

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1537

By: Weaver

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5
6 AS INTRODUCED

7 An Act relating to law enforcement training; amending
8 70 O.S. 2021, Section 3311, which relates to the
9 Council on Law Enforcement Education and Training;
10 modifying certain authority of the Council; modifying
11 qualifiers for suspension; defining term; prohibiting
12 certain certification; establishing attestation to
13 certification periods; authorizing rule promulgation;
14 allowing certain renewals; modifying certain
15 disciplinary action; modifying required reporting to
16 the Council; allowing certain withdrawal of
17 certification; updating statutory language; amending
18 70 O.S. 2021, Section 3311.4, which relates to
19 continuing law enforcement training; providing for
20 certain recertification; modifying training
21 requirements; requiring certain training for lapsed
22 certification; and providing an effective date.

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

24 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3311, is
amended to read as follows:

25 Section 3311. A. There is hereby created a Council on Law
26 Enforcement Education and Training which shall be, and is hereby
27 declared to be, a governmental law enforcement agency of ~~the State~~
28 ~~of Oklahoma~~ this state, body politic and corporate, with powers of

1 government and with the authority to exercise the rights, privileges
2 and functions necessary to ensure the professional training and
3 continuing education of law enforcement officers in ~~the State of~~
4 ~~Oklahoma~~ this state. These rights, privileges and functions
5 include, but are not limited to, those specified in Sections 3311
6 through 3311.15 of this title and in the Oklahoma Security Guard and
7 Private Investigator Act and the ~~Oklahoma~~ Bail Enforcement and
8 Licensing Act. The Council shall be authorized to require agency
9 employees and the employees of agency contractors in positions to
10 have access to Oklahoma ~~Peace Officer~~ peace officer records,
11 Oklahoma ~~Security Guard~~ security guard and ~~Private Investigator~~
12 private investigator records, ~~Oklahoma~~ Bail Enforcement and
13 Licensing Act records, to be subject to a criminal history search by
14 the Oklahoma State Bureau of Investigation, as well as be
15 fingerprinted for submission of the fingerprints through the
16 Oklahoma State Bureau of Investigation to the Federal Bureau of
17 Investigation for a national criminal history check. The Council
18 shall be the recipient of the results of the record check. In
19 accordance with Section 150.9 of Title 74 of the Oklahoma Statutes,
20 this includes a national criminal record with a ~~finger print~~
21 fingerprint analysis. The Council shall be composed of thirteen
22 (13) members as follows:

23 1. The Commissioner of the Department of Public Safety, or
24 designee;

1 2. The Director of the Oklahoma State Bureau of Narcotics and
2 Dangerous Drugs Control, or designee;

3 3. The Director of the Oklahoma State Bureau of Investigation,
4 or designee;

5 4. One member appointed by the Governor who shall be a law
6 enforcement administrator representing a tribal law enforcement
7 agency;

8 5. One member appointed by the Governor who shall be a chief of
9 police of a municipality with a population over one hundred thousand
10 (100,000), as determined by the latest Federal Decennial Census;

11 6. One member appointed by the Board of Directors of the
12 Oklahoma Sheriffs' Association who shall be a sheriff of a county
13 with a population under twenty-five thousand (25,000), as determined
14 by the latest Federal Decennial Census;

15 7. One member appointed by the Oklahoma Association of Police
16 Chiefs who shall be a chief of police representing a municipality
17 with a population over ten thousand (10,000), as determined by the
18 latest Federal Decennial Census;

19 8. One member shall be appointed by the Board of Directors of
20 the Oklahoma Sheriffs' Association who shall be a sheriff of a
21 county with a population of twenty-five thousand (25,000) or more,
22 as determined by the latest Federal Decennial Census;

1 9. One member appointed by the Board of Directors of the
2 Fraternal Order of Police who shall have experience as a training
3 officer;

4 10. One member appointed by the Chancellor of Higher Education
5 who shall be a representative of East Central University;

6 11. One member appointed by the Board of Directors of the
7 Oklahoma Sheriffs and Peace Officers Association who shall be a
8 full-time law enforcement officer in good standing with CLEET within
9 a county with a population under fifty thousand (50,000);

10 12. The President Pro Tempore of the Senate shall appoint one
11 member from a list of three or more nominees submitted by a
12 statewide organization representing cities and towns that is exempt
13 from taxation under federal law and designated pursuant to the
14 provisions of the Internal Revenue Code, 26 U.S.C., Section 170(a);
15 and

16 13. The Speaker of the House of Representatives shall appoint
17 one member from a list of three or more nominees submitted by an
18 organization that assists in the establishment of accreditation
19 standards and training programs for law enforcement agencies
20 throughout ~~the State of Oklahoma~~ this state.

21 The Executive Director selected by the Council shall be an ex
22 officio member of the Council and shall act as Secretary. The
23 Council on Law Enforcement Education and Training shall select a
24 chair and ~~vice-chair~~ vice chair from among its members. Members of

1 the Council on Law Enforcement Education and Training shall not
2 receive a salary for duties performed as members of the Council, but
3 shall be reimbursed for their actual and necessary expenses incurred
4 in the performance of Council duties pursuant to the provisions of
5 the State Travel Reimbursement Act.

6 B. The Council on Law Enforcement Education and Training is
7 hereby authorized and directed to:

8 1. Appoint a larger Advisory Council to discuss problems and
9 hear recommendations concerning necessary research, minimum
10 standards, educational needs, and other matters imperative to
11 upgrading Oklahoma law enforcement to professional status;

12 2. Promulgate rules with respect to such matters as
13 certification, revocation, suspension, withdrawal and reinstatement
14 of certification, minimum courses of study, testing and test scores,
15 attendance requirements, equipment and facilities, minimum
16 qualifications for instructors, minimum standards for basic and
17 advanced in-service courses, and seminars for Oklahoma police and
18 peace officers;

19 3. Authorize research, basic and advanced courses, and seminars
20 to assist in program planning directly and through subcommittees;

21 4. Authorize additional staff and services necessary for
22 program expansion;

23 5. Recommend legislation necessary to upgrade Oklahoma law
24 enforcement to professional status;

1 6. Establish policies and regulations concerning the number,
2 geographic and police unit distribution, and admission requirements
3 of those receiving tuition or scholarship aid available through the
4 Council. Such waiver of costs shall be limited to duly appointed
5 members of legally constituted local, county, and state law
6 enforcement agencies on the basis of educational and financial need;

7 7. Appoint an Executive Director ~~and an Assistant Director~~ to
8 direct the staff, inform the Council of compliance with the
9 provisions of this section and perform such other duties imposed on
10 the Council by law. An Executive Director appointed by the Council
11 must qualify for the position with a bachelor or higher degree in
12 law enforcement from an accredited college or university, or a
13 bachelor or higher degree in a law-enforcement-related subject area,
14 and a minimum of five (5) years of active law enforcement experience
15 including, but not limited to, responsibility for enforcement,
16 investigation, administration, training, or curriculum
17 implementation.

18 The Executive Director of the Council on Law Enforcement
19 Education and Training may commission CLEET staff as peace officers
20 for purposes consistent with the duties of CLEET as set out in state
21 law. The powers and duties conferred on the Executive Director or
22 any staff member appointed by the Executive Director as a peace
23 officer shall not limit the powers and duties of other peace
24 officers of this state or any political subdivision thereof. The

1 Executive Director or any staff member appointed by the Executive
2 Director as a peace officer may, upon request, assist any federal,
3 state, county or municipal law enforcement agency;

4 8. Enter into contracts and agreements for the payment of
5 classroom space, food, and lodging expenses as may be necessary for
6 law enforcement officers attending any official course of
7 instruction approved or conducted by the Council. Such expenses may
8 be paid directly to the contracting agency or business
9 establishment. The food and lodging expenses for each law
10 enforcement officer shall not exceed the authorized rates as
11 provided for in the State Travel Reimbursement Act; provided,
12 however, the Council may provide food and lodging to law enforcement
13 officials attending any official course of instruction approved or
14 conducted by the Council rather than paying for the provision of
15 such food and lodging by an outside contracting agency or business
16 establishment;

17 9. a. Certify canine teams, consisting of a dog and a
18 handler working together as a team, trained to detect:

- 19 (1) controlled dangerous substances, or
20 (2) explosives, explosive materials, explosive
21 devices, or materials which could be used to
22 construct an explosive device;

23 provided, the dog of a certified canine team shall not
24 be certified at any time as both a drug dog and a bomb
25

1 dog, and any dog of a certified canine team who has
2 been previously certified as either a drug dog or a
3 bomb dog shall not be eligible at any time to be
4 certified in the other category.

5 b. Upon retiring the dog from the service it was
6 certified to perform, the law enforcement department
7 that handled the dog shall retain possession of the
8 dog. The handler shall have first option of adopting
9 the dog. If that option is not exercised, the law
10 enforcement department shall provide for its adoption.
11 Once adopted the dog shall not be placed back into
12 active service;

13 10. Enter into a lease, loan or other agreement with the
14 Oklahoma Development Finance Authority or a local public trust for
15 the purpose of facilitating the financing of a new facility for its
16 operations and use and pledge, to the extent authorized by law, all
17 or a portion of its receipts of the assessment penalty herein
18 referenced for the payment of its obligations under such lease, loan
19 or other agreement. It is the intent of the Legislature to increase
20 the assessment penalty to such a level or appropriate sufficient
21 monies to the Council on Law Enforcement Education and Training to
22 make payments on the lease, loan or other agreement for the purpose
23 of retiring the bonds to be issued by the Oklahoma Development
24 Finance Authority or local public trust. Such lease, loan or other

1 agreement and the bonds issued to finance such facilities shall not
2 constitute an indebtedness of ~~the State of Oklahoma~~ this state or be
3 backed by the full faith and credit of ~~the State of Oklahoma~~ this
4 state, and the lease, loan or other agreement and the bonds shall
5 contain a statement to such effect;

6 11. Accept gifts, bequests, devises, contributions and grants,
7 public or private, of real or personal property;

8 12. Appoint an advisory committee composed of representatives
9 from security guard and private investigative agencies to advise the
10 Council concerning necessary research, minimum standards for
11 licensure, education, and other matters related to licensure of
12 security guards, security guard agencies, private investigators, and
13 private investigative agencies;

14 13. Enter into agreements with individuals, educational
15 institutions, agencies, and business and tribal entities for
16 professional services, the use of facilities and supplies, and staff
17 overtime costs incurred as a result of the user's requests to
18 schedule functions after-hours, on weekends, or anytime such
19 requests extend staff beyond its normal capacity, whereby
20 contracting individuals, educational institutions, agencies, and
21 business and tribal entities shall pay a fee to be determined by the
22 Council by rule. All fees collected pursuant to facilities usage
23 shall be deposited to the credit of the C.L.E.E.T. Training Center
24 Revolving Fund created pursuant to Section 3311.6 of this title.

1 All other fees collected pursuant to these agreements shall be
2 deposited to the credit of the Peace Officer Revolving Fund created
3 pursuant to Section 3311.7 of this title. The Council is authorized
4 to promulgate emergency rules to effectuate the provisions of this
5 paragraph;

6 14. Promulgate rules to establish a state firearms
7 requalification standard for active peace officers and meet any
8 requirements imposed on the Council by the federal Law Enforcement
9 Officers Safety Act of 2004;

10 15. Set minimal criteria relating to qualifications for chief
11 of police administrative training pursuant to Section 34-102 of
12 Title 11 of the Oklahoma Statutes, assist in developing a course of
13 training for a Police Chief Administrative School, and approve all
14 police chief administrative training offered in this state;

15 16. Appoint a Curriculum Review Board to be composed of six (6)
16 members as follows:

- 17 a. one member shall be selected by the Chancellor for
18 Higher Education, who possesses a background of
19 creation and review of curriculum and experience
20 teaching criminal justice or law enforcement courses,
21 who shall serve an initial term of one (1) year,
- 22 b. one member shall represent a municipal jurisdiction
23 with a population of fifty thousand (50,000) or more
24 and who shall be a management-level CLEET-certified

1 training officer, who shall serve an initial term of
2 two (2) years,

3 c. one member shall represent a county jurisdiction with
4 a population of fifty thousand (50,000) or more and
5 who shall be a management-level CLEET-certified
6 training officer, who shall serve an initial term of
7 three (3) years,

8 d. one member shall represent a municipal jurisdiction
9 with a population of less than fifty thousand (50,000)
10 and who shall be a CLEET-certified training officer,
11 who shall serve an initial term of two (2) years,

12 e. one member shall represent a county jurisdiction with
13 a population of less than fifty thousand (50,000) and
14 who shall be a CLEET-certified training officer, who
15 shall serve an initial term of one (1) year, and

16 f. one member selected by the Oklahoma Department of
17 Career and Technology Education, who shall have
18 experience in the creation and review of curriculum as
19 well as experience in teaching criminal justice or law
20 enforcement courses, who shall serve an initial term
21 of three (3) years.

22 After the initial terms of office, all members shall be
23 appointed to serve three-year terms. Any member may be reappointed
24 to serve consecutive terms. Members shall serve without

1 compensation, but may be reimbursed for travel expenses pursuant to
2 the State Travel Reimbursement Act. The Board shall review and
3 establish curriculum for all CLEET academies and training courses
4 pursuant to procedures established by the Council on Law Enforcement
5 Education and Training;

6 17. Conduct review and verification of any records relating to
7 the statutory duties of CLEET;

8 18. Receive requested reports including investigative reports,
9 court documents, statements, or other applicable information from
10 local, county and state agencies and other agencies for use in
11 actions where a certification or license issued by CLEET may be
12 subject to disciplinary or other actions provided by law;

13 19. Summarily suspend a certification of a peace officer,
14 without prior notice but otherwise subject to administrative
15 proceedings, if CLEET finds that a certified peace officer has been
16 suspended or terminated for cause by a law enforcement employer or
17 that the actions of the certified peace officer may present a danger
18 to the peace officer, the public, an intimate partner or a family or
19 household member, or involve a crime against a minor. For purposes
20 of this section, "for cause" shall mean any infraction that would
21 constitute a felony, crime of moral turpitude, or domestic violence
22 crime, even if no charges are brought, or any violation of the
23 employer's rules or policies that involve dishonesty or an improper
24 or excessive use of force. A certified copy of the information or

1 indictment charging such a crime shall be considered clear and
2 convincing evidence of the charge; and

3 20. Approve law enforcement agencies and police departments in
4 accordance with the following:

5 a. this section applies only to an entity authorized by
6 statute or by the Constitution to create a law
7 enforcement agency or police department and
8 commission, appoint, or employ officers that first
9 creates or reactivates an inactive law enforcement
10 agency or police department and first begins to
11 commission, appoint, or employ officers on or after
12 November 1, 2011,

13 b. the entity shall submit to CLEET, a minimum of sixty
14 (60) days prior to creation of the law enforcement
15 agency or police department, information regarding:
16 (1) the need for the law enforcement agency or police
17 department in the community,
18 (2) the funding sources for the law enforcement
19 agency or police department, and proof that no
20 more than fifty percent (50%) of the funding of
21 the entity will be derived from ticket revenue or
22 fines,
23 (3) the physical resources available to officers,
24

1 (4) the physical facilities that the law enforcement
2 agency or police department will operate
3 including descriptions of the evidence room,
4 dispatch area, restroom facilities, and public
5 area,

6 (5) law enforcement policies of the law enforcement
7 agency or police department including published
8 policies on:

9 (a) use of force,

10 (b) vehicle pursuit,

11 (c) mental health,

12 (d) professional conduct of officers,

13 (e) domestic abuse,

14 (f) response to missing persons,

15 (g) supervision of part-time officers, and

16 (h) impartial policing,

17 (6) the administrative structure of the law
18 enforcement agency or police department,

19 (7) liability insurance, and

20 (8) any other information CLEET requires by rule,

21 c. within sixty (60) days of receiving an entity's
22 request, CLEET will forward to the entity by certified
23 mail, return receipt requested, a letter of
24 authorization or denial to create a law enforcement
25

1 agency or police department and commission, appoint,
2 or employ officers, signed by the Executive Director
3 of CLEET, and

4 d. in cases of denial, the entity may appeal the decision
5 of the Executive Director to the full CLEET Council.

6 The Executive Director shall ensure that the final
7 report is provided to all members of the Council. The
8 Council shall review and make recommendations
9 concerning the report at the first meeting of the
10 Council to occur after all members of the Council have
11 received the report. The Council may, by majority
12 vote:

- 13 (1) order additional information be provided,
- 14 (2) order confirmation of the opinion of the
15 Executive Director, or
- 16 (3) order authorization of the entity.

17 C. 1. Payment of any fee provided for in this section may be
18 made by a nationally recognized credit or debit card issued to the
19 applicant. The Council may publicly post and collect a fee for the
20 acceptance of the nationally recognized credit or debit card not to
21 exceed five percent (5%) of the amount of the payment. For purposes
22 of this subsection, "nationally recognized credit card" means any
23 instrument or device, whether known as a credit card, credit plate,
24 charge plate, or by any other name, issued with or without fee by an

1 issuer for the use of the cardholder in obtaining goods, services,
2 or anything else of value and which is accepted by over one thousand
3 merchants in this state. "Debit card" means an identification card
4 or device issued to a person by a business organization which
5 permits such person to obtain access to or activate a consumer
6 banking electronic facility. The Council shall determine which
7 nationally recognized credit or debit cards will be accepted as
8 payment for fees.

9 2. Payment for any fee provided for in this title may be made
10 by a business check. The Council may:

11 a. add an amount equal to the amount of the service
12 charge incurred, not to exceed three percent (3%) of
13 the amount of the check as a service charge for the
14 acceptance and verification of the check, or

15 b. add an amount of no more than Five Dollars (\$5.00) as
16 a service charge for the acceptance and verification
17 of a check. For purposes of this subsection,
18 "business check" shall not mean a money order,
19 cashier's check, or bank certified check.

20 D. Failure of the Legislature to appropriate necessary funds to
21 provide for expenses and operations of the Council on Law
22 Enforcement Education and Training shall not invalidate other
23 provisions of this section relating to the creation and duties of
24 the Council.

1 E. 1. No person shall be eligible for employment as a peace
2 officer or reserve peace officer until the employing law enforcement
3 agency has conducted a background investigation of such person
4 consisting of the following:

- 5 a. a fingerprint search submitted to the Oklahoma State
6 Bureau of Investigation with a return report to the
7 submitting agency that such person has no felony
8 record,
- 9 b. a fingerprint search submitted to the Federal Bureau
10 of Investigation with a return report to the
11 submitting agency that such person has no felony
12 record,
- 13 c. such person has undergone psychological evaluation by
14 a psychologist licensed by ~~the State of Oklahoma~~ this
15 state and has been evaluated to be suitable to serve
16 as a peace officer in ~~the State of Oklahoma~~ this
17 state,
- 18 d. the employing agency has verified that such person has
19 a high school diploma or a GED equivalency certificate
20 as recognized by state law,
- 21 e. such person is not participating in a deferred
22 sentence agreement for a felony, a crime involving
23 moral turpitude or a crime of domestic violence, and
24 does not have any criminal charges pending in any

1 court in this state, another state, in tribal court or
2 pursuant to the United States Code,

3 f. such person is not currently subject to an order of
4 the Council revoking, suspending, or accepting a
5 voluntary surrender of peace officer certification,

6 g. such person is not currently undergoing treatment for
7 a mental illness, condition or disorder. For purposes
8 of this subsection, "currently undergoing treatment
9 for mental illness, condition or disorder" means the
10 person has been diagnosed by a licensed physician,
11 psychologist, or licensed mental health professional
12 as being afflicted with a substantial disorder of
13 thought, mood, perception, psychological orientation
14 or memory that significantly impairs judgment,
15 behavior, capacity to recognize reality, or ability to
16 meet the ordinary demands of life and such condition
17 continues to exist,

18 h. such person is twenty-one (21) years of age.

19 Provided, this requirement shall not affect those
20 persons who are already employed as a police or peace
21 officer prior to November 1, 1985, and

22 i. such person has provided proof of United States
23 citizenship or resident alien status, pursuant to an
24

1 employment eligibility verification form from the
2 United States Citizenship and Immigration Services.

3 2. To aid the evaluating psychologist in interpreting the test
4 results including automated scoring and interpretations, the
5 employing agency shall provide the psychologist a statement
6 confirming the identity of the individual taking the test as the
7 person who is employed or seeking employment as a peace officer of
8 the agency and attesting that it administered the psychological
9 instrument in accordance with standards within the test document.
10 The psychologist shall report to the employing agency the evaluation
11 of the assessment instrument and may include any additional
12 recommendations to assist the employing agency in determining
13 whether to certify to the Council on Law Enforcement Education and
14 Training that the person being evaluated is suitable to serve as a
15 peace officer in ~~the State of Oklahoma~~ this state. No additional
16 procedures or requirements shall be imposed for performance of the
17 psychological evaluation. The psychological instrument utilized
18 shall be evaluated by a psychologist licensed by ~~the State of~~
19 ~~Oklahoma~~ this state, and the employing agency shall certify to the
20 Council that the evaluation was conducted in accordance with this
21 provision and that the employee or applicant is suitable to serve as
22 a peace officer in ~~the State of Oklahoma~~ this state.

23 a. Any person found not to be suitable for employment or
24 certification by the Council shall not be employed,

1 retained in employment as a peace officer, or
2 certified by the Council for at least one (1) year, at
3 which time the employee or applicant may be
4 reevaluated by a psychologist licensed by ~~the State of~~
5 ~~Oklahoma~~ this state. This section shall also be
6 applicable to all reserve peace officers in ~~the State~~
7 ~~of Oklahoma~~ this state.

8 b. Any person who is certified by CLEET and has undergone
9 the psychological evaluation required by this
10 subparagraph and has been found to be suitable as a
11 peace officer shall not be required to be reevaluated
12 for any subsequent employment as a peace officer
13 following retirement or any break in service as a
14 peace officer, unless such break in service exceeds
15 five (5) years or the Council determines that a peace
16 officer may present a danger to himself or herself,
17 the public, or a family or household member.

18 c. All persons seeking certification shall have their
19 name, gender, date of birth, and address of such
20 person submitted to the Department of Mental Health
21 and Substance Abuse Services by the Council. The
22 Department of Mental Health and Substance Abuse
23 Services shall respond to the Council within ten (10)
24 days whether the computerized records of the

1 Department indicate the applicant has ever been
2 involuntarily committed to an Oklahoma state mental
3 institution. In the event that the Department of
4 Mental Health and Substance Abuse Services reports to
5 the Council that the applicant has been involuntarily
6 committed, the Council shall immediately inform the
7 employing agency.

8 All basic police courses shall include a minimum of four (4)
9 hours of education and training in recognizing and managing a person
10 appearing to require mental health treatment or services. The
11 training shall include training in crime and drug prevention, crisis
12 intervention, youth and family intervention techniques, recognizing,
13 investigating and preventing abuse and exploitation of elderly
14 persons, mental health issues, and criminal jurisdiction on
15 Sovereign Indian Land.

16 Subject to the availability of funding, for full-time salaried
17 police or peace officers a basic police course academy shall consist
18 of a minimum of six hundred (600) hours.

19 For reserve deputies a basic reserve academy shall consist of a
20 minimum of two hundred forty (240) hours.

21 3. Beginning January 1, 2018, any reserve peace officer who has
22 completed the two-hundred-forty-hour reserve peace officer
23 certification program and who has been in active service in that
24 capacity for the past six (6) months shall be eligible to attend a

1 three-hundred-sixty-hour basic full-time training academy to become
2 certified as a full-time peace or police officer.

3 4. Every person who has not been certified as a police or peace
4 officer and is duly appointed or elected as a police or peace
5 officer shall hold such position on a temporary basis only, and
6 shall, within six (6) months from the date of appointment or taking
7 office, qualify as required in this subsection or forfeit such
8 position. In computing the time for qualification, all service
9 shall be cumulative from date of first appointment or taking office
10 as a police or peace officer with any department in this state.

11 a. The Council may extend the time requirement specified
12 in this paragraph for good cause as determined by the
13 Council.

14 b. A duty is hereby imposed upon the employing agency to
15 withhold payment of the compensation or wage of such
16 unqualified officer.

17 c. If the police or peace officer fails to forfeit the
18 position or the employing agency fails to require the
19 officer to forfeit the position, the district attorney
20 shall file the proper action to cause the forfeiting
21 of such position. The district court of the county
22 where the officer is employed shall have jurisdiction
23 to hear the case.

1 5. The Council may certify officers who have completed a course
2 of study in another state deemed by the Council to meet standards
3 for Oklahoma peace officers providing the officer's certification in
4 the other state has not been revoked or voluntarily surrendered to
5 avoid revocation or other disciplinary action and is not currently
6 under suspension.

7 6. For purposes of this section, a police or peace officer is
8 defined as a full-time duly appointed or elected officer who is paid
9 for working more than twenty-five (25) hours per week and whose
10 duties are to preserve the public peace, protect life and property,
11 prevent crime, serve warrants, transport prisoners, and enforce laws
12 and ordinances of this state, or any political subdivision thereof;
13 provided, elected sheriffs and their deputies and elected,
14 appointed, or acting chiefs of police shall meet the requirements of
15 this subsection within the first six (6) months after assuming the
16 duties of the office to which they are elected or appointed or for
17 which they are an acting chief; provided further, that this section
18 shall not apply to persons designated by the Director of the
19 Department of Corrections as peace officers pursuant to Section 510
20 of Title 57 of the Oklahoma Statutes.

21 7. Beginning November 1, 2022, each peace officer and reserve
22 peace officer shall have to renew their individual certification
23 every three (3) years by providing to CLEET proof of successful and
24 timely completion of all required continuing education hours for the

1 applicable period as well as attesting that they remain eligible for
2 peace officer employment according to applicable statutory
3 requirements. The three (3) year cycle will be calculated from the
4 officer's original date of certification or the latest anniversary
5 of such certification if the certification occurred more than three
6 (3) years previously, whichever occurred last pursuant. No
7 additional training will be required to renew certification unless
8 such certification has expired without a timely renewal. A person
9 whose peace officer or reserve peace officer certification expires
10 without renewal, may subsequently reapply for recertification.
11 CLEET shall promulgate rules to give effect to this section.

12 F. No person shall be certified as a police or peace officer by
13 the Council or be employed by the state, a county, a city, or any
14 political subdivision thereof, who is currently subject to an order
15 of the Council revoking, suspending, ~~or~~ accepting a voluntary
16 surrender to avoid revocation or other disciplinary action, or
17 accepting a withdrawal of peace officer certification or who has
18 been convicted of a felony, a crime involving moral turpitude, or a
19 crime of domestic violence, unless a full pardon has been granted by
20 the proper agency; however, any person who has been trained and
21 certified by the Council on Law Enforcement Education and Training
22 and is actively employed as a full-time peace officer as of November
23 1, 1985, shall not be subject to the provisions of this subsection
24 for convictions occurring prior to November 1, 1985.

1 G. 1. The Council is hereby authorized to provide to any
2 employing agency the following information regarding a person who is
3 or has applied for employment as a police or peace officer of such
4 employing agency:

- 5 a. Oklahoma State Bureau of Investigation and Federal
6 Bureau of Investigation reports,
- 7 b. administration of the psychological tests provided for
8 herein,
- 9 c. performance in the course of study or other basis of
10 certification,
- 11 d. previous certifications issued, and
- 12 e. any administrative or judicial determination denying
13 certification.

14 2. An employing agency shall not be liable in any action
15 arising out of the release of contents of personnel information
16 relevant to the qualifications or ability of a person to perform the
17 duties of a police or peace officer when such information is
18 released pursuant to written authorization for release of
19 information signed by such person and is provided to another
20 employing agency which has employed or has received an application
21 for employment from such person.

22 3. As used in this subsection, "employing agency" means a
23 political subdivision or law enforcement agency which either has
24

1 employed or received an employment application from a person who, if
2 employed, would be subject to this section.

3 H. 1. A law enforcement agency employing police or peace
4 officers in this state shall report the hiring, resignation, or
5 termination for any reason of a police or peace officer to the
6 Council within ten (10) days. Failure to comply with the provisions
7 of this subsection may disqualify a law enforcement agency from
8 participating in training programs sponsored by the Council. Every
9 law enforcement agency employing police or peace officers in this
10 state shall submit to CLEET on or before October 1 of each calendar
11 year a complete list of all commissioned employees with a current
12 mailing address and phone number for each such employee. In
13 addition to the above, CLEET may impose an administrative fine for
14 violations of this section.

15 2. A tribal law enforcement agency that has peace officers
16 commissioned by an Oklahoma law enforcement agency pursuant to a
17 cross-deputization agreement with ~~the State of Oklahoma~~ this state
18 or any political subdivision of ~~the State of Oklahoma~~ this state
19 pursuant to the provisions of Section 1221 of Title 74 of the
20 Oklahoma Statutes shall report the commissioning, resignation, or
21 termination of commission for any reason of a cross-deputized tribal
22 police or peace officer to CLEET within ten (10) days of the
23 commissioning, resignation, or termination. Failure to comply with
24 the provisions of this subsection may disqualify a tribal law

1 enforcement agency from participating in training programs sponsored
2 by the Council.

3 I. It is unlawful for any person to willfully make any
4 statement in an application to CLEET knowing the statement is false
5 or intentionally commit fraud in any application to the Council for
6 attendance in any CLEET-conducted or CLEET-approved peace officer
7 academy or Collegiate Officer Program or for the purpose of
8 obtaining peace officer certification or reinstatement. It is
9 unlawful for any person to willfully submit false or fraudulent
10 documents relating to continuing education rosters, transcripts or
11 certificates, or any canine license application. Any person
12 convicted of a violation of this subsection shall be guilty of a
13 felony punishable by imprisonment in the Department of Corrections
14 for a term of not less than two (2) years nor more than five (5)
15 years, or by a fine not exceeding Two Thousand Dollars (\$2,000.00),
16 or by both such fine and imprisonment. In addition to the above,
17 CLEET may impose an administrative fine.

18 J. 1. A police or peace officer shall be subject to denial of
19 certification or disciplinary action to include a ~~denial~~ letter of
20 reprimand, suspension, revocation or acceptance of ~~voluntary~~
21 ~~surrender~~ a withdrawal of peace officer certification upon a showing
22 of clear and convincing evidence for the following:

- 23 a. conviction of a felony or a crime of domestic
24 violence,

- 1 b. conviction of a misdemeanor involving moral turpitude;
2 provided, if the conviction is a single isolated
3 incident that occurred more than five (5) years ~~ago~~
4 before the person applies for peace officer
5 certification, is disclosed at the time the person
6 applies for peace officer certification, and the
7 Council is satisfied that the person has been
8 sufficiently rehabilitated, the Council may, in its
9 discretion, certify such person providing that all
10 other statutory requirements have been met,
- 11 c. a verdict of guilt or entry of a plea of guilty or
12 nolo contendere or an "Alford" plea or any plea other
13 than a not guilty plea for a felony offense, a crime
14 of moral turpitude, or a crime of domestic violence,
- 15 d. falsification or a willful misrepresentation of
16 information in an employment application or
17 application to the Council on Law Enforcement
18 Education and Training, records of evidence, or in
19 testimony under oath,
- 20 e. revocation, suspension, or voluntary surrender of
21 police or peace officer certification in another state
22 for a violation of any law or rule or in settlement of
23 any disciplinary action in such state,
- 24

1 f. involuntary commitment of a reserve or peace officer
2 in a mental institution or licensed private mental
3 health facility for any mental illness, condition or
4 disorder that is diagnosed by a licensed physician,
5 psychologist or a licensed mental health professional
6 as a substantial disorder of thought, mood,
7 perception, psychological orientation, or memory that
8 significantly impairs judgment, behavior, capacity to
9 recognize reality, or ability to meet the ordinary
10 demands of life. Provided, the peace officer
11 certification may be reinstated upon the Council
12 receiving notification of a psychological evaluation
13 conducted by a licensed physician, psychologist or
14 licensed mental health professional which attests and
15 states by affidavit that the officer and the
16 evaluation test data of the officer have been examined
17 and that, in the professional opinion of the
18 physician, psychologist or licensed mental health
19 professional, the officer is psychologically suitable
20 to return to duty as a peace officer. Notwithstanding
21 any other provision of state law pertaining to
22 confidentiality of hospital or other medical records,
23 and as allowable under federal law, CLEET may subpoena
24 or request a court to subpoena records necessary to

1 assure compliance with these provisions. Any
2 confidential information received by CLEET for such
3 purpose shall retain its confidential character while
4 in the possession of CLEET,

- 5 g. abuse of office,
- 6 h. entry of a final order of protection against applicant
7 or officer, ~~or~~
- 8 i. any violation of the Oklahoma Private Security
9 Licensing Act, or
- 10 j. termination for cause by a law enforcement employer.

11 2. Disciplinary proceedings shall be commenced by filing a
12 complaint with the Council on a form approved by the Council. Any
13 employing agency or other person having information may submit such
14 information to the Council for consideration as provided in this
15 subsection.

16 3. Upon the filing of the complaint, a preliminary
17 investigation shall be conducted to determine whether:

- 18 a. there is reason to believe the person has violated any
19 provision of this subsection or any other provision of
20 law or rule, or
- 21 b. there is reason to believe the person has been
22 convicted of a felony, a crime involving moral
23 turpitude or a domestic violence offense or is

1 currently participating in a deferred sentence for
2 such offenses.

3 4. When the investigation of a complaint does not find the
4 person has violated any of the provisions of this subsection, or
5 finds that the person is sufficiently rehabilitated as provided in
6 subparagraph b or f of paragraph 1 of this subsection, no
7 disciplinary action shall be required and the person shall remain
8 certified as a police or peace officer. When the investigation of a
9 complaint finds that the person has violated any of the provisions
10 of this subsection, the matter shall be referred for disciplinary
11 proceedings. The disciplinary proceedings shall be in accordance
12 with Articles I and II of the Administrative Procedures Act.

13 5. The Council shall revoke or suspend the certification of any
14 person upon determining that such person has been convicted of a
15 felony or a crime involving moral turpitude or a domestic violence
16 offense or has entered a plea of guilty, or nolo contendere or an
17 "Alford" plea or any plea other than a not guilty plea for a felony
18 offense, a crime of moral turpitude or a crime of domestic violence
19 or is the respondent in a final ~~Victims~~ Victim Protective Order;
20 provided, that if the conviction has been reversed, vacated or
21 otherwise invalidated by an appellate court, such conviction shall
22 not be the basis for revocation of certification; provided further,
23 that any person who has been trained and certified by the Council on
24 Law Enforcement Education and Training and is actively employed as a

1 full-time peace officer as of November 1, 1985, shall not be subject
2 to the provisions of this subsection for convictions occurring prior
3 to November 1, 1985. The sole issue to be determined at the hearing
4 shall be whether the person has been convicted of a felony, a crime
5 involving moral turpitude or a domestic violence offense or is the
6 named respondent/defendant in a final ~~Victims~~ Victim Protective
7 Order.

8 6. The Council shall revoke or suspend the certification of any
9 person upon determining that such person has received a deferred
10 sentence for a felony, a crime involving moral turpitude or a
11 domestic violence offense.

12 7. The Council may suspend the certification of any person upon
13 a determination that such person has been involuntarily committed to
14 a mental institution or mental health facility for a mental illness,
15 condition or disorder as provided in subparagraph f of paragraph 1
16 of this subsection.

17 8. Every law enforcement agency in this state shall, within
18 thirty (30) days of a final order of termination or resignation
19 while under investigation of a CLEET-certified peace officer, report
20 such order or resignation in writing to the Executive Director of
21 the Council. Any report, upon receipt by the Council, shall be
22 considered as personnel records and shall be afforded confidential
23 protection pursuant to Sections 24A.7 and 24A.8 of Title 51 of the
24 Oklahoma Statutes. Any medical or other confidential records

1 obtained by subpoena pursuant to this subsection shall not be made a
2 part of such report. ~~The Executive Director shall ensure that the~~
3 ~~report is provided to all members of the Council. The Council shall~~
4 ~~review and make recommendations concerning the report at the first~~
5 ~~meeting of the Council to occur after all members of the Council~~
6 ~~have received the report. The Council may, by a majority vote,~~
7 ~~order the suspension, for a given period of time, or revocation of~~
8 ~~the CLEET certification of the peace officer in question if there~~
9 ~~are grounds for such actions pursuant to this section and the peace~~
10 ~~officer in question has been provided with notice and an opportunity~~
11 ~~for a hearing pursuant to the Administrative Procedures Act.~~
12 ~~Suspension or revocation of CLEET certification pursuant to this~~
13 ~~paragraph shall be reported to the district attorney for the~~
14 ~~jurisdiction in which the peace officer was employed, to the~~
15 ~~liability insurance company of the law enforcement agency that~~
16 ~~employed the peace officer, the chief elected official of the~~
17 ~~governing body of the law enforcement agency and the chief law~~
18 ~~enforcement officer of the law enforcement agency.~~

19 9. For all ~~other~~ violations of this subsection, the hearing
20 ~~examiner~~ Executive Director or designee shall take into
21 consideration the severity of the violation, any mitigating
22 circumstances offered by the person subject to disciplinary action,
23 and any other evidence relevant to the person's character to
24 determine the appropriate disciplinary action.

- 1 10. a. A police or peace officer ~~may voluntarily surrender~~
2 ~~and relinquish the peace officer certification to~~
3 ~~CLEET~~ who is the subject of an investigation into, or
4 a pending or concluded proceeding involving
5 allegations of violations of any of the provisions of
6 this section, other provisions of law, or CLEET's
7 administrative rules may withdraw his or her peace
8 officer certification pursuant to promulgated CLEET
9 rules governing the same. Pursuant to such ~~surrender~~
10 ~~or relinquishment~~ withdrawal of certification, the
11 person ~~surrendering~~ withdrawing the certification
12 shall be prohibited from applying to CLEET for
13 reinstatement within five (5) years of the date of the
14 ~~surrender or relinquishment~~ withdrawal, unless
15 otherwise provided by law for reinstatement.
- 16 b. ~~No~~ Any person who has had a police or peace officer
17 certification from another state revoked or
18 voluntarily surrendered to avoid revocation or other
19 disciplinary action and has not been reinstated by
20 that state shall not be considered for certification
21 by CLEET.
- 22 c. Any person seeking reinstatement of police or peace
23 officer certification which has been suspended,
24 revoked, ~~or~~ voluntarily surrendered, or withdrawn may

1 apply for reinstatement pursuant to promulgated CLEET
2 rules governing reinstatement. Except as provided in
3 this subsection, any person whose certification has
4 been revoked, suspended ~~or~~, voluntarily surrendered,
5 or withdrawn for any reason including failure to
6 comply with mandatory education and training
7 requirements, shall pay a reinstatement fee of One
8 Hundred Fifty Dollars (\$150.00) to be deposited to the
9 credit of the Peace Officer Revolving Fund created
10 pursuant to Section 3311.7 of this title.

11 11. A duty is hereby imposed upon the district attorney who, on
12 behalf of ~~the State of Oklahoma~~ this state, prosecutes a person
13 holding police or peace officer or reserve peace officer
14 certification for a felony, a crime involving moral turpitude, or a
15 crime of domestic violence in which a plea of guilty, nolo
16 contendere, or an "Alford" plea or any other plea other than a not
17 guilty plea or other finding of guilt is entered by, against or on
18 behalf of a certified police or peace officer to report such plea,
19 agreement, or other finding of guilt to the Council on Law
20 Enforcement Education and Training within ten (10) days of such plea
21 agreement or the finding of guilt.

22 12. Any person or agency required or authorized to submit
23 information pursuant to this section to the Council shall be immune
24 from liability arising from the submission of the information as
25

1 long as the information was submitted in good faith and without
2 malice.

3 13. Any peace officer employed by a law enforcement agency in
4 this state which has internal discipline policies and procedures on
5 file with CLEET shall be exempt from the disciplinary proceedings
6 and actions provided for in this subsection; provided, however, such
7 exemption shall not apply if the peace officer has been convicted of
8 a felony crime, a crime of moral turpitude, or a crime of domestic
9 violence.

10 14. All criminal proceedings initiated against a CLEET-
11 certified peace officer or reserve peace officer shall be reported
12 by the officer to CLEET immediately after arrest or discovery of the
13 filing of such criminal proceeding. All CLEET-certified peace
14 officers and reserve peace officers shall be required to report when
15 a Victim Protective Order has been issued against the officer
16 including orders issued on an emergency basis and all final orders
17 of protection. Failure to give notice pursuant to the provisions of
18 this paragraph may be cause to initiate an action against the
19 officer by CLEET.

20 15. As used in this subsection:

- 21 a. "law enforcement agency" means any department or
22 agency of the state, a county, a municipality, or
23 political subdivision thereof, with the duties to
24 maintain public order, make arrests, and enforce the
25

1 criminal laws of this state or municipal ordinances,
2 which employs CLEET-certified personnel,

3 b. "final order of termination" means a final notice of
4 dismissal from employment provided after all
5 grievance, arbitration, and court actions have been
6 completed, and

7 c. "resignation while under investigation" means the
8 resignation from employment of a peace officer who is
9 under investigation for any felony violation of law, a
10 crime of moral turpitude, a crime of domestic
11 violence, or the resignation from employment of a
12 peace officer as part of an arbitration or plea
13 agreement.

14 K. 1. Every canine team in the state trained to detect
15 controlled dangerous substances shall be certified, by test, in the
16 detection of such controlled dangerous substances and shall be
17 recertified annually so long as the canine is used for such
18 detection purposes. The certification test and annual
19 recertification test provisions of this subsection shall not be
20 applicable to canines that are owned by a law enforcement agency and
21 that are certified and annually recertified in the detection of
22 controlled dangerous substances by the United States Customs
23 Service. No employee of CLEET may be involved in the training or
24 testing of a canine team.

1 2. The Council shall appoint a Drug Dog Advisory Council to
2 make recommendations concerning minimum standards, educational
3 needs, and other matters imperative to the certification of canines
4 and canine teams trained to detect controlled dangerous substances.
5 The Council shall promulgate rules based upon the recommendations of
6 the Advisory Council. Members of the Advisory Council shall
7 include, but need not be limited to, a commissioned officer with
8 practical knowledge of such canines and canine teams from each of
9 the following:

- 10 a. the Oklahoma State Bureau of Narcotics and Dangerous
11 Drugs Control,
- 12 b. the Department of Public Safety,
- 13 c. a police department,
- 14 d. a sheriff's office, and
- 15 e. a university or college campus police department.

16 3. The fee for the certification test shall be Two Hundred
17 Dollars (\$200.00) and the annual recertification test fee shall be
18 One Hundred Dollars (\$100.00) per canine team. A retest fee of
19 Fifty Dollars (\$50.00) will be charged if the team fails the test.
20 No such fee shall be charged to any local, state or federal
21 government agency. The fees provided for in this paragraph shall be
22 deposited to the credit of the CLEET Fund created pursuant to
23 Section 1313.2 of Title 20 of the Oklahoma Statutes.

1 L. 1. Every canine team in the state trained to detect
2 explosives, explosive materials, explosive devices, and materials
3 which could be used to construct an explosive device shall be
4 certified, by test, in the detection of such explosives and
5 materials and shall be recertified annually so long as the canine is
6 used for such detection purposes. The certification test and annual
7 recertification test provisions of this subsection shall not be
8 applicable to canines that are owned by a law enforcement agency if
9 such canines are certified and annually recertified in the detection
10 of explosives and materials by the United States Department of
11 Defense. No employee of CLEET may be involved in the training or
12 testing of a canine team.

13 2. The Council shall appoint a Bomb Dog Advisory Council to
14 make recommendations concerning minimum standards, educational
15 needs, and other matters imperative to the certification of canines
16 and canine teams trained to detect explosives, explosive materials,
17 explosive devices and materials which could be used to construct an
18 explosive device. The Council shall promulgate rules based upon the
19 recommendations of the Advisory Council. Members of the Advisory
20 Council shall include, but need not be limited to, a commissioned
21 officer with practical knowledge of such canines and canine teams
22 from each of the following:

- 23 a. the Department of Public Safety,
- 24 b. a police department,

1 c. a sheriff's office, and

2 d. a university or college campus police department.

3 3. The fee for the certification test shall be Two Hundred
4 Dollars (\$200.00) and the annual recertification test fee shall be
5 One Hundred Dollars (\$100.00) per canine team. A retest fee of
6 Fifty Dollars (\$50.00) will be charged if the team fails the test.
7 No such fee shall be charged to any local, state or federal
8 government agency. The fees provided for in this paragraph shall be
9 deposited to the credit of the CLEET Fund created pursuant to
10 Section 1313.2 of Title 20 of the Oklahoma Statutes.

11 M. All tribal police officers of any Indian tribe or nation who
12 have been commissioned by an Oklahoma law enforcement agency
13 pursuant to a cross-deputization agreement with ~~the State of~~
14 ~~Oklahoma~~ this state or any political subdivision of ~~the State of~~
15 ~~Oklahoma~~ this state pursuant to the provisions of Section 1221 of
16 Title 74 of the Oklahoma Statutes shall be eligible for peace
17 officer certification under the same terms and conditions required
18 of members of the law enforcement agencies of ~~the State of Oklahoma~~
19 this state and its political subdivisions. CLEET shall issue peace
20 officer certification to tribal police officers who, as of July 1,
21 2003, are commissioned by an Oklahoma law enforcement agency
22 pursuant to a cross-deputization agreement with ~~the State of~~
23 ~~Oklahoma~~ this state or any political subdivision of ~~the State of~~
24 ~~Oklahoma~~ this state pursuant to the provisions of Section 1221 of

1 Title 74 of the Oklahoma Statutes and have met the training and
2 qualification requirements of this section.

3 N. If an employing law enforcement agency in this state has
4 paid for CLEET training and the salary of a person while that person
5 is completing in this state a basic police course approved by the
6 Council and if within one (1) year after initial employment with the
7 original employing agency that person resigns and is hired by
8 another law enforcement agency in this state, the second agency or
9 the person receiving the training shall reimburse the original
10 employing agency for the cost of CLEET training and salary paid to
11 the person while completing the basic police course by the original
12 employing agency. If the person leaves the original employing
13 agency later than one (1) year, but less than two (2) years, after
14 the initial employment, the second agency or the person receiving
15 the training shall reimburse the original employing agency fifty
16 percent (50%) of the cost of CLEET training and salary paid to the
17 person while completing the basic police course by the original
18 employing agency. CLEET shall not be a party to any court action
19 based on this provision.

20 O. The Council on Law Enforcement Education and Training, in
21 its discretion, may waive all or part of any moneys due to the
22 Council, if deemed uncollectable by the Council.

23 P. Peace officers, reserve peace officers, tribal peace
24 officers, agencies, bail enforcers, security guards and private
25

1 investigators shall maintain with the Council current mailing
2 addresses and shall notify the Council, in writing, of any change of
3 address or name. Notification of change of name shall require
4 certified copies of any marriage license or other court document
5 which reflects the change of name. Notice of change of address or
6 telephone number must be made within ten (10) days of the effected
7 change. Notices shall not be accepted over the phone. In any
8 proceeding in which the Council is required to serve notice or an
9 order on an individual or an agency, the Council may send a letter
10 to the mailing address on file with the Council. If the letter is
11 returned and a notation of the U.S. Postal Service indicates
12 "unclaimed", or "moved", or "refused" or any other nondelivery
13 markings and the records of the Council indicate that no change of
14 address as required by this subsection has been received by the
15 Council, the notice and any subsequent notices or orders shall be
16 deemed by the Court as having been legally served for all purposes.

17 Q. All CLEET records of ~~Bail Enforcers~~ bail enforcers may be
18 released only in compliance with this section and the ~~Oklahoma~~ Bail
19 Enforcement and Licensing Act. All records in CLEET possession
20 concerning other persons or entities shall be released only in
21 compliance with this section and the Oklahoma Open Records Act.

22 SECTION 2. AMENDATORY 70 O.S. 2021, Section 3311.4, is
23 amended to read as follows:
24

1 Section 3311.4. A. Beginning ~~January 1, 2008~~ November 1, 2022,
2 ~~and annually thereafter~~, every active full-time peace officer, who
3 is certified as a full-time peace officer by the Council on Law
4 Enforcement Education and Training (CLEET) pursuant to Section 3311
5 of this title, shall attend and complete a minimum of ~~twenty-five~~
6 ~~(25)~~ seventy-five (75) hours of continuing law enforcement training
7 ~~accredited~~ catalogued or provided by CLEET per certification cycle.
8 ~~which~~ Such training shall include a mandatory ~~two (2)~~ six (6) hours
9 on mental health issues. ~~Effective November 1, 2019, CLEET shall~~
10 ~~establish appropriate training resources which~~ and shall include
11 training on the policies and protocols for responding to sexual
12 assault calls, guidelines for the collection and maintenance of
13 sexual assault kits and continuing education on trauma-informed
14 sexual assault response and intervention, ~~and shall require all~~
15 ~~CLEET-certified law enforcement officers to complete such training~~
16 ~~on a regular basis to be determined by CLEET.~~ CLEET shall
17 promulgate rules to enforce the provisions of this section and shall
18 enter into contracts and agreements for the payment of classroom
19 space, training, food, and lodging expenses as may be necessary for
20 law enforcement officers attending such training in accordance with
21 subsection B of Section 3311 of this title. Such training and
22 seminars shall be conducted in all areas of this state at technology
23 center schools, institutions of higher education, or other approved
24 sites.

1 B. Beginning ~~January 1, 2017~~ November 1, 2022, and annually
2 ~~thereafter~~, every active reserve peace officer, certified who is
3 certified as a reserve officer by CLEET pursuant to Section 3311 of
4 this title, shall attend and complete a minimum of ~~eight (8)~~ twenty-
5 four (24) hours of continuing law enforcement training ~~accredited~~
6 catalogued or provided by CLEET ~~which~~ per certification cycle. Such
7 training shall include ~~a mandatory one (1) hour~~ training on mental
8 health issues and on responding to sexual assault calls as mandated
9 for full-time certified peace officers.

10 C. ~~Every inactive full-time or reserve peace officer, certified~~
11 ~~by CLEET, shall be exempt from these requirements during the~~
12 ~~inactive status. Upon reentry to full-time active status, the peace~~
13 ~~officer shall be required to comply with subsection A of this~~
14 ~~section. If a full-time certified peace officer has been inactive~~
15 ~~for five (5) or more years, If a peace officer's or reserve peace~~
16 ~~officer's certification has lapsed, the officer must complete~~
17 ~~refresher training as prescribed by CLEET and which shall include a~~
18 ~~minimum of four (4) hours of mental health education and training,~~
19 ~~within one (1) year of employment before the peace officer or~~
20 ~~reserve peace officer's certification will be renewed. Upon reentry~~
21 ~~to active reserve status, the peace officer shall be required to~~
22 ~~comply with subsection B of this section. If a certified reserve~~
23 ~~officer has been inactive for five (5) or more years, the certified~~
24 ~~reserve officer shall complete a legal update as prescribed by~~

1 ~~CLEET. The Director of CLEET may waive these requirements based on~~
2 ~~review of all records of employment and training.~~

3 D. Every tribal officer who is commissioned by an Oklahoma law
4 enforcement agency pursuant to a cross-deputization agreement with
5 ~~the State of Oklahoma~~ this state or any political subdivision of ~~the~~
6 ~~State of Oklahoma~~ this state pursuant to the provisions of Section
7 1221 of Title 74 of the Oklahoma Statutes shall comply with the
8 provisions of this section.

9 E. Any ~~active~~ full-time or reserve certified peace officer, or
10 CLEET-certified cross-deputized tribal officer who fails to meet the
11 ~~annual~~ training requirements specified in this section will be
12 ineligible to renew their certification, ~~shall be subject to having~~
13 ~~the certification of the peace officer suspended, after the peace~~
14 ~~officer and the employer have been given written notice of~~
15 ~~noncompliance and a reasonable time, as defined by the Council, to~~
16 ~~comply with the provisions of this section. A peace officer shall~~
17 ~~not be employed in the capacity of a peace officer during any period~~
18 ~~of suspension. The suspension period shall be for a period of time~~
19 ~~until the officer files a statement attesting to full compliance~~
20 ~~with the provisions of this section. Suspension of peace officer~~
21 ~~certification shall be reported to the district attorney for the~~
22 ~~jurisdiction in which the officer is employed, the liability~~
23 ~~insurance company of the law enforcement agency that employed the~~
24 ~~peace officer, the chief elected official of the governing body of~~

1 ~~the law enforcement agency and the chief law enforcement officer of~~
2 ~~the law enforcement agency. Any officer whose certification is~~
3 ~~suspended pursuant to this section may request a hearing with CLEET.~~
4 ~~Such hearings shall be governed by the Administrative Procedures Act~~
5 ~~except that the affected officer has the burden to show CLEET why~~
6 ~~CLEET should not have the certification of the officer suspended.~~

7 ~~F. All certified, active full-time or reserve peace officers~~
8 ~~employed, commissioned or appointed for a period of ninety (90) days~~
9 ~~in a calendar year, who become inactive prior to the end of a~~
10 ~~calendar year, are responsible for meeting mandatory continuing~~
11 ~~education requirements as set forth in this section upon return to~~
12 ~~active full-time or reserve peace officer status within sixty (60)~~
13 ~~days of the date of return to employment, commission or appointment.~~
14 ~~Failure to complete the mandatory continuing education within sixty~~
15 ~~(60) days may result in disciplinary action as set forth in CLEET~~
16 ~~Rules at OAC 390:2. Full-time or reserve certified peace officers~~
17 ~~who return to active status within the calendar year they become~~
18 ~~inactive must complete the annual mandatory continuing education~~
19 ~~requirements outlined in this section within the remaining portion~~
20 ~~of the calendar year.~~

21 ~~G. Peace officers with full-time certification who worked~~
22 ~~during a calendar year only as a reserve officer are required to~~
23 ~~complete only the training requirements for reserve certification.~~
24 ~~For purposes of the requirements outlined in subsection F of this~~

1 ~~section, full-time peace officers who worked both in the capacity of~~
2 ~~a full-time peace officer and reserve officer in a calendar year~~
3 ~~must complete full-time continuing education requirements.~~

4 SECTION 3. This act shall become effective November 1, 2022.

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