on SB 829

Our organizations submit these comments for information only on Senate Bill 829, relating to: allowing a tactical emergency medical services professional to carry a firearm in prohibited areas.

We understand the issue being addressed in this bill, but our organizations are concerned that a rescue service or fire service agency (it could be a volunteer EMS or fire department) would seek to certify members as TEMS professionals. That could lead to issues at scenes, in which law enforcement is in charge and in the process of resolving, when members of a rescue service or fire service agency show up with good intentions, with a firearm, and not knowing what we are doing or why we are doing it.

BSSA/WS&DSA request that the language indicates that a Sheriff or Police Chief for the jurisdiction in which the TEMS professional is authorized to carry out such duties and must have authority and responsibility over the team on which they are authorizing the TEMS operator to carry a weapon, shall approve of the person for certification.

We are working with the authors to develop an amendment to address our concern.

The Badger State Sheriffs' Association represents all of Wisconsin's 72 elected county sheriffs. The Wisconsin Sheriffs and Deputy Sheriffs Association is a professional organization representing over 1,000 members, including sheriffs, deputies, and jail officers. Our organizations have a joint legislative committee and work closely on public safety issues of concern to our members.

To: Senate Committee on Judiciary and Public Safety
From: Adam Paiser, City of Appleton Tactical Medic
Re: Testimony on Senate Bill 829
Date: January 11, 2024

Chair Wanggaard and committee members,

It is my honor to testify in support of Senate Bill 829, relating to allowing tactical emergency medical service professionals to carry a firearm in prohibited areas.

This proposed legislation has been brought forth after years of careful consideration and judicious implementation with how to best protect the tactical medics who serve our communities. Most of the emergency medical care professionals who are providing tactical medicine to attached Law Enforcement SWAT and Specialized Tactical Teams are comprised of unarmed non-law enforcement members. These professionals most often are full-time firefighters or private emergency medical services members who find themselves carrying a firearm under the Wisconsin CCW law. Current WI CCW Law does not allow anyone outside of Law Enforcement to carry a firearm in schools, school zones, private or public universities or colleges, government buildings, posted public companies or taverns. Because these armed tactical professionals are not sworn law enforcement, they are not provided with similar provisions within the CCW Law. When tactical medical professionals like myself are working with our local law enforcement agencies we find ourselves in working in and around many of these establishments.

The primary goal when attached to these specialized teams is to provide medical care at the point of injury. Having a tactical medical professional on scene at the point of injury saves civilian and officers lives, improves officers' moral and mental focus thus allowing them to perform their job functions safer. Then when we permit these professionals to carry firearms much like their law enforcement partners, it allows them to defend themselves, fellow officers and any patients or victims they are called to treat.

When it comes to selection, training and retention of tactical professionals, we have worked with multiple tactical leaders, city, county and state attorneys as well as Wisconsin DOJ to ensure maintaining the upmost safety for all parties involved. The intention of this legislation would be to allow only active members who are appointed to a law enforcement tactical team the ability to carry a firearm.

Thank you for the opportunity to speak in support of this proposed legislation today. With moving this bill forward we will be saving more lives in the state of Wisconsin by giving specialized teams the ability to have tactical emergency medical professionals on hand to care for those at the point of injury.

Sincerely,



Adam Paiser
Firefighter, Tactical Medic
City of Appleton

To: Senate Committee on Judiciary and Public Safety
From: Todd Peters, Retired Lieutenant/SWAT Commander Appleton Police Department
Re: Senate Bill 829
Date: January 11, 2024

Chair Wanggaard and committee members,

It is my honor to testify in support of Senate Bill 829, relating to: allowing a tactical emergency services (TEMS) professional to carry a firearm in prohibited areas.

I began my law enforcement career 34 years ago. In that time, I served 28 years on the Appleton SWAT team, retiring as SWAT Commander, in December 2023. For over 20 years the Appleton PD has had an established TEMS unit attached to SWAT. The original staffing involved a police officer who was also a licensed paramedic. Upon his 2012 retirement, we lost the ability to have an armed TEMS professional attached to our SWAT team. Recognizing the critical need, APD entered into an agreement with the Appleton Fire Department, to staff the TEMS unit with a Firefighter/Paramedic.

Adam Paiser, who is with me today, was a founding member of that group. The APD TEMS program currently consists of four Firefighter/Paramedics. Under a Memorandum of Understanding (MOU) between APD and AFD, these TEMS professionals operate in an armed capacity.

Pursuant to the MOU, the Police Chief grants permission for duly qualified TEMs Officers to carry a firearm into public buildings. However, current CCW law does not allow non-law enforcement TEMS professionals to possess a firearm in other restricted areas, as defined by law. We are here today because we recognize the limitations of this MOU; restricting our TEMS professionals from carrying firearms into prohibited areas. The MOU does not address the exceptions defined in the current CCW law.

Historically the mindset of law enforcement was to contain the situation and activate SWAT. One tragic event that changed that mindset was the Columbine active shooter incident that occurred on April 20, 1999. That incident forced a change in training and response protocols to active shooter events. The intervention by first responding officers, tactical teams and armed TEMS professionals, allows for a more immediate response to care for victims at the point of injury and ultimately save lives.


This important proposed legislation would allow TEMS professionals to go armed in prohibited areas while operating as part of a tactical team.

This bill includes the requirement that the Wisconsin Law Enforcement Standards Board (LESB) establish minimum training standards in handgun operation and qualification to certify armed TEMS professionals. This will ensure that the armed TEMS professionals, attached to these tactical teams, will meet the training standards required for law enforcement officers.

When a critical incident occurs, in which time equals lives, the immediate intervention of tactical officers, and TEMS professionals will save lives. A well trained armed TEMS professional has many advantages. These include their ability to provide security for themselves and for the casualties under their care; enhanced provider safety while inside the danger (hot) zone; and reducing the number of officers assigned to force protection for medical personnel. Senate Bill 829 addresses the current law that prohibits TEMS professionals from going armed in prohibited areas.

Thank you for the opportunity to speak before you today. The abilities of our TEMS professionals to save lives at the point of injury is greatly improved with passage of this bill.

Respectfully,



Lieutenant Todd Peters (retired)
SWAT Commander
Appleton Police Department