

1 **SENATE FLOOR VERSION**

2 February 19, 2020

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1200

6 By: Thompson

7 [ law enforcement training - Council on Law  
8 Enforcement Education and Training - Advisory Council  
9 membership - academies - technology center schools -  
10 application process approval - curriculum -  
11 instruction - effective date ]

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

13 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3311, as  
14 last amended by Section 1, Chapter 245, O.S.L. 2019 (70 O.S. Supp.  
15 2019, Section 3311), is amended to read as follows:

16 Section 3311. A. There is hereby created a Council on Law  
17 Enforcement Education and Training which shall be, and is hereby  
18 declared to be, a governmental law enforcement agency of the State  
19 of Oklahoma, body politic and corporate, with powers of government  
20 and with the authority to exercise the rights, privileges and  
21 functions necessary to ensure the professional training and  
22 continuing education of law enforcement officers in the State of  
23 Oklahoma. These rights, privileges and functions include, but are  
24 not limited to, those specified in Sections 3311 through 3311.15 of

1 this title and in the Oklahoma Security Guard and Private  
2 Investigator Act and the Oklahoma Bail Enforcement and Licensing  
3 Act. The Council shall be authorized to require agency employees  
4 and the employees of agency contractors in positions to have access  
5 to Oklahoma Peace Officer records, Oklahoma Security Guard and  
6 Private Investigator records, Oklahoma Bail Enforcement and  
7 Licensing Act records, to be subject to a criminal history search by  
8 the Oklahoma State Bureau of Investigation, as well as be  
9 fingerprinted for submission of the fingerprints through the  
10 Oklahoma State Bureau of Investigation to the Federal Bureau of  
11 Investigation for a national criminal history check. The Council  
12 shall be the recipient of the results of the record check. In  
13 accordance with Section 150.9 of Title 74 of the Oklahoma Statutes,  
14 this includes a national criminal record with a finger print  
15 analysis. ~~The Council shall be composed of thirteen (13) members as~~  
16 ~~follows:~~

17 ~~1. The Commissioner of the Department of Public Safety, or~~  
18 ~~designee;~~

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

21 ~~3. The Director of the Oklahoma State Bureau of Investigation,~~  
22 ~~or designee;~~

23

24

1       ~~4. One member appointed by the Governor who shall be a law~~  
2 ~~enforcement administrator representing a tribal law enforcement~~  
3 ~~agency;~~

4       ~~5. One member appointed by the Governor who shall be a chief of~~  
5 ~~police of a municipality with a population over one hundred thousand~~  
6 ~~(100,000), as determined by the latest Federal Decennial Census;~~

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

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

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

19       ~~9. One member appointed by the Board of Directors of the~~  
20 ~~Fraternal Order of Police who shall have experience as a training~~  
21 ~~officer;~~

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

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

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

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

16 ~~The Executive Director selected by the Council shall be an ex~~  
17 ~~officio member of the Council and shall act as Secretary. The~~  
18 ~~Council on Law Enforcement Education and Training shall select a~~  
19 ~~chair and vice chair from among its members. Members of the Council~~  
20 ~~on Law Enforcement Education and Training shall not receive a salary~~  
21 ~~for duties performed as members of the Council, but shall be~~  
22 ~~reimbursed for their actual and necessary expenses incurred in the~~  
23 ~~performance of Council duties pursuant to the provisions of the~~  
24 ~~State Travel Reimbursement Act.~~

1 B. ~~The Council on Law Enforcement Education and Training~~

2 Governor is hereby authorized and directed to:

3 1. ~~Appoint a larger~~ an Executive Director, who shall be subject  
4 to the advice, consent and confirmation by the Senate, to direct the  
5 staff, inform the Governor of compliance with the provisions of this  
6 section and perform such other duties imposed on the Council by law.

7 An Executive Director appointed by the Governor must qualify for the  
8 position with a bachelor or higher degree from an accredited college  
9 or university, and a minimum of ten (10) years of active law  
10 enforcement experience including, but not limited to, responsibility  
11 for enforcement, investigation, administration, training or  
12 curriculum implementation;

13 2. Utilize an Advisory Council to discuss problems and hear  
14 recommendations concerning necessary research, minimum standards,  
15 educational needs, and other matters imperative to upgrading  
16 Oklahoma law enforcement to professional status. The Advisory  
17 Council shall be composed of thirteen (13) members as follows:

18 a. the Commissioner of the Department of Public Safety,  
19 or designee,

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

22 c. the Director of the Oklahoma State Bureau of  
23 Investigation, or designee,

1        d. one member appointed by the Governor who shall be a  
2        law enforcement administrator representing a tribal  
3        law enforcement agency,

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

8        f. one member appointed by the Board of Directors of the  
9        Oklahoma Sheriffs' Association who shall be a sheriff  
10       of a county with a population under twenty-five  
11       thousand (25,000), as determined by the latest Federal  
12       Decennial Census,

13       g. one member appointed by the Oklahoma Association of  
14       Police Chiefs who shall be a chief of police  
15       representing a municipality with a population over ten  
16       thousand (10,000), as determined by the latest Federal  
17       Decennial Census,

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

- 1        i. one member appointed by the Board of Directors of the  
2        Fraternal Order of Police who shall have experience as  
3        a training officer,
- 4        j. one member appointed by the Chancellor of Higher  
5        Education who shall be a representative of East  
6        Central University,
- 7        k. one member appointed by the Board of Directors of the  
8        Oklahoma Sheriffs and Peace Officers Association who  
9        shall be a full-time law enforcement officer in good  
10       standing with CLEET within a county with a population  
11       under fifty thousand (50,000),
- 12       l. the President Pro Tempore of the Senate shall appoint  
13       one member from a list of three or more nominees  
14       submitted by a statewide organization representing  
15       cities and towns that is exempt from taxation under  
16       federal law and designated pursuant to the provisions  
17       of the Internal Revenue Code, 26 U.S.C., Section  
18       170(a), and
- 19       m. the Speaker of the House of Representatives shall  
20       appoint one member from a list of three or more  
21       nominees submitted by an organization that assists in  
22       the establishment of accreditation standards and  
23       training programs for law enforcement agencies  
24       throughout this state.

1        The Executive Director shall be an ex officio member of the  
2 Advisory Council and shall act as secretary. The Advisory Council  
3 shall select a chair and vice-chair from among its members. Members  
4 of the Advisory Council shall not receive a salary for duties  
5 performed as members of the Advisory Council but shall be reimbursed  
6 for their actual and necessary expenses incurred in the performance  
7 of Advisory Council duties pursuant to the provisions of the State  
8 Travel Reimbursement Act;

9        ~~2.~~ 3. Promulgate rules with respect to such matters as  
10 certification, revocation, suspension, withdrawal and reinstatement  
11 of certification, minimum courses of study, testing and test scores,  
12 attendance requirements, equipment and facilities, minimum  
13 qualifications for instructors, minimum standards for basic and  
14 advanced in-service courses, and seminars for Oklahoma police and  
15 peace officers;

16        ~~3.~~ 4. Authorize research, basic and advanced courses, and  
17 seminars to assist in program planning directly and through  
18 subcommittees;

19        ~~4.~~ 5. Authorize additional staff and services necessary for  
20 program expansion;

21        ~~5.~~ 6. Recommend legislation necessary to upgrade Oklahoma law  
22 enforcement to professional status;

23        ~~6.~~ 7. Establish policies and regulations concerning the number,  
24 geographic and police unit distribution, and admission requirements

1 of those receiving tuition or scholarship aid available through the  
2 Council. Such waiver of costs shall be limited to duly appointed  
3 members of legally constituted local, county, and state law  
4 enforcement agencies on the basis of educational and financial need;

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

16 The Executive Director of the Council on Law Enforcement  
17 Education and Training may commission CLEET staff as peace officers  
18 for purposes consistent with the duties of CLEET as set out in state  
19 law. The powers and duties conferred on the Executive Director or  
20 any staff member appointed by the Executive Director as a peace  
21 officer shall not limit the powers and duties of other peace  
22 officers of this state or any political subdivision thereof. The  
23 Executive Director or any staff member appointed by the Executive  
24

1 Director as a peace officer may, upon request, assist any federal,  
2 state, county or municipal law enforcement agency;

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

16 9. a. Certify canine teams, consisting of a dog and a  
17 handler working together as a team, trained to detect:  
18 (1) controlled dangerous substances, or  
19 (2) explosives, explosive materials, explosive  
20 devices, or materials which could be used to  
21 construct an explosive device;  
22 provided, the dog of a certified canine team shall not  
23 be certified at any time as both a drug dog and a bomb  
24 dog, and any dog of a certified canine team who has

1           been previously certified as either a drug dog or a  
2           bomb dog shall not be eligible at any time to be  
3           certified in the other category.

4           b.   Upon retiring the dog from the service it was  
5           certified to perform, the law enforcement department  
6           that handled the dog shall retain possession of the  
7           dog. The handler shall have first option of adopting  
8           the dog. If that option is not exercised, the law  
9           enforcement department shall provide for its adoption.  
10          Once adopted the dog shall not be placed back into  
11          active service;

12          10. Enter into a lease, loan or other agreement with the  
13          Oklahoma Development Finance Authority or a local public trust for  
14          the purpose of facilitating the financing of a new facility for its  
15          operations and use and pledge, to the extent authorized by law, all  
16          or a portion of its receipts of the assessment penalty herein  
17          referenced for the payment of its obligations under such lease, loan  
18          or other agreement. It is the intent of the Legislature to increase  
19          the assessment penalty to such a level or appropriate sufficient  
20          monies to the Council on Law Enforcement Education and Training to  
21          make payments on the lease, loan or other agreement for the purpose  
22          of retiring the bonds to be issued by the Oklahoma Development  
23          Finance Authority or local public trust. Such lease, loan or other  
24          agreement and the bonds issued to finance such facilities shall not

1 constitute an indebtedness of the State of Oklahoma or be backed by  
2 the full faith and credit of the State of Oklahoma, and the lease,  
3 loan or other agreement and the bonds shall contain a statement to  
4 such effect;

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

7 12. Appoint an advisory committee composed of representatives  
8 from security guard and private investigative agencies to advise the  
9 ~~Council~~ Governor concerning necessary research, minimum standards  
10 for licensure, education, and other matters related to licensure of  
11 security guards, security guard agencies, private investigators, and  
12 private investigative agencies;

13 13. Enter into agreements with individuals, educational  
14 institutions, agencies, and business and tribal entities for  
15 professional services, the use of facilities and supplies, and staff  
16 overtime costs incurred as a result of the user's requests to  
17 schedule functions after-hours, on weekends, or anytime such  
18 requests extend staff beyond its normal capacity, whereby  
19 contracting individuals, educational institutions, agencies, and  
20 business and tribal entities shall pay a fee to be determined by the  
21 Council by rule. All fees collected pursuant to facilities usage  
22 shall be deposited to the credit of the C.L.E.E.T. Training Center  
23 Revolving Fund created pursuant to Section 3311.6 of this title.  
24 All other fees collected pursuant to these agreements shall be

1 deposited to the credit of the Peace Officer Revolving Fund created  
2 pursuant to Section 3311.7 of this title. The Council is authorized  
3 to promulgate emergency rules to effectuate the provisions of this  
4 paragraph;

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

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

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

16 a. one member shall be selected by the Chancellor for  
17 Higher Education, who possesses a background of  
18 creation and review of curriculum and experience  
19 teaching criminal justice or law enforcement courses,  
20 who shall serve an initial term of one (1) year,

21 b. one member shall represent a municipal jurisdiction  
22 with a population of fifty thousand (50,000) or more  
23 and who shall be a management-level CLEET-certified  
24

1 training officer, who shall serve an initial term of  
2 two (2) years,

3 c. one member shall represent a county jurisdiction with  
4 a population of fifty thousand (50,000) or more and  
5 who shall be a management-level CLEET-certified  
6 training officer, who shall serve an initial term of  
7 three (3) years,

8 d. one member shall represent a municipal jurisdiction  
9 with a population of less than fifty thousand (50,000)  
10 and who shall be a CLEET-certified training officer,  
11 who shall serve an initial term of two (2) years,

12 e. one member shall represent a county jurisdiction with  
13 a population of less than fifty thousand (50,000) and  
14 who shall be a CLEET-certified training officer, who  
15 shall serve an initial term of one (1) year, and

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

20 After the initial terms of office, all members shall be  
21 appointed to serve three-year terms. Any member may be reappointed  
22 to serve consecutive terms. Members shall serve without  
23 compensation, but may be reimbursed for travel expenses pursuant to  
24 the State Travel Reimbursement Act. The Board shall review and

1 establish curriculum for all CLEET academies and training courses  
2 pursuant to procedures established by the Council on Law Enforcement  
3 Education and Training;

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

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

11 19. Summarily suspend a certification of a peace officer,  
12 without prior notice but otherwise subject to administrative  
13 proceedings, if CLEET finds that the actions of the certified peace  
14 officer may present a danger to the peace officer, the public, a  
15 family or household member, or involve a crime against a minor. A  
16 certified copy of the information or indictment charging such a  
17 crime shall be considered clear and convincing evidence of the  
18 charge; and

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

21 a. this section applies only to an entity authorized by  
22 statute or by the Constitution to create a law  
23 enforcement agency or police department and  
24 commission, appoint, or employ officers that first

1 creates or reactivates an inactive law enforcement  
2 agency or police department and first begins to  
3 commission, appoint~~7~~ or employ officers on or after  
4 November 1, 2011,

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

8 (1) the need for the law enforcement agency or police  
9 department in the community,

10 (2) the funding sources for the law enforcement  
11 agency or police department, and proof that no  
12 more than fifty percent (50%) of the funding of  
13 the entity will be derived from ticket revenue or  
14 fines,

15 (3) the physical resources available to officers,

16 (4) the physical facilities that the law enforcement  
17 agency or police department will operate,  
18 including descriptions of the evidence room,  
19 dispatch area, restroom facilities~~7~~ and public  
20 area,

21 (5) law enforcement policies of the law enforcement  
22 agency or police department, including published  
23 policies on:

24 (a) use of force,

- 1 (b) vehicle pursuit,  
2 (c) mental health,  
3 (d) professional conduct of officers,  
4 (e) domestic abuse,  
5 (f) response to missing persons,  
6 (g) supervision of part-time officers, and  
7 (h) impartial policing,  
8 (6) the administrative structure of the law  
9 enforcement agency or police department,  
10 (7) liability insurance, and  
11 (8) any other information CLEET requires by rule, and  
12 c. within sixty (60) days of receiving an entity's  
13 request, CLEET will forward to the entity by certified  
14 mail, return receipt requested, a letter of  
15 authorization or denial to create a law enforcement  
16 agency or police department and commission, appoint,  
17 or employ officers, signed by the Executive Director  
18 of CLEET, ~~and~~  
19 ~~d. in cases of denial, the entity may appeal the decision~~  
20 ~~of the Executive Director to the full CLEET Council.~~  
21 ~~The Executive Director shall ensure that the final~~  
22 ~~report is provided to all members of the Council. The~~  
23 ~~Council shall review and make recommendations~~  
24 ~~concerning the report at the first meeting of the~~

1 ~~Council to occur after all members of the Council have~~  
2 ~~received the report. The Council may, by majority~~  
3 ~~vote:~~

4 ~~(1) order additional information be provided,~~

5 ~~(2) order confirmation of the opinion of the~~

6 ~~Executive Director, or~~

7 ~~(3) order authorization of the entity.~~

8 C. 1. Payment of any fee provided for in this section may be  
9 made by a nationally recognized credit or debit card issued to the  
10 applicant. The Council may publicly post and collect a fee for the  
11 acceptance of the nationally recognized credit or debit card not to  
12 exceed five percent (5%) of the amount of the payment. For purposes  
13 of this subsection, "nationally recognized credit card" means any  
14 instrument or device, whether known as a credit card, credit plate,  
15 charge plate, or by any other name, issued with or without fee by an  
16 issuer for the use of the cardholder in obtaining goods, services,  
17 or anything else of value and which is accepted by over one thousand  
18 merchants in this state. "Debit card" means an identification card  
19 or device issued to a person by a business organization which  
20 permits such person to obtain access to or activate a consumer  
21 banking electronic facility. The Council shall determine which  
22 nationally recognized credit or debit cards will be accepted as  
23 payment for fees.

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

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

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

12           D. Failure of the Legislature to appropriate necessary funds to  
13 provide for expenses and operations of the Council on Law  
14 Enforcement Education and Training shall not invalidate other  
15 provisions of this section relating to the creation and duties of  
16 the Council.

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

21           a. a fingerprint search submitted to the Oklahoma State  
22 Bureau of Investigation with a return report to the  
23 submitting agency that such person has no felony  
24 record,

- 1           b. a fingerprint search submitted to the Federal Bureau  
2 of Investigation with a return report to the  
3 submitting agency that such person has no felony  
4 record,
- 5           c. such person has undergone psychological evaluation by  
6 a psychologist licensed by ~~the State of Oklahoma~~ this  
7 state and has been evaluated to be suitable to serve  
8 as a peace officer in ~~the State of Oklahoma~~ this  
9 state,
- 10          d. the employing agency has verified that such person has  
11 a high school diploma or a GED equivalency certificate  
12 as recognized by state law,
- 13          e. such person is not participating in a deferred  
14 sentence agreement for a felony, a crime involving  
15 moral turpitude or a crime of domestic violence, and  
16 does not have any criminal charges pending in any  
17 court in this state, another state, in tribal court or  
18 pursuant to the United States Code,
- 19          f. such person is not currently subject to an order of  
20 the Council revoking, suspending, or accepting a  
21 voluntary surrender of peace officer certification,
- 22          g. such person is not currently undergoing treatment for  
23 a mental illness, condition or disorder. For purposes  
24 of this subsection, "currently undergoing treatment

1 for mental illness, condition or disorder" means the  
2 person has been diagnosed by a licensed physician,  
3 psychologist, or licensed mental health professional  
4 as being afflicted with a substantial disorder of  
5 thought, mood, perception, psychological orientation  
6 or memory that significantly impairs judgment,  
7 behavior, capacity to recognize reality, or ability to  
8 meet the ordinary demands of life and such condition  
9 continues to exist,

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

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

14 i. such person has provided proof of United States  
15 citizenship or resident alien status, pursuant to an  
16 employment eligibility verification form from the  
17 United States Citizenship and Immigration Services.

18 2. To aid the evaluating psychologist in interpreting the test  
19 results, including automated scoring and interpretations, the  
20 employing agency shall provide the psychologist a statement  
21 confirming the identity of the individual taking the test as the  
22 person who is employed or seeking employment as a peace officer of  
23 the agency and attesting that it administered the psychological  
24 instrument in accordance with standards within the test document.

1 The psychologist shall report to the employing agency the evaluation  
2 of the assessment instrument and may include any additional  
3 recommendations to assist the employing agency in determining  
4 whether to certify to the Council on Law Enforcement Education and  
5 Training that the person being evaluated is suitable to serve as a  
6 peace officer in ~~the State of Oklahoma~~ this state. No additional  
7 procedures or requirements shall be imposed for performance of the  
8 psychological evaluation. The psychological instrument utilized  
9 shall be evaluated by a psychologist licensed by ~~the State of~~  
10 ~~Oklahoma~~ this state, and the employing agency shall certify to the  
11 Council that the evaluation was conducted in accordance with this  
12 provision and that the employee or applicant is suitable to serve as  
13 a peace officer in ~~the State of Oklahoma~~ this state.

14 a. Any person found not to be suitable for employment or  
15 certification by the Council shall not be employed,  
16 retained in employment as a peace officer, or  
17 certified by the Council for at least one (1) year, at  
18 which time the employee or applicant may be  
19 reevaluated by a psychologist licensed by ~~the State of~~  
20 ~~Oklahoma~~ this state. This section shall also be  
21 applicable to all reserve peace officers in the State  
22 of Oklahoma.

23 b. Any person who is certified by CLEET and has undergone  
24 the psychological evaluation required by this

1           subparagraph and has been found to be suitable as a  
2           peace officer shall not be required to be reevaluated  
3           for any subsequent employment as a peace officer  
4           following retirement or any break in service as a  
5           peace officer, unless such break in service exceeds  
6           five (5) years or the Council determines that a peace  
7           officer may present a danger to himself or herself,  
8           the public, or a family or household member.

9           c. All persons seeking certification shall have their  
10          name, gender, date of birth, and address of such  
11          person submitted to the Department of Mental Health  
12          and Substance Abuse Services by the Council. The  
13          Department of Mental Health and Substance Abuse  
14          Services shall respond to the Council within ten (10)  
15          days whether the computerized records of the  
16          Department indicate the applicant has ever been  
17          involuntarily committed to an Oklahoma state mental  
18          institution. In the event that the Department of  
19          Mental Health and Substance Abuse Services reports to  
20          the Council that the applicant has been involuntarily  
21          committed, the Council shall immediately inform the  
22          employing agency.

23          All basic police courses shall include a minimum of four (4)  
24          hours of education and training in recognizing and managing a person

1 appearing to require mental health treatment or services. The  
2 training shall include training in crime and drug prevention, crisis  
3 intervention, youth and family intervention techniques, recognizing,  
4 investigating and preventing abuse and exploitation of elderly  
5 persons, mental health issues, and criminal jurisdiction on  
6 Sovereign Indian Land.

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

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

12 3. Beginning January 1, 2018, any reserve peace officer who has  
13 completed the two-hundred-forty-hour reserve peace officer  
14 certification program and who has been in active service in that  
15 capacity for the past six (6) months shall be eligible to attend a  
16 three-hundred-sixty-hour basic full-time training academy to become  
17 certified as a full-time peace or police officer.

18 4. Every person who has not been certified as a police or peace  
19 officer and is duly appointed or elected as a police or peace  
20 officer shall hold such position on a temporary basis only, and  
21 shall, within six (6) months from the date of appointment or taking  
22 office, qualify as required in this subsection or forfeit such  
23 position. In computing the time for qualification, all service  
24

1 shall be cumulative from date of first appointment or taking office  
2 as a police or peace officer with any department in this state.

3 a. The Council may extend the time requirement specified  
4 in this paragraph for good cause as determined by the  
5 Council.

6 b. A duty is hereby imposed upon the employing agency to  
7 withhold payment of the compensation or wage of such  
8 unqualified officer.

9 c. If the police or peace officer fails to forfeit the  
10 position or the employing agency fails to require the  
11 officer to forfeit the position, the district attorney  
12 shall file the proper action to cause the forfeiting  
13 of such position. The district court of the county  
14 where the officer is employed shall have jurisdiction  
15 to hear the case.

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

21 6. For purposes of this section, a police or peace officer is  
22 defined as a full-time duly appointed or elected officer who is paid  
23 for working more than twenty-five (25) hours per week and whose  
24 duties are to preserve the public peace, protect life and property,

1 prevent crime, serve warrants, transport prisoners, and enforce laws  
2 and ordinances of this state, or any political subdivision thereof;  
3 provided, elected sheriffs and their deputies and elected,  
4 appointed, or acting chiefs of police shall meet the requirements of  
5 this subsection within the first six (6) months after assuming the  
6 duties of the office to which they are elected or appointed or for  
7 which they are an acting chief; provided further, that this section  
8 shall not apply to persons designated by the Director of the  
9 Department of Corrections as peace officers pursuant to Section 510  
10 of Title 57 of the Oklahoma Statutes.

11 F. No person shall be certified as a police or peace officer by  
12 the Council or be employed by the state, a county, a city, or any  
13 political subdivision thereof, who is currently subject to an order  
14 of the Council revoking, suspending, or accepting a voluntary  
15 surrender of peace officer certification or who has been convicted  
16 of a felony, a crime involving moral turpitude, or a crime of  
17 domestic violence, unless a full pardon has been granted by the  
18 proper agency; however, any person who has been trained and  
19 certified by the Council on Law Enforcement Education and Training  
20 and is actively employed as a full-time peace officer as of November  
21 1, 1985, shall not be subject to the provisions of this subsection  
22 for convictions occurring prior to November 1, 1985.

23 G. 1. The Council is hereby authorized to provide to any  
24 employing agency the following information regarding a person who is

1 or has applied for employment as a police or peace officer of such  
2 employing agency:

- 3 a. Oklahoma State Bureau of Investigation and Federal  
4 Bureau of Investigation reports,
- 5 b. administration of the psychological tests provided for  
6 herein,
- 7 c. performance in the course of study or other basis of  
8 certification,
- 9 d. previous certifications issued, and
- 10 e. any administrative or judicial determination denying  
11 certification.

12 2. An employing agency shall not be liable in any action  
13 arising out of the release of contents of personnel information  
14 relevant to the qualifications or ability of a person to perform the  
15 duties of a police or peace officer when such information is  
16 released pursuant to written authorization for release of  
17 information signed by such person and is provided to another  
18 employing agency which has employed or has received an application  
19 for employment from such person.

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

24

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

13 2. A tribal law enforcement agency that has peace officers  
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 shall report the commissioning, resignation, or  
19 termination of commission for any reason of a cross-deputized tribal  
20 police or peace officer to CLEET within ten (10) days of the  
21 commissioning, resignation, or termination. Failure to comply with  
22 the provisions of this subsection may disqualify a tribal law  
23 enforcement agency from participating in training programs sponsored  
24 by the Council.

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

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

- 20 a. conviction of a felony or a crime of domestic  
21 violence,
- 22 b. conviction of a misdemeanor involving moral turpitude;  
23 provided, if the conviction is a single isolated  
24 incident that occurred more than five (5) years ago

1 and the Council is satisfied that the person has been  
2 sufficiently rehabilitated, the Council may, in its  
3 discretion, certify such person providing that all  
4 other statutory requirements have been met,

5 c. a verdict of guilt or entry of a plea of guilty or  
6 nolo contendere or an "Alford" plea or any plea other  
7 than a not guilty plea for a felony offense, a crime  
8 of moral turpitude, or a crime of domestic violence,

9 d. falsification or a willful misrepresentation of  
10 information in an employment application or  
11 application to the Council on Law Enforcement  
12 Education and Training, records of evidence, or in  
13 testimony under oath,

14 e. revocation or voluntary surrender of police or peace  
15 officer certification in another state for a violation  
16 of any law or rule or in settlement of any  
17 disciplinary action in such state,

18 f. involuntary commitment of a reserve or peace officer  
19 in a mental institution or licensed private mental  
20 health facility for any mental illness, condition or  
21 disorder that is diagnosed by a licensed physician,  
22 psychologist or a licensed mental health professional  
23 as a substantial disorder of thought, mood,  
24 perception, psychological orientation, or memory that

1 significantly impairs judgment, behavior, capacity to  
2 recognize reality, or ability to meet the ordinary  
3 demands of life. Provided, the peace officer  
4 certification may be reinstated upon the Council  
5 receiving notification of a psychological evaluation  
6 conducted by a licensed physician, psychologist or  
7 licensed mental health professional which attests and  
8 states by affidavit that the officer and the  
9 evaluation test data of the officer have been examined  
10 and that, in the professional opinion of the  
11 physician, psychologist or licensed mental health  
12 professional, the officer is psychologically suitable  
13 to return to duty as a peace officer. Notwithstanding  
14 any other provision of state law pertaining to  
15 confidentiality of hospital or other medical records,  
16 and as allowable under federal law, CLEET may subpoena  
17 or request a court to subpoena records necessary to  
18 assure compliance with these provisions. Any  
19 confidential information received by CLEET for such  
20 purpose shall retain its confidential character while  
21 in the possession of CLEET,

22 g. abuse of office,

23 h. entry of a final order of protection against applicant  
24 or officer, or

1           i.    any violation of the Oklahoma Private Security  
2                    Licensing Act.

3           2.   Disciplinary proceedings shall be commenced by filing a  
4 complaint with the Council on a form approved by the Council. Any  
5 employing agency or other person having information may submit such  
6 information to the Council for consideration as provided in this  
7 subsection.

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

10           a.   there is reason to believe the person has violated any  
11                    provision of this subsection or any other provision of  
12                    law or rule, or

13           b.   there is reason to believe the person has been  
14                    convicted of a felony, a crime involving moral  
15                    turpitude or a domestic violence offense or is  
16                    currently participating in a deferred sentence for  
17                    such offenses.

18           4.   When the investigation of a complaint does not find the  
19 person has violated any of the provisions of this subsection, or  
20 finds that the person is sufficiently rehabilitated as provided in  
21 subparagraph b or f of paragraph 1 of this subsection, no  
22 disciplinary action shall be required and the person shall remain  
23 certified as a police or peace officer. When the investigation of a  
24 complaint finds that the person has violated any of the provisions

1 of this subsection, the matter shall be referred for disciplinary  
2 proceedings. The disciplinary proceedings shall be in accordance  
3 with Articles I and II of the Administrative Procedures Act.

4 5. The Council shall revoke the certification of any person  
5 upon determining that such person has been convicted of a felony or  
6 a crime involving moral turpitude or a domestic violence offense or  
7 has entered a plea of guilty, or nolo contendere or an "Alford" plea  
8 or any plea other than a not guilty plea for a felony offense, a  
9 crime of moral turpitude or a crime of domestic violence or is the  
10 respondent in a final Victims Protective Order; provided, that if  
11 the conviction has been reversed, vacated or otherwise invalidated  
12 by an appellate court, such conviction shall not be the basis for  
13 revocation of certification; provided further, that any person who  
14 has been trained and certified by the Council on Law Enforcement  
15 Education and Training and is actively employed as a full-time peace  
16 officer as of November 1, 1985, shall not be subject to the  
17 provisions of this subsection for convictions occurring prior to  
18 November 1, 1985. The sole issue to be determined at the hearing  
19 shall be whether the person has been convicted of a felony, a crime  
20 involving moral turpitude or a domestic violence offense or is the  
21 named respondent/defendant in a final Victims Protective Order.

22 6. The Council shall revoke the certification of any person  
23 upon determining that such person has received a deferred sentence  
24

1 for a felony, a crime involving moral turpitude or a domestic  
2 violence offense.

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

8 8. Every law enforcement agency in this state shall, within  
9 thirty (30) days of a final order of termination or resignation  
10 while under investigation of a CLEET-certified peace officer, report  
11 such order or resignation in writing to the Executive Director of  
12 the Council. Any report, upon receipt by the Council, shall be  
13 considered as personnel records and shall be afforded confidential  
14 protection pursuant to Sections 24A.7 and 24A.8 of Title 51 of the  
15 Oklahoma Statutes. Any medical or other confidential records  
16 obtained by subpoena pursuant to this subsection shall not be made a  
17 part of such report. ~~The Executive Director shall ensure that the~~  
18 ~~report is provided to all members of the Council. The Council shall~~  
19 ~~review and make recommendations concerning the report at the first~~  
20 ~~meeting of the Council to occur after all members of the Council~~  
21 ~~have received the report.~~ The Advisory Council may, by a majority  
22 vote, order the suspension, for a given period of time, or  
23 revocation of the CLEET certification of the peace officer in  
24 question if there are grounds for such actions pursuant to this

1 section and the peace officer in question has been provided with  
2 notice and an opportunity for a hearing pursuant to the  
3 Administrative Procedures Act. Suspension or revocation of CLEET  
4 certification pursuant to this paragraph shall be reported to the  
5 district attorney for the jurisdiction in which the peace officer  
6 was employed, to the liability insurance company of the law  
7 enforcement agency that employed the peace officer, the chief  
8 elected official of the governing body of the law enforcement agency  
9 and the chief law enforcement officer of the law enforcement agency.

10 9. For all other violations of this subsection, the hearing  
11 examiner shall take into consideration the severity of the  
12 violation, any mitigating circumstances offered by the person  
13 subject to disciplinary action, and any other evidence relevant to  
14 the person's character to determine the appropriate disciplinary  
15 action.

16 10. a. A police or peace officer may voluntarily surrender  
17 and relinquish the peace officer certification to  
18 CLEET. Pursuant to such surrender or relinquishment,  
19 the person surrendering the certification shall be  
20 prohibited from applying to CLEET for reinstatement  
21 within five (5) years of the date of the surrender or  
22 relinquishment, unless otherwise provided by law for  
23 reinstatement.

24

1           b. No person who has had a police or peace officer  
2           certification from another state revoked or  
3           voluntarily surrendered and has not been reinstated by  
4           that state shall be considered for certification by  
5           CLEET.

6           c. Any person seeking reinstatement of police or peace  
7           officer certification which has been suspended,  
8           revoked, or voluntarily surrendered may apply for  
9           reinstatement pursuant to promulgated CLEET rules  
10          governing reinstatement. Except as provided in this  
11          subsection, any person whose certification has been  
12          revoked, suspended or voluntarily surrendered for any  
13          reason, including failure to comply with mandatory  
14          education and training requirements, shall pay a  
15          reinstatement fee of One Hundred Fifty Dollars  
16          (\$150.00) to be deposited to the credit of the Peace  
17          Officer Revolving Fund created pursuant to Section  
18          3311.7 of this title.

19          11. A duty is hereby imposed upon the district attorney who, on  
20          behalf of ~~the State of Oklahoma~~ this state, prosecutes a person  
21          holding police or peace officer or reserve peace officer  
22          certification for a felony, a crime involving moral turpitude, or a  
23          crime of domestic violence in which a plea of guilty, nolo  
24          contendere, or an "Alford" plea or any other plea other than a not

1 guilty plea or other finding of guilt is entered by, against or on  
2 behalf of a certified police or peace officer to report such plea,  
3 agreement, or other finding of guilt to the Council on Law  
4 Enforcement Education and Training within ten (10) days of such plea  
5 agreement or the finding of guilt.

6 12. Any person or agency required or authorized to submit  
7 information pursuant to this section to the Council shall be immune  
8 from liability arising from the submission of the information as  
9 long as the information was submitted in good faith and without  
10 malice.

11 13. Any peace officer employed by a law enforcement agency in  
12 this state which has internal discipline policies and procedures on  
13 file with CLEET shall be exempt from the disciplinary proceedings  
14 and actions provided for in this subsection; provided, however, such  
15 exemption shall not apply if the peace officer has been convicted of  
16 a felony crime, a crime of moral turpitude, or a crime of domestic  
17 violence.

18 14. All criminal proceedings initiated against a CLEET-  
19 certified peace officer or reserve peace officer shall be reported  
20 by the officer to CLEET immediately after arrest or discovery of the  
21 filing of such criminal proceeding. All CLEET-certified peace  
22 officers and reserve peace officers shall be required to report when  
23 a Victim Protective Order has been issued against the officer,  
24 including orders issued on an emergency basis and all final orders

1 of protection. Failure to give notice pursuant to the provisions of  
2 this paragraph may be cause to initiate an action against the  
3 officer by CLEET.

4 15. As used in this subsection:

5 a. "law enforcement agency" means any department or  
6 agency of the state, a county, a municipality, or  
7 political subdivision thereof, with the duties to  
8 maintain public order, make arrests, and enforce the  
9 criminal laws of this state or municipal ordinances,  
10 which employs CLEET-certified personnel,

11 b. "final order of termination" means a final notice of  
12 dismissal from employment provided after all  
13 grievance, arbitration, and court actions have been  
14 completed, and

15 c. "resignation while under investigation" means the  
16 resignation from employment of a peace officer who is  
17 under investigation for any felony violation of law, a  
18 crime of moral turpitude, a crime of domestic  
19 violence, or the resignation from employment of a  
20 peace officer as part of an arbitration or plea  
21 agreement.

22 K. 1. Every canine team in the state trained to detect  
23 controlled dangerous substances shall be certified, by test, in the  
24 detection of such controlled dangerous substances and shall be

1 recertified annually so long as the canine is used for such  
2 detection purposes. The certification test and annual  
3 recertification test provisions of this subsection shall not be  
4 applicable to canines that are owned by a law enforcement agency and  
5 that are certified and annually recertified in the detection of  
6 controlled dangerous substances by the United States Customs  
7 Service. No employee of CLEET may be involved in the training or  
8 testing of a canine team.

9       2. The ~~Council~~ Governor shall appoint a Drug Dog Advisory  
10 Council to make recommendations concerning minimum standards,  
11 educational needs, and other matters imperative to the certification  
12 of canines and canine teams trained to detect controlled dangerous  
13 substances. The Council shall promulgate rules based upon the  
14 recommendations of the Drug Dog Advisory Council. Members of the  
15 Drug Dog Advisory Council shall include, but need not be limited to,  
16 a commissioned officer with practical knowledge of such canines and  
17 canine teams from each of the following:

- 18           a. the Oklahoma State Bureau of Narcotics and Dangerous  
19                Drugs Control,
- 20           b. the Department of Public Safety,
- 21           c. a police department,
- 22           d. a sheriff's office, and
- 23           e. a university or college campus police department.

24

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

9           L. 1. Every canine team in the state trained to detect  
10 explosives, explosive materials, explosive devices, and materials  
11 which could be used to construct an explosive device shall be  
12 certified, by test, in the detection of such explosives and  
13 materials and shall be recertified annually so long as the canine is  
14 used for such detection purposes. The certification test and annual  
15 recertification test provisions of this subsection shall not be  
16 applicable to canines that are owned by a law enforcement agency if  
17 such canines are certified and annually recertified in the detection  
18 of explosives and materials by the United States Department of  
19 Defense. No employee of CLEET may be involved in the training or  
20 testing of a canine team.

21           2. The ~~Council~~ Governor shall appoint a Bomb Dog Advisory  
22 Council to make recommendations concerning minimum standards,  
23 educational needs, and other matters imperative to the certification  
24 of canines and canine teams trained to detect explosives, explosive

1 materials, explosive devices and materials which could be used to  
2 construct an explosive device. The Council shall promulgate rules  
3 based upon the recommendations of the Bomb Dog Advisory Council.  
4 Members of the Bomb Dog Advisory Council shall include, but need not  
5 be limited to, a commissioned officer with practical knowledge of  
6 such canines and canine teams from each of the following:

- 7 a. the Department of Public Safety,
- 8 b. a police department,
- 9 c. a sheriff's office, and
- 10 d. a university or college campus police department.

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

19 M. All tribal police officers of any Indian tribe or nation who  
20 have been commissioned by an Oklahoma law enforcement agency  
21 pursuant to a cross-deputization agreement with ~~the State of~~  
22 ~~Oklahoma~~ this state or any political subdivision of ~~the State of~~  
23 ~~Oklahoma~~ this state pursuant to the provisions of Section 1221 of  
24 Title 74 of the Oklahoma Statutes shall be eligible for peace

1 officer certification under the same terms and conditions required  
2 of members of the law enforcement agencies of the State of Oklahoma  
3 and its political subdivisions. CLEET shall issue peace officer  
4 certification to tribal police officers who, as of July 1, 2003, are  
5 commissioned by an Oklahoma law enforcement agency pursuant to a  
6 cross-deputization agreement with ~~the State of Oklahoma~~ this state  
7 or any political subdivision of ~~the State of Oklahoma~~ this state  
8 pursuant to the provisions of Section 1221 of Title 74 of the  
9 Oklahoma Statutes and have met the training and qualification  
10 requirements of this section.

11 N. If an employing law enforcement agency in this state has  
12 paid for CLEET training and the salary of a person while that person  
13 is completing in this state a basic police course approved by the  
14 Council and if within one (1) year after initial employment with the  
15 original employing agency that person resigns and is hired by  
16 another law enforcement agency in this state, the second agency or  
17 the person receiving the training shall reimburse the original  
18 employing agency for the cost of CLEET training and salary paid to  
19 the person while completing the basic police course by the original  
20 employing agency. If the person leaves the original employing  
21 agency later than one (1) year, but less than two (2) years, after  
22 the initial employment, the second agency or the person receiving  
23 the training shall reimburse the original employing agency fifty  
24 percent (50%) of the cost of CLEET training and salary paid to the

1 person while completing the basic police course by the original  
2 employing agency. CLEET shall not be a party to any court action  
3 based on this provision.

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

7 P. Peace officers, reserve peace officers, tribal peace  
8 officers, agencies, bail enforcers, security guards and private  
9 investigators shall maintain with the Council current mailing  
10 addresses and shall notify the Council, in writing, of any change of  
11 address or name. Notification of change of name shall require  
12 certified copies of any marriage license or other court document  
13 which reflects the change of name. Notice of change of address or  
14 telephone number must be made within ten (10) days of the effected  
15 change. Notices shall not be accepted over the phone. In any  
16 proceeding in which the Council is required to serve notice or an  
17 order on an individual or an agency, the Council may send a letter  
18 to the mailing address on file with the Council. If the letter is  
19 returned and a notation of the U.S. Postal Service indicates  
20 "unclaimed", or "moved", or "refused" or any other nondelivery  
21 markings and the records of the Council indicate that no change of  
22 address as required by this subsection has been received by the  
23 Council, the notice and any subsequent notices or orders shall be  
24 deemed by the Court as having been legally served for all purposes.

1 Q. All CLEET records of Bail Enforcers may be released only in  
2 compliance with this section and the Oklahoma Bail Enforcement and  
3 Licensing Act. All records in CLEET possession concerning other  
4 persons or entities shall be released only in compliance with this  
5 section and the Oklahoma Open Records Act.

6 SECTION 2. AMENDATORY Section 1, Chapter 168, O.S.L.  
7 2018 (70 O.S. Supp. 2019, Section 3311.16), is amended to read as  
8 follows:

9 Section 3311.16. A. The Council on Law Enforcement Education  
10 and Training (CLEET) is authorized to conduct and approve full-time  
11 Basic Peace Officer Certification Academies and other law  
12 enforcement related training for individuals not commissioned or  
13 appointed by a law enforcement agency under rules established by the  
14 Council.

15 B. The tuition and/or fees for attending the Basic Peace  
16 Officer Certification Academies and/or other law enforcement related  
17 training at CLEET will be at a rate established by CLEET and  
18 approved by the Council. Tuition and/or fees charged under this  
19 section will be deposited in the Peace Officer Revolving Fund  
20 established in Section 3311.7 of ~~Title 70 of the Oklahoma Statutes~~  
21 this title. The tuition and/or fees for attending the Basic Peace  
22 Officer Certification Academies and/or other law enforcement-related  
23 training at approved facilities other than CLEET will be at a rate  
24 established by the specific facility providing the training.

1 C. Individuals not commissioned or appointed by a law  
2 enforcement agency who are trained in the Basic Peace Officer  
3 Certification Academies will be required to meet minimum  
4 requirements established for peace officers as set forth in Section  
5 3311 of ~~Title 70 of the Oklahoma Statutes~~ this title. Any fees  
6 relating to meeting these requirements shall be the responsibility  
7 of the individual. Individuals applying for the Academies will be  
8 required to submit a fingerprint check to CLEET prior to acceptance.

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

11 E. Upon successful completion of the Basic Peace Officer  
12 Certification Academy, the individual's CLEET certification will  
13 become effective upon employment by an Oklahoma law enforcement  
14 agency. Employment and certification must be obtained within two  
15 (2) years of completion of the Basic Peace Officer Certification  
16 Academy.

17 SECTION 3. AMENDATORY Section 1, Chapter 254, O.S.L.  
18 2018, as amended by Section 1, Chapter 20, O.S.L. 2019 (70 O.S.  
19 Supp. 2019, Section 3311.17), is amended to read as follows:

20 Section 3311.17. A. Any state-supported technology center  
21 school in ~~the State of Oklahoma~~ this state operating under the State  
22 Board of Career and Technology Education or any higher education  
23 institution in this state shall be authorized to, upon application  
24 and approval of the Council on Law Enforcement Education and

1 Training (CLEET), offer courses of study for law enforcement  
2 certification, basic peace officer certification academies and other  
3 law-enforcement-related training. CLEET shall provide the  
4 application and the approval process to the Cabinet Secretary of  
5 Public Safety for review and approval no later than November 1,  
6 2020. Commissioned and noncommissioned individuals and those  
7 individuals appointed or not appointed by a law enforcement agency  
8 may attend the courses or training offered by the technology center  
9 school or higher education institution. ~~CLEET shall vote to approve~~  
10 ~~or deny an application to offer courses or training offered pursuant~~  
11 ~~to this section~~ Applications shall be reviewed and approved or  
12 denied within thirty (30) days of receipt by CLEET. Notice of  
13 denial of application shall include a clear and concise statement  
14 for which the denial is based. ~~CLEET may authorize up to two new~~  
15 ~~entities each year to offer courses or training.~~ Courses and  
16 ~~training offered by authorized entities shall consist of actual~~  
17 ~~classroom training at each entity location.~~ All non-classroom  
18 ~~training shall be provided at the CLEET training facility, unless~~  
19 ~~approved otherwise by CLEET.~~

20 B. CLEET shall work with the Oklahoma Department of Career and  
21 Technology Education to develop an approved curriculum no later than  
22 November 1, 2020. All law enforcement curriculum courses offered by  
23 the approved technology centers shall be taught by the technology  
24 center staff except for defensive driving and defensive tactics.

1 Defensive driving and defensive tactics shall be taught by CLEET-  
2 approved instructors. Firearm training at the approved technology  
3 centers shall be taught by CLEET-firearm-certified instructors.

4 C. Any courses or training offered pursuant to this section  
5 shall meet minimum standards established for peace officers as set  
6 forth in Section 3311 of ~~Title 70 of the Oklahoma Statutes~~ this  
7 title and meet all applicable eligibility requirements for students  
8 to receive benefits pursuant to any of the federal G.I. bills. All  
9 participants in any courses or training offered pursuant to this  
10 section shall be required to submit all background investigation  
11 requirements as set forth in Section 3311 of ~~Title 70 of the~~  
12 ~~Oklahoma Statutes~~ this title.

13 ~~C.~~ D. Any state-supported technology center school in ~~the State~~  
14 ~~of Oklahoma~~ this state operating under the State Board of Career and  
15 Technology Education or any higher education institution in this  
16 state shall be authorized to set and administer their own rates for  
17 tuition and fees for courses or training offered pursuant to this  
18 section.

19 ~~D.~~ E. Notwithstanding any other provision of law, any materials  
20 and records provided by CLEET to any institution of higher education  
21 or state-supported technology center school conducting a basic law  
22 enforcement training shall remain the property of CLEET and retain  
23 confidential status and shall not be released except under the  
24 conditions contained in Section 24A.8 of Title 51 of the Oklahoma

1 Statutes. In addition, any materials and records provided by any  
2 institution of higher education or state-supported technology center  
3 school conducting basic law enforcement training to CLEET shall be  
4 subject to these same limitations on release. Such materials and  
5 records include, but are not limited to, all records maintained  
6 pursuant to Section 3311 of this title and records relating to any  
7 employed or certified full-time officer, reserve officer, retired  
8 officer or other person; teacher lesson plans, tests and other  
9 teaching materials; and personal communications concerning  
10 individual students except under the circumstances set forth in  
11 Section 24A.8 of Title 51 of the Oklahoma Statutes.

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

13 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
14 February 19, 2020 - DO PASS AS AMENDED  
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