

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL 1200

6 By: Thompson

7 COMMITTEE SUBSTITUTE

8 An Act relating to law enforcement training; amending
9 70 O.S. 2011, Section 3311, as last amended by
10 Section 1, Chapter 245, O.S.L. 2019 (70 O.S. Supp.
11 2019, Section 3311), which relates to the Council on
12 Law Enforcement Education and Training; modifying
13 certain authorization; providing for Advisory Council
14 membership; providing certain reimbursement; amending
15 Section 1, Chapter 168, O.S.L. 2018 (70 O.S. Supp.
16 2019, Section 3311.16), which relates to CLEET
17 authority to conduct academies; authorizing approval
18 of certain academies; amending Section 1, Chapter
19 254, O.S.L. 2018, as amended by Section 1, Chapter
20 20, O.S.L. 2019 (70 O.S. Supp. 2019, Section
21 3311.17), which relates to technology center schools;
22 requiring certain application process approval;
23 requiring certain time for application approval;
24 directing certain development of an approved
curriculum; directing certain instruction; and
providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3311, as
last amended by Section 1, Chapter 245, O.S.L. 2019 (70 O.S. Supp.
2019, Section 3311), is amended to read as follows:

1 Section 3311. A. There is hereby created a Council on Law
2 Enforcement Education and Training which shall be, and is hereby
3 declared to be, a governmental law enforcement agency of the State
4 of Oklahoma, body politic and corporate, with powers of government
5 and with the authority to exercise the rights, privileges and
6 functions necessary to ensure the professional training and
7 continuing education of law enforcement officers in the State of
8 Oklahoma. These rights, privileges and functions include, but are
9 not limited to, those specified in Sections 3311 through 3311.15 of
10 this title and in the Oklahoma Security Guard and Private
11 Investigator Act and the Oklahoma Bail Enforcement and Licensing
12 Act. The Council shall be authorized to require agency employees
13 and the employees of agency contractors in positions to have access
14 to Oklahoma Peace Officer records, Oklahoma Security Guard and
15 Private Investigator records, Oklahoma Bail Enforcement and
16 Licensing Act records, to be subject to a criminal history search by
17 the Oklahoma State Bureau of Investigation, as well as be
18 fingerprinted for submission of the fingerprints through the
19 Oklahoma State Bureau of Investigation to the Federal Bureau of
20 Investigation for a national criminal history check. The Council
21 shall be the recipient of the results of the record check. In
22 accordance with Section 150.9 of Title 74 of the Oklahoma Statutes,
23 this includes a national criminal record with a finger print

24

1 analysis. ~~The Council shall be composed of thirteen (13) members as~~
2 ~~follows:~~

3 ~~1. The Commissioner of the Department of Public Safety, or~~
4 ~~designee;~~

5 ~~2. The Director of the Oklahoma State Bureau of Narcotics and~~
6 ~~Dangerous Drugs Control, or designee;~~

7 ~~3. The Director of the Oklahoma State Bureau of Investigation,~~
8 ~~or designee;~~

9 ~~4. One member appointed by the Governor who shall be a law~~
10 ~~enforcement administrator representing a tribal law enforcement~~
11 ~~agency;~~

12 ~~5. One member appointed by the Governor who shall be a chief of~~
13 ~~police of a municipality with a population over one hundred thousand~~
14 ~~(100,000), as determined by the latest Federal Decennial Census;~~

15 ~~6. One member appointed by the Board of Directors of the~~
16 ~~Oklahoma Sheriffs' Association who shall be a sheriff of a county~~
17 ~~with a population under twenty five thousand (25,000), as determined~~
18 ~~by the latest Federal Decennial Census;~~

19 ~~7. One member appointed by the Oklahoma Association of Police~~
20 ~~Chiefs who shall be a chief of police representing a municipality~~
21 ~~with a population over ten thousand (10,000), as determined by the~~
22 ~~latest Federal Decennial Census;~~

23 ~~8. One member shall be appointed by the Board of Directors of~~
24 ~~the Oklahoma Sheriffs' Association who shall be a sheriff of a~~

1 ~~county with a population of twenty five thousand (25,000) or more,~~
2 ~~as determined by the latest Federal Decennial Census;~~

3 ~~9. One member appointed by the Board of Directors of the~~
4 ~~Fraternal Order of Police who shall have experience as a training~~
5 ~~officer;~~

6 ~~10. One member appointed by the Chancellor of Higher Education~~
7 ~~who shall be a representative of East Central University;~~

8 ~~11. One member appointed by the Board of Directors of the~~
9 ~~Oklahoma Sheriffs and Peace Officers Association who shall be a~~
10 ~~full-time law enforcement officer in good standing with CLEET within~~
11 ~~a county with a population under fifty thousand (50,000);~~

12 ~~12. The President Pro Tempore of the Senate shall appoint one~~
13 ~~member from a list of three or more nominees submitted by a~~
14 ~~statewide organization representing cities and towns that is exempt~~
15 ~~from taxation under federal law and designated pursuant to the~~
16 ~~provisions of the Internal Revenue Code, 26 U.S.C., Section 170(a);~~
17 ~~and~~

18 ~~13. The Speaker of the House of Representatives shall appoint~~
19 ~~one member from a list of three or more nominees submitted by an~~
20 ~~organization that assists in the establishment of accreditation~~
21 ~~standards and training programs for law enforcement agencies~~
22 ~~throughout the State of Oklahoma.~~

23 ~~The Executive Director selected by the Council shall be an ex~~
24 ~~officio member of the Council and shall act as Secretary. The~~

1 ~~Council on Law Enforcement Education and Training shall select a~~
2 ~~chair and vice-chair from among its members. Members of the Council~~
3 ~~on Law Enforcement Education and Training shall not receive a salary~~
4 ~~for duties performed as members of the Council, but shall be~~
5 ~~reimbursed for their actual and necessary expenses incurred in the~~
6 ~~performance of Council duties pursuant to the provisions of the~~
7 ~~State Travel Reimbursement Act.~~

8 B. ~~The Council on Law Enforcement Education and Training~~
9 Governor is hereby authorized and directed to:

10 1. Appoint a larger an Executive Director, who shall be subject
11 to the advice, consent and confirmation by the Senate, to direct the
12 staff, inform the Governor of compliance with the provisions of this
13 section and perform such other duties imposed on the Council by law.
14 An Executive Director appointed by the Governor must qualify for the
15 position with a bachelor or higher degree in law enforcement from an
16 accredited college or university, or a bachelor or higher degree in
17 a law-enforcement-related subject area, and a minimum of five (5)
18 years of active law enforcement experience including, but not
19 limited to, responsibility for enforcement, investigation,
20 administration, training or curriculum implementation;

21 2. Utilize an Advisory Council to discuss problems and hear
22 recommendations concerning necessary research, minimum standards,
23 educational needs, and other matters imperative to upgrading
24

1 Oklahoma law enforcement to professional status~~r~~. The Advisory
2 Council shall be composed of thirteen (13) members as follows:

3 a. the Commissioner of the Department of Public Safety,
4 or designee,

5 b. the Director of the Oklahoma State Bureau of Narcotics
6 and Dangerous Drugs Control, or designee,

7 c. the Director of the Oklahoma State Bureau of
8 Investigation, or designee,

9 d. one member appointed by the Governor who shall be a
10 law enforcement administrator representing a tribal
11 law enforcement agency,

12 e. one member appointed by the Governor who shall be a
13 chief of police of a municipality with a population
14 over one hundred thousand (100,000), as determined by
15 the latest Federal Decennial Census,

16 f. one member appointed by the Board of Directors of the
17 Oklahoma Sheriffs' Association who shall be a sheriff
18 of a county with a population under twenty-five
19 thousand (25,000), as determined by the latest Federal
20 Decennial Census,

21 g. one member appointed by the Oklahoma Association of
22 Police Chiefs who shall be a chief of police
23 representing a municipality with a population over ten
24

1 thousand (10,000), as determined by the latest Federal
2 Decennial Census,

3 h. one member shall be appointed by the Board of
4 Directors of the Oklahoma Sheriffs' Association who
5 shall be a sheriff of a county with a population of
6 twenty-five thousand (25,000) or more, as determined
7 by the latest Federal Decennial Census,

8 i. one member appointed by the Board of Directors of the
9 Fraternal Order of Police who shall have experience as
10 a training officer,

11 j. one member appointed by the Chancellor of Higher
12 Education who shall be a representative of East
13 Central University,

14 k. one member appointed by the Board of Directors of the
15 Oklahoma Sheriffs and Peace Officers Association who
16 shall be a full-time law enforcement officer in good
17 standing with CLEET within a county with a population
18 under fifty thousand (50,000),

19 l. the President Pro Tempore of the Senate shall appoint
20 one member from a list of three or more nominees
21 submitted by a statewide organization representing
22 cities and towns that is exempt from taxation under
23 federal law and designated pursuant to the provisions
24

1 of the Internal Revenue Code, 26 U.S.C., Section
2 170(a), and

3 m. the Speaker of the House of Representatives shall
4 appoint one member from a list of three or more
5 nominees submitted by an organization that assists in
6 the establishment of accreditation standards and
7 training programs for law enforcement agencies
8 throughout this state.

9 The Executive Director shall be an ex officio member of the
10 Advisory Council and shall act as secretary. The Advisory Council
11 shall select a chair and vice-chair from among its members. Members
12 of the Advisory Council shall not receive a salary for duties
13 performed as members of the Advisory Council but shall be reimbursed
14 for their actual and necessary expenses incurred in the performance
15 of Advisory Council duties pursuant to the provisions of the State
16 Travel Reimbursement Act;

17 ~~2.~~ 3. Promulgate rules with respect to such matters as
18 certification, revocation, suspension, withdrawal and reinstatement
19 of certification, minimum courses of study, testing and test scores,
20 attendance requirements, equipment and facilities, minimum
21 qualifications for instructors, minimum standards for basic and
22 advanced in-service courses, and seminars for Oklahoma police and
23 peace officers;

1 ~~3.~~ 4. Authorize research, basic and advanced courses, and
2 seminars to assist in program planning directly and through
3 subcommittees;

4 ~~4.~~ 5. Authorize additional staff and services necessary for
5 program expansion;

6 ~~5.~~ 6. Recommend legislation necessary to upgrade Oklahoma law
7 enforcement to professional status;

8 ~~6.~~ 7. Establish policies and regulations concerning the number,
9 geographic and police unit distribution, and admission requirements
10 of those receiving tuition or scholarship aid available through the
11 Council. Such waiver of costs shall be limited to duly appointed
12 members of legally constituted local, county, and state law
13 enforcement agencies on the basis of educational and financial need;

14 ~~7.~~ ~~Appoint an Executive Director and an Assistant Director to~~
15 ~~direct the staff, inform the Council of compliance with the~~
16 ~~provisions of this section and perform such other duties imposed on~~
17 ~~the Council by law. An Executive Director appointed by the Council~~
18 ~~must qualify for the position with a bachelor or higher degree in~~
19 ~~law enforcement from an accredited college or university, or a~~
20 ~~bachelor or higher degree in a law-enforcement-related subject area,~~
21 ~~and a minimum of five (5) years of active law enforcement experience~~
22 ~~including, but not limited to, responsibility for enforcement,~~
23 ~~investigation, administration, training, or curriculum~~
24 ~~implementation.~~

1 The Executive Director of the Council on Law Enforcement
2 Education and Training may commission CLEET staff as peace officers
3 for purposes consistent with the duties of CLEET as set out in state
4 law. The powers and duties conferred on the Executive Director or
5 any staff member appointed by the Executive Director as a peace
6 officer shall not limit the powers and duties of other peace
7 officers of this state or any political subdivision thereof. The
8 Executive Director or any staff member appointed by the Executive
9 Director as a peace officer may, upon request, assist any federal,
10 state, county or municipal law enforcement agency;

11 8. Enter into contracts and agreements for the payment of
12 classroom space, food, and lodging expenses as may be necessary for
13 law enforcement officers attending any official course of
14 instruction approved or conducted by the Council. Such expenses may
15 be paid directly to the contracting agency or business
16 establishment. The food and lodging expenses for each law
17 enforcement officer shall not exceed the authorized rates as
18 provided for in the State Travel Reimbursement Act; provided,
19 however, the Council may provide food and lodging to law enforcement
20 officials attending any official course of instruction approved or
21 conducted by the Council rather than paying for the provision of
22 such food and lodging by an outside contracting agency or business
23 establishment;

24

1 9. a. Certify canine teams, consisting of a dog and a
2 handler working together as a team, trained to detect:
3 (1) controlled dangerous substances, or
4 (2) explosives, explosive materials, explosive
5 devices, or materials which could be used to
6 construct an explosive device;

7 provided, the dog of a certified canine team shall not
8 be certified at any time as both a drug dog and a bomb
9 dog, and any dog of a certified canine team who has
10 been previously certified as either a drug dog or a
11 bomb dog shall not be eligible at any time to be
12 certified in the other category.

13 b. Upon retiring the dog from the service it was
14 certified to perform, the law enforcement department
15 that handled the dog shall retain possession of the
16 dog. The handler shall have first option of adopting
17 the dog. If that option is not exercised, the law
18 enforcement department shall provide for its adoption.
19 Once adopted the dog shall not be placed back into
20 active service;

21 10. Enter into a lease, loan or other agreement with the
22 Oklahoma Development Finance Authority or a local public trust for
23 the purpose of facilitating the financing of a new facility for its
24 operations and use and pledge, to the extent authorized by law, all

1 or a portion of its receipts of the assessment penalty herein
2 referenced for the payment of its obligations under such lease, loan
3 or other agreement. It is the intent of the Legislature to increase
4 the assessment penalty to such a level or appropriate sufficient
5 monies to the Council on Law Enforcement Education and Training to
6 make payments on the lease, loan or other agreement for the purpose
7 of retiring the bonds to be issued by the Oklahoma Development
8 Finance Authority or local public trust. Such lease, loan or other
9 agreement and the bonds issued to finance such facilities shall not
10 constitute an indebtedness of the State of Oklahoma or be backed by
11 the full faith and credit of the State of Oklahoma, and the lease,
12 loan or other agreement and the bonds shall contain a statement to
13 such effect;

14 11. Accept gifts, bequests, devises, contributions and grants,
15 public or private, of real or personal property;

16 12. Appoint an advisory committee composed of representatives
17 from security guard and private investigative agencies to advise the
18 ~~Council~~ Governor concerning necessary research, minimum standards
19 for licensure, education, and other matters related to licensure of
20 security guards, security guard agencies, private investigators, and
21 private investigative agencies;

22 13. Enter into agreements with individuals, educational
23 institutions, agencies, and business and tribal entities for
24 professional services, the use of facilities and supplies, and staff

1 overtime costs incurred as a result of the user's requests to
2 schedule functions after-hours, on weekends, or anytime such
3 requests extend staff beyond its normal capacity, whereby
4 contracting individuals, educational institutions, agencies, and
5 business and tribal entities shall pay a fee to be determined by the
6 Council by rule. All fees collected pursuant to facilities usage
7 shall be deposited to the credit of the C.L.E.E.T. Training Center
8 Revolving Fund created pursuant to Section 3311.6 of this title.
9 All other fees collected pursuant to these agreements shall be
10 deposited to the credit of the Peace Officer Revolving Fund created
11 pursuant to Section 3311.7 of this title. The Council is authorized
12 to promulgate emergency rules to effectuate the provisions of this
13 paragraph;

14 14. Promulgate rules to establish a state firearms
15 requalification standard for active peace officers and meet any
16 requirements imposed on the Council by the federal Law Enforcement
17 Officers Safety Act of 2004;

18 15. Set minimal criteria relating to qualifications for chief
19 of police administrative training pursuant to Section 34-102 of
20 Title 11 of the Oklahoma Statutes, assist in developing a course of
21 training for a Police Chief Administrative School, and approve all
22 police chief administrative training offered in this state;

23 16. Appoint a Curriculum Review Board to be composed of six (6)
24 members as follows:

- 1 a. one member shall be selected by the Chancellor for
2 Higher Education, who possesses a background of
3 creation and review of curriculum and experience
4 teaching criminal justice or law enforcement courses,
5 who shall serve an initial term of one (1) year,
- 6 b. one member shall represent a municipal jurisdiction
7 with a population of fifty thousand (50,000) or more
8 and who shall be a management-level CLEET-certified
9 training officer, who shall serve an initial term of
10 two (2) years,
- 11 c. one member shall represent a county jurisdiction with
12 a population of fifty thousand (50,000) or more and
13 who shall be a management-level CLEET-certified
14 training officer, who shall serve an initial term of
15 three (3) years,
- 16 d. one member shall represent a municipal jurisdiction
17 with a population of less than fifty thousand (50,000)
18 and who shall be a CLEET-certified training officer,
19 who shall serve an initial term of two (2) years,
- 20 e. one member shall represent a county jurisdiction with
21 a population of less than fifty thousand (50,000) and
22 who shall be a CLEET-certified training officer, who
23 shall serve an initial term of one (1) year, and
24

1 f. one member selected by the Oklahoma Department of
2 Career and Technology Education from the Curriculum
3 Material and Instructional Material Center, who shall
4 serve an initial term of three (3) years.

5 After the initial terms of office, all members shall be
6 appointed to serve three-year terms. Any member may be reappointed
7 to serve consecutive terms. Members shall serve without
8 compensation, but may be reimbursed for travel expenses pursuant to
9 the State Travel Reimbursement Act. The Board shall review and
10 establish curriculum for all CLEET academies and training courses
11 pursuant to procedures established by the Council on Law Enforcement
12 Education and Training;

13 17. Conduct review and verification of any records relating to
14 the statutory duties of CLEET;

15 18. Receive requested reports including investigative reports,
16 court documents, statements, or other applicable information from
17 local, county and state agencies and other agencies for use in
18 actions where a certification or license issued by CLEET may be
19 subject to disciplinary or other actions provided by law;

20 19. Summarily suspend a certification of a peace officer,
21 without prior notice but otherwise subject to administrative
22 proceedings, if CLEET finds that the actions of the certified peace
23 officer may present a danger to the peace officer, the public, a
24 family or household member, or involve a crime against a minor. A

1 certified copy of the information or indictment charging such a
2 crime shall be considered clear and convincing evidence of the
3 charge; and

4 20. Approve law enforcement agencies and police departments in
5 accordance with the following:

6 a. this section applies only to an entity authorized by
7 statute or by the Constitution to create a law
8 enforcement agency or police department and
9 commission, appoint, or employ officers that first
10 creates or reactivates an inactive law enforcement
11 agency or police department and first begins to
12 commission, appoint, or employ officers on or after
13 November 1, 2011,

14 b. the entity shall submit to CLEET, a minimum of sixty
15 (60) days prior to creation of the law enforcement
16 agency or police department, information regarding:

17 (1) the need for the law enforcement agency or police
18 department in the community,

19 (2) the funding sources for the law enforcement
20 agency or police department, and proof that no
21 more than fifty percent (50%) of the funding of
22 the entity will be derived from ticket revenue or
23 fines,

24 (3) the physical resources available to officers,

1 (4) the physical facilities that the law enforcement
2 agency or police department will operate,
3 including descriptions of the evidence room,
4 dispatch area, restroom facilities, and public
5 area,

6 (5) law enforcement policies of the law enforcement
7 agency or police department, including published
8 policies on:

9 (a) use of force,

10 (b) vehicle pursuit,

11 (c) mental health,

12 (d) professional conduct of officers,

13 (e) domestic abuse,

14 (f) response to missing persons,

15 (g) supervision of part-time officers, and

16 (h) impartial policing,

17 (6) the administrative structure of the law
18 enforcement agency or police department,

19 (7) liability insurance, and

20 (8) any other information CLEET requires by rule, and

21 c. within sixty (60) days of receiving an entity's
22 request, CLEET will forward to the entity by certified
23 mail, return receipt requested, a letter of
24 authorization or denial to create a law enforcement

1 agency or police department and commission, appoint,
2 or employ officers, signed by the Executive Director
3 of CLEET, and

4 ~~d. in cases of denial, the entity may appeal the decision~~
5 ~~of the Executive Director to the full CLEET Council.~~
6 ~~The Executive Director shall ensure that the final~~
7 ~~report is provided to all members of the Council. The~~
8 ~~Council shall review and make recommendations~~
9 ~~concerning the report at the first meeting of the~~
10 ~~Council to occur after all members of the Council have~~
11 ~~received the report. The Council may, by majority~~
12 ~~vote:~~

- 13 ~~(1) order additional information be provided,~~
14 ~~(2) order confirmation of the opinion of the~~
15 ~~Executive Director, or~~
16 ~~(3) order authorization of the entity.~~

17 C. 1. Payment of any fee provided for in this section may be
18 made by a nationally recognized credit or debit card issued to the
19 applicant. The Council may publicly post and collect a fee for the
20 acceptance of the nationally recognized credit or debit card not to
21 exceed five percent (5%) of the amount of the payment. For purposes
22 of this subsection, "nationally recognized credit card" means any
23 instrument or device, whether known as a credit card, credit plate,
24 charge plate, or by any other name, issued with or without fee by an

1 issuer for the use of the cardholder in obtaining goods, services,
2 or anything else of value and which is accepted by over one thousand
3 merchants in this state. "Debit card" means an identification card
4 or device issued to a person by a business organization which
5 permits such person to obtain access to or activate a consumer
6 banking electronic facility. The Council shall determine which
7 nationally recognized credit or debit cards will be accepted as
8 payment for fees.

9 2. Payment for any fee provided for in this title may be made
10 by a business check. The Council may:

11 a. add an amount equal to the amount of the service
12 charge incurred, not to exceed three percent (3%) of
13 the amount of the check as a service charge for the
14 acceptance and verification of the check, or

15 b. add an amount of no more than Five Dollars (\$5.00) as
16 a service charge for the acceptance and verification
17 of a check. For purposes of this subsection,
18 "business check" shall not mean a money order,
19 cashier's check, or bank certified check.

20 D. Failure of the Legislature to appropriate necessary funds to
21 provide for expenses and operations of the Council on Law
22 Enforcement Education and Training shall not invalidate other
23 provisions of this section relating to the creation and duties of
24 the Council.

1 E. 1. No person shall be eligible for employment as a peace
2 officer or reserve peace officer until the employing law enforcement
3 agency has conducted a background investigation of such person
4 consisting of the following:

5 a. a fingerprint search submitted to the Oklahoma State
6 Bureau of Investigation with a return report to the
7 submitting agency that such person has no felony
8 record,

9 b. a fingerprint search submitted to the Federal Bureau
10 of Investigation with a return report to the
11 submitting agency that such person has no felony
12 record,

13 c. such person has undergone psychological evaluation by
14 a psychologist licensed by ~~the State of Oklahoma~~ this
15 state and has been evaluated to be suitable to serve
16 as a peace officer in ~~the State of Oklahoma~~ this
17 state,

18 d. the employing agency has verified that such person has
19 a high school diploma or a GED equivalency certificate
20 as recognized by state law,

21 e. such person is not participating in a deferred
22 sentence agreement for a felony, a crime involving
23 moral turpitude or a crime of domestic violence, and
24 does not have any criminal charges pending in any

1 court in this state, another state, in tribal court or
2 pursuant to the United States Code,

3 f. such person is not currently subject to an order of
4 the Council revoking, suspending, or accepting a
5 voluntary surrender of peace officer certification,

6 g. such person is not currently undergoing treatment for
7 a mental illness, condition or disorder. For purposes
8 of this subsection, "currently undergoing treatment
9 for mental illness, condition or disorder" means the
10 person has been diagnosed by a licensed physician,
11 psychologist, or licensed mental health professional
12 as being afflicted with a substantial disorder of
13 thought, mood, perception, psychological orientation
14 or memory that significantly impairs judgment,
15 behavior, capacity to recognize reality, or ability to
16 meet the ordinary demands of life and such condition
17 continues to exist,

18 h. such person is twenty-one (21) years of age.

19 Provided, this requirement shall not affect those
20 persons who are already employed as a police or peace
21 officer prior to November 1, 1985, and

22 i. such person has provided proof of United States
23 citizenship or resident alien status, pursuant to an
24

1 employment eligibility verification form from the
2 United States Citizenship and Immigration Services.

3 2. To aid the evaluating psychologist in interpreting the test
4 results, including automated scoring and interpretations, the
5 employing agency shall provide the psychologist a statement
6 confirming the identity of the individual taking the test as the
7 person who is employed or seeking employment as a peace officer of
8 the agency and attesting that it administered the psychological
9 instrument in accordance with standards within the test document.
10 The psychologist shall report to the employing agency the evaluation
11 of the assessment instrument and may include any additional
12 recommendations to assist the employing agency in determining
13 whether to certify to the Council on Law Enforcement Education and
14 Training that the person being evaluated is suitable to serve as a
15 peace officer in ~~the State of Oklahoma~~ this state. No additional
16 procedures or requirements shall be imposed for performance of the
17 psychological evaluation. The psychological instrument utilized
18 shall be evaluated by a psychologist licensed by ~~the State of~~
19 ~~Oklahoma~~ this state, and the employing agency shall certify to the
20 Council that the evaluation was conducted in accordance with this
21 provision and that the employee or applicant is suitable to serve as
22 a peace officer in ~~the State of Oklahoma~~ this state.

23 a. Any person found not to be suitable for employment or
24 certification by the Council shall not be employed,

1 retained in employment as a peace officer, or
2 certified by the Council for at least one (1) year, at
3 which time the employee or applicant may be
4 reevaluated by a psychologist licensed by ~~the State of~~
5 ~~Oklahoma~~ this state. This section shall also be
6 applicable to all reserve peace officers in the State
7 of Oklahoma.

8 b. Any person who is certified by CLEET and has undergone
9 the psychological evaluation required by this
10 subparagraph and has been found to be suitable as a
11 peace officer shall not be required to be reevaluated
12 for any subsequent employment as a peace officer
13 following retirement or any break in service as a
14 peace officer, unless such break in service exceeds
15 five (5) years or the Council determines that a peace
16 officer may present a danger to himself or herself,
17 the public, or a family or household member.

18 c. All persons seeking certification shall have their
19 name, gender, date of birth, and address of such
20 person submitted to the Department of Mental Health
21 and Substance Abuse Services by the Council. The
22 Department of Mental Health and Substance Abuse
23 Services shall respond to the Council within ten (10)
24 days whether the computerized records of the

1 Department indicate the applicant has ever been
2 involuntarily committed to an Oklahoma state mental
3 institution. In the event that the Department of
4 Mental Health and Substance Abuse Services reports to
5 the Council that the applicant has been involuntarily
6 committed, the Council shall immediately inform the
7 employing agency.

8 All basic police courses shall include a minimum of four (4)
9 hours of education and training in recognizing and managing a person
10 appearing to require mental health treatment or services. The
11 training shall include training in crime and drug prevention, crisis
12 intervention, youth and family intervention techniques, recognizing,
13 investigating and preventing abuse and exploitation of elderly
14 persons, mental health issues, and criminal jurisdiction on
15 Sovereign Indian Land.

16 Subject to the availability of funding, for full-time salaried
17 police or peace officers a basic police course academy shall consist
18 of a minimum of six hundred (600) hours.

19 For reserve deputies a basic reserve academy shall consist of a
20 minimum of two hundred forty (240) hours.

21 3. Beginning January 1, 2018, any reserve peace officer who has
22 completed the two-hundred-forty-hour reserve peace officer
23 certification program and who has been in active service in that
24 capacity for the past six (6) months shall be eligible to attend a

1 three-hundred-sixty-hour basic full-time training academy to become
2 certified as a full-time peace or police officer.

3 4. Every person who has not been certified as a police or peace
4 officer and is duly appointed or elected as a police or peace
5 officer shall hold such position on a temporary basis only, and
6 shall, within six (6) months from the date of appointment or taking
7 office, qualify as required in this subsection or forfeit such
8 position. In computing the time for qualification, all service
9 shall be cumulative from date of first appointment or taking office
10 as a police or peace officer with any department in this state.

11 a. The Council may extend the time requirement specified
12 in this paragraph for good cause as determined by the
13 Council.

14 b. A duty is hereby imposed upon the employing agency to
15 withhold payment of the compensation or wage of such
16 unqualified officer.

17 c. If the police or peace officer fails to forfeit the
18 position or the employing agency fails to require the
19 officer to forfeit the position, the district attorney
20 shall file the proper action to cause the forfeiting
21 of such position. The district court of the county
22 where the officer is employed shall have jurisdiction
23 to hear the case.

1 5. The Council may certify officers who have completed a course
2 of study in another state deemed by the Council to meet standards
3 for Oklahoma peace officers providing the officer's certification in
4 the other state has not been revoked or voluntarily surrendered and
5 is not currently under suspension.

6 6. For purposes of this section, a police or peace officer is
7 defined as a full-time duly appointed or elected officer who is paid
8 for working more than twenty-five (25) hours per week and whose
9 duties are to preserve the public peace, protect life and property,
10 prevent crime, serve warrants, transport prisoners, and enforce laws
11 and ordinances of this state, or any political subdivision thereof;
12 provided, elected sheriffs and their deputies and elected,
13 appointed, or acting chiefs of police shall meet the requirements of
14 this subsection within the first six (6) months after assuming the
15 duties of the office to which they are elected or appointed or for
16 which they are an acting chief; provided further, that this section
17 shall not apply to persons designated by the Director of the
18 Department of Corrections as peace officers pursuant to Section 510
19 of Title 57 of the Oklahoma Statutes.

20 F. No person shall be certified as a police or peace officer by
21 the Council or be employed by the state, a county, a city, or any
22 political subdivision thereof, who is currently subject to an order
23 of the Council revoking, suspending, or accepting a voluntary
24 surrender of peace officer certification or who has been convicted

1 of a felony, a crime involving moral turpitude, or a crime of
2 domestic violence, unless a full pardon has been granted by the
3 proper agency; however, any person who has been trained and
4 certified by the Council on Law Enforcement Education and Training
5 and is actively employed as a full-time peace officer as of November
6 1, 1985, shall not be subject to the provisions of this subsection
7 for convictions occurring prior to November 1, 1985.

8 G. 1. The Council is hereby authorized to provide to any
9 employing agency the following information regarding a person who is
10 or has applied for employment as a police or peace officer of such
11 employing agency:

- 12 a. Oklahoma State Bureau of Investigation and Federal
13 Bureau of Investigation reports,
- 14 b. administration of the psychological tests provided for
15 herein,
- 16 c. performance in the course of study or other basis of
17 certification,
- 18 d. previous certifications issued, and
- 19 e. any administrative or judicial determination denying
20 certification.

21 2. An employing agency shall not be liable in any action
22 arising out of the release of contents of personnel information
23 relevant to the qualifications or ability of a person to perform the
24 duties of a police or peace officer when such information is

1 released pursuant to written authorization for release of
2 information signed by such person and is provided to another
3 employing agency which has employed or has received an application
4 for employment from such person.

5 3. As used in this subsection, "employing agency" means a
6 political subdivision or law enforcement agency which either has
7 employed or received an employment application from a person who, if
8 employed, would be subject to this section.

9 H. 1. A law enforcement agency employing police or peace
10 officers in this state shall report the hiring, resignation, or
11 termination for any reason of a police or peace officer to the
12 Council within ten (10) days. Failure to comply with the provisions
13 of this subsection may disqualify a law enforcement agency from
14 participating in training programs sponsored by the Council. Every
15 law enforcement agency employing police or peace officers in this
16 state shall submit to CLEET on or before October 1 of each calendar
17 year a complete list of all commissioned employees with a current
18 mailing address and phone number for each such employee. In
19 addition to the above, CLEET may impose an administrative fine for
20 violations of this section.

21 2. A tribal law enforcement agency that has peace officers
22 commissioned by an Oklahoma law enforcement agency pursuant to a
23 cross-deputization agreement with ~~the State of Oklahoma~~ this state
24 or any political subdivision of ~~the State of Oklahoma~~ this state

1 pursuant to the provisions of Section 1221 of Title 74 of the
2 Oklahoma Statutes shall report the commissioning, resignation, or
3 termination of commission for any reason of a cross-deputized tribal
4 police or peace officer to CLEET within ten (10) days of the
5 commissioning, resignation, or termination. Failure to comply with
6 the provisions of this subsection may disqualify a tribal law
7 enforcement agency from participating in training programs sponsored
8 by the Council.

9 I. It is unlawful for any person to willfully make any
10 statement in an application to CLEET knowing the statement is false
11 or intentionally commit fraud in any application to the Council for
12 attendance in any CLEET-conducted or CLEET-approved peace officer
13 academy or Collegiate Officer Program or for the purpose of
14 obtaining peace officer certification or reinstatement. It is
15 unlawful for any person to willfully submit false or fraudulent
16 documents relating to continuing education rosters, transcripts or
17 certificates, or any canine license application. Any person
18 convicted of a violation of this subsection shall be guilty of a
19 felony punishable by imprisonment in the Department of Corrections
20 for a term of not less than two (2) years nor more than five (5)
21 years, or by a fine not exceeding Two Thousand Dollars (\$2,000.00),
22 or by both such fine and imprisonment. In addition to the above,
23 CLEET may impose an administrative fine.

24

1 J. 1. A police or peace officer shall be subject to
2 disciplinary action to include a denial, suspension, revocation or
3 acceptance of voluntary surrender of peace officer certification
4 upon a showing of clear and convincing evidence for the following:

- 5 a. conviction of a felony or a crime of domestic
6 violence,
- 7 b. conviction of a misdemeanor involving moral turpitude;
8 provided, if the conviction is a single isolated
9 incident that occurred more than five (5) years ago
10 and the Council is satisfied that the person has been
11 sufficiently rehabilitated, the Council may, in its
12 discretion, certify such person providing that all
13 other statutory requirements have been met,
- 14 c. a verdict of guilt or entry of a plea of guilty or
15 nolo contendere or an "Alford" plea or any plea other
16 than a not guilty plea for a felony offense, a crime
17 of moral turpitude, or a crime of domestic violence,
- 18 d. falsification or a willful misrepresentation of
19 information in an employment application or
20 application to the Council on Law Enforcement
21 Education and Training, records of evidence, or in
22 testimony under oath,
- 23 e. revocation or voluntary surrender of police or peace
24 officer certification in another state for a violation

1 of any law or rule or in settlement of any
2 disciplinary action in such state,

3 f. involuntary commitment of a reserve or peace officer
4 in a mental institution or licensed private mental
5 health facility for any mental illness, condition or
6 disorder that is diagnosed by a licensed physician,
7 psychologist or a licensed mental health professional
8 as a substantial disorder of thought, mood,
9 perception, psychological orientation or memory that
10 significantly impairs judgment, behavior, capacity to
11 recognize reality or ability to meet the ordinary
12 demands of life. Provided, the peace officer
13 certification may be reinstated upon the Council
14 receiving notification of a psychological evaluation
15 conducted by a licensed physician, psychologist or
16 licensed mental health professional which attests and
17 states by affidavit that the officer and the
18 evaluation test data of the officer have been examined
19 and that, in the professional opinion of the
20 physician, psychologist or licensed mental health
21 professional, the officer is psychologically suitable
22 to return to duty as a peace officer. Notwithstanding
23 any other provision of state law pertaining to
24 confidentiality of hospital or other medical records,

1 and as allowable under federal law, CLEET may subpoena
2 or request a court to subpoena records necessary to
3 assure compliance with these provisions. Any
4 confidential information received by CLEET for such
5 purpose shall retain its confidential character while
6 in the possession of CLEET,

7 g. abuse of office,

8 h. entry of a final order of protection against applicant
9 or officer, or

10 i. any violation of the Oklahoma Private Security
11 Licensing Act.

12 2. Disciplinary proceedings shall be commenced by filing a
13 complaint with the Council on a form approved by the Council. Any
14 employing agency or other person having information may submit such
15 information to the Council for consideration as provided in this
16 subsection.

17 3. Upon the filing of the complaint, a preliminary
18 investigation shall be conducted to determine whether:

19 a. there is reason to believe the person has violated any
20 provision of this subsection or any other provision of
21 law or rule, or

22 b. there is reason to believe the person has been
23 convicted of a felony, a crime involving moral
24 turpitude or a domestic violence offense or is

1 currently participating in a deferred sentence for
2 such offenses.

3 4. When the investigation of a complaint does not find the
4 person has violated any of the provisions of this subsection, or
5 finds that the person is sufficiently rehabilitated as provided in
6 subparagraph b or f of paragraph 1 of this subsection, no
7 disciplinary action shall be required and the person shall remain
8 certified as a police or peace officer. When the investigation of a
9 complaint finds that the person has violated any of the provisions
10 of this subsection, the matter shall be referred for disciplinary
11 proceedings. The disciplinary proceedings shall be in accordance
12 with Articles I and II of the Administrative Procedures Act.

13 5. The Council shall revoke the certification of any person
14 upon determining that such person has been convicted of a felony or
15 a crime involving moral turpitude or a domestic violence offense or
16 has entered a plea of guilty, or nolo contendere or an "Alford" plea
17 or any plea other than a not guilty plea for a felony offense, a
18 crime of moral turpitude or a crime of domestic violence or is the
19 respondent in a final Victims Protective Order; provided, that if
20 the conviction has been reversed, vacated or otherwise invalidated
21 by an appellate court, such conviction shall not be the basis for
22 revocation of certification; provided further, that any person who
23 has been trained and certified by the Council on Law Enforcement
24 Education and Training and is actively employed as a full-time peace

1 officer as of November 1, 1985, shall not be subject to the
2 provisions of this subsection for convictions occurring prior to
3 November 1, 1985. The sole issue to be determined at the hearing
4 shall be whether the person has been convicted of a felony, a crime
5 involving moral turpitude or a domestic violence offense or is the
6 named respondent/defendant in a final Victims Protective Order.

7 6. The Council shall revoke the certification of any person
8 upon determining that such person has received a deferred sentence
9 for a felony, a crime involving moral turpitude or a domestic
10 violence offense.

11 7. The Council may suspend the certification of any person upon
12 a determination that such person has been involuntarily committed to
13 a mental institution or mental health facility for a mental illness,
14 condition or disorder as provided in subparagraph f of paragraph 1
15 of this subsection.

16 8. Every law enforcement agency in this state shall, within
17 thirty (30) days of a final order of termination or resignation
18 while under investigation of a CLEET-certified peace officer, report
19 such order or resignation in writing to the Executive Director of
20 the Council. Any report, upon receipt by the Council, shall be
21 considered as personnel records and shall be afforded confidential
22 protection pursuant to Sections 24A.7 and 24A.8 of Title 51 of the
23 Oklahoma Statutes. Any medical or other confidential records
24 obtained by subpoena pursuant to this subsection shall not be made a

1 part of such report. ~~The Executive Director shall ensure that the~~
2 ~~report is provided to all members of the Council. The Council shall~~
3 ~~review and make recommendations concerning the report at the first~~
4 ~~meeting of the Council to occur after all members of the Council~~
5 ~~have received the report.~~ The Advisory Council may, by a majority
6 vote, order the suspension, for a given period of time, or
7 revocation of the CLEET certification of the peace officer in
8 question if there are grounds for such actions pursuant to this
9 section and the peace officer in question has been provided with
10 notice and an opportunity for a hearing pursuant to the
11 Administrative Procedures Act. Suspension or revocation of CLEET
12 certification pursuant to this paragraph shall be reported to the
13 district attorney for the jurisdiction in which the peace officer
14 was employed, to the liability insurance company of the law
15 enforcement agency that employed the peace officer, the chief
16 elected official of the governing body of the law enforcement agency
17 and the chief law enforcement officer of the law enforcement agency.

18 9. For all other violations of this subsection, the hearing
19 examiner shall take into consideration the severity of the
20 violation, any mitigating circumstances offered by the person
21 subject to disciplinary action, and any other evidence relevant to
22 the person's character to determine the appropriate disciplinary
23 action.

24

1 10. a. A police or peace officer may voluntarily surrender
2 and relinquish the peace officer certification to
3 CLEET. Pursuant to such surrender or relinquishment,
4 the person surrendering the certification shall be
5 prohibited from applying to CLEET for reinstatement
6 within five (5) years of the date of the surrender or
7 relinquishment, unless otherwise provided by law for
8 reinstatement.

9 b. No person who has had a police or peace officer
10 certification from another state revoked or
11 voluntarily surrendered and has not been reinstated by
12 that state shall be considered for certification by
13 CLEET.

14 c. Any person seeking reinstatement of police or peace
15 officer certification which has been suspended,
16 revoked, or voluntarily surrendered may apply for
17 reinstatement pursuant to promulgated CLEET rules
18 governing reinstatement. Except as provided in this
19 subsection, any person whose certification has been
20 revoked, suspended or voluntarily surrendered for any
21 reason, including failure to comply with mandatory
22 education and training requirements, shall pay a
23 reinstatement fee of One Hundred Fifty Dollars
24 (\$150.00) to be deposited to the credit of the Peace

1 Officer Revolving Fund created pursuant to Section
2 3311.7 of this title.

3 11. A duty is hereby imposed upon the district attorney who, on
4 behalf of ~~the State of Oklahoma~~ this state, prosecutes a person
5 holding police or peace officer or reserve peace officer
6 certification for a felony, a crime involving moral turpitude, or a
7 crime of domestic violence in which a plea of guilty, nolo
8 contendere, or an "Alford" plea or any other plea other than a not
9 guilty plea or other finding of guilt is entered by, against or on
10 behalf of a certified police or peace officer to report such plea,
11 agreement, or other finding of guilt to the Council on Law
12 Enforcement Education and Training within ten (10) days of such plea
13 agreement or the finding of guilt.

14 12. Any person or agency required or authorized to submit
15 information pursuant to this section to the Council shall be immune
16 from liability arising from the submission of the information as
17 long as the information was submitted in good faith and without
18 malice.

19 13. Any peace officer employed by a law enforcement agency in
20 this state which has internal discipline policies and procedures on
21 file with CLEET shall be exempt from the disciplinary proceedings
22 and actions provided for in this subsection; provided, however, such
23 exemption shall not apply if the peace officer has been convicted of
24

1 a felony crime, a crime of moral turpitude, or a crime of domestic
2 violence.

3 14. All criminal proceedings initiated against a CLEET-
4 certified peace officer or reserve peace officer shall be reported
5 by the officer to CLEET immediately after arrest or discovery of the
6 filing of such criminal proceeding. All CLEET-certified peace
7 officers and reserve peace officers shall be required to report when
8 a Victim Protective Order has been issued against the officer,
9 including orders issued on an emergency basis and all final orders
10 of protection. Failure to give notice pursuant to the provisions of
11 this paragraph may be cause to initiate an action against the
12 officer by CLEET.

13 15. As used in this subsection:

- 14 a. "law enforcement agency" means any department or
15 agency of the state, a county, a municipality, or
16 political subdivision thereof, with the duties to
17 maintain public order, make arrests, and enforce the
18 criminal laws of this state or municipal ordinances,
19 which employs CLEET-certified personnel,
- 20 b. "final order of termination" means a final notice of
21 dismissal from employment provided after all
22 grievance, arbitration, and court actions have been
23 completed, and

24

1 c. "resignation while under investigation" means the
2 resignation from employment of a peace officer who is
3 under investigation for any felony violation of law, a
4 crime of moral turpitude, a crime of domestic
5 violence, or the resignation from employment of a
6 peace officer as part of an arbitration or plea
7 agreement.

8 K. 1. Every canine team in the state trained to detect
9 controlled dangerous substances shall be certified, by test, in the
10 detection of such controlled dangerous substances and shall be
11 recertified annually so long as the canine is used for such
12 detection purposes. The certification test and annual
13 recertification test provisions of this subsection shall not be
14 applicable to canines that are owned by a law enforcement agency and
15 that are certified and annually recertified in the detection of
16 controlled dangerous substances by the United States Customs
17 Service. No employee of CLEET may be involved in the training or
18 testing of a canine team.

19 2. The ~~Council~~ Governor shall appoint a Drug Dog Advisory
20 Council to make recommendations concerning minimum standards,
21 educational needs, and other matters imperative to the certification
22 of canines and canine teams trained to detect controlled dangerous
23 substances. The Council shall promulgate rules based upon the
24 recommendations of the Drug Dog Advisory Council. Members of the

1 Drug Dog Advisory Council shall include, but need not be limited to,
2 a commissioned officer with practical knowledge of such canines and
3 canine teams from each of the following:

- 4 a. the Oklahoma State Bureau of Narcotics and Dangerous
5 Drugs Control,
- 6 b. the Department of Public Safety,
- 7 c. a police department,
- 8 d. a sheriff's office, and
- 9 e. a university or college campus police department.

10 3. The fee for the certification test shall be Two Hundred
11 Dollars (\$200.00) and the annual recertification test fee shall be
12 One Hundred Dollars (\$100.00) per canine team. A retest fee of
13 Fifty Dollars (\$50.00) will be charged if the team fails the test.
14 No such fee shall be charged to any local, state or federal
15 government agency. The fees provided for in this paragraph shall be
16 deposited to the credit of the CLEET Fund created pursuant to
17 Section 1313.2 of Title 20 of the Oklahoma Statutes.

18 L. 1. Every canine team in the state trained to detect
19 explosives, explosive materials, explosive devices, and materials
20 which could be used to construct an explosive device shall be
21 certified, by test, in the detection of such explosives and
22 materials and shall be recertified annually so long as the canine is
23 used for such detection purposes. The certification test and annual
24 recertification test provisions of this subsection shall not be

1 applicable to canines that are owned by a law enforcement agency if
2 such canines are certified and annually recertified in the detection
3 of explosives and materials by the United States Department of
4 Defense. No employee of CLEET may be involved in the training or
5 testing of a canine team.

6 2. The ~~Council~~ Governor shall appoint a Bomb Dog Advisory
7 Council to make recommendations concerning minimum standards,
8 educational needs, and other matters imperative to the certification
9 of canines and canine teams trained to detect explosives, explosive
10 materials, explosive devices and materials which could be used to
11 construct an explosive device. The Council shall promulgate rules
12 based upon the recommendations of the Bomb Dog Advisory Council.
13 Members of the Bomb Dog Advisory Council shall include, but need not
14 be limited to, a commissioned officer with practical knowledge of
15 such canines and canine teams from each of the following:

- 16 a. the Department of Public Safety,
- 17 b. a police department,
- 18 c. a sheriff's office, and
- 19 d. a university or college campus police department.

20 3. The fee for the certification test shall be Two Hundred
21 Dollars (\$200.00) and the annual recertification test fee shall be
22 One Hundred Dollars (\$100.00) per canine team. A retest fee of
23 Fifty Dollars (\$50.00) will be charged if the team fails the test.
24 No such fee shall be charged to any local, state or federal

1 government agency. The fees provided for in this paragraph shall be
2 deposited to the credit of the CLEET Fund created pursuant to
3 Section 1313.2 of Title 20 of the Oklahoma Statutes.

4 M. All tribal police officers of any Indian tribe or nation who
5 have been commissioned by an Oklahoma law enforcement agency
6 pursuant to a cross-deputization agreement with ~~the State of~~
7 ~~Oklahoma~~ this state or any political subdivision of ~~the State of~~
8 ~~Oklahoma~~ this state pursuant to the provisions of Section 1221 of
9 Title 74 of the Oklahoma Statutes shall be eligible for peace
10 officer certification under the same terms and conditions required
11 of members of the law enforcement agencies of the State of Oklahoma
12 and its political subdivisions. CLEET shall issue peace officer
13 certification to tribal police officers who, as of July 1, 2003, are
14 commissioned by an Oklahoma law enforcement agency pursuant to a
15 cross-deputization agreement with ~~the State of Oklahoma~~ this state
16 or any political subdivision of ~~the State of Oklahoma~~ this state
17 pursuant to the provisions of Section 1221 of Title 74 of the
18 Oklahoma Statutes and have met the training and qualification
19 requirements of this section.

20 N. If an employing law enforcement agency in this state has
21 paid for CLEET training and the salary of a person while that person
22 is completing in this state a basic police course approved by the
23 Council and if within one (1) year after initial employment with the
24 original employing agency that person resigns and is hired by

1 another law enforcement agency in this state, the second agency or
2 the person receiving the training shall reimburse the original
3 employing agency for the cost of CLEET training and salary paid to
4 the person while completing the basic police course by the original
5 employing agency. If the person leaves the original employing
6 agency later than one (1) year, but less than two (2) years, after
7 the initial employment, the second agency or the person receiving
8 the training shall reimburse the original employing agency fifty
9 percent (50%) of the cost of CLEET training and salary paid to the
10 person while completing the basic police course by the original
11 employing agency. CLEET shall not be a party to any court action
12 based on this provision.

13 O. The Council on Law Enforcement Education and Training, in
14 its discretion, may waive all or part of any moneys due to the
15 Council, if deemed uncollectable by the Council.

16 P. Peace officers, reserve peace officers, tribal peace
17 officers, agencies, bail enforcers, security guards and private
18 investigators shall maintain with the Council current mailing
19 addresses and shall notify the Council, in writing, of any change of
20 address or name. Notification of change of name shall require
21 certified copies of any marriage license or other court document
22 which reflects the change of name. Notice of change of address or
23 telephone number must be made within ten (10) days of the effected
24 change. Notices shall not be accepted over the phone. In any

1 proceeding in which the Council is required to serve notice or an
2 order on an individual or an agency, the Council may send a letter
3 to the mailing address on file with the Council. If the letter is
4 returned and a notation of the U.S. Postal Service indicates
5 "unclaimed", or "moved", or "refused" or any other nondelivery
6 markings and the records of the Council indicate that no change of
7 address as required by this subsection has been received by the
8 Council, the notice and any subsequent notices or orders shall be
9 deemed by the Court as having been legally served for all purposes.

10 Q. All CLEET records of Bail Enforcers may be released only in
11 compliance with this section and the Oklahoma Bail Enforcement and
12 Licensing Act. All records in CLEET possession concerning other
13 persons or entities shall be released only in compliance with this
14 section and the Oklahoma Open Records Act.

15 SECTION 2. AMENDATORY Section 1, Chapter 168, O.S.L.
16 2018 (70 O.S. Supp. 2019, Section 3311.16), is amended to read as
17 follows:

18 Section 3311.16. A. The Council on Law Enforcement Education
19 and Training (CLEET) is authorized to conduct and approve full-time
20 Basic Peace Officer Certification Academies and other law
21 enforcement related training for individuals not commissioned or
22 appointed by a law enforcement agency under rules established by the
23 Council.

24

1 B. The tuition and/or fees for attending the Basic Peace
2 Officer Certification Academies and/or other law enforcement related
3 training at CLEET will be at a rate established by CLEET and
4 approved by the Council. Tuition and/or fees charged under this
5 section will be deposited in the Peace Officer Revolving Fund
6 established in Section 3311.7 of ~~Title 70 of the Oklahoma Statutes~~
7 this title. The tuition and/or fees for attending the Basic Peace
8 Officer Certification Academies and/or other law enforcement-related
9 training at approved facilities other than CLEET will be at a rate
10 established by the specific facility providing the training.

11 C. Individuals not commissioned or appointed by a law
12 enforcement agency who are trained in the Basic Peace Officer
13 Certification Academies will be required to meet minimum
14 requirements established for peace officers as set forth in Section
15 3311 of ~~Title 70 of the Oklahoma Statutes~~ this title. Any fees
16 relating to meeting these requirements shall be the responsibility
17 of the individual. Individuals applying for the Academies will be
18 required to submit a fingerprint check to CLEET prior to acceptance.

19 D. The Council is authorized to promulgate emergency rules to
20 effectuate the provisions of this subsection.

21 E. Upon successful completion of the Basic Peace Officer
22 Certification Academy, the individual's CLEET certification will
23 become effective upon employment by an Oklahoma law enforcement
24 agency. Employment and certification must be obtained within two

1 (2) years of completion of the Basic Peace Officer Certification
2 Academy.

3 SECTION 3. AMENDATORY Section 1, Chapter 254, O.S.L.
4 2018, as amended by Section 1, Chapter 20, O.S.L. 2019 (70 O.S.
5 Supp. 2019, Section 3311.17), is amended to read as follows:

6 Section 3311.17. A. Any state-supported technology center
7 school in ~~the State of Oklahoma~~ this state operating under the State
8 Board of Career and Technology Education or any higher education
9 institution in this state shall be authorized to, upon application
10 and approval of the Council on Law Enforcement Education and
11 Training (CLEET), offer courses of study for law enforcement
12 certification, basic peace officer certification academies and other
13 law-enforcement-related training. CLEET shall provide the
14 application and the approval process to the Cabinet Secretary of
15 Public Safety for review and approval no later than November 1,
16 2020. Commissioned and noncommissioned individuals and those
17 individuals appointed or not appointed by a law enforcement agency
18 may attend the courses or training offered by the technology center
19 school or higher education institution. ~~CLEET shall vote to approve~~
20 ~~or deny an application to offer courses or training offered pursuant~~
21 ~~to this section~~ Applications shall be reviewed and approved or
22 denied within thirty (30) days of receipt by CLEET. Notice of
23 denial of application shall include a clear and concise statement
24 for which the denial is based. ~~CLEET may authorize up to two new~~

1 ~~entities each year to offer courses or training. Courses and~~
2 ~~training offered by authorized entities shall consist of actual~~
3 ~~classroom training at each entity location. All non-classroom~~
4 ~~training shall be provided at the CLEET training facility, unless~~
5 ~~approved otherwise by CLEET.~~

6 B. CLEET shall work with the Oklahoma Department of Career and
7 Technology Education to develop an approved curriculum no later than
8 November 1, 2020. All law enforcement curriculum courses offered by
9 the approved technology centers shall be taught by the technology
10 center staff except for defensive driving. Defensive driving shall
11 be taught by CLEET-approved instructors. Firearm training at the
12 approved technology centers shall be taught by CLEET-firearm-
13 certified instructors.

14 C. Any courses or training offered pursuant to this section
15 shall meet minimum standards established for peace officers as set
16 forth in Section 3311 of ~~Title 70 of the Oklahoma Statutes~~ this
17 title and meet all applicable eligibility requirements for students
18 to receive benefits pursuant to any of the federal G.I. bills. All
19 participants in any courses or training offered pursuant to this
20 section shall be required to submit all background investigation
21 requirements as set forth in Section 3311 of ~~Title 70 of the~~
22 ~~Oklahoma Statutes~~ this title.

23 ~~C.~~ D. Any state-supported technology center school in ~~the State~~
24 ~~of Oklahoma~~ this state operating under the State Board of Career and

1 Technology Education or any higher education institution in this
2 state shall be authorized to set and administer their own rates for
3 tuition and fees for courses or training offered pursuant to this
4 section.

5 ~~D.~~ E. Notwithstanding any other provision of law, any materials
6 and records provided by CLEET to any institution of higher education
7 or state-supported technology center school conducting a basic law
8 enforcement training shall remain the property of CLEET and retain
9 confidential status and shall not be released except under the
10 conditions contained in Section 24A.8 of Title 51 of the Oklahoma
11 Statutes. In addition, any materials and records provided by any
12 institution of higher education or state-supported technology center
13 school conducting basic law enforcement training to CLEET shall be
14 subject to these same limitations on release. Such materials and
15 records include, but are not limited to, all records maintained
16 pursuant to Section 3311 of this title and records relating to any
17 employed or certified full-time officer, reserve officer, retired
18 officer or other person; teacher lesson plans, tests and other
19 teaching materials; and personal communications concerning
20 individual students except under the circumstances set forth in
21 Section 24A.8 of Title 51 of the Oklahoma Statutes.

22 SECTION 4. This act shall become effective November 1, 2020.

23
24 57-2-3816 BG 2/17/2020 2:39:10 PM