

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2848

By: Pae

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5
6 AS INTRODUCED

7 An Act relating to the Council On Law Enforcement
8 Education And Training; amending 70 O.S. 2011,
9 Section 3311.5, as last amended by Section 2, Chapter
10 339, O.S.L. 2019 (70 O.S. Supp. 2019, Section
11 3311.5), which relates to law enforcement
12 certification; requiring cultural competency and
13 sensitivity training on missing or murdered
14 indigenous persons be added to curriculum; and
15 providing an effective date.

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

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

20 Section 3311.5 A. On and after November 1, 2007, the Council
21 on Law Enforcement Education and Training (CLEET), pursuant to its
22 authority granted by Section 3311 of this title, shall include in
23 its required basic training courses for law enforcement
24 certification a minimum of four (4) hours of education and training
relating to recognizing and managing a person appearing to require
mental health treatment or services. The Council shall further

1 offer a minimum of four (4) hours of education and training on
2 specific mental health issues pursuant to Section 3311.4 of this
3 title to meet the annual requirement for continuing education in the
4 areas of mental health issues.

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

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

17 D. CLEET shall promulgate rules to enforce the provisions of
18 subsections B and C of this section and shall, with the assistance
19 of certified sexual assault service providers, establish a
20 comprehensive integrated curriculum for the teaching of evidence-
21 based sexual assault and sexual violence issues.

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

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

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

23 H. By January 1, 2012, the evidence-based domestic violence and
24 stalking investigation curriculum developed in collaboration with

1 the Domestic Violence Fatality Review Board shall be submitted to
2 the Council for approval.

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

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

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

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

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

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

1 academy after November 1, 2007, shall not be eligible to receive
2 funds pursuant to subsection E of Section 1313.2 of Title 20 of the
3 Oklahoma Statutes. The Council shall not provide any funding for
4 the operation of any separate training academy authorized by this
5 subsection.

6 N. Any municipality or county that, prior to November 1, 2007,
7 was authorized to conduct a basic law enforcement academy shall
8 continue to receive funding pursuant to subsection E of Section
9 1313.2 of Title 20 of the Oklahoma Statutes.

10 O. Effective November 1, 2020, the Council shall, pursuant to
11 its authority granted by Section 3311 of this title, include in its
12 required basic training courses for law enforcement certification a
13 minimum of one (1) hour of education and training relating to the
14 issue of missing or murdered indigenous persons. This training
15 shall also include cultural sensitivity training.

16 SECTION 2. This act shall become effective November 1, 2020.

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