

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 1935

By: Manger

4
5
6 AS INTRODUCED

7 An Act relating to law enforcement; amending 70 O.S.
8 2011, Section 3311.4, as last amended by Section 1,
9 Chapter 37, O.S.L. 2017 (70 O.S. Supp. 2018, Section
10 3311.4), which relates to continuing law enforcement
11 training; requiring active full-time peace officers
12 to complete certain training program; requiring
13 annual completion of refresher training program;
14 increasing mandatory minimum hours of mental health
15 training; requiring completion of certain training
16 program for previously inactive officers; and
17 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 3311.4, as
20 last amended by Section 1, Chapter 37, O.S.L. 2017 (70 O.S. Supp.
21 2018, Section 3311.4), is amended to read as follows:

22 Section 3311.4. A. Beginning January 1, 2008, and annually
23 thereafter, every active full-time peace officer, certified by the
24 Council on Law Enforcement Education and Training (CLEET) pursuant
to Section 3311 of this title, shall attend and complete a minimum
of twenty-five (25) hours of continuing law enforcement training
accredited or provided by CLEET ~~which shall include a mandatory two~~

1 ~~(2) hours on mental health issues.~~ Every active full-time peace
2 officer, certified by CLEET pursuant to Section 3311 of this title,
3 shall complete the Department of Mental Health and Substance Abuse
4 Services Crisis Intervention Team program. If the peace officer has
5 previously completed the Department of Mental Health and Substance
6 Abuse Services Crisis Intervention Team program, the peace officer
7 shall annually complete the four-hour Crisis Intervention Team
8 program refresher course. The Crisis Intervention Team program
9 refresher course shall count toward the minimum hours of required
10 continuing law enforcement training. CLEET shall promulgate rules
11 to enforce the provisions of this section and shall enter into
12 contracts and agreements for the payment of classroom space,
13 training, food, and lodging expenses as may be necessary for law
14 enforcement officers attending such training in accordance with
15 subsection B of Section 3311 of this title. Such training and
16 seminars shall be conducted in all areas of this state at technology
17 center schools, institutions of higher education, or other approved
18 sites.

19 B. Beginning January 1, 2017, and annually thereafter, every
20 active reserve peace officer, certified by CLEET pursuant to Section
21 3311 of this title, shall attend and complete a minimum of eight (8)
22 hours of continuing law enforcement training accredited or provided
23 by CLEET which shall include a mandatory ~~one (1) hour~~ two (2) hours
24 on mental health issues.

1 C. Every inactive full-time or reserve peace officer, certified
2 by CLEET, shall be exempt from these requirements during the
3 inactive status. Upon reentry to full-time active status, the peace
4 officer shall be required to comply with subsection A of this
5 section. If a full-time certified peace officer has been inactive
6 for five (5) or more years, the officer must complete refresher
7 training as prescribed by CLEET and ~~which shall include a minimum of~~
8 ~~four (4) hours of mental health education and training,~~ the
9 Department of Mental Health and Substance Abuse Services Crisis
10 Intervention Team program within one (1) year of employment. Upon
11 reentry to active reserve status, the peace officer shall be
12 required to comply with subsection B of this section. If a
13 certified reserve officer has been inactive for five (5) or more
14 years, the certified reserve officer shall complete a legal update
15 as prescribed by CLEET. The Director of CLEET may waive these
16 requirements based on review of all records of employment and
17 training.

18 D. Every tribal officer who is commissioned by an Oklahoma law
19 enforcement agency pursuant to a cross-deputization agreement with
20 the State of Oklahoma or any political subdivision of the State of
21 Oklahoma pursuant to the provisions of Section 1221 of Title 74 of
22 the Oklahoma Statutes shall comply with the provisions of this
23 section.

24

1 E. Any active full-time or reserve certified peace officer, or
2 CLEET-certified cross-deputized tribal officer who fails to meet the
3 annual training requirements specified in this section, shall be
4 subject to having the certification of the peace officer suspended,
5 after the peace officer and the employer have been given written
6 notice of noncompliance and a reasonable time, as defined by the
7 Council, to comply with the provisions of this section. A peace
8 officer shall not be employed in the capacity of a peace officer
9 during any period of suspension. The suspension period shall be for
10 a period of time until the officer files a statement attesting to
11 full compliance with the provisions of this section. Suspension of
12 peace officer certification shall be reported to the District
13 Attorney for the jurisdiction in which the officer is employed, the
14 liability insurance company of the law enforcement agency that
15 employed the peace officer, the chief elected official of the
16 governing body of the law enforcement agency and the chief law
17 enforcement officer of the law enforcement agency. Any officer
18 whose certification is suspended pursuant to this section may
19 request a hearing with CLEET. Such hearings shall be governed by
20 the Administrative Procedures Act except that the affected officer
21 has the burden to show CLEET why CLEET should not have the
22 certification of the officer suspended.

23 F. All certified, active full-time or reserve peace officers
24 employed, commissioned or appointed for a period of ninety (90) days

1 in a calendar year, who become inactive prior to the end of a
2 calendar year, are responsible for meeting mandatory continuing
3 education requirements as set forth in this section upon return to
4 active full-time or reserve peace officer status within sixty (60)
5 days of the date of return to employment, commission or appointment.
6 Failure to complete the mandatory continuing education within sixty
7 (60) days may result in disciplinary action as set forth in CLEET
8 Rules at OAC 390:2. Full-time or reserve certified peace officers
9 who return to active status within the calendar year they become
10 inactive must complete the annual mandatory continuing education
11 requirements outlined in this section within the remaining portion
12 of the calendar year.

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

14

15 57-1-7039 GRS 01/08/19

16

17

18

19

20

21

22

23

24