

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. 3041

By: West (Tammy)

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9 COMMITTEE SUBSTITUTE

10 An Act relating to law enforcement; amending 70 O.S.
11 2011, Section 3311.5, as last amended by Section 1,
12 Chapter 334, O.S.L. 2019 (70 O.S. Supp. 2019, Section
13 3311.5), which relates to required courses for law
14 enforcement certification; authorizing the Council on
15 Law Enforcement Education and Training to include
16 developmental disability awareness training in its
17 required courses of study; allowing previously
18 certified full-time peace officers the option to
19 attend and complete developmental disability
20 awareness training; authorizing the promulgation of
21 rules; allowing the Council to establish a
22 comprehensive integrated curriculum; and providing an
23 effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3311.5, as
last amended by Section 1, Chapter 334, O.S.L. 2019 (70 O.S. Supp.
2019, Section 3311.5), is amended to read as follows:

1 Section 3311.5. A. On and after November 1, 2007, the Council
2 on Law Enforcement Education and Training (CLEET), pursuant to its
3 authority granted by Section 3311 of this title, shall include in
4 its required basic training courses for law enforcement
5 certification a minimum of four (4) hours of education and training
6 relating to recognizing and managing a person appearing to require
7 mental health treatment or services. The Council shall further
8 offer a minimum of four (4) hours of education and training on
9 specific mental health issues pursuant to Section 3311.4 of this
10 title to meet the annual requirement for continuing education in the
11 areas of mental health issues.

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

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

1 D. CLEET shall promulgate rules to enforce the provisions of
2 subsections B and C of this section and shall, with the assistance
3 of certified sexual assault service providers, establish a
4 comprehensive integrated curriculum for the teaching of evidence-
5 based sexual assault and sexual violence issues.

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

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

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

1 selected from recommendations provided by the Office of the Attorney
2 General or the Domestic Violence Fatality Review Board. The
3 training shall be developed in collaboration with the Domestic
4 Violence Fatality Review Board, and where applicable, shall replace
5 existing domestic violence and stalking courses currently required.

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

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

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

22 K. On and after November 1, 2013, CLEET, pursuant to its
23 authority granted by Section 3311 of this title, shall include in
24 its required basic training courses for law enforcement

1 certification a minimum of two (2) hours of education and training
2 relating to recognizing and managing a person experiencing dementia
3 or Alzheimer's disease.

4 L. 1. Subject to the availability of funds, CLEET, pursuant to
5 its authority granted by Sections 3311 and 3311.4 of this title, may
6 include in its required courses of study for law enforcement
7 certification a minimum of eight (8) hours of developmental
8 disability awareness training.

9 2. Subject to the availability of funds, every active full-time
10 peace officer, previously certified by CLEET pursuant to Section
11 3311 of this title, may attend and complete the developmental
12 disability awareness training provided for in paragraph 1 of this
13 subsection.

14 3. CLEET may promulgate rules regarding the provisions of
15 paragraphs 1 and 2 of this subsection and, upon the availability of
16 funds, may establish a comprehensive integrated curriculum for the
17 teaching of developmental disability issues.

18 M. The Council shall promulgate rules to evaluate and approve
19 municipalities and counties that are deemed capable of conducting
20 separate basic law enforcement training academies in their
21 jurisdiction and to certify officers successfully completing such
22 academy training courses. Upon application to the Council, any
23 municipality with a population of sixty-five thousand (65,000) or
24 more or any county with a population of five hundred thousand

1 (500,000) or more shall be authorized to operate a basic law
2 enforcement academy. In addition, upon application and approval
3 from the Council, a municipality with a population under sixty-five
4 thousand (65,000) or a county with a population under five hundred
5 thousand (500,000) may be authorized to operate a basic law
6 enforcement academy; provided, however, the Council may approve no
7 more than two such applications per year. The Council shall approve
8 an application when the municipality or county making the
9 application meets the criteria for a separate training academy and
10 demonstrates to the satisfaction of the Council that the academy has
11 sufficient resources to conduct the training, the instructional
12 staff is appropriately trained and qualified to teach the course
13 materials, the curriculum is composed of comparable or higher
14 quality course segments to the CLEET academy curriculum, and the
15 facilities where the academy will be conducted are safe and
16 sufficient for law enforcement training purposes. Any municipality
17 or county authorized to operate a basic law enforcement academy
18 after November 1, 2007, shall not be eligible to receive funds
19 pursuant to subsection E of Section 1313.2 of Title 20 of the
20 Oklahoma Statutes. The Council shall not provide any funding for
21 the operation of any separate training academy authorized by this
22 subsection.

23 ~~M.~~ N. Any municipality or county that, prior to November 1,
24 2007, was authorized to conduct a basic law enforcement academy

1 shall continue to receive funding pursuant to subsection E of
2 Section 1313.2 of Title 20 of the Oklahoma Statutes.

3 SECTION 2. This act shall become effective November 1, 2020.
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5 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/27/2020 -
6 DO PASS, As Amended.
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