

An Act

ENROLLED SENATE
BILL NO. 639

By: David, Treat, Ivester,
Griffin, Johnson
(Constance) and Allen of
the Senate

and

Hulbert, Pittman, Wright,
Nelson, Ownbey, McCullough
and Bennett of the House

An Act relating to the Child Abuse Response Team; amending 74 O.S. 2011, Section 150.38, as amended by Section 3, Chapter 153, O.S.L. 2012 (74 O.S. Supp. 2013, Section 150.38), which relates to the Child Abuse Response Team; increasing certain full-time-equivalent positions within the Oklahoma State Bureau of Investigation; transferring certain positions to the classified service; providing certain qualifications; requiring submission of certain report to certain persons; and declaring an emergency.

SUBJECT: OSBI Child Abuse Response Team

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

SECTION 1. AMENDATORY 74 O.S. 2011, Section 150.38, as amended by Section 3, Chapter 153, O.S.L. 2012 (74 O.S. Supp. 2013, Section 150.38), is amended to read as follows:

Section 150.38. A. Subject to the availability of funds, there is hereby established within the Oklahoma State Bureau of

Investigation the Child Abuse Response Team (CART) for the purpose of investigating cases of physical and sexual abuse of a child. For the purpose of implementing CART, the Bureau shall employ at least ~~one Child Abuse Response Team (CART) investigator and at least one Child Abuse Response Team (CART) forensic interviewer~~ eight Law Enforcement Special Agents assigned to the CART, which shall be full-time-equivalent positions within the Bureau ~~compensated at the same pay rate as a senior level investigator agent.~~ The previously unclassified positions of CART investigator and CART forensic interviewer shall be transferred to and placed in the classified service without a loss in salary.

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

1. Every CART ~~investigator~~ Agent shall:

- a. have at least ~~five (5) years'~~ three (3) years of experience as a ~~law enforcement officer or criminal investigator in a law enforcement agency or agencies with preference given to additional years in law enforcement,~~
- b. be currently certified as a peace officer by the Council on Law Enforcement Education and Training (CLEET),
- c. have served as the primary criminal investigative officer in a law enforcement agency or agencies ~~with experience as the primary investigative officer on at least five hundred cases of physical or sexual abuse of a child,~~
- d. have graduated from an accredited college or university with a bachelor degree ~~with preference given to a post-graduate degree,~~ and
- e. ~~be not currently employed by the Oklahoma State Bureau of Investigation, nor employed by such agency within~~

~~the previous six (6) months immediately preceding an application for the position of CART investigator.~~

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

- ~~a. have experience in conducting forensic interviews and shall have conducted a minimum of five hundred child forensic interviews of children in cases of physical or sexual abuse of a child,~~
- ~~b. have graduated from an accredited college or university with a bachelor degree with preference given to a post-graduate degree,~~
- ~~c.~~
- ~~f. have experience as an expert witness and shall have been certified as an expert witness testifying in cases of physical or sexual abuse of a child ~~in at least twenty-five legal proceedings in a court of competent jurisdiction, and~~~~
- ~~d.~~
- ~~g. have completed at least one hundred (100) hours of education or training on forensic interviewing of a child, and~~
- ~~e. be not currently employed by the Oklahoma State Bureau of Investigation, nor employed by such agency within the previous six (6) months immediately preceding an application for the position of CART forensic interviewer.~~

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

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

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

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

Passed the Senate the 20th day of May, 2014.

Presiding Officer of the Senate

Passed the House of Representatives the 21st day of May, 2014.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____