

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2848

By: Pae and **Roberts (Dustin)** of
the House

and

Brooks and **Bergstrom** of the
Senate

11 COMMITTEE SUBSTITUTE

12 An Act relating to the Council On Law Enforcement
13 Education And Training; amending 70 O.S. 2011,
14 Section 3311.5, as last amended by Section 2, Chapter
15 339, O.S.L. 2019 (70 O.S. Supp. 2019, Section
16 3311.5), which relates to law enforcement
17 certification; allowing for establishment of certain
18 training; and providing an effective date.

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

19 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3311.5, as
20 last amended by Section 2, Chapter 339, O.S.L. 2019 (70 O.S. Supp.
21 2019, Section 3311.5), is amended to read as follows:

22 Section 3311.5 A. On and after November 1, 2007, the Council
23 on Law Enforcement Education and Training (CLEET), pursuant to its
24 authority granted by Section 3311 of this title, shall include in

1 its required basic training courses for law enforcement
2 certification a minimum of four (4) hours of education and training
3 relating to recognizing and managing a person appearing to require
4 mental health treatment or services. The Council shall further
5 offer a minimum of four (4) hours of education and training on
6 specific mental health issues pursuant to Section 3311.4 of this
7 title to meet the annual requirement for continuing education in the
8 areas of mental health issues.

9 B. By January 1, 2008, CLEET, pursuant to its authority granted
10 by Sections 3311 and 3311.4 of this title, shall include in its
11 required courses of study for law enforcement certification a
12 minimum of six (6) hours of evidence-based sexual assault and sexual
13 violence training. A portion of the sexual assault and sexual
14 violence training shall include instruction presented by a certified
15 sexual assault service provider.

16 C. By January 1, 2012, every active full-time peace officer,
17 previously certified by CLEET pursuant to Section 3311 of this
18 title, shall be required to attend and complete the evidence-based
19 sexual assault and sexual violence training provided in subsection B
20 of this section.

21 D. CLEET shall promulgate rules to enforce the provisions of
22 subsections B and C of this section and shall, with the assistance
23 of certified sexual assault service providers, establish a
24

1 comprehensive integrated curriculum for the teaching of evidence-
2 based sexual assault and sexual violence issues.

3 E. The Council is required to update that block of training or
4 course materials relating to legal issues, concepts, and state laws
5 annually, but not later than ninety (90) days following the
6 adjournment of any legislative session.

7 F. By January 1, 2009, CLEET, pursuant to its authority granted
8 by Sections 3311 and 3311.4 of this title, shall include in its
9 required courses of study for law enforcement certification oil
10 field equipment theft training.

11 G. By January 1, 2012, CLEET, pursuant to its authority granted
12 by Sections 3311 and 3311.4 of this title, shall establish and
13 include in its required courses of study for law enforcement
14 certification a minimum of eight (8) hours of evidence-based
15 domestic violence and stalking investigation training. The training
16 should include, at a minimum, the importance of reporting domestic
17 violence incidents, determining the predominant aggressor, evidence-
18 based investigation of domestic violence and stalking, lethality
19 assessment, and personal safety planning necessary at the pretrial
20 stages of a potential criminal case. A portion of the training
21 shall include instruction presented by an expert victim advocate
22 selected from recommendations provided by the Office of the Attorney
23 General or the Domestic Violence Fatality Review Board. The
24 training shall be developed in collaboration with the Domestic

1 Violence Fatality Review Board, and where applicable, shall replace
2 existing domestic violence and stalking courses currently required.

3 H. By January 1, 2012, the evidence-based domestic violence and
4 stalking investigation curriculum developed in collaboration with
5 the Domestic Violence Fatality Review Board shall be submitted to
6 the Council for approval.

7 I. CLEET shall establish the training provided in subsection G
8 of this section as a part of CLEET's peace officer continuing
9 education program and develop a plan to train full-time peace
10 officers previously certified by CLEET pursuant to Section 3311 of
11 this title where applicable. The Office of the Attorney General
12 shall provide a list of expert victim advocates that are available
13 to assist in the training.

14 J. The Council is authorized to pay for and send training staff
15 and employees to one or more training and education courses in
16 jurisdictions outside this state for the purpose of expanding
17 curriculum, training skill development, and general knowledge within
18 the field of law enforcement education and training.

19 K. On and after November 1, 2013, CLEET, pursuant to its
20 authority granted by Section 3311 of this title, shall include in
21 its required basic training courses for law enforcement
22 certification a minimum of two (2) hours of education and training
23 relating to recognizing and managing a person experiencing dementia
24 or Alzheimer's disease.

1 L. By November 1, 2019, CLEET shall establish appropriate
2 training resources focused on protocol for handling and processing
3 sexual assault calls. The training shall include, but not be
4 limited to:

- 5 1. How to handle the sexual assault call upon first contact;
- 6 2. Determining when the assault occurred;
- 7 3. Where to take the victim;
- 8 4. Questioning witnesses and collecting evidence; and
- 9 5. Informing and assisting the victim in accessing resources,
10 help and information.

11 M. The Council shall promulgate rules to evaluate and approve
12 municipalities and counties that are deemed capable of conducting
13 separate basic law enforcement training academies in their
14 jurisdiction and to certify officers successfully completing such
15 academy training courses. Upon application to the Council, any
16 municipality with a population of sixty-five thousand (65,000) or
17 more or any county with a population of five hundred thousand
18 (500,000) or more shall be authorized to operate a basic law
19 enforcement academy. The Council shall approve an application when
20 the municipality or county making the application meets the criteria
21 for a separate training academy and demonstrates to the satisfaction
22 of the Council that the academy has sufficient resources to conduct
23 the training, the instructional staff is appropriately trained and
24 qualified to teach the course materials, the curriculum is composed

1 of comparable or higher quality course segments to the CLEET academy
2 curriculum, and the facilities where the academy will be conducted
3 are safe and sufficient for law enforcement training purposes. Any
4 municipality or county authorized to operate a basic law enforcement
5 academy after November 1, 2007, shall not be eligible to receive
6 funds pursuant to subsection E of Section 1313.2 of Title 20 of the
7 Oklahoma Statutes. The Council shall not provide any funding for
8 the operation of any separate training academy authorized by this
9 subsection.

10 N. Any municipality or county that, prior to November 1, 2007,
11 was authorized to conduct a basic law enforcement academy shall
12 continue to receive funding pursuant to subsection E of Section
13 1313.2 of Title 20 of the Oklahoma Statutes.

14 O. The Council on Law Enforcement Education and Training may
15 establish appropriate training resources focused on the
16 investigations of unidentified and missing persons and may require
17 all CLEET-certified law enforcement officers to complete such
18 training on a regular basis as determined by the Council.

19 SECTION 2. This act shall become effective November 1, 2020.
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21 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/20/2020 -
22 DO PASS, As Amended and Coauthored.
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