

1 **SENATE FLOOR VERSION**

2 February 20, 2013

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 639

6 By: David, Treat and Ivester of
7 the Senate

8 and

9 Hulbert of the House

10 [Child Abuse Response Team - increasing certain
11 full-time equivalent positions - Oklahoma State
12 Bureau of Investigation - effective date]

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

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

17 Section 150.38. A. Subject to the availability of funds, there
18 is hereby established within the Oklahoma State Bureau of
19 Investigation the Child Abuse Response Team (CART) for the purpose
20 of investigating cases of physical and sexual abuse of a child. For
21 the purpose of implementing CART, the Bureau shall employ at least
22 ~~one~~ five (5) Child Abuse Response Team (CART) ~~investigator~~
23 investigators and at least ~~one~~ three (3) Child Abuse Response Team
24 (CART) forensic ~~interviewer~~ interviewers which shall be full-time-

1 equivalent positions within the Bureau, compensated at the same pay
2 rate as a senior level investigator agent.

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

7 1. Every CART investigator shall:

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

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

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

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

23 ~~e. be not currently employed by the Oklahoma State Bureau~~
24 ~~of Investigation, nor employed by such agency within~~

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

3 2. Every CART forensic interviewer shall:

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

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

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

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

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

1 3. If the director of the Oklahoma State Bureau of
2 Investigation is unable to find a person whose qualifications meet
3 or exceed the qualifications specified for the position of CART
4 investigator or CART forensic interviewer, the director is
5 authorized to offer such position to a person whose qualifications
6 substantially meet the qualifications specified for the position.

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

15 SECTION 2. This act shall become effective November 1, 2013.

16 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
17 February 20, 2013 - DO PASS AS AMENDED
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