

COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
SPECIAL MEETING
OBNDD, 419 NE 38th Terrace, Oklahoma City, OK
April 12, 2017
MINUTES

MEMBERS PRESENT:

Chief Michael Robinson, OSU DPS
Dr. James Burke, East Central University
Sheriff John Christian, Pontotoc County
Chief Bill Citty, Oklahoma City Police Dept. (10:10 a.m.)
Director Stan Florence, OSBI
Major Pat Mays, Oklahoma Highway Patrol
Director John Scully, OBNDD
Chief Jason Smith, Jenks PS Police Dept.
Sheriff Chris West, Canadian County
Sheriff Bobby Whittington, Tillman County

STAFF PRESENT:

Charles Gerhart, Assistant Director
John Parker, Director of Administration
Gerald Konkler, General Counsel
Shannon Butler, Operations Manager
Laurie Schweinle, Recording Secretary

MEMBERS ABSENT:

Chief Ike Shirley, Bixby Police Dept.
Chief Randy Wesley, Chickasaw Nation Lighthorse
Police Dept.

GUESTS:

John Smith, Stephens County
Sheriff Wayne McKinney, Stephens Co.
Lt. Regeneia VanArsdale, Ponca City PD
Benjamin Mays, Ponca City PD
Sheriff Chris Bryant, Carter County
Diann Wilson, EOC
Chief Danny Ford, Duncan PD

1. Call Meeting to Order

Chairman Robinson called the meeting to order at 10:00 a.m.

2. Open Meeting Act Compliance

Chief Robinson confirmed that the meeting was being held in compliance with the Oklahoma Open Meeting Act.

3. Roll Call

Roll was called, and nine members were present, representing a quorum.

4. Election of Vice-Chairman

Action Taken: Director Florence made a motion to nominate Chief Jason Smith for the position of

Vice-Chairman. Director Scully seconded the motion. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Chief Smith abstained. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 8-1.

5. Approval of Minutes

There was no discussion.

Action Taken: Sheriff Whittington made a motion to approve the minutes as written. Sheriff Christian seconded the motion. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Chief Smith voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 9-0.

6. Committee and Board Reports

There was no discussion.

7. Advisory Council Composition

There was no discussion.

Action Taken: Sheriff Christian made a motion to reappoint Asst. Chief Brandon Berryhill, Broken Arrow PD, and Inspector General Johnny Blevins, DOC, to the Advisory Council. Sheriff Whittington seconded the motion. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Chief Smith voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 9-0.

8. Curriculum Review Board Composition

There was no discussion.

Action Taken: Director Scully made a motion to reappoint Captain Marshall McDonald, Oklahoma County SO, to the Curriculum Review Board. Sheriff Whittington seconded the motion. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Chief Smith voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 9-0.

9. TIMS Training Request

Members were directed to Attachment A.

Diann Wilson, Eastern Oklahoma County Technology Center, presented the Traffic Incident Management System to Council members. She said the Oklahoma Highway Patrol brought the program to Oklahoma in 2012. She said the course is mandatory for EMS, wrecker services, fire departments, but they have trouble getting law enforcement officers to take the course. It is free to the students, and they receive four hours of continuing education credit for the regular course or ten hours of continuing education credit for the train the trainer.

Chief Robinson asked how the course is delivered. Ms. Wilson stated that it is a traditional classroom

course but that the recertification course will be available online. Chief Robinson asked how often the classes are held and where. Ms. Wilson responded that two to three per week are held across the state.

Sheriff Christian said he had taken the course and that it is excellent training.

Sheriff Whittington asked what topics are taught. Ms. Wilson said topics are advanced warning and how to protect responders on the scene. Sheriff Whittington suggested offering it at the CLEET training initiatives. Asst. Director Gerhart said there is a training initiative in Altus in May that needs more courses.

Chief Citty entered the meeting at 10:10 a.m.

10. Curriculum Updates

Members were directed to Attachment B.

Action Taken: Sheriff Whittington made a motion to approve the proposed curriculum updates. Sheriff Christian seconded the motion. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Chief Smith voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 10-0.

11. Outside Enrollment in Lawton PD Academy

Asst. Director Gerhart advised members that Director Emmons was at a committee meeting where a CLEET request bill was to be heard. He then told members that Duncan PD and Stephens County SO have requested that their agencies be allowed to send students to the Lawton PD academy. He said this was being brought before the Council because it went beyond the scope of prior approval that was given previously to Tulsa PD for this situation as it exceeds those boundary restrictions.

Chief Danny Ford, Duncan PD, advised Council members that he felt the current boundaries set for academy cities in metro areas made sense for them, but it is different in rural areas. He said that Lawton is unique geographically and that he does not want to abandon CLEET but just have the option to send his officers to Lawton's academy when his hiring lines up with their academy schedule. He advised he thinks the academy cities in rural areas should have different boundaries than those in the metro areas. Chief Ford then advised that he has concerns about how far out the boundaries should go and he would suggest allowing the bordering counties only. He then advised that Lawton is concerned with having enough of their own officers to run an academy. He then said that he thinks outside officers should attend the entire academy. Chief Ford then advised that there could be an issue with paying fees and if charged then MOUs will be needed.

Sheriff McKinney, Stephens County SO, said that he agreed with Chief Ford's statements. He then advised that there are a different set of purchasing rules for counties and that the consensus of the state auditor and his county clerk was that they could not pay the meal fees to CLEET in advance and he has an officer that is in need of training. Chief Robinson asked if the county would be paying for the officer's meals if they attend the Lawton academy. Sheriff McKinney stated that his officers would be on their own for meals. He said that his county has no provisions to pay per diem. Sheriff Whittington suggested an Attorney General's opinion be sought in regards to the counties paying in advance. Sheriff West expressed his support for allowing officers in the same region to train together.

Asst. Director Gerhart advised that the state auditor's office had directed CLEET to seek the registration fee language that is in a CLEET request bill for the counties to be able to pay in advance. He said that the \$20 fee was only created in order to ease the burden on agencies paying for their officers' meals because it is cheaper than per diem. He then said eliminating all meals is another possibility, but it would hurt some agencies.

Members and CLEET staff then had a general discussion about how the process works now and why some counties cannot pay in advance.

Sheriff Whittington asked if the meals that the officer eats could be counted and allow the agency to only pay for those meals. Sheriff Christian said that the solution is a blanket purchase order which is as good as cash. He said the meals were prepared regardless of whether an officer eats them and should be paid for. Chief City said the only consistent way to deal with this with all of the different interpretations of the purchasing act is to eliminate all the meals.

Asst. Director Gerhart said CLEET would be seeking an Attorney General's opinion. He added that CLEET would oppose any academy city accepting outside officers that tries to stop paying the penalty assessment fees as that is CLEET's only funding source. Asst. Director Gerhart then gave a summary of the comments given by the Advisory Council on this issue.

Members then had a general discussion about the specifics involved with sending outside officers to an academy city.

Director Florence advised that he saw two issues in this item: 1) meal payment, which he advised to seek an Attorney General's opinion on and see if the District Attorney's Council has an opinion, and 2) Lawton allowing outside officers into their academy, which he said he did not see an issue with but to make it a pilot program and have CLEET staff develop standards for this issue. Director Florence then expressed his concern with eroding CLEET's position as an agency.

Sheriff Whittington advised that Lawton has a \$5 fee on municipal fines for their training academy, so they are not looking to take any money away from CLEET.

Sheriff Whittington then said he would support Chief Smith's motion and that maybe a mileage radius could be considered for the rural counties that don't adjoin Comanche County. Chief City suggested making a decision on what area Lawton can service but to do contiguous counties for the pilot program. Sheriff Christian said that CLEET can develop standards for these requests and bring them back to the Council for review. Asst. Director Gerhart advised that training extensions would not be granted just for new hires to attend the Lawton academy.

Action Taken: Chief Smith made a motion that Lawton PD be allowed to accept students into their academy from outside agencies that are located within counties contiguous to Comanche County without impacting CLEET financially. Chief Smith included in his motion that this be done as a pilot program and brought back to the Council at a later date to be discussed and reassessed. Chief City seconded the motion. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief City voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Chief Smith voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 10-0.

Chief Robinson stopped the meeting for a break at 11:14 a.m.

The meeting reconvened at 11:22 a.m.

12. CLEET Financial Report

John Parker, CLEET Comptroller, advised members that there is approximately \$388,000 left to fund CLEET for this fiscal year with \$43,000 of that going toward Private Security.

13. Legislative/Budget Update

Asst. Director Gerhart advised members of HB1263 and gave a brief summary. He then advised on the status of all of CLEET's request bills.

Chief Robinson asked if he had any new information on potential budget cuts. Asst. Director Gerhart replied that CLEET had been asked to provide information for a 15% cut but that the sense is the cuts will be more like 7-10%, which would still be a huge impact. He said that over \$1 million has been cut from CLEET's budget since 2010 and that a 7% cut would be about \$230,000.

Sheriff West asked if 160 hours reserve officers have been allowed to attend the bridge academy. Asst. Director Gerhart replied that they were not and that staff had attempted to clean that up in the past but had not succeeded. He said they intend to work on that at the legislature next year.

14. Actions Against Peace Officers

Chief Robinson advised of a correction on the disciplinary actions. He said that Wayne Mikel should be listed as a suspension rather than a voluntary surrender.

15. Divisional Reports

There was no discussion.

16. Director's Report

Asst. Director Gerhart reported that Cleveland County/Moore PD academy has 28 officers and the Broken Arrow academy has 37. He said that A1702 and A1703 have been combined into one academy due to low enrollment and the need to keep the meal price low. He advised that curriculum updates were complete and would be distributed to academy cities and COP schools in July at the annual meeting. He added that he and Director Emmons had met with Canadian Valley Tech Center about a pay to attend academy, and the tech center was very interested.

17. Board Comments

There was no discussion.

18. New Business

Director Scully suggested surveying all agencies that CLEET trains about participating in meals and reporting the findings to the Council. Asst. Director Gerhart said it would be good to know if keeping the cafeteria is beneficial to the agencies.

Chief City asked about private security licensees receiving continuing education credit for doing ride-

along with police officers. Asst. Director Gerhart said that has been the practice for a number of years but that it could be taken up with the Private Security Advisory Committee.

19. Adjournment

Action Taken: Sheriff Christian made a motion to adjourn. Dr. Burke seconded the motion. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Chief Smith voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 10-0.

The meeting adjourned at 11:54 a.m.