

The agenda for this meeting was posted in accordance with Title 25 Section 311.A.9, on August 10, 2017, at the main entrance of the K. O. Rayburn Training Center, 2401 Egypt Road, Ada, OK 74820.

**COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
SPECIAL COUNCIL MEETING
OBNDD, 419 NE 38th Terrace, Oklahoma City, OK
August 21, 2017 at 2:00 p.m.
MINUTES**

MEMBERS PRESENT:

Chief Michael Robinson, OSU DPS
Chief Randy Wesley, Chickasaw Nation Lighthorse PD
Sheriff John Christian, Pontotoc County
Chief Bill City, Oklahoma City Police Dept. (2:07 pm.)
Director Stan Florence, OSBI
Major Pat Mays, Oklahoma Highway Patrol
Director John Scully, OBND
Sheriff Chris West, Canadian County
Sheriff Bobby Whittington, Tillman County

STAFF PRESENT:

Steve Emmons, Director
Charles Gerhart, Assistant Director
John Parker, Director of Admin.
Gerald Konkler, General Counsel
Shannon Butler, Operations Manager
Shelly Lowrance, Recording Sec
Keith Miller, Academy Coordinator
Kelly James, Field Rep
Tami Burnett, Field Rep
Walt Birdsong, Field Rep
Cindy Donnelly, Acad Admin Asst

MEMBERS ABSENT:

Chief Ike Shirley, Bixby Police Dept.
Dr. James Burke, East Central University
Chief Jason Smith, Jenks PS Police Dept.

Guests:

Sheriff Joe Lester, Cleveland Co
Sheriff Wayne McKinney, Stephens
US John Smith, Stephens Co
Sheriff Jeremie Wilson, Jefferson Co
Sheriff Devin Huckabay, Greer Co
Sgt. Bobby Bowen, Stephens Co
US Rhett Burnett, Cleveland Co
Sheriff Kevin Mitchell, Woodward Co
Sheriff Reuben Parker, Beaver Co
Shawn Campbell, Beaver Co
David Rivers, OCPD
Craig Williams, OBN
Bob Cook, OBU
Chief Ken Brown, El Reno PD
Tyler Telley, e Capitol
Sheriff Marty Grisham, Love Co
Sheriff Kenneth Tidwell, Custer Co

Sheriff Bret Bowling, Creek Co
Chief Rob Groseclose, Mustang PD
Ray McNair, Director OSA
Sheriff Ray Stradley, Comanche Co
Doyle Tosh, Comanche Co
Sheriff Darren Atha, Roger Mills Co

1. Call Meeting to Order

Chairman Robinson called the meeting to order at 2:00 p.m. Chief Robinson introduced Shelly Lowrance as Steve Emmons new Administrative Asst and asked that members would state their name before speaking.

2. Open Meeting Act Compliance

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

3. Roll Call

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

4. Approval of Minutes

There was no discussion.

Action Taken: Sheriff Whittington made a motion to approve the minutes as written. Director Scully seconded the motion. Chief Robinson voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Chief Wesley voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 8-0.

5. Advisory Council Appointments

There was no discussion

Action Taken: Sheriff West made a motion to appoint Captain Brent Sugg and Major Brian Jennings to the Advisory Council. Sheriff Whittington seconded the motion. Chief Robinson voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Pat Mays voted yes. Director Scully voted yes. Chief Wesley voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 8-0.

6. Committee and Board Reports

Major Mays made a statement concerning the Drug Dog minutes number seven about dog handlers. It will be addressed later on Agenda item number ten.

7. Bomb Dog Advisory Council Composition

There was no discussion.

Action Taken: Sheriff Christian made a motion to reappoint MSgt. Reedy to the Bomb Dog Advisory Council. Chief Wesley seconded the motion. Chief Robinson voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Chief Wesley voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 8-0.

8. Drug Dog Advisory Council Composition

There was no discussion.

Action Taken: Director Scully made a motion to reappoint Lt Doyle Tosh, Comanche County SO, to the Drug Dog Advisory Council. Chief Wesley seconded the motion. Chief Robinson voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Chief Wesley voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 8-0.

9. Private Security Advisory Committee Composition

There was no discussion.

Action Taken: Sheriff Christian made a motion to reappoint Martin Herman, Devon Energy, to the Private Security Advisory Committee. Major Pat Mays seconded the motion. Chief Robinson voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Chief Wesley voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 8-0.

Chief City Arrived at 2:07 p.m.

10. Drug Dog Standards and guidelines updates

Discussion: Chief Robinson stated that this refers to item five on the Drug Dog Advisory Council agenda, license renewal dates and number of handlers. It would require a CLEET rule change. Sheriff Whittington asked, if you have a dog in service, high \$, and after eighteen months an officer can no longer handle dog duties, is it a loss for the agency? Sgt. David Rivers, from the Drug Dog Advisory Council responded not to work a dog with more than one handler at a time; no two handlers at the same time. Major Mays commented that the rule needs to be clarified. DOC dogs, at prisons, are the only exception.

Action Taken: Director Scully made a motion to amend one handler licensed/certified for dog. Chief Wesley seconded the motion. Chief Robinson voted yes. Sheriff Christian voted yes. Chief Bill Citty voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Chief Wesley voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 9-0.

11. CLEET Administrative Decision-Making

Discussion: Director Emmons had a discussion earlier with Sheriff West about an ongoing case, could not give specifics. Sheriff West had questions concerning the process about disciplinary actions and wanted to open it up to sheriffs attending the meeting to participate in discussion. Director Emmons explained the CLEET process and read the CLEET rules. There was an ongoing discussion with board members and those in attendance. Sheriff West asks if these could be brought before the Council. Director Emmons answered yes. Gerald Konkler cautioned that we need to consider time constraints. Sheriff Whittington asked, why five years on voluntarily surrender? Director Emmons stated because it is in the statutes. The discussion continued about voluntary surrenders, suspensions, disciplinary actions and the appeal process. Director Emmons summarized that you want more detail and CLEET will do whatever changes the Council wants, but some of the changes will require CLEET rule changes. Sheriff West wanted to know if there was a way to go into an executive session. Director Emmons asks if they want to make the Council accessible to process to reinstate/discipline. Asst. Director Gerhart stated the rule would have to change to state the Council and remove CLEET. Chief Citty stated that he was not comfortable for the Council to take on this responsibility and suggested that an appeals board be formed made up of Sheriffs, CLEET, and etc. Gerald Konkler said we are bound by 70 OS 3311 in the CLEET decision making process. Chief Robinson asked, how does the Council want to direct CLEET staff? Sheriff West stated an executive session, more information on surrenders and disciplinary process. Director Emmons stated the information requested will be available by the October meeting.

No Action Taken

12. Meal Survey

Discussion: Asst. Director Gerhart supplied to results to the meal survey that was emailed out to agencies at the end of April 2017. Director Emmons asks what direction do we need to go with the cafeteria. Sheriff Whittington, asked what was the Attorney General Ruling? Director Emmons stated that we are still waiting. Gerald Konkler gave the letter to Steve Emmons and he read the eight questions:

1. If CLEET provides meals to cadets (pursuant to 70 O.S. 3311.15) and pays the vendor for those meals prior to being paid by those sending cadets to CLEET for training (i.e. State Agencies, Counties, Municipalities), does that constitute a violation of the Oklahoma Constitution, Article X, 15 RE extension of credit to those entities?
2. If a County Government elects to comply with the Oklahoma Central Purchasing Act (74 O.S. 85.3A) must they also comply with the State Travel Reimbursement Act (74 O.S. 500.2) and/or the Statewide Accounting Manual (authorized by 62 O.S.

34 et seq.)?

3. If a County Government pays in advance for the meals provided for in 70 O.S. 3311.15 (or after November 1, 2017, the registration fee) for the cadet while said cadet is in travel status, does that constitute a violation of Article 10 & 15 of the Oklahoma Constitution or relevant statute, in Title 19?
4. Is it consistent with the Statewide Accounting Manual, relevant statutes, and constitutional provisions for CLEET to require that State Agencies submit Purchase Orders (prior to the start of training) to pay for the meals for the agency's cadets and for CLEET to withhold the final service (i.e., training) until the Purchase Order is Satisfied?
5. Is it consistent with the Statewide Accounting Manual RE payment of 'registration fees' (Chapter 50.10.06.J), relevant statutes and constitutional provisions for CLEET to require that State Agencies submit Purchase Orders (prior to the start of training) to pay for the registration fee for that agency's cadets and for CLEET to withhold the final service (i.e., training) until the Purchase Order is satisfied?
6. Is it consistent with Statewide Accounting Manual, relevant statutes, and constitutional provisions for the State Agencies to submit Purchase Orders to pay for the meals for that agency's cadets and for CLEET to mandate that the final service (i.e., training) will be withheld until the Purchase Order is satisfied?
7. Is it consistent with the Statewide Accounting Manual RE payment of 'registration fees' (Chapter 50.10.06.J), relevant statutes, and constitutional provisions for State Agencies to submit Purchase Orders to pay for the registration fee for that agency's cadets and for CLEET to mandate that the final service (i.e., training) will be withheld until the Purchase Order is satisfied?
8. Is it consistent with relevant statutes and the Oklahoma Constitution for CLEET to establish as a policy or rule that State Agencies and County Governments must pay for meals (or after November 1, 2017 the registration fee) in advance, specifically on the 25th day of the month preceding the agency's cadet starting basic cadet training?

No Action Taken

13. Academy City Waiver for Outside Students

Discussion: In the April Council meeting a directive was given to CLEET for Lawton to be a host agency for training. On the waiver stating liability that was sent to Lawton, the Lawton attorney said they could not sign it. Director Emmons stated that CLEET had overstepped their bounds to Academy City to notify them of their liability. Retract the liability language out of the document. Sheriff Whittington said that no document is needed. Chief City stated that no agency can sign away liability. CLEET is responsible for curriculum, CLEET instructors and statements. Sheriff Whittington stated that agencies are suffering for CLEET mandated training. CLEET is supposed to provide training. Need to identify a solution to help with trying to make Lawton a hub for training. Director Emmons stated that we do not have resources that we used to have. Chief Wesley stated no CLEET funding is available to start anything new. Sheriff West said to look for new solutions, regional academies. Director Emmons stated budget issues, how do we do that with no funding available? There is 4500 approved instructors' state wide, they could be

putting training on anywhere in the state. It was stated that curriculum needs to be available. CLEET has tried to put curriculum people on, they end up being reassigned to other positions. Sheriff Whittington stated there used to be a catalog to request lesson plans. Asst. Director Gerhart stated any field rep can send lesson plans to agencies. Shannon Butler, Operations Manager at CLEET, during the accreditation process, we did warehouse all of the lesson plans. We no longer keep lesson plans not developed by CLEET. Tami Burnett is the contact person for CLEET, curriculum has to be requested. Director Emmons stated at one time we could not provide any curriculum outside of CLEET. As we move forward we should have accredited classes available.

Action Taken: Sheriff Whittington made a motion to eliminate the form. Director Florence seconded the Motion. Chief Robinson voted yes. Sheriff Christian voted yes. Chief City voted yes. Major Mays voted yes. Director Scully voted yes. Chief Randy Wesley voted yes. Sheriff West voted yes. Motion carried 9-0.

14. Stephens County Request

Discussion: Sheriff McKinney stated, they were not allowed to go to Lawton Police Department Academy. We can't use credit card to pay for any academy for it is inappropriate and the County Clerk refuses to pay invoices. County Auditor tells Co. Clerk they can't pay bills in advance. Chief Wesley stated that AG opinion could alleviate issue for Stephens Co. John Parker had talked to the County District Auditor and was told it is on a case by case basis. Sheriff Kevin Mitchell from Woodward said they paid in advance. CLEET would hold credentials until paid.

Stephens Co. had two officers still needing to attend an academy. They have been granted an extension till March 2018. Asst. Director Gerhart stated that reserve officers can be paid up to 140 hours month. Chief Wesley asked if discussing issue about reserves alleviates your issue (Stephens Co SO). Sheriff McKinney stated yes and can the extension letter go away, so they can work as reserve officers? Director Emmons stated the letter is rescinded, no issue.

Director Emmons stated, regional academies and trying not to send people to Ada seems to be the direction that is being talked about. Previous Directors have been opposed to regional academies. We haven't fought as hard against it as in the past. Is CLEET going to be a post and not an academy? Sheriff West stated to have CLEET research cost of commuter academies. Director Emmons stated it would require statute change and the Council would have to authorize agency approved for CLEET. Chief Robinson stated circumvent requirements in statute in order to hold own academies. Director Florence stated that the law would need to change. Chief City, asked are there any statute that prevents CLEET from having commuter academies with CLEET instructors. We may need to do something radical to open the state's eyes about the budget. Director Florence stated for the chairman to set a committee to work with CLEET to see what we need to do and then make a proposal. Chief City stated that training needs to be consistent over the state with having regionals. Look at different states.

Chief Robinson, asked council members if they are opposed to looking into options, no response. If they are willing to serve on a committee to contact him.

No Action Taken

15. Proposed new Statute – 70 OS 3311.16

Discussion: Director Emmons spoke on the proposed new statute for pay academy for pre-hired individual, Cost is approximately \$6400.00, MMPI, FP, PSP, POSSE, GI Bill. ECU will be the host agency for student loans.

Action Taken: Chief Wesley made a motion approve the statute. Sheriff Christian seconded the motion. Chief Robinson voted yes. Chief City voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 9-0.

16. CLEET Financial Report

Discussion: John Parker, CLEET Comptroller, advised members that there is approximately \$572,907 left to fund CLEET for this fiscal year with \$32,000 of that going toward Private Security.

No Action Taken

17. Legislative/Budget Update

There was no discussion

Action Taken: Director Steve Emmons, no report

18. Actions Against Peace Officers

There was no discussion

No Action Taken

19. Divisional Reports

There is no discussion

No Action Taken

20. Director's Report

There is no discussion

Action Taken: Director Steve Emmons, no report

21. Board Comments

There is no discussion

No Action Taken

22. New Business

Discussion: Sheriff Whittington, asks if injuries are tracked at CLEET in academy.

Comanche Co SO and Stephens Co, cadets requested to have a commuter academy. Director Emmons stated that he would have to see what the cost would be.

Sheriff Jeremie Wilson, CLEET Basic Academy observations/deficiencies during attendance of class A 1702B.

Chief Robinson, Curriculum Review Board. Review tactics.

No Action Taken

23. Adjournment at 5:52 p.m.

Action Taken: Sheriff Christian made a motion to adjourn. Chief Wesley seconded the motion. Chief Robinson voted yes. Chief Citty voted yes. Director Florence voted yes. Major Mays voted yes. Director Scully voted yes. Sheriff West voted yes. Sheriff Whittington voted yes. The motion carried 9-0.

