

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 639

By: David, Treat, Ivester and
Griffin of the Senate

3
4 and

Hulbert of the House
5
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8 [Child Abuse Response Team - increasing certain
full-time equivalent positions - Oklahoma State
9 Bureau of Investigation - effective date]
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12 AUTHORS: Add the following House Coauthors: Pittman, Wright,
Nelson, Ownbey and McCullough
13

14 AUTHORS: Add the following Senate Coauthors: Johnson (Constance)
and Allen
15

16 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
entire bill and insert
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18 "[Child Abuse Response Team - increasing certain
19 full-time equivalent positions - Oklahoma State
20 Bureau of Investigation -

emergency]
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24 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. AMENDATORY 74 O.S. 2011, Section 150.38, as
2 amended by Section 3, Chapter 153, O.S.L. 2012 (74 O.S. Supp. 2012,
3 Section 150.38), is amended to read as follows:

4 Section 150.38 A. Subject to the availability of funds, there
5 is hereby established within the Oklahoma State Bureau of
6 Investigation the Child Abuse Response Team (CART) for the purpose
7 of investigating cases of physical and sexual abuse of a child. For
8 the purpose of implementing CART, the Bureau shall employ at least
9 ~~one Child Abuse Response Team (CART) investigator and at least one~~
10 ~~Child Abuse Response Team (CART) forensic interviewer~~ eight Law
11 Enforcement Special Agents assigned to the CART which shall be full-
12 time-equivalent positions within the Bureau ~~compensated at the same~~
13 ~~pay rate as a senior level investigator agent.~~ The previously
14 unclassified positions of CART investigator and CART forensic
15 interviewer shall be transferred to and placed in the classified
16 service without a loss in salary.

17 B. In addition to any other law or rule specifying requirements
18 or qualifications for an OSBI agent to be employed by the Bureau,
19 the Child Abuse Response Team employees shall be qualified for the
20 respective positions as follows:

- 21 1. Every CART ~~investigator~~ Agent shall:
 - 22 a. have at least ~~five (5) years'~~ three (3) years of
23 experience as a ~~law enforcement officer or~~ criminal
24 investigator in a law enforcement agency or agencies

1 ~~with preference given to additional years in law~~
2 ~~enforcement,~~

3 b. be currently certified as a peace officer by the
4 Council on Law Enforcement Education and Training
5 (CLEET),

6 c. have served as the primary criminal investigative
7 officer in a law enforcement agency or agencies ~~with~~
8 ~~experience as the primary investigative officer on at~~
9 ~~least five hundred~~ cases of physical or sexual abuse
10 of a child,

11 d. have graduated from an accredited college or
12 university with a bachelor degree ~~with preference~~
13 ~~given to a post-graduate degree, and~~

14 e. ~~be not currently employed by the Oklahoma State Bureau~~
15 ~~of Investigation, nor employed by such agency within~~
16 ~~the previous six (6) months immediately preceding an~~
17 ~~application for the position of CART investigator.~~

18 ~~2. Every CART forensic interviewer shall:~~

19 ~~a.~~ have experience in conducting forensic interviews ~~and~~
20 ~~shall have conducted a minimum of five hundred child~~
21 ~~forensic interviews~~ of children in cases of physical
22 or sexual abuse of a child,
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1 ~~b.~~ ~~have graduated from an accredited college or~~
2 ~~university with a bachelor degree with preference~~
3 ~~given to a post-graduate degree,~~

4 ~~e.~~ f. have experience as an expert witness and shall have
5 ~~been certified as an expert witness~~ testifying in
6 cases of physical or sexual abuse of a child ~~in at~~
7 ~~least twenty-five legal proceedings in a court of~~
8 ~~competent jurisdiction, and~~

9 ~~d.~~ g. have completed at least one hundred (100) hours of
10 education or training on forensic interviewing of a
11 child, ~~and~~

12 ~~e.~~ ~~be not currently employed by the Oklahoma State Bureau~~
13 ~~of Investigation, nor employed by such agency within~~
14 ~~the previous six (6) months immediately preceding an~~
15 ~~application for the position of CART forensic~~
16 ~~interviewer.~~

17 ~~3.~~ 2. If the director of the Oklahoma State Bureau of
18 Investigation is unable to find a person whose qualifications meet
19 or exceed the qualifications specified for the position of ~~CART~~
20 ~~investigator or CART forensic interviewer~~ Law Enforcement Special
21 Agent assigned to the CART, the director is authorized to offer such
22 position to a person whose qualifications substantially meet the
23 qualifications specified for the position.

1 C. The Bureau may promulgate rules, procedures and forms
2 necessary to establish and implement the functions of the Child
3 Abuse Response Team and to coordinate responsibilities with other
4 persons or agencies having responsibilities relating to child abuse
5 investigation and response to child abuse. Members of the Child
6 Abuse Response Team are authorized, when available, to be involved
7 and utilized in investigations of crimes other than cases of
8 physical and sexual abuse of a child.

9 D. On or before July 1, 2015, the Bureau shall submit to the
10 Governor, President Pro Tempore of the Oklahoma State Senate, and
11 Speaker of the Oklahoma House of Representatives a statistical
12 report regarding the activities of the CART.

13 SECTION 2. It being immediately necessary for the preservation
14 of the public peace, health and safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval."

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1 ENGROSSED SENATE
2 BILL NO. 639

By: David, Treat, Ivester and
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4 Hulbert of the House

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7 [Child Abuse Response Team - increasing certain
8 full-time equivalent positions - Oklahoma State
Bureau of Investigation - effective date]
9

10
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 3. AMENDATORY 74 O.S. 2011, Section 150.38, as
13 amended by Section 3, Chapter 153, O.S.L. 2012 (74 O.S. Supp. 2012,
14 Section 150.38), is amended to read as follows:

15 Section 150.38. A. Subject to the availability of funds, there
16 is hereby established within the Oklahoma State Bureau of
17 Investigation the Child Abuse Response Team (CART) for the purpose
18 of investigating cases of physical and sexual abuse of a child. For
19 the purpose of implementing CART, the Bureau shall employ at least
20 ~~one~~ five Child Abuse Response Team (CART) ~~investigator~~ investigators
21 and at least ~~one~~ three Child Abuse Response Team (CART) forensic
22 ~~interviewer~~ interviewers which shall be full-time-equivalent
23 positions within the Bureau, compensated at the same pay rate as a
24 senior level investigator agent.

1 B. In addition to any other law or rule specifying requirements
2 or qualifications for an OSBI agent to be employed by the Bureau,
3 the Child Abuse Response Team employees shall be qualified for the
4 respective positions as follows:

5 1. Every CART investigator shall:

6 a. have at least five (5) years' experience as a law
7 enforcement officer or criminal investigator in a law
8 enforcement agency or agencies with preference given
9 to additional years in law enforcement,

10 b. be currently certified as a peace officer by the
11 Council on Law Enforcement Education and Training
12 (CLEET),

13 c. have served as the primary criminal investigative
14 officer in a law enforcement agency or agencies with
15 experience as the primary investigative officer on at
16 least five hundred cases of physical or sexual abuse
17 of a child, and

18 d. have graduated from an accredited college or
19 university with a bachelor degree with preference
20 given to a post-graduate degree, ~~and~~

21 ~~e. be not currently employed by the Oklahoma State Bureau~~
22 ~~of Investigation, nor employed by such agency within~~
23 ~~the previous six (6) months immediately preceding an~~
24 ~~application for the position of CART investigator.~~

1 2. Every CART forensic interviewer shall:

2 a. have experience in conducting forensic interviews and
3 shall have conducted a minimum of five hundred child
4 forensic interviews in cases of physical or sexual
5 abuse of a child,

6 b. have graduated from an accredited college or
7 university with a bachelor degree with preference
8 given to a post-graduate degree,

9 c. have experience as an expert witness and shall have
10 been certified as an expert witness in cases of
11 physical or sexual abuse of a child in at least
12 twenty-five legal proceedings in a court of competent
13 jurisdiction, and

14 d. have completed at least one hundred (100) hours of
15 education or training on forensic interviewing of a
16 child, ~~and~~

17 ~~e. be not currently employed by the Oklahoma State Bureau
18 of Investigation, nor employed by such agency within
19 the previous six (6) months immediately preceding an
20 application for the position of CART forensic
21 interviewer.~~

22 3. If the director of the Oklahoma State Bureau of
23 Investigation is unable to find a person whose qualifications meet
24 or exceed the qualifications specified for the position of CART

1 investigator or CART forensic interviewer, the director is
2 authorized to offer such position to a person whose qualifications
3 substantially meet the qualifications specified for the position.

4 C. The Bureau may promulgate rules, procedures and forms
5 necessary to establish and implement the functions of the Child
6 Abuse Response Team and to coordinate responsibilities with other
7 persons or agencies having responsibilities relating to child abuse
8 investigation and response to child abuse. Members of the Child
9 Abuse Response Team are authorized, when available, to be involved
10 and utilized in investigations of crimes other than cases of
11 physical and sexual abuse of a child.

12 SECTION 4. This act shall become effective November 1, 2013.

13 Passed the Senate the 13th day of March, 2013.

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Presiding Officer of the Senate

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17 Passed the House of Representatives the ____ day of _____,

18 2013.

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Presiding Officer of the House
of Representatives

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