



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

July 7, 2017

TO ALL MEMBERS OF THE PUBLIC SAFETY COMMITTEE:

**Scottie Ard
Jim Jackson
Ron Volkert**

There will be a meeting of the Public Safety Committee on Tuesday, July 11, 2017, at 5:00 p.m. in the Training Room of the Fire Department, Street, New Richmond, WI.

Agenda:

- 1. Roll Call**
- 2. Adoption of Agenda**
- 3. Approval of the Minutes from the previous meeting on March 8, 2017**
- 4. Traffic Control Sign Demonstration – Fire Department**
- 5. Traffic Conditions in New Richmond**
- 6. Traffic Tamers**
- 7. Wisconsin VFW State Parade**
- 8. Parade Permits - Set Consistent Annual Due Date for all Applications**
- 9. Firearms Sales**
- 10. Mission Statement**
- 11. Retirees Credentials and HR218 Information**
- 12. DAAT Policy Review – Specifically Baton Use**
- 13. K-9 Update**
- 14. Communications and Miscellaneous**
- 15. Adjournment**

**Mike Darrow
City Administrator**

Copies:

Fred Horne

Jim VanderWyst

Northwest Community Communications

Matt Melby

Craig Yehlik

The News

City of New Richmond Website

A majority of the members of the New Richmond City Council may be present at the above meeting. Pursuant to State ex rel. Badke v. Greendale Village Board, 173 Wis. 2d 553, 494 N.W. 2nd 408(1993) such attendance may be considered a meeting of the City Council and must be notices as such, although the Council will not take action at this meeting.

PUBLIC SAFETY COMMITTEE MEETING

March 8, 2017

Members Present: Scottie Ard and Jim Jackson

Members Absent: Mike Montello

Others Present: Craig Yehlik, Mike Darrow, Jim VanderWyst and Jeanne Bergman

Scottie Ard called the meeting to order at 4:34 p.m. Roll call was taken.

Jim Jackson moved to adopt the agenda as presented, seconded by Scottie Ard and carried.

Jim Jackson moved to approve the minutes from the previous meeting of January 9, 2017, seconded by Scottie Ard and carried.

Loyalty Day Parade Update

Loyalty Day embraces everyone's commitment to the United States and honors those who have served our county. The Loyalty Day Parade will be held on Saturday, May 6. This year's theme is "Loyalty - Is a Community of Character". Scottie Ard explained the goal is to expand ways Loyalty Day can empower other programs. Letters and emails have gone out and Scottie has visited with downtown businesses and other members who will be participating in the parade. More information can be found on Facebook and other media sources. Mike Darrow suggested the Public Safety Committee annually review an advance parade schedule for budgeting and staffing purposes. Discussion took place on parade routes. Additional alternative routes will be a topic on the next agenda.

Community of Character

Craig Yehlik reported that interest in the Community of Character committee has been challenging due to time constraints and people's busy schedules. The Police Department is vested in the Community of Character program and hopes to be a leadership role. Craig explained they hope to "leap frog" the program off the Loyalty Day Parade.

K-9 Fundraising Update

Jim Jackson reported K-9 t-shirts sold out immediately. T-shirts have been for sale at Bernard's and WESTconsin, and both businesses are reporting waiting lists. Upcoming K-9 fundraisers include:

- Burger Night at Champs on April 11
- Fun Run/5K in May
- Cook-offs in June and September
- Funfest in July
- National Night Out in August

The 9" German Shepard plush dogs with police logos have been ordered; they will be available for purchase for \$20 each. Designer Logo is donating 150 bandanas that will be sold for \$5 each. Craig Yehlik also donated 100 bandanas. The New Richmond High School dance team will be helping sell the t-shirts (approved by dance coach Ali Sirek and Administrator Patrick Olson). Jim also reported that Countryside Vet Clinic donated all of the veterinarian services for the K-9 unit. Wisconsin non-profit organization "Vest a Dog" donated a K-9 vest. The owner of a container store in Hudson offered to donate a large container that he will deliver to the Police Department for citizens to recycle scrap metal, grills, car batteries, and things like that. The owner of the container store will also pick up the container and deliver it to a recycling plant; the money given by the recycling plant for the scrap items will go directly to the K-9 unit. Having citizens bring their old pieces will also help clean things up around New Richmond and work toward maintaining "The City Beautiful". Scottie suggests finding out what items cannot be recycled so we can let citizens know what is acceptable and what is not acceptable. Mike Darrow thanked Craig for all of his K-9 fundraising efforts. Other possible donations that may be coming through are Kwik Trip and local families.

Review/Approval of Police Policy and Procedure Updates

1.) ***Personal Appearance Policy for the Police Department.*** Craig stated the Police Department worked with Kari Kraft to make sure they are in compliance with the current rules and regulations. Jim Jackson made a motion to approve the Personal Appearance policy and procedures, seconded by Scottie Ard and carried.

2.) 1019.1 Uniform Regulations

There was considerable discussion about the police uniforms. The initial discussion revolved around the cost and number of uniforms for each officer. Craig stated each officer should have six uniforms. Each initial uniform investment is \$2,000 with an additional \$550/year. The last three new hires have gone over the \$2,000 initial budget and had to pay out of pocket (\$200 - \$300 or more). There are also coats, hats, badges, etc. that need to be purchased. Craig stated the current uniform allowance (in the union contract) of \$2,000 is not sufficient. Craig would like to renegotiate this budget when the contract gets discussed/renewed this year. There aren't many uniform vendors in the area; the police department uses the same vendor each year. Craig stated one of the big changes under the uniform allowance would be whether officers could purchase firearms using the uniform allowance. Officers can purchase one firearm every five years for the purpose of off-duty use. Craig wondered if the purchase of firearms should be part of the uniform allowance like it used to be. Not many officers carry firearms off-duty anymore because the SIG Sauer are fairly cumbersome and hard to conceal and they don't make many holsters for them anymore. One option Craig presented would be to replace the Sigs w/ Glock 43s. The Glock 43 is smaller but still has the accuracy of the SIG. Craig wonders about buying the initial Glock 43s through the City through the start-up funds = \$411.00 per gun. It could come out of the Chief's firearm budget and the money could be deducted throughout the course of the year from the officers' paychecks. The cost for the second guns would be approximately \$6500. Craig wants to encourage officers to carry firearms off-duty. This item can be added to the next agenda – need to gather and present more information.

1019.2.61 requires officers to wear bulletproof vests and soft body armor, however, it is not stated in the Uniform Regulations that the cost for these items is to come out of the start-up budget. Scottie suggests adding it to the language. Craig will double-check.

Craig talked about two additional items on the uniform policy. Craig proposed allowing loadbearing vests, which would help with back strain and overall wellness and movement of officers. Craig also proposed allowing cargo pants for officers while on patrol duty (not for court). Neither the loadbearing vests nor the cargo pants would not be mandatory; they would be optional purchases out of the uniform allowance. Scottie mentioned possibly doing a public relations piece about the uniform changes.

Jim Jackson moved to approve the changes to the Uniform Regulations as discussed, seconded by Scottie Ard and carried.

3.) Firearm Policy

Craig stated that in order for the Police Department to receive state funding, every officer has to pass the State's mandated shooting qualifications once a year. In past years, former Chief Samelstad required officers to pass the test every time they went to the shooting range (shotgun, rifle, handgun), which was five times a year. Craig would like to revisit this. He discussed this with Officer Noel, Officer Kastens, and Lieutenant Koehler and they propose passing the State qualifications once in the daylight and once in the dark each year. Craig discussed how and where the practice shootings are handled.

Scottie Ard made a motion to approve this firearm policy as amended, seconded by Jim Jackson and carried.

Glock Firearm Purchase

The New Richmond Police Department has been using Sig Sauer firearms for many years. The Sig Sauers will soon need to be replaced due to the shelf life of the night sights, which prompted Officer Jason Noel to start researching replacement firearms. The cost to replace the Sig Sauers is approximately \$250 per firearm. The Sig Sauers have a limited range of accessories. Officer Noel found Glock firearms meet or exceed all needs of the police department and are less than half the cost of the Sig Sauer firearms. The Glock firearms are also smaller and lighter than the Sig Sauers. The ammunition is less expensive for the 9mm Glock than the Sig Sauers. Trade-in value for the Sig Sauers is approximately \$150 per firearm. Craig wondered about the officers possibly buying the firearms for their personal use for approximately \$425-\$450. Scottie also suggested an on-line auction as a possibility. Craig wondered if the officers could have first opportunity to purchase the old firearms. Scottie suggested bringing this item to the next work session. Craig will review the policy and research the possible resale purchase price to the public.

Jim Jackson made a motion to have the uniform, firearm and personal appearance policies go into effect immediately, as long as the union doesn't object, seconded by Scottie Ard and carried.

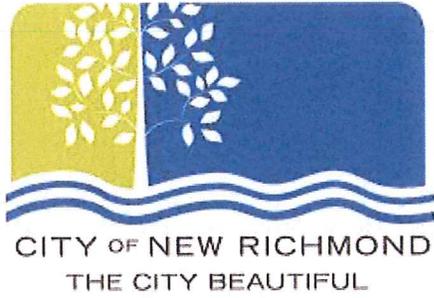
Communications and Miscellaneous

None

Scottie Ard moved to adjourn the meeting, seconded by Jim Jackson and carried.

Meeting adjourned at 5:55 p.m.

Minutes by Lori Brinkman



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TO: Public Safety Committee
FROM: Scottie Ard, Council Member
DATE: July 7, 2017
RE: Traffic Control Sign Demonstration

Background

The New Richmond Fire Department will give a demonstration on new traffic control signs.

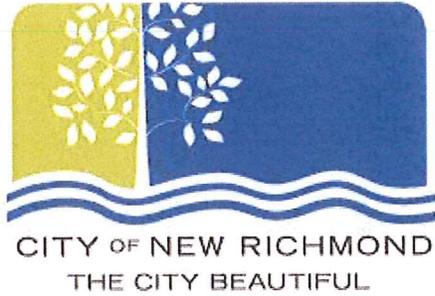


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TO: Public Safety Committee
FROM: Scottie Ard, Council Member
DATE: July 7, 2017
RE: Traffic Conditions in New Richmond

Background

Citizens have made several complaints regarding traffic conditions around the City. This will be a time for these citizens to relay their concerns to the Committee.

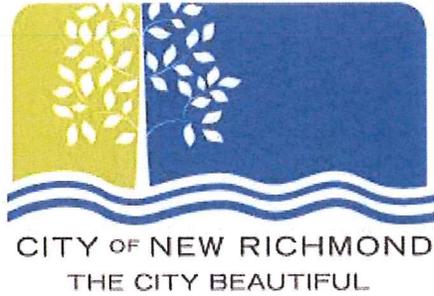


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TO: Public Safety Committee
FROM: Scottie Ard, Council Member
DATE: July 7, 2017
RE: Traffic Tamers

Background

Hudson has a traffic tamers program that involves volunteers who are trained to spot traffic violations. They are placed in various areas known for many violators. These people write down the license plate number, date, time and type of violation. Then a courtesy letter is sent from the Police Department informing them of the violation and asking them to remember to drive safely. The Committee can discuss whether this is something we want implement in New Richmond.



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TO: Public Safety Committee
FROM: Scottie Ard, Council Member
DATE: July 7, 2017
RE: Wisconsin VFW State Parade

Background

The Wisconsin VFW State Parade for Loyalty Days will be in New Richmond in April of 2018. A large crowd is expected to attend, so this group needs to discuss plans to accommodate them along with any other input to help get ready for this event.



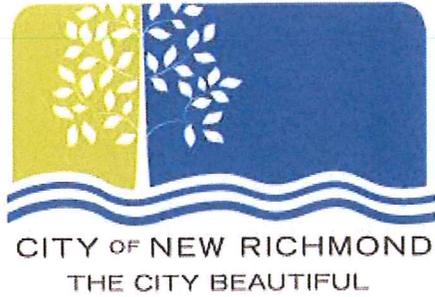
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TO: Public Safety Committee
FROM: Scottie Ard, Council Member
DATE: July 7, 2017
RE: Parade Permits – Set Annual Date for All Applications

Background

Currently when a group is planning to have a parade, they submit the application to the City and it is forwarded to the Police Department to apply for the State permit. The State requires 90 days to approve the permit. Sometimes this time frame is cut very close.

We could set a date annually for all parade permits to be submitted so the Police Department has plenty of time to acquire the State permit for the event.



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MEMORANDUM

TO: Public Safety Committee
FROM: Craig Yehlik, Chief of Police
DATE: July 6, 2017
SUBJECT: Firearm Sales

Original Memo from March 2017

Background

New Richmond Police Department has been utilizing Sig Sauer handguns for many years. Sig Sauer used to be a division of Sig Packaging and the original Sig Sauer handguns were donated to the police department many years ago.

In approximately 2008 New Richmond Police Department upgraded from Sig Sauer 9mm to Sig Sauer 40 caliber handguns with night sights. The shelf life of the night sights is approximately 10 years so we are nearing the end of the life which would require replacement (approximately \$250 per firearm) The department also has had a Sig Sauer Armorer (Chief Yehlik) for the past 12 years. Chief Yehlik's Armorer Certification has expired.

In 2016 Firearm instructor Jason Noel did some research and Glock Firearms meet or exceed all needs of the New Richmond Police Department at less than half the cost of a new Sig Sauer Firearm. There are also more holsters and accessories for Glock handguns.

Glock handguns are single-action handguns and Sig Sauer handguns are double-action handguns which means there is no hammer on a Glock so each round from first to last fires the same. The Glock is also much lighter in weight (loaded Glock is approximately 32 ounces, vs. unloaded Sig approximately 32 ounces) and carries more ammunition per magazine than the Sig (17 verse 12 per magazine)

With new ballistic information between 9 mm and 40 caliber ammunition it is desirable to go to a 9mm handgun. The recoil is much less and the penetration is as good as the 40 caliber. This translates into more rounds on target and less rounds down range striking objects or innocent people there for reducing liability. 9mm ammo is usually cheaper and more plentiful than 40 caliber 9mm is also less

likely to over penetrate. Glocks have variable style grips to fit each officer's hand and are available with night sites.

Glock Proposal

New Richmond Police Department has requested quotes from various police supply stores and has found that Glock offers pricing through the police supply stores at a set rate of \$409 each Glock 17 Gen IV, which would come with night sights and three magazines. This is a set price from Glock and is apparently \$5 under cost.

Analysis

With no certified Armorer on the agency it is desirable change firearms and get a new Armorer trained in on inspection and repair of Glocks. As the price of Glocks in the long run will save the City a lot of money in firearms purchases as they are less than half the cost of a Sig Sauer.

We currently have 16 sworn officers carrying Sig Sauer and have 3 spares in case of damage, malfunction or officer involved shooting.

The price of 9mm ammo is less expensive than 40 cal ammo.

The Glock is much lighter than the Sig and carries more ammunition

Quotes were also received that included trading in the Sig Sauer handguns; trade in value was approximately \$375 per firearm.

New Information

In checking with a local Federal Firearms Dealer (Russell's Sport and Bike), owner Rick Connors advised that he has purchased firearms from local agencies in the past and this is how he said he writes up the proposal to give each officer the first right of refusal for the firearm.

Rick or an associate would come and inspect all firearms and make an offer to purchase all of the firearms in the lot. He would then offer them back to the officer with a slight mark up (usually around \$20) with the officer also having to pay the mandatory transfer fee. Rick would then be able to sell any of the firearms not claimed by the officers with first right of refusal in his store.

I checked with the St. Croix County Sheriff's Department and they advised that is how they have sold their firearms in the past which gives the officer's first right of refusal but sends the firearm to the highest bidder.

Action by PSC

Due to the bids being old, we would like to authorize Detective Noel to make sure the Glock prices are valid and put out an RFP to Federal Firearms Dealers to obtain bids for trade for the Glocks, with a set price of first right of refusal back to the officers of the New Richmond Police Department.

Once the final numbers come in, and if budgeted for in 2018, this would be on a future council agenda for full council approval.



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MEMORANDUM

TO: Public Safety Committee
FROM: Craig Yehlik, Chief of Police
DATE: July 6, 2017
SUBJECT: Mission Statement

Background

The previous police administration had a very lengthy mission statement. As a new administration moves forward it was decided to take a look at the old mission statement and perhaps come up with a new, more direct statement that reflects the direction of the police department and offers some core values for officer to see on a daily basis.

Recommendation

Review the mission statement and core values, offer any suggestions and approve to be added to the policy manual in place of the old mission statement.



New Richmond Police Department

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(715) 246-6667 Office (715) 246-4370 Fax*

*Craig Yehlik
Chief of Police*

*Veronica Koehler
Lieutenant*



The mission of the New Richmond Police Department is to:

“Build community partnerships through positive interaction, education and excellence in policing”

The New Richmond Police Department will be leaders within our community. We will be a model for integrity, service, innovation and excellence. As members of the New Richmond Police Department our personal and professional values will be reflected in the performance of our daily duties and in all interactions within our community and organization. We will adhere to our core values, commit to them daily and use them as guiding principles to ensure health, safety and general welfare of all citizens.

Integrity: We recognize the complexity of police work and exercise discretion in ways that are beyond reproach and worthy of public trust. We are honest in words and actions. We demonstrate self-discipline, particularly when no one is watching.

Respect: We treat all individuals that we have contact with DIGNITY. We are committed to a work environment that is safe and open. We recognize and support individual talents and strengths of our fellow employees, and we recognize success.

Trust: We believe in reliability and truthfulness and the abilities and strengths of those around us. We strive to be trustworthy in everything we do.

Professional development and growth: We recognize that our employees are our most valuable asset and we are dedicated to their mental and physical well being. We constantly strive to provide opportunities for all of our employees to enhance their personal lives and overall job satisfaction. We recognize that this is a shared responsibility and we encourage and support the initiative of all employees to seek out and obtain additional training and education.

Accountability: Each member of the New Richmond Police Department is responsible for the quality of our performance and for the reputation and morale of the department. We are committed to conducting ourselves in accordance with our Oath of Honor.

Synergy: We will be a part of the team that is the City of New Richmond. We will accomplish great things working together.

Diversity: We recognize that respecting the inherent differences in people is essential to creating an all inclusive organization and community.

Courage: We accept our moral responsibility to take action against injustice and wrongdoing. We will stand in the face of danger and against actions which compromise our core values.

Adaptability: We will adapt in an ever changing environment and bring quality, forward thinking police work to the community. We will seek extraordinary solutions to new, unique challenges within our city.

Competence: We will be knowledgeable and proficient in the most up to date police strategies and skills. We will meet professional standards for service, education and performance.

New Richmond Police Department

Policy Manual

NEW RICHMOND POLICE DEPARTMENT MISSION STATEMENT

The "Mission" of the New Richmond Police Department is the preservation of public safety and peaceful order. This shall be primarily performed through the prevention and detection of crime, the apprehension of offenders, the protection of persons and property, and the enforcement of the laws of the State of Wisconsin and the ordinances of the City of New Richmond. For these purposes, the Police Officers are endowed with legal authority. In the exercise of this authority, justice and equity shall be the primary motive.

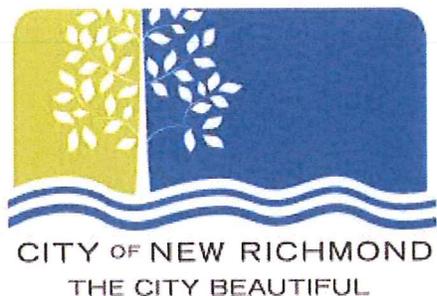
The primary emphasis of the Department shall be on public safety, specifically by maintaining law enforcement presence, rapid responses to calls for service through investigation and resolution of criminal acts and timely apprehension of violators of the law.

These goals will be accomplished by each member of the New Richmond Police Department and expected to perform their duties in an efficient, honest and professional manner. Members of the Department are to act in the interest of public safety and are to conduct themselves in an impartial manner.

The New Richmond Police Department must work with and for the citizens as much as it serves the government. The Police Department must strive to assist citizens in developing communities that are livable places where citizens do not have to be afraid of being abused, attacked, placed in jeopardy of injury or denied fair treatment.

The Police Department's methods must stress cooperation with citizens based on trust rather than fear and they must emphasize prevention of crime as well as suppression of crime. The Police Department is concerned about obtaining voluntary as well as forced compliance with the laws.

The existence and effectiveness of the Police Department depends on public approval of police actions and behavior and in general on the Police Department's ability to secure and maintain the public's respect.



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MEMORANDUM

TO: Public Safety Committee
FROM: Craig Yehlik, Chief of Police
DATE: July 6, 2017
SUBJECT: Retiree's credentials/ID Card and HR218 Information

Background

Under previous administration Retirees have been issued a retired identification card but has not been offered any qualifications shoots for retirees, which would then authorize those retired from NRPD to carry a concealed weapon almost anywhere in the United States. Recently two retired officers of the New Richmond Police Department have requested this policy be reviewed and offer retiree's qualification shoots so they may have the proper credentials to carry concealed weapons under HR218 which is a law from 2011 under the Law Enforcement Officer Safety Act.

Our current Policy is as follows

208.1 PURPOSE AND SCOPE

Federal

The purpose of this policy is to outline the legal authority for retired and former law enforcement officers meeting certain criteria to carry concealed weapons and to provide guidelines associated with the issuance of a firearms qualification certificate to a qualified former New Richmond Police Department officer (Law Enforcement Officer Safety Act Improvements Act of 2010 (LEOSA), 18 USC § 926C; Wis. Stat. § 175.48 et seq.; Wis. Stat. § 941.23).

208.1.1 DEFINITIONS

Federal

MODIFIED

Definitions related to this policy include:

Certification card - A card complying with Wis. Stat. § 175.49 indicating:

- The card holder has met the standards for qualification established by the Law Enforcement Standards Board (LESB).
- The qualification was conducted by a certified LESB firearms instructor.
- The type of firearm the qualified former law enforcement officer is certified to carry.
- The date of the qualification and an expiration date of the certification (12 months later).
- A statement that the issued person meets the criteria of a qualified former law enforcement officer under Wis. Stat. § 175.49.
- The qualified former law enforcement officer's full name, birth date, residence address, photograph, physical description (including sex, height and eye color), and the name of our state.
- A statement that the certification card does not confer any law enforcement authority on the certification card holder and does not make the holder an employee or agent of this department.

The certification card may not contain the cardholder's social security number.

Proof of qualification - State-approved documentation evidencing a person has successfully completed a handgun qualification course as adopted by the Law Enforcement Standards Board (LESB) and conducted by a firearms instructor that is LESB-certified.

Qualified former law enforcement officer - An individual (including a former federal law enforcement officer) who meets the criteria of Wis. Stat. § 175.49 in that he/she:

- Separated from this Department in good standing as a law enforcement officer.
- Before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, prosecution or incarceration of a person for any violation of law and had statutory powers of arrest while serving as a law enforcement officer.
- Before such separation, had regular employment as a law enforcement officer for a total of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after any applicable probationary period due to a service-connected disability as determined by the Department.
- Has not been disqualified to be a law enforcement officer for reasons related to mental health.
- Has not entered into an agreement upon separation from the Department acknowledging that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- Is not prohibited by federal law from possessing a firearm.

208.2 POLICY

State

It is the policy of the New Richmond Police Department to facilitate compliance with federal and state law by providing a certification card when appropriate.

208.3 CERTIFICATION CARD

State

MODIFIED

If a qualified former law enforcement officer who was employed by the New Richmond Police Department provides the appropriate proof of qualification, the Department shall provide him/her with a certification card (Wis. Stat. § 175.49).

Prior to issuance of the certificate, the Department will conduct criminal and local agency background checks, including a check for convictions, wants or warrants, and any active court order (TIME/NCIC), to determine if the applicant is prohibited by state or federal law to possess or carry firearms, and will ensure that all other federal and state statutory requirements, including those related to firearms qualification, are met.

208.3.1 FEES

Best Practice

MODIFIED

The Department may charge a fee to verify eligibility for a certification card or for the renewal of a certification card. The fee will not exceed the costs the Department incurs in verifying eligibility or for issuing or renewing a certification card (Wis. Stat. § 175.49).

208.3.2 CARD REVOCATION

Best Practice

If the Department becomes aware that a person who was issued a certification card no longer meets all of the requirements for the card, the Department will send a letter to the cardholder indicating that he/she is no longer authorized to possess the card, and may not be authorized under authority of state law to carry a concealed weapon as a former law enforcement officer. The Department will also request that the card be returned to the agency within a specified period of time. If the card is not returned, the Department should consult with its attorney to determine what further action, if any, should be taken.

208.4 AUTHORITY TO CARRY CONCEALED FIREARM

Federal

Qualified former law enforcement officers who meet the applicable requirements and who carry a current certification card may be authorized to carry a concealed firearm in Wisconsin and other states (18 USC § 926C; Wis. Stat. § 941.23).

However, it is the sole responsibility of qualified former law enforcement officers who have been issued an identification card or certification card to be familiar with and follow all related local, state and federal firearm laws, including:

- a. **The Law Enforcement Officers Safety Act Improvements Act of 2010 (18 USC § 926C)**
- b. **State of Wisconsin concealed weapon laws (Wis. Stat. § 175.48; Wis. Stat. § 175.49; Wis. Stat. § 941.23)**
- c. **Self-defense and defense of others (Wis. Stat. § 939.48)**
- d. **Defense of property and protection against retail theft (Wis. Stat. § 939.49)**
- e. **Endangering the safety of others by use of a firearm (Wis. Stat. § 941.20)**
- f. **Carrying a firearm in a public building (Wis. Stat. § 941.235)**
- g. **Carrying a firearm where alcohol beverages are sold and consumed (Wis. Stat. § 941.237; Wis. Stat. § 941.23; 18 USC § 926C).**

In determining whether a former law enforcement officer is legally carrying a concealed firearm, officers should determine whether the person may be authorized under either federal law or state law, or both, to carry the concealed weapon.

208.5 PROHIBITION

Federal

No former law enforcement officer may be certified to carry a machine gun, a firearm silencer or a destructive device as defined in 18 USC § 926C and related statutes.

208.6 IDENTIFICATION CARDS

State

MODIFIED

The Department will not require an Officer to relinquish his/her photographic identification card when the Officer separates from service with the New Richmond Police Department, unless at least one of the criteria outlined in Wis. Stat. § 175.48(2) applies.

I have attached current information from the Wisconsin Law Enforcement Network and an article by Dan Marcou, who is a respected scholar in the Law Enforcement world.

Information from Wilenet

On November 1, 2011, [**2011 Wisconsin Act 35**](#) became law. This law provides a route for Wisconsin residents to legally carry a concealed weapon and clarifies the process for former officers who are eligible to carry a concealed handgun under the Law Enforcement Officer's Safety Act (HR218). More information on 2011 Wisconsin Act 35 is available [**here**](#).

Wisconsin residents who are former law enforcement officers may be eligible to carry a concealed weapon in two ways.

1. Obtain the concealed carry license available to the general public.
2. Obtain a "HR218" certification card available to qualified former law enforcement officers.

Former law enforcement officers may decide to obtain a concealed carry license, a HR218 certification card, or both. There are several differences between the two options. For example, the HR218 certification card is valid in all 50 states but a Wisconsin license is not recognized in many states. The HR218 certification is only valid for handguns and requires annual qualification and re-issue, while the Wisconsin license is valid for 5 years, does not require shooting, and includes electric weapons and billy clubs.

Option One: Wisconsin CCW License

Current and former law enforcement officers living in Wisconsin may apply for a regular [Wisconsin concealed carry license](#). This license merely requires proof of law enforcement training (or another firearms safety or training course such as hunter's safety, etc.). If you need proof of your Wisconsin law enforcement firearms training for this resident permit, [click here](#) for information on how to request it.

Option Two: HR218 / LEOSA Certification Card

If the former Wisconsin officer meets requirements, he or she may request his or her former law enforcement employer to issue a certification card which permits the former officer to carry a concealed handgun. (This certification card must be issued by the former agency--there is no statutory authority for firearms instructors to issue certification cards.) Former federal officers, and former officers of out-of-state agencies, residing in Wisconsin, may request a certification card through the WisDOJ.

- The requirements and process for all former officers is shown [here](#) (updated 11/17/2015).
- The LESB Handgun Qualification Standard can be found [here](#) (updated 12/2/2014).

On September 5, 2012, the Law Enforcement Standards Board approved a statewide handgun qualification standard. As a state standard, this course serves as the required qualification course for former Wisconsin officers requesting a certification card pursuant to s. 175.49(2)(a)2, or former federal and out-of-state officers requesting a certification card pursuant to s. 175.49(3)(a)2. Adoption of this standard means a retired officer living across

the state from their former agency can now complete the qualification process locally rather than returning to their agency to qualify.

- 2012 letter to Chiefs and Sheriffs explaining the Handgun Qualification standard: [letter](#).
- [This FAQ](#) explains why former officers must meet active duty firearm standards.

Current article on HR218

In March 2011, 63-year-old retired Burbank (Calif.) Police Officer Dennis Fischer was standing in line at the Sunland McDonalds. Parolee Ryan William Reese — whose robbery modus operandi was to strike fear into the hearts of witnesses by pistol whipping victims — sprung into action directly in front of the retired officer. Fischer initially tried to subdue Reese, but after becoming injured during the struggle the retired officer drew his weapon and shot the armed suspect in the chest. The suspect was killed and Fischer was credited with saving the lives of two dozen people present during the robbery attempt.

HR 218, “The Law Enforcement Officers Safety Act,” offers agency heads the option to arm their retiree’s, enabling them to save lives under the most dire of circumstances.

The Retired Officer Carry Classroom Presentation

Any “Retired Officer Law Enforcement Safety Act Firearms Class” (HR-218) should begin in the classroom. There is some crucial information that needs to be ingrained in each person in attendance. Authorized retirees in good standing are allowed to carry a concealed weapon in all 50 states (except in places where this is specifically prohibited, such as Federal Buildings). When retired officers are carrying concealed they need to:

RELATED FEATURE



HR 218 Explained

PoliceOne legal columnist Ken Wallentine delves into some of the legal subtleties of HR 218.

RELATED CONTENT SPONSORED BY

- 1.) Always be in possession of the unexpired “Law Enforcement Officer’s Safety Act Retired Officer Concealed Carry Authorization Picture Identification Card” (Wow! That’s**

a mouthful) issued by their department.

2.) Not be under the influence of alcohol or drugs.

3.) Successfully complete the retired officer carry firearms course recognized by their department, which must be offered every year.

4.) Follow any other requirements outlined in the individual department's policies and procedures.

The training should emphasize that all in attendance have served and there is no longer an expectation for them to throw themselves into the fray. In the event they find themselves in the vicinity of a crime in progress, when possible observe, exit, and report.

Tactically, retirees are not in a supremely wonderful position to effectively interdict crimes in progress. In these dangerous situations, they probably have limited ammunition, no vest, no authority, no long gun, no radio, and no back up coming to assist them. The department should point out that they also no longer enjoy a civil umbrella of protection as they did as officers. When they take action and win, they will be on their own for whatever civil litigation might follow, and a successful defense of a justifiable shooting can cost hundreds of thousands of dollars.

With that being said, there will be times that a retired officer will view conditions so desperate they will find themselves compelled to engage. The deadly force criteria should be covered and understood by all in attendance.

Retirees should be discouraged from becoming involved unless it is as a last resort, to protect their own lives, the lives of their family and or loved ones, or others from someone, who is presenting an imminent threat of inflicting death or great bodily harm.

On The Range

Upon stepping onto the range cleared weapons, magazines, holsters and ammunition should be inspected. Some weapons, ammo and holsters may create safety concerns and this should be determined prior to the loading of magazines and weapons. The holsters used should not be their old duty holsters, but those that will be carried by the retiree. Departments usually require that officers qualify with the weapon they will most likely be involved in a gun fight with. They should be taught to dress to conceal the weapon to enhance their tactical edge at the scene of any in progress emergency.

The course fired should emphasize the importance of proper shot placement (upper respiratory, central nervous system hits as well as head shots.) The course should utilize realistic targets and distances. It should include movement reloading and the proper utilization of cover. Retirees should be encouraged to carry a cell phone which allows them always to phone in "armed retired officer on scene," along with the location, circumstances, suspect description, conditions, and especially a personal description.

Verbalization

Most police training emphasizes verbalization (where appropriate), such as, "Police Don't Move!" Retired officers may decide not to verbalize before firing, depending on the

situation. If they verbalize before firing, retirees should be retrained to shout, “Retired Police Officer....”

After shooting, retirees like police officers should be trained to maintain cover while they scan to break up their tunnel vision and look for multiple adversaries.

Post shooting protocol can be practiced as retirees verbalize to citizens, “I am a retired police officer, call 911!” The need for retired officers to yield to the uniformed officers, when they arrive on the scene should be emphasized. Retirees should even be told to expect to possibly be handcuffed until the arriving officers sort things out.

Consider digitally recording the action on the range. It can help in documentation of the training as well as decisions to remediate. Department heads may not decide to issue cards to retirees, who do not achieve the identified minimum score or if a retiree shows an inability to handle the firearm in a safe manner. The natural process of aging can diminish the skills of even the best gun fighters. The toughest part of the class may be to take aside an elderly retiree and explain to them why they will not be issued a card.

The Call

Some chiefs and sheriffs are loath to offer a program such as this because of the “L word,” — liability.

The irony of taking this stance, however is, by offering no training it may be argued that the department may very well be potentially liable for all retiree’s. It is also worth pointing out the chief that does not authorize the program today will be the retired chief of the future that wished he would have.

The intent of the Law Enforcement Officer’s Safety Act was to save lives and it has. Thanks to this law you may someday find yourself responding to an in progress active shooter, when you hear this follow-up transmission, “Units responding, shots fired suspect is down. There is an armed retired officer on scene. He says he is wearing a World Champions, Green Bay Packer Jersey with the number 12 on it.”

Remember, you can’t be authorized to carry when you retire, unless you... retire.

So stay safe, stay strong, stay positive, and be careful out there.

About the author

Lt. Dan Marcou is an internationally-recognized, police trainer, who was a highly-decorated police officer with 33 years of full time law enforcement experience. Marcou’s awards include Police Officer of the Year, SWAT Officer of the Year, Humanitarian of the Year, and Domestic Violence Officer of the Year. Upon retiring, Lt. Marcou began writing. His Novels, “The Calling, the Making of a Veteran Cop,” “SWAT, Blue Knights in Black Armor,” “Nobody’s Heroes,” and Destiny of Heroes,” as well as his latest Non-Fiction Offering, “Law Dogs, Great Cops in American History,” are all highly acclaimed and available at Amazon

Recommendation

The New Richmond Police Department does not currently hold a retiree qualification shoot. Would the PSC like to explore New Richmond Police Department hosting qualification shoots for retiree's that separate in good standing. I would like to check with Nick Vivian on any potential Liability issues by either hosting or not hosting a shoot as stated in Dan Marcou's article. I also think there should be some language defining what "good standing" is. If the PSC wishes to move forward, I would also explore a written test covering many of the issues above and utilize not only the mandatory state qualification shoot but have additional courses of fire. I would also like to add that the retiree's are responsible for their own ammunition and will be charged a fee to cover the officers pay while on the range, targets costs, and any fees for the identification card, background investigation and administrative time.



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MEMORANDUM

TO: Public Safety Committee
FROM: Craig Yehlik, Chief of Police
DATE: July 6, 2017
SUBJECT: Defense and Arrest Tactics DAAT review – specifically Baton use

Background

The standard in law enforcement for at least the last 20 plus years has been to utilize a 26- inch expandable baton for on-duty carry. This is an impact weapon that is approved in the Wisconsin Defense and Arrest Tactics model and every officer has been trained in its use while attending the basic recruit school. Recruit schools are not training with the 26-inch wood baton and unless officers are specifically trained in riot control, no agencies to my knowledge are carrying a 26-inch wood baton.

The New Richmond Police Department historically carried a 26 inch Asp brand expandable baton on their duty belt while on duty. The former Chief of Police implemented the 26-inch wood baton as the primary impact weapon for NRPD officers.

While there is a lot of good in the 26-inch wood baton (visual deterrent) it is cumbersome on the duty belt, especially while running and doing any physical movements. etc. It is also not attached to the duty belt at all times (the expandable baton is).

I have attached the section on Baton use/carry for review

303.5 BATON GUIDELINES

Best Practice

MODIFIED

1 The police nightstick or baton adopted as a standard for the Department for definition shall be referred to as a "police impact weapon" in compliance with terminology and reference of the Defensive and Arrest Tactics system and use shall comply with all the standards, directives and training of that system adopted by the Wisconsin Training and Standards Bureau.

- The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the Officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the Officer or others.

- Patrol Officers of this Department shall carry the police impact weapon on duty as standard required equipment and must maintain adequate training and certifications in the use and justification of force allowed with this item of equipment.
- The Police Impact weapon may be utilized as a defensive device to protect the Officer's safety in the lawful performance of his/her duties.
- The police impact weapon may be utilized against other persons by the Officer only to control or render ineffective the resistance or attack of that person. Only necessary and reasonable force is allowed to overcome actual resistance and/or attack and such force must immediately de-escalate to a use of force level sufficient to maintain control when the attack or resistance threat ceases. Insure any person injured from impact weapon use is promptly treated as necessary before confinement or release. A report on the use of the impact weapon and/or injury shall be made by the Officer in police reports and shall be reviewed by the Patrol Supervisor and the Chief of Police.
- The New Richmond Police Department has adopted the LAPD style 26-inch wooden baton as the primary impact weapon for use by Department Officers.
 - All Department Officers will be issued the LAPD style 26-inch wooden baton and baton ring.
 - Officers that are issued the LAPD style 26-inch wooden baton will receive training in the use of said impact weapon, prior to carrying the baton on duty.
 - The LAPD 26-inch wooden baton is a mandatory piece of equipment that is to be carried by all uniformed Officers of this Department, while on duty.
- The metal expandable baton authorized by the Department may be carried (in addition to) or used only by Officers of the Department trained and who also maintain certification in the use of this equipment. Transition training is required before this item of equipment may be used.
- An expandable baton, which is 26 inches in length, may be carried in addition to the standard wooden straight baton for routine patrol duty. The expandable baton is designed for contingency situations when danger of injury is imminent and the standard wooden baton for stated and justifiable cause cannot be implemented.
- An expandable baton that is less than 26 inches in length will not be carried or utilized by any Officer of the Department.
- All use of the expandable baton must be in compliance with the guidelines and the training of the Defensive and Arrest Tactics system.
- The expandable baton may be carried by Officers assigned to plain-clothes duty, as their primary impact weapon. However, plain-clothes Officer will still be issued and trained in the use of the LAPD style 26-inch wooden baton.
- Officers shall not use flashlights, portable radios or other devices in lieu of the police impact weapon except in cases of sudden attack on the Officer or another person and the imminent danger prevents use of other devices or force by the Officer. Officers shall not use a firearm as a clubbing device against another person unless there is no other means in sudden attack to prevent death or great bodily harm.

Recommendation

The recommendation from this administration is to make the 26- inch Asp expandable baton the primary impact weapon authorized for carry. I would also like to leave the 26-inch wood baton as an authorized carry impact weapon, as it definitely has a time and a place as long as officers are trained in its use.



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MEMORANDUM

TO: Public Safety Committee
FROM: Craig Yehlik, Chief of Police
DATE: July 6, 2017
SUBJECT: K-9 Update

Background

The New Richmond City Council has authorized the fundraising for the purchase of a K-9 and equipment to supplement the K-9 with a goal amount.

The PSC will be updated on the current dollar figure.

Chief Yehlik MAY also bring his tactical Kilt for review and inspection by the PSC.

No action needed at this time.