

1 STATE OF OKLAHOMA

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

3 SENATE BILL 172

By: Young

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5
6 AS INTRODUCED

7 An Act relating to law enforcement training; amending
8 70 O.S. 2011, Section 3311.4, as last amended by
9 Section 1, Chapter 37, O.S.L. 2017 (70 O.S. Supp.
10 2018, Section 3311.4), which relates to continuing
11 law enforcement training; requiring certain mental
12 health training; and providing an effective date.

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

14 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3311.4, as
15 last amended by Section 1, Chapter 37, O.S.L. 2017 (70 O.S. Supp.
16 2018, Section 3311.4), is amended to read as follows:

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

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

16 B. Beginning January 1, 2017, and annually thereafter, every
17 active reserve peace officer, certified by CLEET pursuant to Section
18 3311 of this title, shall attend and complete a minimum of eight (8)
19 hours of continuing law enforcement training accredited or provided
20 by CLEET which shall include a mandatory ~~one (1) hour~~ two (2) hours
21 of training on mental health issues.

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

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

20 E. Any active full-time or reserve certified peace officer, or
21 CLEET-certified cross-deputized tribal officer who fails to meet the
22 annual training requirements specified in this section, shall be
23 subject to having the certification of the peace officer suspended,
24 after the peace officer and the employer have been given written

1 notice of noncompliance and a reasonable time, as defined by the
2 Council, to comply with the provisions of this section. A peace
3 officer shall not be employed in the capacity of a peace officer
4 during any period of suspension. The suspension period shall be for
5 a period of time until the officer files a statement attesting to
6 full compliance with the provisions of this section. Suspension of
7 peace officer certification shall be reported to the District
8 Attorney for the jurisdiction in which the officer is employed, the
9 liability insurance company of the law enforcement agency that
10 employed the peace officer, the chief elected official of the
11 governing body of the law enforcement agency and the chief law
12 enforcement officer of the law enforcement agency. Any officer
13 whose certification is suspended pursuant to this section may
14 request a hearing with CLEET. Such hearings shall be governed by
15 the Administrative Procedures Act except that the affected officer
16 has the burden to show CLEET why CLEET should not have the
17 certification of the officer suspended.

18 F. All certified, active full-time or reserve peace officers
19 employed, commissioned or appointed for a period of ninety (90) days
20 in a calendar year, who become inactive prior to the end of a
21 calendar year, are responsible for meeting mandatory continuing
22 education requirements as set forth in this section upon return to
23 active full-time or reserve peace officer status within sixty (60)
24 days of the date of return to employment, commission or appointment.

1 Failure to complete the mandatory continuing education within sixty
2 (60) days may result in disciplinary action as set forth in CLEET
3 Rules at OAC 390:2. Full-time or reserve certified peace officers
4 who return to active status within the calendar year they become
5 inactive must complete the annual mandatory continuing education
6 requirements outlined in this section within the remaining portion
7 of the calendar year.

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

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