

NAME OF AGENCY:

Council on Law Enforcement Education and Training (CLEET)

TYPE OF DOCUMENT:

Rule Impact Statement

PROPOSED RULES:

CHAPTER 1. AGENCY AUTHORITY AND OBJECTIVES

390:1-2.1. [AMENDED]

390:1-1-4. [AMENDED]

390:1-1-6. [AMENDED]

390: 1-1-12. [AMENDED]

SUMMARY:

Amendments to 390:1-2.1.

New definitions to "CLEET profile email address" and "Online profile."

Amendments to 390:1-1-4.

(1) (E) (vi) Advisory Council to elect chair and vice-chair every two years.

(1) (F) (viii) Drug Dog Advisory Council to elect chair and vice-chair every two years.

(1) (G) (viii) Bomb Dog Advisory Council to elect chair and vice-chair every two years.

(1) (H) Changing verbiage for the Curriculum Review Board from three to two for committee member absences annually.

(1) (i) Curriculum Review Board to elect chair and vice-chair every two years.

(2) (D) (vii) Private Security Advisory Committee to elect chair and vice-chair every two years.

Amendments to 390:1-1-6.

(b) Copies of public information may be obtained from the Council office ~~during regular business hours upon receipt of a written request~~ by submitting a request through CLEET's online portal and tendering and payment of a fee (if required) to cover the cost of providing copies of the requested.

(e) Responses to information requests will be governed by ~~Pursuant to~~ 51 O.S., Section 24A.8.

(f) Request for information must be submitted as follows:

(1) Individual requests for records will only be accepted if received by ~~U.S. Mail or through CLEET's online portal or as otherwise directed by CLEET a designated email address, if any.~~

(2) Agency requests for records will only be accepted if receiving through CLEET's online portal or as otherwise directed by CLEET. ~~agency letterhead and received by U.S. Mail with original signature. If the Agency requesting the records has an email address ending in .org, .gov, state, or .us then an email request is sufficient.~~

(3) Other information requests shall be submitted in writing. Requesters may be required to provide adequate Protective Orders for Materials Produced by CLEET or other documentation before materials may be produced. ~~If documents requested are not submitted by the individual or a law enforcement agency for investigative purposes, an Order to Compel and Protective Order for Materials Produced by CLEET must be received. This Order must be certified by the issuing Court.~~

(4) A subpoena without a ~~an Order to Compel and Protective Order for Materials Produced by CLEET~~ is not sufficient.

(g) ~~(f)~~ All social security numbers except for the last four digits will be redacted from any documents supplied by CLEET.

(h) ~~(g)~~ All residential addresses will be redacted from any documents supplied by CLEET.

Amendments to 390:1-1-12.

390:1-1-12. Professional services, event ~~Events~~ and course fees

(a) Professional services, events, ~~Events~~ and courses identified by the Director, or the director's designee, shall be subject to fees authorized in 70 O.S. 3311(B)(13). Costs will be advertised at the time the event or course is announced.

(b) Professional services, event, fees include the following:

(1) Document requests (duplicate certification or license cards, copies of individual training records, and other specialized document requests) will be charged \$10.00 unless another statutory fee applies.

(c) Costs for events and courses will be advertised at the time the event or course is announced.

(1) Courses may be offered at a per student rate. CLEET shall establish this rate based on the anticipated course costs. These costs may include items such as instructor fees (if any), training materials, travel costs (motel, per diem and transportation), facility rental (if any) and any other incidental costs incurred.

(2) Courses may be offered at an agency rate. CLEET shall establish this rate based on the anticipated course costs associated with CLEET providing an instructor or instructors for a course hosted by an agency. These costs may include items such as training materials, travel costs (motel, per diem and transportation), facility rental fees (if any) and any other incidental costs incurred.

(d) ~~(b)~~ Payment of fees shall be submitted with an application form at least five working days prior to the event.

(e) ~~(c)~~ Forms of payment accepted by CLEET are found in Rule 390:1-1-13.

(f) ~~(d)~~ Cancellations for an event or course must be made two working days in advance of the scheduled training date. Applications not cancelled shall be charged the full fee amount.

(g) ~~(e)~~ The full fee amount for an event or course will be refunded in the event of a cancellation by CLEET due to unforeseen circumstances or at the request of the Director or the director's designee.

(h) ~~(f)~~ Failure to pay any assessed fee shall result in an action against a certification or license pursuant to OAR Chapter 2. Administrative Procedures.

AUTHORITY:

Council on Law Enforcement Education and Training; 20 O.S., § 1313.2; 21 O.S., §§ 1289.8 and 1290.1; 51 O.S., §§ 24-A et seq.; 59 O.S., §§ 1350.1 et seq.; 59 O.S., §§ 1750.1 through 1750.14 and 1451 through 1476; 70 O.S., § 3311 et seq., § 3311.2 through 3311.13; 74 O.S., §§ 4111 et seq.; 75 O.S., §§ 250 et seq. and 250.3

CLASSES OF PERSONS AFFECTED:

Peace officers certified by CLEET, individuals, entities licensed by CLEET, and general public.

PERSONS WHO WILL BENEFIT:

Peace officers certified by CLEET, individuals, entities licensed by CLEET, and general public.

PROBABLE ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS: (Listing of fees and justification)

None. There are no fees associated with this change.

PROBABLE COSTS AND BENEFITS TO THE AGENCY OR ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE; SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT; AND ANTICIPATED EFFECT ON STATE REVENUES:

No additional monies are required for implementation.

ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS OR ASSISTANCE REQUIRED TO IMPLEMENT OR ENFORCE RULE:

No economic impact.

ADVERSE EFFECT ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:

None.

MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS; ALTERNATIVES CONSIDERED:

This work is already being monitored, there would be no additional compliance costs.

EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED; NATURE OF RISK TO PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND EXTENT PROPOSED RULE WILL REDUCE THE RISK:

This proposed rule changes would not affect the public health, safety, or environment.

DETRIMENTAL EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED:

None.

DATE PREPARED:

January 26, 2024