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February 21, 2019

By: Weaver

An Act relating to cities and towns, amending Section 2, Chapter 232, O.S.L. 2013 (11 O.S. Supp. 2018, Section 34-107), which relates to police departments; establishing authority for conducting compliance reviews; requiring certain written notification regarding complaints for noncompliance; and providing an effective date.

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

SECTION 1. AMENDATORY Section 2, Chapter 232, O.S.L.
2013 (11 O.S. Supp. 2018, Section 34-107), is amended to read as
follows:

Section 34-107. A. Beginning January 1, 2016, every municipal police department shall have adopted policies in place that at a minimum address the following safety and liability issues, including but not limited to:

1. Search and seizure;
2. Arrest and alternatives to arrest;
3. Strip and body cavity searches;
4. Evidence and property management;
5. Inventories and audits;

6. Use of firearms and use of force;
7. Pursuit driving;
8. Impartial policing/racial profiling;
9. Mental health;
10. Professional conduct of officers;
11. Domestic abuse;
12. Response to missing persons; and
13. Supervision of part-time officers.

B. The Oklahoma Association of Chiefs of Police shall possess the responsibility of conducting compliance reviews for Oklahoma Municipal Law Enforcement Agencies. Compliance reviews shall be conducted upon receipt of a complaint or reasonable cause to believe that the agency has failed to comply with safety and liability policy requirements.

~~B.~~ C. A complaint against a municipality for noncompliance with this section shall be submitted in writing to the Oklahoma Association of Chiefs of Police, the Director of CLEET and the municipality pursuant to the provisions of Section 22-103 of Title 11 of the Oklahoma Statutes. Upon notification, the municipality shall have six (6) months to come into compliance. If the agency has not come into compliance after six (6) months, the Oklahoma Association of Chiefs of Police shall notify in writing the chief elected official of the governing body of the law enforcement agency, the chief law enforcement officer of the law enforcement

1 agency, and the liability insurance company of the law enforcement
2 agency. If after six (6) months a municipality has not reached full
3 compliance with the requirements of this section, the Oklahoma
4 Association of Chiefs of Police may request the Director of CLEET
5 for an additional six (6) months if it is determined the
6 municipality is substantially attempting to comply with the
7 requirements herein.

8 SECTION 2. This act shall become effective November 1, 2019.

9 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
10 February 21, 2019 - DO PASS
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