

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 SENATE BILL NO. 1200

By: Thompson

6  
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.

24

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.~~ 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 2/13/2020 11:18:15 AM