

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 589

By: Weaver

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6 AS INTRODUCED

7 An Act relating to cities and towns, amending Section
8 2, Chapter 232, O.S.L. 2013 (11 O.S. Supp. 2018,
9 Section 34-107), which relates to police departments;
10 establishing authority for conducting compliance
11 reviews; requiring certain written notification
12 regarding complaints for noncompliance; and providing
13 an effective date.

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

15 SECTION 1. AMENDATORY Section 2, Chapter 232, O.S.L.
16 2013 (11 O.S. Supp. 2018, Section 34-107), is amended to read as
17 follows:

18 Section 34-107. A. Beginning January 1, 2016, every municipal
19 police department shall have adopted policies in place that at a
20 minimum address the following safety and liability issues, including
21 but not limited to:

- 22 1. Search and seizure;
- 23 2. Arrest and alternatives to arrest;
- 24 3. Strip and body cavity searches;
- 25 4. Evidence and property management;

- 1 5. Inventories and audits;
- 2 6. Use of firearms and use of force;
- 3 7. Pursuit driving;
- 4 8. Impartial policing/racial profiling;
- 5 9. Mental health;
- 6 10. Professional conduct of officers;
- 7 11. Domestic abuse;
- 8 12. Response to missing persons; and
- 9 13. Supervision of part-time officers.

10 B. The Oklahoma Association of Chiefs of Police shall possess
11 the responsibility of conducting compliance reviews for Oklahoma
12 Municipal Law Enforcement Agencies. Compliance reviews shall be
13 conducted upon receipt of a complaint or reasonable cause to believe
14 that the agency has failed to comply with safety and liability
15 policy requirements.

16 ~~B.~~ C. A complaint against a municipality for noncompliance with
17 this section shall be submitted in writing to the Oklahoma
18 Association of Chiefs of Police, the Director of CLEET and the
19 municipality pursuant to the provisions of Section 22-103 of Title
20 11 of the Oklahoma Statutes. Upon notification, the municipality
21 shall have six (6) months to come into compliance. If the agency
22 has not come into compliance after six (6) months, the Oklahoma
23 Association of Chiefs of Police shall notify in writing the chief
24 elected official of the governing body of the law enforcement

1 agency, the chief law enforcement officer of the law enforcement
2 agency, and the liability insurance company of the law enforcement
3 agency. If after six (6) months a municipality has not reached full
4 compliance with the requirements of this section, the Oklahoma
5 Association of Chiefs of Police may request the Director of CLEET
6 for an additional six (6) months if it is determined the
7 municipality is substantially attempting to comply with the
8 requirements herein.

9 SECTION 2. This act shall become effective November 1, 2019.

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