



PATRICK TESTIN

STATE SENATOR

DATE: January 16, 2018
RE: Testimony on 2017 Senate Bill 403
TO: The Senate Committee on Judiciary and Public Safety
FROM: Senator Patrick Testin

I would like to thank Chairman Wanggaard and fellow members of the Senate Committee on Judiciary and Public Safety for allowing me to testify today on Senate Bill 403.

Under current law, the Wisconsin Law Enforcement Standards Board (LESB) sets the standards for recruitment, education and training for law enforcement. The board can certify and decertify law enforcement, tribal law enforcement, jail or juvenile detention officers. They also set standards and develop curriculums.

SB 403 extends the Wisconsin Law Enforcement Standards Board oversight to establish minimum recruitment standards and minimum admission and training standards for a law enforcement officer (LEO). SB 403 creates an employment file, which contains job performance and disciplinary information, for each LEO and requires the file to be transferred to a potential new law enforcement agency employer after the interviewing candidate provides written authorization.

Currently, law enforcement agencies are permitted to enter into non-disclosure agreements, which prevents a hiring agency from seeing all of the information in a candidate's file. Thus, these agencies are not able to receive all of the information they might need on a candidate to make a hiring decision. This bill honors current nondisclosure agreements but prohibits their use going forward. SB 403 will ensure that the hiring agencies know exactly who they are hiring and creates uniform minimum standards across law enforcement fields.

Thank you again Chairman and members of the committee for hearing my testimony. I hope you will join me in supporting SB 403.



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Dear Senator Wanggaard and Committee Members,

Thank you for holding this public hearing on Senate Bill 403. This bill makes certain changes to the responsibilities of the Law Enforcement Standards Board. But first a little background. The Law Enforcement Standards Board is an arm of the Training and Standards Bureau of the Wisconsin Department of Justice. The Training and Standards Bureau is a 34 member group that is responsible for staffing the Law Enforcement Standards Board, which establishes minimum training requirements for law enforcement officers.

Under current law, the Law Enforcement Standards Board regulates the training of law enforcement officers.

This bill extends the responsibilities of the Law Enforcement Standards Board to regulate jail, and juvenile detention officer training requirements, and also makes some changes to the recruitment standards for new law enforcement, jail and juvenile detention officers.

SB 403 also standardizes recruitment practices for all preservice students and recruits; it creates an employment file for employees as they move between agencies, and requires the officer to disclose the contents of their file to the law enforcement agency intending to hire them. It also allows the hiring agency to orally interview other departments and explicitly states that no agency is liable by participating in an oral interview. The bill honors current nondisclosure agreements, but prohibits their use going forward. This bill also gives the Board power to decertify individuals if they believe certification is not appropriate, and finally the bill contains a cleanup and re-ordering of the statutes.

Other aspects of the bill include adding the Marquette University Police Department to the definition of "Law Enforcement Agency".

Senator Testin and I have introduced this bill at the request of the Wisconsin Department of Justice and it is supported the Department of Corrections, Badger State Sheriffs' Association, Marquette University, Wisconsin Chiefs of Police Association, Wisconsin Professional Police Association, and the Wisconsin Sheriffs and Deputy Sheriffs Association.

Thank you for holding a public hearing on Senate Bill 403.



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 16, 2017
RE: Support for Senate Bill 403, relating to the responsibilities of the Law Enforcement Standards Board

Our organizations submit these comments in support for Senate Bill 403, which will update practices of the Law Enforcement Standards Board (LESB) and streamline hiring practices for law enforcement.

Badger State Sheriffs' Association (BSSA) is a statewide organization representing all of Wisconsin's 72 Sheriffs and Wisconsin Sheriffs and Deputy Sheriffs Association (WS&DSA) is a statewide organization representing over 1,000 members, including Sheriffs, Deputies, and jail officers. BSSA and WS&DSA have a joint legislative committee and work closely on public safety issues of concern to our members.

Under current law, the Wisconsin LESB sets standards for recruitment, education, and training for law enforcement. LESB also can certify and decertify law enforcement, tribal law enforcement, jail, or juvenile detention officers. LESB is an important regulatory body for law enforcement, ensuring minimum standards and developing valuable curriculum. SB 403 extends LESB oversight to also regulate jail and juvenile detention officer training standards, thereby further unifying minimum standards across law enforcement fields.

The bill also enhances the recruitment process for law enforcement. SB 403 will allow law enforcement hiring agencies to conduct more thorough background checks on candidates who currently hold, or have held law enforcement, jail, and/or juvenile detention officer positions elsewhere in the state.

The bill creates an "employment file" for each law enforcement officer and requires that files can be transferred after the interviewing candidate signs a written waiver authorization to disclose the candidate's employment files. Complete with job performance and disciplinary information, these files will ensure that the hiring agency has accurate information about the candidate. If the candidate refuses to sign the waiver authorizing access to their current or past employment files, they become ineligible for employment as a law enforcement or jail officer. This process ensures that information is shared and officers with a problematic history cannot hide behind non-disclosure agreements.

BSSA and WS&DSA fully support this legislation and encourage committee approval.