

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 1. AGENCY AUTHORITY AND OBJECTIVES

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[Authority: 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]
[Source: Codified 12-31-91]

390:1-1-1. Purpose

Pursuant to the authority vested in the Council by 70 O.S., Section 3311 **et seq.**, 20 O.S., Section 1313.2, and 59 O.S., Section 1750.1 et seq., Section 1451 et seq., 1350.1 et seq., 21 O.S. Section 1289.8 and 1290.1 et seq., the rules of this Title have been promulgated. The purpose of these rules is to set forth the requirements and procedures needed to effectively implement and enforce the provisions of these statutes. These rules supplement existing state and federal laws, and being duly promulgated, shall have the force and effect of law.

390:1-1-2. Compliance with laws and rules

- (a) Any statute of the United States, or of the State of Oklahoma now existing, or duly enacted in the future, shall supersede any conflicting provision of the rules of this Title to the extent of such conflict, but shall not affect the remaining provisions herein.
- (b) All persons and organizations affected by the rules of this Title and related laws shall be knowledgeable of and conduct pertinent operations in accordance with all such rules and laws.
- (c) The Council on Law Enforcement Education and Training is a state agency and is therefore subject to Oklahoma laws regulating the procedures which must be followed by state agencies.

390:1-1-4. Objectives of the Council

The objectives of the Council are:

- (1) To raise the level of professional competence and integrity of law enforcement by:
 - (A) Establishing and administering minimum standards for the training and certification of law enforcement officers, to include physical, mental, and moral standards.
 - (B) Establishing and administering minimum curriculum and instructional standards for law enforcement training at a variety of levels.

- (C) Providing these and other services to law enforcement officers as directed by law.
- (D) Recommending legislation necessary to upgrade Oklahoma law enforcement to professional status.
- (E) Appointing a larger Advisory Council.
 - (i) The Advisory Council shall be composed of ~~seventeen (17)~~ fifteen (15) members who are certified full-time peace officers employed by a campus, city, county, state or federal law enforcement agency. At least one member shall be appointed from each of the ten (10) geographic CLEET training regions. At least two members shall be from law enforcement agencies in each of the four quadrants of the state (Northwest, Southwest, Northeast, and Southeast) as defined by CLEET. One member shall be the training coordinator or designee for Oklahoma City Police Department, one member shall be the training coordinator or designee for Tulsa Police Department, and one member shall be appointed by the Chief of the Highway Patrol.
 - (ii) Advisory Council members shall serve for a term of three years and may be reappointed for additional terms, unless removed by the Council. A term of service will begin upon a member's official appointment to the Advisory Council.
 - (iii) An Advisory Council member may be removed and that position declared vacant by the Council for any reason.
 - (iv) When a vacancy occurs on the Advisory Council, the Advisory Council shall recommend an individual to the Council for the vacant position.
 - (v) Annual quarterly meetings. The Advisory Council shall meet as often as is necessary to attend to business but not less than at least one time annually Any Advisory Council member with more than two (2) absences from either regular or special meetings in a calendar year will be subject to review and possible removal from the Advisory Council by the Council.
- (F) Appointing a Drug Dog Advisory Council.
 - (i) The Drug Dog Advisory Council shall be composed of members as provided in 70 O.S. Section 3311(K) (2).
 - (ii) Drug Dog Advisory Council members shall serve for a term of three years and may be reappointed for additional terms, unless removed by the Council.
 - (iii) The Drug Dog Advisory Council shall meet as the business of the Drug Dog Advisory Council demands.
 - (iv) A Drug Dog Advisory Council member may be removed and that position declared vacant by the Council for any reason.
 - (v) The Drug Dog Advisory Council shall report research, recommendations and other matters related to minimum standards, educational needs, and other matters imperative to the certification of canines and canine teams trained to detect controlled dangerous substances to the Council for action.
 - (vi) When a vacancy occurs on the Drug Dog Advisory Council, the Drug Dog Advisory Council shall recommend an individual to the Council for the vacant position.
 - (vii) Annual quarterly meetings. Any DDAC member with more than two (2) absences from either regular or special meetings in a calendar year will be subject to review and possible removal from the DDAC by the Council.
- (G) Appointing a Bomb Dog Advisory Council
 - (i) The Bomb Dog Advisory Council shall be composed of members as provided in 70 O.S. Section 3311(L) (2).
 - (ii) Bomb Dog Advisory Council members shall serve for a term of three years and

may be reappointed for additional terms, unless removed by the Council.

(iii) The Bomb Dog Advisory Council shall meet as the business of the Bomb Dog Advisory Council demands.

(iv) A Bomb Dog Advisory Council member may be removed and that position declared vacant by the Council for any reason.

(v) The Bomb Dog Advisory Council shall report research, recommendations and other matters related to minimum standards, educational needs, and other matters imperative to the certification of canines and canine teams trained to detect explosives, explosive materials, explosive devices, and materials which could be used to construct an explosive device to the Council for action.

(vi) When a vacancy occurs on the Bomb Dog Advisory Council, the Bomb Dog Advisory Council shall recommend an individual to the Council for the vacant position.

(vii) ~~Annual quarterly meetings.~~ Any BDAC member with more than two (2) absences from either regular or special meetings in a calendar year will be subject to review and possible removal from the BDAC by the Council.

(H) ~~Appointing a Curriculum Review Board as provided in 70 O.S., Section 3311(B)(16). Six Annual meetings. The CRB shall meet as often as is expedient to accomplish its obligations but not less than at least one time annually.~~ Any CRB member with more than three (3) absences from either regular or special meetings in a calendar year will be subject to review and possible removal from the CRB by the Council.

(I) Approve New ~~and Reactivated~~ Law Enforcement Agencies and Police Departments as provided in 70 O.S., Section 3311.

~~(J) Entities must submit the following information 60 days prior to the creation of a law enforcement agency:~~

~~(i) the need for the agency in the community,~~

~~(ii) the funding sources and proof that no more than fifty percent (50%) of the funding of the entity will be derived from ticket revenue and/or fines,~~

~~(iii) the physical resources available to officers,~~

~~(iv) the physical facilities that the law enforcement agency or police department will operate, including descriptions of the evidence room, dispatch area, restroom facilities, and public area,~~

~~(v) law enforcement policies of the law enforcement agency or police department, including published policies on the use of force, vehicle pursuit, mental health, professional conduct of officers, domestic abuse, response to missing persons, supervision of part-time officers, and impartial policing,~~

~~(vi) the administrative structure of the law enforcement agency or police department,~~

~~(vii) liability insurance, and~~

~~(viii) any other information CLEET requires by rule.~~

~~(K) CLEET will respond within sixty (60) days of receiving the request and will forward to the entity by certified mail, return receipt requested, a letter of authorization or denial.~~

~~(L) If denied, the entity may appeal the decision of the director or the director's designee to the full CLEET Council.~~

(2) To raise the level of professional competence and integrity of the private security industry by:

(A) Establishing and administering minimum standards for the employment of security guards and private investigators, and the establishment of private security and investigative agencies, through a licensing program based on physical, mental, and moral

standards.

(B) Establishing and supervising a validated training program for security guards and private investigators.

(C) Enforcing the provisions for the Oklahoma Security Guard and Private Investigator Act (Title 59, Sections 1750.1 *et seq.*).

(D) Appointing an Advisory Committee comprised of representatives from security guard and investigative agencies.

(i) The Committee shall be comprised of seven (7) representatives from licensed security guard and private investigative agencies as follows: One (1) from each quadrant of the state, one (1) at large, one (1) selected by the American Society for Industrial Security (ASIS) and one (1) selected by the Oklahoma Private Investigators Association (OPIA).

(ii) Committee representatives shall serve for a term of three years and may be reappointed for **one** additional **terms term** unless removed by the Council.

(iii) A Committee representative may be removed and that position declared vacant by the Council for any reason including but not limited to the following:

(I) Failure to be in good standing with their license;

(II) Use of their appointment on the Committee for threats or perceived personal gain; or

III) ~~Annual quarterly meetings.~~ Any PSAC member with more than two (2) absences from either regular or special meetings in a calendar year will be subject to review and possible removal from the PSAC by the Council.

(iv) When a vacancy occurs on the Advisory Committee, the Advisory Committee shall recommend an individual to the Council for the vacant position.

(v) Committee representatives shall meet **as at least quarterly or more** often as the business of the Committee demands **but not less than at least one time annually.**

(vi) The Committee shall report research, recommendations and other matters related to licensure of security guards, security agencies, private investigators and private investigative agencies to the **Advisory Council Council for review prior to submission to the Council** for final action.

390:1-1-6. Public records

(a) Except as specifically exempted as a confidential record, official records of the Council on Law Enforcement Education and Training are subject to the Oklahoma Open Records Act, Title 51, Section 24A1 *et seq.*

(b) Copies of public information may be obtained from the Council office during regular business hours upon receipt of a written request and payment of a fee to cover the cost of providing copies of the requested.

(c) There may be a charge of Twenty-Five Cents (\$.25) per page for copies of records of the Council.

(d) In the event a request for copies is for a commercial purpose or would cause disruption of the performance of the regular duties of the Council or Council staff, there may be an additional charge computed and assessed for locating and copying the requested materials based upon the cost of the lowest paid employee necessary to accomplish the copying request.

(e) Pursuant to 51 O.S., Section 24A.8:

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

(2) Agency requests for records will be accepted if on 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) 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 an *Order to Compel and Protective Order for Materials Produced by CLEET* is not sufficient.

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

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

390:1-1-8. Forms

(a) In order to maintain efficiency and uniformity in the administration of CLEET's duties, CLEET will devise and maintain forms for use by any party. The forms may be revised periodically to insure uniformity, efficiency, and expediency. The prescribed forms must be used by affected party unless another form is approved by CLEET prior to its submission. Forms may be acquired from the CLEET website, electronically, or by writing CLEET.

(b) CLEET may use an online portal to conduct business with the public and various forms may be accessed, filled, and submitted through such portal. Any time a writing is required in these rules, if such writing can be accomplished through the online portal it will be considered as complying with the rules. Logging into and submitting any information through the online portal with an individual user identification and password will constitute submission with an original signature as that term is used in these rules.

390:1-1-9. Official office and location for information

(a) Unless otherwise specified in this Title, the address for CLEET is: CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669.

(b) The normal business hours of CLEET are 8:00 a.m. to 5:00 p.m. Normal public hours will be 8:00 a.m. to 4:30 p.m. Central Time, Monday through Friday, except legal holidays.

390:1-1-10. Electronic signatures, photographs and records

(a) CLEET may issue and receive electronic signatures, photographs, and records as defined in this Chapter.

(b) All applications for a license or certification must be original and contain original signatures completed through CLEET's online application portal unless otherwise allowed by CLEET.

(c) CLEET reserves the right to request signatures, photographs and records in a particular format.

(d) Name changes in the CLEET database will only be made when certified documents are received.

390:1-1-12. Event and course fees

(a) 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.

(1) Courses may be offered at a per student rate. CLEET shall establish this rate based on the anticipated course costs. These ~~cost~~ 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.

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

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

(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.

(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.

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

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 2. ADMINISTRATIVE PROCEDURES**

- 390:2-1-1. Purpose
- 390:2-1-2. Denials, reprimands, suspensions, revocations, disciplinary penalties, fines
- 390:2-1-3. Continuances
- 390:2-1-4. Discovery
- 390:2-1-5. Protective Orders
- 390:2-1-6. Service of subpoenas; motion to quash
- 390:2-1-7. Hearings open to public; hearing record
- 390:2-1-8. Hearing examiners
- 390:2-1-9. Sanctions for non-compliance with hearing and discovery procedures
- 390:2-1-10. Conduct of hearings
- 390:2-1-11. Declaratory rulings
- 390:2-1-12. Procedures to petition for promulgation, amendment or repeal of rule

[Authority: 11 O.S., § 34-101 and § 34-102; 20 O.S., § 1313.2; 21 O.S., §§ 1289.8, 1290.1, and §§ 1290.14 through 1290.15; 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.; 75 O.S., § 250 et seq., and § 250.3]

[Source: Codified 12-31-91]

390:2-1-2. Denials, reprimands, suspensions, revocations, disciplinary penalties, fines

(a) **Persons affected by individual actions.** Under the authority of 70 O.S., Section 3311 et seq.; 59 O.S., Section 1750.1 et seq.; 59 O.S., Sections 1451-1476; 20 O.S., Section 1313.2, 21 O.S., Section 1289.9 and 21 O.S. Section 1290.1 et seq., and 59 O.S. 1350.1 et seq., CLEET may take Administrative Actions against the following parties for violations of said statutes and the Rules and Regulations of CLEET:

- (1) Certified peace officers and applicants;
- (2) Basic Peace Officer Academy students and applicants;
- (3) Private security training schools and applicants;
- (4) Armed and unarmed security guards, private investigators, security agencies, investigative agencies and applicants;
- (5) Certified drug detector dogs, handlers and applicants;
- (6) Certified bomb dogs, handlers and applicants;
- (7) CLEET certified instructors for Law Enforcement;
- (8) Counties, cities and towns involved in the penalty assessment program;
- (9) Private security training instructors and applicants;
- (10) Approved SDA Firearms Instructors;
- (11) Retired municipal, county, state and federal peace officers;
- (12) Certified Reserve Peace Officers and applicants;
- (13) Bail Enforcement training schools and applicants;
- (14) Bail Enforcement training instructors and applicants;
- (15) Bail Enforcement persons and applicants; and
- (16) Any other parties for which CLEET has statutory authority.

(b) **Type of sanctions.** CLEET may take the following actions against the parties mentioned in (a) of this section:

- (1) Oral Reprimand
- (2) Written Reprimand
- (3) Denial

- (4) Suspensions
 - (5) Revocation and/or
 - (6) Disciplinary penalty or fine.
- (c) **Disciplinary procedures.** In the event CLEET, or its designated agent, has determined that an action will be taken, the following procedures shall apply in accordance with the Administrative Procedures Act, Section-250, et. seq. Title 75 of the Oklahoma Statutes.
- (1) The issuance or denial of a new license or new certification is not an individual proceeding, and is not subject to review by the administrative hearing process set forth below.
 - (2) CLEET or its designated agent shall serve by certified mail, return receipt requested, or by personal delivery by an individual authorized by CLEET, a "Notice of Council Action" containing information required by 75 O.S. Section 309 et. seq., to the party at his last known residential address as reflected by the records of CLEET or current employing department or agency address if the personal address is unknown. If said letter is returned and notation of U.S. Postal Service indicates "unclaimed," "moved," "refused" or any non-delivery markings and the Council's records indicate no change of address as required by rule 390:35-5-13, and 70 O.S., §3311 the notice and any subsequent order shall be deemed served. Any order issued shall be deemed valid as if said individual or agency had been served.
 - (3) The notice shall provide that CLEET action shall commence and become effective fifteen (15) days after receipt of said notice by the party, unless the party timely files a written request for a hearing with CLEET except as follows:
 - (A) When CLEET determines that an allegation warrants immediate action, the commencement and effective date of fifteen (15) days will be waived and the action will be effective upon receipt of said notice.
 - (B) A request for hearing will be timely filed if said request is in writing and received by CLEET, its Director, or designated agent within ten (10) days of the date the party received notice.
 - (C) If a timely written request for a hearing is not received by CLEET, the allegations shall be deemed confessed by the party and the action will become final.
 - (D) If the written request for hearings is timely received by CLEET, such hearings shall be scheduled **and notice provided in accordance with the Administrative Procedures Act** ~~within sixty (60) days from the date said request is received to be heard at the date to be determined.~~
 - (4) The timely filing of a written request for a hearing will stay CLEET's action pending disposition of the hearing, unless the notice and allegations fall within (3)(A) of this subsection.
 - (5) The hearings will be held at a location designated by the Council.
 - (6) The hearing officer will be designated by CLEET or the Director thereof, and each party shall be afforded an opportunity to be heard and present evidence.
 - (7) The hearing will be electronically recorded and the **recording tapes** of said hearing will be preserved until all avenues of appeal have expired or been exhausted. If a party desires a court reporter, or certified stenographer, it shall be the party's burden to provide and bear the cost of said services and subsequent transcription.
 - (8) If a party fails to appear at the scheduled hearings without prior notification or good cause, the hearing officer shall default the party, and enter an order sustaining the allegations set forth in the notice and imposing the sanctions set forth therein; or if the State sustains its burden, the hearing examiner shall rule accordingly.

- (9) If the complaining party fails to show or the state otherwise fails to prove the allegations by clear and convincing evidence, the action against the party shall be dismissed without sanctions.
- (10) The designated hearing officer shall render a decision based upon the law and the evidence presented at the hearing.
- (11) Each party shall be notified, in written order form, of the findings of fact and conclusions of law relating to the action.
- (12) A party may appeal the hearing officer's decision as set forth in 75 O.S. Section 250 et. seq. of the Administrative Procedures Act.

390:2-1-4. Discovery

- (a) **Purpose.** Discovery is designed to enable a party to obtain relevant information needed for presentation of the party's case. These Rules are intended to provide a simple method of discovery. Discovery rules and time limitations will be pursuant to Oklahoma Discovery Code 12 O.S., Section 3224-3237 except as otherwise provided herein.
- (b) **Explanation.** Discovery is a process apart from the hearing whereby a party may obtain relevant information from another person which has not otherwise been provided. Relevant information means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the information. This information is obtained for the purpose of assisting the parties in developing, preparing and presenting their cases.
- (c) **Methods.** Discovery may be obtained by written interrogatories or oral interrogatories reduced in writing, depositions, requests for production of documents for inspection or copying and things and entry upon land for inspection and other purposes, requests for physical and mental examination of persons, and requests for admissions.

(1) Depositions.

- (A) Deposition of a witness for use at a hearing may be taken only when ordered upon motion by CLEET or on application of a party. The order may direct that the deposition of a witness be taken inside or outside the State of Oklahoma.
- (B) The order shall state the time and place the deposition shall be taken, and the party taking the deposition shall serve a copy of the order by regular mail on each party of record at least five days prior to the date scheduled for taking the deposition.
- (C) The manner of taking depositions and the attendance of witnesses shall be governed by the laws relating to taking the depositions for use in the District Courts, except that the attendance of a witness for deposition shall be required only in the county of his residence.
- (D) A deposition may be offered in evidence at the hearing by any party.

(2) All others Production of documents.

All other forms of discovery may be obtained by following the applicable provisions of the Oklahoma Discovery Code.

- (A) Upon application of a party, or upon motion of CLEET, with or without notice, CLEET may make an order requiring a party to produce designated documents or tangible objects for inspection by parties to the proceeding, or for copying at the expense of the applicant, or to be offered into evidence. The order shall direct production thereof at the hearing, and production shall be at the principal office of CLEET, unless some other place is stated in the order.

(B) The party applying therefore shall serve a copy of the order by regular mail on each party of record at least five days prior to the date upon which production is required.

(C) An order pursuant to this section may require production of any document not privileged which constitutes or contains evidence relevant to the subject matter of the proceeding, or may reasonably lead to such evidence. Business records shall not be deemed privileged as such; but confidential business records and information will be protected from disclosure except where directly relevant to the issues in the proceeding.

(D) The order shall identify the documents or object to be produced individually or by categories, with sufficient particularity to permit easy identification thereof by the party ordered to make production.

(E) An exact photographic copy of a document may be substituted for the original, at the expense of the person producing the instrument.

(3) **Admission of facts and genuineness of documents.** CLEET may order any party to respond to requests for the admission of the genuineness of any relevant documents identified within the request or the truth of any relevant matters of fact or application of law to the facts as set forth in the request.

(4) (3) **Stipulations.** The parties may stipulate as to any matter of fact. Such a stipulation will satisfy a party's burden of proving the fact alleged.

(d) **Witnesses.**

(1) **Lists.** All parties to a proceeding shall file a list of witnesses expected to be called during the proceeding. Such list shall include a brief statement describing the testimony to be offered. Witness lists will be made available for inspection and copying to all parties of record. The witness list shall be made available at least five days prior to the hearing.

(2) **Exclusion.** The Hearing Examiner may exclude the testimony of any witness when said testimony is deemed irrelevant, unduly repetitious or cumulative.

(3) **Testimony.** A witness present at a hearing pursuant to subpoena may be called to testify by the Hearing Examiner or by any party.

(4) **Protective orders.** CLEET may make any orders with respect to subpoenas and attendance of a witness with or without application or notice, as may be appropriate for the protection of parties and witnesses, including an order excusing attendance, or limiting documents to be produced.

(e) **Subpoenas.**

(1) **Duces Tecum.** CLEET may, upon request of a party, issue a subpoena in the name of CLEET in any pending proceeding requiring attendance of a witness from any place in the state to the place of hearing. A Subpoena Duces Tecum may require a witness to produce at **or before** the hearing, books, records, accounts, papers and other instruments and tangible objects, which shall be described with reasonable particularity in the subpoena. A subpoena duces tecum directed to **an entity a party**, not an individual, may direct that the records be produced by an officer or employee responsible therefore.

(2) **Request for subpoena.** A request for subpoena shall be submitted to CLEET not less than ten days prior to the hearing. Such requests shall be supported by a showing of general relevance and reasonable scope and a statement of the facts expected to be proven.

(f) **Role of Hearing Examiner Interrogatories.**

A hearing examiner may enter any orders, including scheduling orders, deemed necessary to facilitate the discovery process. Such orders may be entered upon request of a party or on the hearing examiner's own motion.

(1) Upon application of a party, or upon the motion of CLEET, with or without notice, an order may be entered requiring a party to answer in writing under oath of the party or a person authorized to make an answer, certain written interrogatories attached to the order. Unless otherwise ordered, the answers shall be submitted at the hearing, or at a pre-hearing conference.

(2) The party applying for the order shall serve a copy thereof, with interrogatories attached, by regular mail, upon each party of record at least ten days prior to the date upon which answer is required.

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 10. PEACE OFFICER CERTIFICATION

- 390:10-1-1. Purpose
- 390:10-1-2. Minimum certification and employment standards
- 390:10-1-3. Employment status reporting
- 390:10-1-4. Peace officer employment standards
- 390:10-1-5. Requirements for certification
- 390:10-1-6. Certification by reciprocity
- 390:10-1-7. Withdrawal, voluntary withdraw, suspension, revocation and reinstatement of certification
- 390:10-1-8. Notification of legal proceedings against officer

[**Authority:** 70 O.S., § 3311.2 through 3311.13]

[**Source:** Codified 12-31-91]

390:10-1-2. Minimum certification and employment standards

(a) For the purposes of the rules of this Chapter and 70 O.S. Section 3311, a peace officer is defined as a duly appointed or elected law enforcement officer who is paid for working more than twenty-five (25) hours per week and whose duties minimally include all of the following on a full-time basis:

- (1) Preserving the public peace;
- (2) Preventing crime;
- (3) Protecting life and property;
- (4) Enforcing laws and ordinances of this state and its political subdivisions; and
- (5) Executing arrest warrants and search warrants.

(b) All persons hired or elected as peace officers shall meet the employment and training standards set forth in this chapter as set forth in Section 3311 of Title 70 of the Oklahoma Statutes. Calculation of said employment shall be based on cumulative periods of employment.

(c) The Council, or its designee, may grant an extension of the time frame specified in Section 3311 of Title 70 of the Oklahoma Statutes, upon written application by the employing agency, and when good cause is shown, as determined by the Council or its designee. Peace officers granted an extension of time to attend and complete a training academy **normally** are not permitted to work in the capacity of a peace officer during the extension period. **If an applicant has timely complied with all notice and application procedures but because of CLEET's training capacity cannot enter an academy within the six-month time frame, the Director or designee may grant an extension that allows the person to work. Failure of an applicant or agency to timely comply with notice and application procedures, short staffing at a law enforcement agency, or other matters will not be considered good cause to grant an extension to work.**

(d) In the event any officer so appointed or elected fails to comply with the employment and training standards and an extension of time is not granted, the employing agency shall comply with 70 O.S., Section 3311(E) (4) at the first opportunity made available by CLEET. Individuals who fail to comply with employment and/or training standards may reapply for certification two (2) years from the date of final ineligibility. Individuals who reapply will be required to start the academy over again without regard to previous classwork completed.

(e) Students are expected to complete the first basic academy in which they are enrolled. In the event a student cannot complete their initial academy, the student can complete the course work in another academy if such work can be completed in the next subsequent academy and within a

one year period from the date of hiring or appointment as a peace officer. If reentry exceeds one year, students will be required to start the academy over again without regard to previous classwork completed unless reentry was delayed by a documented medical condition or military orders prohibiting participation. Exceptions may be made by the Director, or Director designee, for students who have been granted extensions of time as authorized by 70 O.S., Section 3311 (E) (4). (f) The Council may provide options for remedial or make-up training for students attending approved academy or CLEET basic academy programs pursuant to academy rules.

390:10-1-3. Employment status reporting

(a) All state, county, and local law enforcement agencies affected by the rules of this chapter and 70 O.S. Section 3311, shall report to CLEET the employment and termination of any appointed or elected peace officer within ten (10) days of the date of employment or termination of employment of said officer. Such notification shall be in a format accepted by CLEET. Termination reports shall include resignations, discharges or dismissals, retirements, and deaths of officers covered under the rules of this chapter and laws. Failure to do so may disqualify a law enforcement agency from participating in training programs sponsored by the Council.

~~(b) Pursuant to 70 O.S., Section 3311(H)(1) every law enforcement agency employing police, peace or tribal officers shall be required to submit on or before October 1 of each calendar year, a complete list of all commissioned employees, with a current mailing address and phone number for each such employee in a format acceptable by CLEET.~~

390:10-1-4. Peace officer employment standards

(a) A person shall comply with the requirements of 70 O.S. Section 3311(E)(F)(G) in order to be employed as a peace officer.

(b) Nothing herein shall preclude any law enforcement agency from establishing and implementing minimum employment standards in addition to those set forth by law and the rules of this chapter.

(c) All peace officers, reserve officers and tribal officers are required to maintain with CLEET, their current mailing address. Notice of change of address or telephone number must be made within ten (10) days of the effective change, ~~through CLEET's online portal or in writing, with an original signature. Notices will not be accepted over the phone, by fax, or by email.~~

(d) All peace officers, reserve officers, and tribal officers shall notify, ~~in writing, with an original signature,~~ CLEET of any change of name ~~through CLEET's online portal.~~ Notification of change of name shall include certified copies of any marriage license or court document which reflects the change of name. ~~Notices will not be accepted over the phone, by fax, or by email and must be made within ten (10) days of the date of change. The certified copy provided to CLEET will not be returned to the licensee. Any deviation from this Rule will require the Director's or his/her designee's approval.~~

390:10-1-6. Certification by reciprocity

Any officer seeking Oklahoma Peace Officer Certification, who has been certified by a state peace officer standards and training agency as a peace officer in another state, or any officer who has been certified as a federal peace officer by a Council recognized federal law enforcement agency, may obtain certification by reciprocity, under the following conditions:

- (1) The officer must meet the minimum peace officer employment standards set forth by law, military service is generally not recognized as federal law enforcement employment.
- (2) The officer must have been employed as a full-time peace officer for at least three (3) consecutive months within the two (2) year period immediately preceding the request for

Oklahoma certification.

(3) ~~The officer must attend the legal block and training as specified by CLEET~~ The officer must attend and successfully complete approved reciprocity training within six months of their hire date in Oklahoma.

(4) The officer must successfully pass a certification examination-

(5) Officers may have one retest for the certification examination. Any retest would follow the guidelines listed in OAC 390:15-1-13.

(6) The director or the director's designee may, in the exercise of discretion, award a certificate to any person who has been duly certified under the laws of another state if, in the opinion of the director, the education, training and experience of that officer equal or exceed the qualifications required to complete satisfactorily the basic course of instruction required for Oklahoma certification. Any person who is awarded reciprocity under this subsection shall attend and successfully complete approved reciprocity training within six months of their hire date in Oklahoma. In his or her discretion, the director or the director's designee may require a person who has been duly certified under the laws of another state to attend and successfully complete a bridge academy in this state within six months of their hire date in Oklahoma in order to receive reciprocity certification. In any event, each officer must attend the legal refresher block of instruction as specified by CLEET.

390:10-1-7. Withdrawal, voluntary withdraw, suspension, revocation and reinstatement of certification

(a) **"Withdrawal" defined.** A withdrawal of certification is the voluntary surrender of peace officer certification by an officer that has been certified pursuant to the provisions of 70 O.S. 3311 et seq and who is the subject of an investigation into, or a pending or concluded proceeding involving, allegations of violation of any of the provisions of 70 O.S. 3311 et seq or CLEET rules. "Withdrawal" does not include the voluntary surrender of peace officer certification by an officer who is in good standing with CLEET and is not the subject of such an investigation or proceeding.

(1) An officer requesting a withdrawal of certification must notify CLEET of his or her intent in writing to voluntarily surrender peace officer certification and have his name withdrawn from the list of Oklahoma certified peace officers.

(2) If an officer is requesting withdrawal by voluntary surrender of peace officer certification based upon completed, pending or contemplated criminal proceedings, the officer must include in the notice to withdraw certification, a certified copy of the charges, sentencing agreement or other information to support the action. This would include any deferred sentencing agreement.

(3) When a request for withdrawal of certification has been received by CLEET, the supporting documents will be verified and an investigation conducted to determine the facts for the stated underlying purpose of the withdrawal of certification.

(4) CLEET will enter a Final Order of Withdrawal which will include the peace officer's request to voluntarily surrender pending investigation or proceeding and documentation requiring the voluntary surrender of a certification. The Final Order must be signed by the Director and must include:

(A) A statement by the officer that the withdrawal and surrender of peace officer certification is voluntary; and/or is ordered by the court.

(B) A statement of the underlying facts for the withdrawal.

(C) A statement that the information gathered during the investigation of the request for withdrawal or surrender may be submitted as evidence at a hearing upon the request of the officer for reinstatement of certification;

(D) A statement that the officer cannot file a request for reinstatement for a minimum of five (5) years from the date of the entry of the Final Order of Withdrawal.

(b) **Voluntary surrender.** A peace officer who is in good standing with CLEET and who is not the subject of an investigation into, or a pending or concluded proceeding involving, allegations of violation of any of the provisions of 70 O.S. 3311 et seq. or CLEET rules, may voluntarily surrender such officer's peace officer certification.

(1) An officer wishing to voluntarily surrender certification must notify CLEET of his or her intent in writing to voluntarily surrender peace officer certification and have his or her name removed from the list of Oklahoma certified peace officers, provide a signed and notarized statement that such request is not made to avoid investigation or the outcome of a pending or concluded proceeding involving allegations of violation of any of the provisions of 70 O.S. 3311 et seq. or CLEET rules, and return to CLEET his or her CLEET card.

(2) Upon receipt of the officer's written intent to voluntarily surrender and the officer's CLEET card, CLEET will enter a Final Order of Voluntary Surrender which will include the peace officer's request and statement described in subparagraph (1) above and will be signed by the Director.

(3) An officer who voluntarily surrendered his or her certification pursuant to this subsection may apply for reinstatement without regard to any particular time restriction.

(c) **Suspension.** The certification of a peace officer may be suspended pursuant to the provisions of 70 O.S. Section 3311 et seq. and CLEET rules.

(1) If any action against a peace officer results in the suspension of peace officer certification, the suspended officer shall not engage in law enforcement activities of any type during the period of suspension. Any peace officer found to be engaging in law enforcement activities of any kind during the period of suspension shall be subject to revocation of peace officer certification without prior notice but otherwise subject to administrative proceedings.

(2) When permitted by law, the officer and CLEET may enter an agreement for the suspension of peace officer certification. The Agreed Final Order of Suspension must include the length of the suspension.

(3) Administrative actions involving actions against a peace officer in which suspension of peace officer certification is provided by law, shall be conducted in accordance 70 O.S. 3311, the Administrative Procedures Act, OAC 390:2-1 et. seq and this chapter.

(4) A suspension ordered after administrative hearing shall state the term of the suspension. Unless otherwise provided by law, the Hearing Examiner may establish a reasonable length of suspension.

(d) **Revocation.** The certification of a peace officer may be revoked pursuant to the provisions of 70 O.S. Section 3311 et seq. and CLEET rules.

(1) If any action against a peace officer results in the revocation of peace officer certification, the revoked officer shall immediately cease to engage in law enforcement activities of any type. Any peace officer found to be engaging in law enforcement activities of any kind may be subject to additional administrative or criminal actions.

(2) Administrative actions involving actions against a peace officer in which revocation of peace officer certification is provided by law, shall be conducted in accordance 70 O.S. 3311, the Administrative Procedures Act, OAC 390:2-1 et. seq and this chapter.

(e) **Reinstatement.**

(1) An officer who has had peace officer certification withdrawn, suspended or revoked, who has voluntarily surrendered his or her certification, may have peace officer certification reinstated through the following procedures:

(A) The officer shall file a request for reinstatement in writing, under oath.

(B) The request shall require the applicant to furnish information reasonably required to enable the Council to determine the fitness of the applicant for certification.

(2) The request for reinstatement shall be referred to the Assistant Director for processing of the request.

(3) The request will be reviewed by the Assistant Director and General Counsel to approve or deny the request. The following factors will be considered during the review:

(A) Circumstances surrounding the withdrawal, suspension, revocation or voluntary surrender of certification;

(B) Successful completion of any terms of suspension.

(C) Any pending charges or actions in this state or any other state; any convictions, including verdicts of guilt or entry of pleas of guilty or nolo contendere or an "Alford" plea or any plea other than not guilty to any felony, crime of domestic violence, or crime of moral turpitude in this state or any other state, and any final orders of protection entered against the applicant; and

(D) Activities of applicant during the period of suspension or following withdrawal, revocation, or voluntary surrender.

(4) Time for reinstatement applications:

(A) An applicant who voluntarily surrendered his or her certification while in good standing with CLEET and not the subject of an investigation into, or a pending or completed proceeding involving, allegations of violation of 70 O.S. 3311 et seq. or CLEET rules, may apply for reinstatement at any time;

(B) An applicant whose certification was suspended may apply for reinstatement upon the expiration of the suspension period;

(C) An applicant whose certification was revoked or who withdrew his or her certification while the subject of an investigation into, or a pending or completed proceeding involving, allegations of violation of 70 O.S. 3311 et seq. or CLEET rules, may apply for reinstatement after at least five (5) years have passed since the entry of the Final Order of Withdrawal or Revocation.

(D) That an applicant has waited the appropriate time period before applying for reinstatement does not guarantee that a reinstatement will be granted. Such application is subject to review as provided for in these rules.

(5) CLEET may require an applicant for reinstatement to successfully complete certain refresher training either before granting reinstatement or within a specific time following reinstatement.

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 15. BASIC PEACE OFFICER CERTIFICATION TRAINING**

Subchapter

1. Basic Academy Programs	390:15-1-1
3. Collegiate Officer Program.....	390:15-3-1
4. Basic Peace Officer Certification Academy Program	390:15-4-1
5. Reserve Officer Bridge Academy	390:15-5-1
Appendix A. Academy City Agreement Form Agreement.....	[Revoked]

[**Authority:** 20 O.S., §1313.2; 70 O.S., 3311 through 3311.13]

[**Source:** Codified 12-31-91]

SUBCHAPTER 1. BASIC ACADEMY PROGRAMS

390:15-1-1.	Purpose
390:15-1-2.	Curriculum and courses of study
390:15-1-3.	Examinations and testing; remedial training; missed time
390:15-1-4.	Attendance; Academy administration
390:15-1-5.	Certification examination
390:15-1-6.	Basic Academy participation
390:15-1-7.	Administrative course files
390:15-1-8.	Firearms safety rules
390:15-1-9.	Council instructors
390:15-1-10.	Basic Academy Rules
390:15-1-11.	General rules of Academy conduct [REVOKED]
390:15-1-12.	Dress code [REVOKED]
390:15-1-13.	Academic requirements
390:15-1-14.	Study assignments [REVOKED]
390:15-1-15.	Training hours [REVOKED]
390:15-1-16.	Equipment required [REVOKED]
390:15-1-17.	Clothing [REVOKED]
390:15-1-18.	Administrative discipline
390:15-1-18.1.	Suspension, dismissal and reinstatement to academy
390:15-1-19.	Council-approved Basic Peace Officer Certification training
390:15-1-20.	College and University Law Enforcement Officers Training [REVOKED]
390:15-1-21.	Registration Fees

390:15-1-21. Registration Fees fees

(a) **At the discretion of the Council,** CLEET ~~has established~~ **may establish** a registration fee for each agency to cover the cost of meals provided during the CLEET basic academy.

(1) The registration fee covers the cost of meals incurred by CLEET during the basic academy training and payment is due by the 25th of each month preceding expected expenditures.

(2) An agency shall receive only one (1) invoice for the total amount due, but may elect to pay on a monthly basis, or payment can be made in full at the beginning of the training cycle.

(3) Payment will be accepted in a format described in 390:1-1-13.

(b) Agencies failing to make other arrangements approved by the Executive Director or meet the obligation established by enrollment of an officer into the basic academy shall be precluded from future participation of any employee from the delinquent organization in the CLEET basic academy.

SUBCHAPTER 4. BASIC PEACE OFFICER CERTIFICATION ACADEMY PROGRAM

- 390:15-4-1. Purpose
- 390:15-4-2. Program administration
- 390:15-4-3. CLEET oversight and program administration
- 390:15-4-4. Director's qualifications
- 390:15-4-5. Director's functions
- 390:15-4-6. Curriculum mandates
- 390:15-4-7. Course testing
- 390:15-4-8. Qualification examination
- 390:15-4-9. Instructor requirements
- 390:15-4-10. Student responsibilities
- 390:15-4-11. Psychological evaluations
- 390:15-4-12. BPOC Bridge Academy [NEW RULE]

[**Authority:** 70 O.S., Section 3311.16]

[**Source:** Codified 11-1-2018]

390:15-4-12. BPOC Bridge Academy [NEW RULE]

(a) Upon written application to the CLEET Director, or designee, BPOC entities may be authorized by CLEET to offer BPOC Bridge Academies for individuals who have a reserve certification in good standing.

- (1) Reserve officers who hold a current commission with a recognized Oklahoma law enforcement agency, have successfully completed a 240-hour reserve academy, and have been in active service in a reserve capacity (post reserve certification) for the six (6) months prior to the start date of the BPOC Bridge Academy may be approved by CLEET to attend the BPOC Bridge Academy pursuant to policies and procedures to be published by CLEET.
- (2) Non-commissioned individuals who have successfully completed a 240-hour reserve academy and served for at least six (6) months in a reserve capacity (post reserve certification) for a recognized Oklahoma law enforcement agency in the five (5) years prior to the start date of the BPOC Bridge Academy may be approved by the BPOC entity to attend the BPOC Bridge Academy pursuant to policies and procedures to be published by CLEET.
- (3) BPOC Bridge Academy students will be subject to all the rules in this subchapter and in subchapter 5 unless expressly stated otherwise in these rules or in applicable policies and procedures published by CLEET.

(b) BPOC entities which are authorized by CLEET to provide BPOC Bridge Academies must comply with all of the provisions in this subchapter and in subchapter 5 unless expressly stated otherwise in these rules or in applicable policies and procedures published by CLEET.

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 20. RESERVE OFFICER CERTIFICATION AND TRAINING

- 390:20-1-1. Purpose
- 390:20-1-2. Reserve officer defined; employment standards
- 390:20-1-3. Reserve peace officer certification training
- 390:20-1-3.1 Reserve coordinator qualifications
- 390:20-1-4. Application to conduct Reserve Peace Officer Academy
- 390:20-1-5. Reserve Academy Coordinator's manual
- 390:20-1-6. Duties of Reserve Academy Coordinator
- 390:20-1-7. Review and notification
- 390:20-1-8. Request for lesson plans
- 390:20-1-9. Procedures for conducting Reserve Academy
- 390:20-1-10. CLEET monitoring of Reserve Academies
- 390:20-1-11. Notice of compliance with employment standards
- 390:20-1-12. Materials returned to CLEET
- 390:20-1-13. Certificates issued
- 390:20-1-14. Withdrawal, suspension and reinstatement of certification
- 390:20-1-15. Inactive reserve officers
- 390:20-1-16. Reserve Academy Instructor requirements

[Authority: 11 O.S., § 34-101; 19 O.S., § 547; 63 O.S., §§ 683.1 et seq.; 70 O.S., § 3311 through 3311.13]

[Source: Codified 12-31-91]

390:20-1-15. Inactive reserve officers

Every reserve officer, certified by the Council, who has not been employed as a reserve officer in the State of Oklahoma for five or more years, upon re-entry to reserve status, must complete refresher training ~~a legal update~~ as prescribed by CLEET.

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 25. CONTINUING LAW ENFORCEMENT EDUCATION**

- 390:25-1-1. Purpose
- 390:25-1-2. Continuing education definition and objectives
- 390:25-1-3. Enrollment and tuition
- 390:25-1-4. Instructor qualifications
- 390:25-1-5. Documentation of training
- 390:25-1-6. Certificates issued
- 390:25-1-7. Training records
- 390:25-1-8. Outside law enforcement schools and seminars
- 390:25-1-9. Law enforcement Instructor Certification Program
- 390:25-1-10. Requirements for general instructor certification
- 390:25-1-11. Requirements for specialized instructor certification
- 390:25-1-12. Application for instructor certification
- 390:25-1-13. Adjunct instructor certification
- 390:25-1-14. Mandatory Continuing Education
- 390:25-1-15. Levels of Certification
- 390:25-1-16. Conditions of eligibility
- 390:25-1-17. Application procedure
- 390:25-1-18. Point computation formula
- 390:25-1-19. Grounds for revocation
- 390:25-1-20. Lapse of certification [REVOKED]

[**Authority:** 70 O.S., § 3311 through 3311.13]

[**Source:** Codified 12-31-91]

390:25-1-8. Outside law enforcement schools and seminars

(a) Centralized peace officer training records.

- (1) CLEET shall maintain a centralized depository of training records for every peace officer, reserve and fulltime, which has been certified by the State of Oklahoma as either a reserve or fulltime peace officer in accordance with applicable Oklahoma statute. Schools and Seminars attended by such officers may be entered into their individual training files upon request.
- (2) Local "in-service" training or informational sessions of less than one (1) hour shall not be entered.
- (3) Requests for individual training record entries shall be in format approved by CLEET.
- (4) Requests for training entries shall minimally contain the following documentation:
 - (A) The date(s), location and title of the school or seminar; and
 - (B) An official school Attendance Roster or electronic roster, showing the name, CLEET number, and employing agency of each full-time, certified officer in attendance; and
 - (C) One of the following:
 - (i) The name **and address** of the instructor(s); or
 - (ii) A copy of the completion or attendance certificate issued by the school, and the requesting officer's name, CLEET number, and employing agency and the authorized signature of the agency head or designee certifying attendance.

(D) Training may not be recorded when names provided on the roster or electronic record cannot be matched to CLEET records by the CLEET number or name until additional identifying information is provided.

(E) Agencies or individuals submitting rosters or electronic records shall maintain a file copy, subject to inspection, for a period of three years.

(b) Local training incentive cataloging.

(1) For the purposes of this section, "CATALOGING" means that CLEET will assign a course catalog number and send a confirmation letter to the agency requesting such cataloging for a lesson plan submitted by that agency. It will be the responsibility of the agency requesting cataloging to retain the lesson plan and all supporting material. All lesson plans and supporting materials on file with the agency requesting a catalog number will be considered by CLEET to be copyrighted. Regarding any law enforcement concepts, practices, methods, techniques, products, or devices as might be taught, promoted, or otherwise espoused in outside schools or seminars, there is no intent, expressed or implied, that "cataloging" indicates or in any way conveys "CLEET approval" of such concepts, practices, methods, techniques, products, or devices, unless such approval is explicitly stated by CLEET.

(2) For the purpose of qualifying for training or educational pay increases, or for other training incentives which might be initiated by law enforcement agencies, and for which CLEET cataloging is a requisite, the rules and procedures set forth in this subsection shall apply.

(3) Requests for local training incentive cataloging for any outside school or seminar, shall be made in writing in a format approved by CLEET and shall minimally contain the following information:

(A) A description of the subject of the school or seminar;

(B) A resume' or summary of each known instructor's qualifications, describing his or her training and experience in the particular subject.

390:25-1-10. Requirements for basic instructor certification

(a) **Qualification.** To qualify for basic instructor certification, applicants must meet the following qualifications:

(1) Have a minimum of two (2) years of full-time or five (5) years of reserve or an equivalent combination of such full-time and reserve experience in law enforcement after completing the basic or reserve certification course, and be in compliance with 70 O.S., Section 3311, and have written endorsement from the applicant's agency head or designee and

(2) Successfully complete a CLEET recognized instructor development school, or

(3) Possess a teaching certificate for secondary education; or

(4) Possess an advanced degree in the field of secondary or adult education, or

(5) Be qualified to instruct at an accredited 4-year college or university.

(b) Waiver. To qualify for basic instructor certification waiver, applicants must meet the following qualifications: Meeting Meet the requirements of (a) (1) and have successfully completed an instructor development school that in the sole discretion of the director or designee and meets or exceeds the standards of a CLEET recognized instructor development school.

~~(b)~~ **(c) Inactive Peace Officers.** Any instructor who has been inactive as a peace officer for over five years shall not be allowed to use his/her Oklahoma Basic Instructor Development certification to teach CLEET courses. Instructors who are listed in an inactive status over five

years must meet the requirements outlined for an adjunct instructor (390:25-1-13) if they intend to teach any CLEET course, including basic academy, reserve academy and continuing education. This provision is designed to insure students receive current subject matter expertise throughout the training.

390:25-1-18. Point computation formula

- (a) Fifteen training points shall be given for the completion of a Basic Law Enforcement Academy.
- (b) Two training points shall be given for the successful completion of a field training officer program which is ten weeks or longer in length.
- (c) Each semester hour of college credit from an Accredited College or University shall equal one training point; ~~each quarter hour shall equal two third point.~~
- (d) Twenty classroom hours of job-related training, as determined by the Council, shall equal one training point.
- ~~(e) Using a table provided by the Council, training points may be substituted for years of experience.~~
- (~~f~~) (e) Using a table provided by the Council, certificates shall be awarded to levels achieved by applicants based upon points accumulated and years of experience.

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 27. POLICE OFFICER ANNUAL FIREARMS REQUALIFICATION**

- 390:27-1-1. Purpose
- 390:27-1-2. Minimum requalification standards
- 390:27-1-3. Remedial training
- 390:27-1-4. Exemptions
- 390:27-1-5. Proof of requalification
- 390:27-1-6. Failure to meet annual requalification requirement

[**Authority:** 70 O.S. § 3311 through 3311.13]

[**Source:** Codified 1-26-08]

390:27-1-2. Minimum requalification standards

- (a) Requalification shall consist of successful completion of a course of fire approved by the Council and attaining a qualifying score of not less than seventy percent (70%).
- (b) Requalification shall be accomplished with a handgun (revolver or semi-automatic) carried by the law enforcement officer as the primary duty weapon. Nothing shall preclude employing agencies from requiring requalification with additional handguns carried by the officer for special purposes.
- (c) Requalification shall be conducted using a paper target of the same design currently used for firearms qualification in the CLEET basic academy, or of comparable design.
- (d) Requalification must be successfully completed in the presence of a CLEET certified firearms instructor, a certified firearms instructor approved by the employing agency, or a CLEET certified line safety officer. **No person may requalify themselves.**
- (e) The Council will not be responsible for expenses incurred by officers to complete firearms requalification.

390:27-1-5. Proof of requalification

- (a) Proof of successful firearms requalification shall be reported to CLEET by the employing agency **or the individual** in a format approved by CLEET. The report shall contain the following information:
 - (1) Date and location of requalification
 - (2) Full name and CLEET number or last four digits of social security number of the officer requalifying
 - (3) Verification of a passing score
 - (4) The name of the employing agency
 - (5) The full name of the CLEET Certified Firearms Instructor and CLEET Firearms Instructor number, the full name of the employing agency approved instructor, and telephone number of the instructor, or the full name of the CLEET certified line safety officer and telephone number of the CLEET certified line safety officer.
 - (6) In the case of a certified firearms instructor approved by an employing agency, the employing agency head or their designee will certify they have validated the firearms instructor credentials of their approved instructor.
- (b) Firearms requalification shall not be credited for purposes of meeting the annual peace officer training requirements of 70 O. S. Section 3311.4.

- (c) Proof of firearms requalification may be submitted to CLEET throughout the year as the requalification event occurs.
- (d) Reports for the ending calendar year shall be submitted to CLEET by December 31st of the year the training was received.

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 30. CDS DETECTOR DOG CERTIFICATION**

- 390:30-1-1. Purpose
- 390:30-1-2. Definitions
- 390:30-1-3. Statutory requirements and fees
- 390:30-1-4. Conduct of business
- 390:30-1-5. Standards for certification
- 390:30-1-6. Application for certification
- 390:30-1-7. Denial of certification

[**Authority:** 51 O.S., § 24.A.1 et seq.; 70 O.S., § 3311 through 3311.13; 75 O.S. § 250 et seq.]

[**Source:** Codified 12-31-91]

390:30-1-6. Application for certification

(a) Any person, group, or organization, public or private, that utilized canine teams for the purposes of detecting controlled dangerous substances, as a public service or for private gain, shall be required to annually obtain CLEET certification for such canine teams. Certification as to the demonstration abilities of any such canine team shall be based on evaluation of the canine team's performance during field tests.

(b) Persons wishing to seek CLEET CDS detector canine team certification may **apply through CLEET's online portal** ~~receive an application and instructions by calling or making a written request to CLEET administrative offices.~~

(c) Applicants must submit the application and appropriate test fee to CLEET.

(d) All applications must be completely filled out and be accompanied by **two (2) a** full-body, color ~~photographs~~ **photograph** of the applicant canine team and any other information required by CLEET. The ~~photographs~~ **photograph** shall include the full side-body of the dog and the face of the handler.

(e) Normally, no more than ten (10) applicant dogs shall be scheduled for testing on any date.

(f) Upon completion of CDS detector canine team testing, the owner/handler of each dog shall be informed as to the examiner's evaluation of the canine team's performance.

(g) Canine teams that fail to successfully complete the CDS detector tests in accordance with the required standards of performance may not be retested until seven (7) days from the last attempt, and must submit the retest fee to CLEET prior to testing.

(h) Canine teams that successfully complete CDS Detections tests in accordance with the required standards of performance shall be notified in writing by CLEET.

(i) When CLEET has determined that all application procedures are fully complete; the applicant canine team has met all required performance standards; and the correct certification fee has been received, a CDS detector canine team certificate shall be issued by CLEET.

(j) Any time a certified CDS detector canine team is being employed or otherwise utilized in CDS detection activities, the CLEET CDS detector canine team certificate, or a copy thereof, shall be immediately available for inspection by any interested party.

(k) CLEET CDS detector canine team certification shall remain effective for a period of one year from the date of evaluation. Upon renewal of a license that has not yet expired, the renewal date of that license will be the same month and day as the previous year.

(l) CDS detector canine teams shall be recertified annually. Application for renewal and the process of testing and performance evaluation shall be conducted in the same manner as the original certification. Application for recertification should be initiated not less than thirty (30) days prior to the expiration date of the previous certificate.

(m) All CDS detector canine team certifications that are not renewed shall be inactivated by CLEET. If a renewal of an expired certification is not initiated by the canine team within thirty (30) days from the expiration date of the certificate, the canine team shall be required to remit the full two hundred dollars (\$200.00) certification test fee to reinstate the certification status of the canine team concerned. Application and testing procedures in such cases shall be conducted in the same manner as an original certification.

(n) When any canine team certified under these laws and rules will no longer be utilized in the performance of CDS detection activities, the owner of such dog or the handler shall notify CLEET in writing.

(o) CDS detector canine teams owned by or used solely by a bona fide law enforcement agency for CDS detection activities in the service of the public shall be exempt from the certification fees herein, but shall be required to certify such canine teams annually in accordance with the laws and the rules of this section, unless such canine teams are certified annually by the United States Custom Service.

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 31. BOMB DETECTOR DOG CERTIFICATION

- 390:31-1-1. Purpose
- 390:31-1-2. Definitions
- 390:31-1-3. Statutory requirements and fees
- 390:31-1-4. Conduct of business
- 390:31-1-5. Standards for certification
- 390:31-1-6. Application for certification
- 390:31-1-7. Denial of certification

[**Authority:** 51 O.S. § 24-A.1 et seq.; and 70 O.S., § 3311 through 3311.13; 75 O.S., § 250 et seq.]
[**Source:** Codified 7-1-06]

390:31-1-6. Application for certification

- (a) Any person, group, or organization, public or private, that utilize canine teams for the purposes of detecting explosive substances, as a public service or for private gain, shall be required to annually obtain CLEET certification for such canine teams. Certification as to the demonstration abilities of any such canine team shall be based on evaluation of the canine team's performance by an approved testing organization.
- (b) Persons seeking CLEET Bomb Detector Canine Team Certification may **apply through CLEET's online portal** ~~receive an application and instructions by calling or making a written request to CLEET administrative offices.~~
- (c) Applicants must submit the application fee to CLEET with the application.
- (d) All applications must be completed and be accompanied by ~~two (2) a~~ **photographs photograph** of the applicant canine team and any other information required by CLEET. The ~~photographs photograph~~ shall include the full side-body of the dog and the face of the handler.
- (e) Upon completion of Bomb detector canine team testing CLEET shall be notified in writing that the canine team has successfully completed all Explosives Detection test requirements and the test examiner has documented evaluation of the canine team's performance.
- (f) Canine teams that fail to successfully complete the Bomb detector tests in accordance with the required standards of performance may not be retested except as provided for by the standards for retesting established by the agency or organization which conducted the initial test.
- (g) When CLEET has determined that all application procedures are complete; the applicant canine team has met all required performance standards; and the correct certification fee has been received, a Bomb Detector Canine Team Certificate shall be issued by CLEET. No CLEET employee may participate in the training or testing of any canine team.
- (h) Any time a certified Bomb detector canine team is being employed or otherwise utilized in explosives detection activities, the CLEET Bomb Detector Canine Team Certificate, or a copy thereof, shall be immediately available for inspection by any interested party.
- (i) CLEET Bomb Detector Canine Team certification shall remain effective for one (1) year from the date it was issued.
- (j) Bomb Detector Canine Teams shall be recertified annually. Application for renewal and the process of testing and performance evaluation shall be conducted in the same manner as the original certification. Application for recertification should be initiated not less than fifteen (15) days prior to the expiration date of the previous certificate.

(k) All Bomb detector canine team certifications that are not renewed shall be inactivated by CLEET. If a renewal of an expired certification is not initiated by the canine team within thirty (30) days from the expiration date of the certificate, the canine team shall be required to remit the full certification test fee to reinstate the certification status of the canine team. Application and testing procedures in such cases shall be conducted in the same manner as an original certification.

(l) When any canine team certified under these laws and rules will no longer be utilized in the performance of explosives detection activities, the owner of such dog or the handler shall notify CLEET in writing.

(m) Bomb detector canine teams owned by or used solely by a bona fide law enforcement agency for Explosives detection activities in the service of the public shall be exempt from the certification fees herein as provided in 70 O.S. Section 3311 (L), but shall be required to certify such canine teams annually in accordance with the laws and the rules of this section, unless such canine teams are certified and annually recertified in the detection of explosives and materials by the United States Department of Defense.

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 35. REGULATION OF PRIVATE SECURITY INDUSTRY

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[**Authority:** 21 O.S., § 1290.27; 59 O.S., §§ 1350.1 et seq. and 1750.1 through 1750.14; 70 O.S., § 3311 et seq.]

[**Source:** Codified 12-31-91]

SUBCHAPTER 1. GENERAL PROVISIONS

- 390:35-1-1. Purpose
- 390:35-1-2. Statutory authority
- 390:35-1-3. Definitions
- 390:35-1-4. Compliance with laws and rules

390:35-1-3. Definitions

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"**Act**" means the Oklahoma Security Guard and Private Investigator Act, Title 59, O.S., Section 1750.1, et seq.

"**Agency**" means a private security agency or private investigative agency, as defined in this Act.

"**Applicant**" means a person, or as it relates to an agency license, any of its owners, partners, directors, or in the case of a corporation, each officer and registered agent (branch manager), applying for a license under the provisions of the Act.

"**Approved school**" means an organization or institution authorized by CLEET to conduct private security training pursuant to the Act.

"**Armored car**" means any vehicle operated, in the normal course of business, by an armored car company, while such vehicle is engaged in the transportation and protection of cash, securities, negotiables and/or other items of unusual value.

"**Armored car company**" means a company that knowingly and willingly transports and protects cash, securities, negotiables and/or other items of unusual value for a fee or other remuneration.

"**Armored car employee**" means an individual who provides protection for cash, securities, negotiables and/or other items of unusual value transported by an armored car company.

"**Armed private investigator**" means an informal term, referring to a licensed private investigator who is also a licensed armed security guard, and who is authorized to carry a firearm.

"Armed security guard" means a security guard who is licensed to carry a firearm.

"CLEET" means the Council on Law Enforcement Education and Training, and its administrative officers and personnel.

"Client" means a real person or legal entity having a contract which authorizes services to be provided in return for financial or other considerations.

"Conditional license" means a temporary license issued, pending completion of a satisfactory background investigation and completion of required training.

"Conflict of interest" means a conflict or the appearance thereof between the private interests and public obligations of an individual, organization, or other legal entity authorized to conduct business pursuant to the Act.

"Contract" means, for the purposes of these rules, a contract is an agreement between a person or agency licensed under this Act and a client, to provide security or investigative services, including guards and/or investigators to the client, for a contract labor fee; and where the wages of the guards or investigators are paid by the contractor. Such contracts may be oral or written, or in any combination thereof.

"Contractor" means, for the purposes of these rules, a contractor is a person or business entity not employed in a direct employer-employee relationship, but instead contracts with a client to provide his services as a security guard or to provide security guards and their services to that client, for a contract labor fee. The term "contractor" shall include "sub-contractor".

"Conviction" means any final adjudication of guilt, whether pursuant to a plea of guilty or nolo contendere, or an "Alford" plea, or otherwise resulting in a suspended sentence or judgment. Conviction does not include any court action in which the court has deferred imposition of judgement and sentence.

"Council" means the appointed members of the Council on Law Enforcement Education and Training, as defined in Title 70 O.S., Section 3311.

"Curriculum" means the collective, written documentation of the material content of a training course, or any particular phase of training prescribed by the Act, minimally consisting of course objectives, student objectives, lesson plans, training aids, and examinations.

"Director" means the Director of the Council on Law Enforcement Education and Training, or designated agent.

"Expungement" means a court order expunging any final adjudication of guilt, whether pursuant to a plea of guilty or nolo contendere, or an "Alford" plea, or any plea other than "not guilty, " or otherwise. For purposes of these rules, expungement does not include a court order expunging a criminal record because no charges were filed or expunging a criminal record because the accused was acquitted at trial, or because the charges were dismissed on motion of the State prior to entry of any pleas other than "not guilty."

"Full-time employment" means any security guard, armed or unarmed, or private investigator, who is employed and paid for working twenty-five (25) hours or more per week on a regular basis.

"Instructor" means a person who directly facilitates learning through means of lecture, group participation, practical exercise, or other means, where there is a direct student-teacher relationship.

"License" means written authorization in the form of a certificate or identification card, issued by CLEET, under the provisions of the Act, permitting the holder to conduct business as a security guard, armed security guard, private investigator, security agency, or investigative agency.

"Licensee" means a person or as it relates to an agency license, any of its owners, partners, directors, or in the case of a corporation, each officer and registered agent (branch manager), authorized by CLEET under the provisions of this Act, to lawfully conduct business as a security guard, armed security guard, private investigator, security agency, or investigative agency.

"Over-payment" means monies in excess of the amount due for a license, permit or fine that is returned to the individual or agency.

"Person" means any corporation, company, association, operation, firm, partnership, institution, trust, or other form of business association, as well as a natural person.

"Private security" refers collectively to the fields of occupations described in the Act.

"Publish" means to make **publically** **publicly** or generally known.

"Reciprocity" means the mutual recognition of standards and practices of another state, as related to qualifications, background investigation, training, and assessment, for the purposes of professional licensure granted pursuant to the Act.

"School coordinator" means a person certified by CLEET to coordinate and conduct private security training at an approved school, and arrange or administer psychological examinations to firearms training students.

"Security guard services" means the providing or coordinating of services of the type described in the definition of security guard in the Act to include but not be limited to prevention of trespass, theft, misappropriation, wrongful concealment of merchandise, goods, money or other tangible items, or providing bodyguard or private watchman services to protect persons or property and shall include those types of services even if provided in part or in whole by active peace officers while working in a private capacity.

"Special event status" means term denoting that an event has been approved as a special event pursuant to the Act.

"Training course" means a complete, multi-phase course of instruction required to qualify for a license under the provisions of the Act.

"Training phase" means a block of training units that comprises a distinct phase in the private security training course.

"Training unit" means a unit of instruction within a training phase.

390:35-1-4. Compliance with laws and rules

(a) All licensees and approved schools shall be knowledgeable of and conduct operations in accordance with all federal, state, and local laws; and rules and regulations of CLEET. A commission, by clear and convincing evidence, of any criminal offense, may be grounds for an action against any person falling within the jurisdiction and purview of 59 O.S., Section 1750.1 et seq, if such offense reflects negatively on the licensee's or school's moral character.

(b) Any statute of the United States or of the State of Oklahoma now existent, or duly enacted in the future, shall supersede any conflicting provision of this Chapter to the extent of such conflict, but shall not affect the remaining provisions herein.

(c) Any violation of this Chapter and applicable Laws of the State of Oklahoma may result in a written reprimand or the denial, suspension, or revocation of a license, and/or disciplinary penalty or fine.

~~(d) Interested parties may obtain information or submit comments related to this Chapter by writing to CLEET, Private Security Division, 2401 Egypt Road, Ada, Oklahoma, 74820-0669.~~

SUBCHAPTER 3. [RESERVED]

SUBCHAPTER 5. LICENSE REQUIREMENTS

Section

- 390:35-5-1. Agency license requirements
- 390:35-5-2. Security guard, armed security guard, and private investigator licenses
 - 390:5-5-2.1. Renewals and continuing education
- 390:35-5-3. Conditional licenses
- 390:35-5-4. Special Event licenses
- 390:35-5-5. Peace officer exemptions and non-exemptions
- 390:35-5-6. Licensure of self-employed guards with no training and no experience
- 390:35-5-7. Licensure of private investigator applicants with no training or experience
- 390:35-5-8. Licensure of private investigators as armed security guards
- 390:35-5-9. Individual identification cards
- 390:35-5-10. Lost or damaged licenses or identification cards
- 390:35-5-11. Temporary licenses; out-of-state practitioners
- 390:35-5-12. Use of certain emblems and statements
- 390:35-5-13. Notification of change of address or telephone number
- 390:35-5-14. Reinstatement and late fees [REVOKED]

390:35-5-1. Agency license requirements

(a) All licensed security guard and private investigative agencies, shall maintain a place of business within the State of Oklahoma, and shall maintain an operative telephone ~~having a published listing,~~ in the agency name. The agency must also provide proof of published phone number in a format specified by CLEET. Every license issued under this chapter shall be posted conspicuously in the licensee's principal place of business in this state. The phone number shall be on file with CLEET. The office of such business may be maintained at the personal residence of the executive officer, manager, or supervisor of such office. Such notification shall include both the geographical location (street address) and the mailing address. Any changes in the above shall be submitted to CLEET in writing, with an original signature, within 10 days of the effective date of the change. ~~Notice of change of address will not be accepted over the phone, fax or by email.~~

(b) The executive officer, manager, or other person in charge of supervising security guards and/or private investigators shall be a resident of the State of Oklahoma.

(1) The executive officer, manager, or other person in charge of supervising security guards in the performance of their duties shall be a licensed security guard. ~~This provision applies to a peace officer who would otherwise be exempt from licensure requirements.~~

(2) The executive officer, manager, or other person in charge of supervising private investigators in the performance of their duties shall be a licensed private investigator.

(c) Agency licenses issued in the name of a corporation, limited liability company (LLC), or other non-natural person legal entity recognized by the State of Oklahoma remain with the corporation, LLC, or other non-natural person legal entity regardless of changes in ownership interests. Agency licenses issued in the name of an individual or in the name of a company which is not a corporation LLC, or other non-natural person legal entity, such as a "doing business as" (d/b/a) company, are not transferrable upon the sale of the company. Any agency licensee shall notify CLEET in writing, with an original signature, of changes in agency head, security guard and/or private investigator supervisor, and/or branch manager and such substitutes must satisfy the requirements listed in (d) of this section and be approved by CLEET. Such notices must be made within ten (10) days of any changes ~~and will not be accepted over the phone, by fax, or by email.~~

(d) Every applicant for an agency license, or in the case of a corporation, LLC, or other non-natural person legal entity, the agency head, security guard and/or private investigator supervisor, and /or branch manager shall meet the following qualifications before the agency may engage in any business licensed under this chapter:

- (1) be 21 years of age;
- (2) be a citizen of the United States or a resident alien;
- (3) not have been convicted of a felony that substantially relates to the occupation of a security guard or private investigator and poses a reasonable threat to public safety or crimes enumerated in the Act or CLEET rules unless waived by the Council pursuant to O.S. Title 59, Section 1750.5 (H);
- (4) not have had his or her license revoked or application for such license denied by CLEET or any other state and must provide a letter of good standing from any other state previously licensed;
- (5) in the case of a corporation, be incorporated under the laws of this state, or shall be duly qualified to do business within this state.

(e) Alarm Companies who respond to electrical, electronic or mechanical alarm signal devices, burglar alarms, television cameras or still cameras used to manually or automatically signal or detect burglary, fire, breaking or entering, shoplifting, pilferage, theft, or hold-up are required to be licensed as a Security Agency, and individually license employees as security guards, or armed security guards, who provide the response.

(f) Temporary employment agencies who provide guards or private investigators to ~~its~~ their clients on a contractual basis ~~falls~~ fall within the definition of a contract security or investigative company and must be licensed pursuant to the Act.

(g) Employee leasing services who provide an administrative service only for handling the payroll, employee's salaries, and benefits, who do not make assignments, supervise or direct the work of the employee, or select the employees, but who lease the employee back to the licensed agency, do not fall within the definition of a contract security or investigative company and are not required to obtain an agency license. Licensed agencies who utilize the employee leasing services, are responsible for the duties such as reporting employments, terminations, address changes to our agency, providing appropriate liability insurance coverage, etc., as if the employee were paid by the agency.

(h) CLEET retains the right to inform an agency applicant that the Agency Name they are submitting is a duplicate too similar to an existing agency name licensed in the state.

(i) Agency licenses that have expired for a period of more than thirty (30) days must complete the entire application process. If an agency renewal application is received more than thirty (30) days after the agency license expiration date, a letter will be mailed to the Agency address of record with instructions to must submit a completed new application and complete licensing fee.

390:35-5-2. Security guard, ~~armed security guard,~~ and private investigator licenses

(a) Applicants for security guard, private investigator ~~or armed security guard~~ licenses must meet and satisfy the requirements set forth in 59 O.S., Section 1750.1 et seq., The Oklahoma Security Guard and Private Investigator Act.

(b) Applicants for Armed Security Guard or armed private investigator licenses must further:

- (1) Successfully pass a psychological evaluation by a licensed psychologist; provided that the applicant shall bear the cost of such evaluation.
- (2) Successfully complete the firearms phase of private security training;
- (3) Be twenty-one (21) years of age.

(c) Proof of training and testing for purposes of obtaining an original license will only be acceptable for five years from the date of completion of the training or testing Applicants for

an armed security guard license must submit an affidavit that they are gainfully employed as an armed security guard and that a firearm is required within the scope of their employment.

(d) An Armed Security Guard License grants no authority to carry a firearm when not acting directly in the course and scope of employment.

390:35-5-2.1. Renewals and continuing education

(a) Continuing education training is required for renewal of an individual license.

(1) Private Investigators must complete a minimum of sixteen (16) hours of continuing education training from an approved source, during the licensing period to maintain their license, pursuant to Title 59, O.S., § 1750.3.

(2) Security Guards must complete a minimum of eight (8) hours of continuing education training from an approved source, during the licensing period to maintain their pursuant to Title 59 O.S., § 1750.3.

(3) A person holding both a security guard license and private investigator license or a combination license must complete a total of sixteen (16) hours of continuing education training during the licensing period to maintain their license, pursuant to Title 59, O.S., § 1750.3.

(4) Any expenses incurred for continuing education courses by any licensee shall be the responsibility of the licensee.

(5) Firearms requalification courses will not count towards mandate training.

Approved sources for mandated training are:

(A) College credit hours. Fifteen hours of mandate training will be granted for each successfully completed college hour. Proof of attendance needed is a certified copy of the grade report. Requests for credit must be submitted within one (1) calendar year from the date the college credit is obtained;

(B) Established Entities (Recognized county, state, and federal associations, professional associations, vocational-technical schools). One hour of training will be granted for each hour attended in a topic which directly relates to the performance of duties under the respective license. Proof of attendance needed is a copy of a certificate, sign-in roster, electronic notification or other proof from the sponsor accepted by CLEET; or

(C) CLEET approved or cataloged Schools, Seminars, and Conferences. One hour of mandate training credit will be granted for each hour of instruction. For approval to conduct mandate training, sponsors must:

(i) Submit a written request for program cataloging to CLEET;

(ii) Provide course information, including course objectives;

(iii) Provide resume for instructors; and

(iv) After training, submit a roster of attendees completing the training to CLEET.

(D) Completion of training courses required for initial licensing will satisfy the continuing education requirements for the first licensing period of an initial license.

(6) Continuing education training may be reported to CLEET as it is completed or at the time of license renewal. Verification of the minimum hours of continuing education training will be made by CLEET when the licensee requests renewal. A licensee will not be eligible for renewal if continuing education hours are not completed. be subject to the following disciplinary sanctions for failure to comply with the mandate training requirements:

- (A) Written Reprimand
- (B) Denial
- (C) Suspension
- (D) Revocation and/or
- (E) Disciplinary penalty or fine

(b) Renewal applications will be accepted up to thirty (30) days after the date of expiration of the applicant's license. If the renewal application is received more than thirty (30) days after the expiration date of the applicant's license, a letter will be mailed to the applicant with instructions to submit a completed new application and complete licensing fee. Continuing education will still be required even if the applicant has to submit a new application.

Renewal applications will be accepted no more than sixty (60) days before the date of expiration of the applicant's license. If the renewal application is received more than sixty (60) days before the expiration date of the applicant's license, the payment received and a letter will be mailed to the applicant with instructions of when to submit a completed renewal application and licensing fee.

(c) A renewal license will be issued only after CLEET receives a completed renewal application, the renewal fee, current passport size and quality photographs, verification of current employment with a licensed Agency or verification of current insurance or bond coverage, and verification of the minimum hours of continuing education training for the license period including any requested supporting documentation and is determined to be eligible for renewal.

(d) A licensee who has timely submitted a request for renewal with payment and has failed to meet the minimum training requirements will be mailed a letter along with a penalty citation as listed in Appendix C requiring proof of continuing education and disposition of the fine within fifteen (15) days. No license will be issued without verification of the minimum hours of continuing education and disposition of the above mentioned citation.

(e) A licensee who has failed to meet the minimum training requirements and continues to work after his/her license expiration date, will be subject to disciplinary action under Chapter 2 of this Title.

(f) If the renewal applicant is the defendant in a disqualifying charge that is pending in any court in this state, another state, tribal court, or pursuant to the United States Code, no license will be issued.

(g) If the renewal applicant is the subject of an order deferring imposition of judgment and sentence or deferred prosecution in this state or another state or pursuant to federal authority for the commission of a disqualifying offense, no license will be issued. The preclusive period shall be for five (5) years and shall begin upon final determination of the matter.

(h) Any person seeking an Oklahoma Security Guard or Private Investigators license, who has been licensed by a state whose training and standards have been deemed comparable to and approved by the Oklahoma Council on Law Enforcement Education and Training may obtain a license by reciprocity, under the following conditions:

(1) The applicant must meet the minimum license requirement standards set forth by Oklahoma Law including fingerprint requirements. Such fingerprints requirement may be waived by CLEET where a verified records check has been made within a reasonable period of time in the context of existing law requiring fingerprint checks. The individual must also complete the "Legal Block" of Phase IV Firearms Training.

(2) The applicant must have an active license in the original licensing state, and not be subject to any administrative action regarding the active status in the licensing state. A letter of good standing must be received from the original licensing state.

(3) The applicant receiving a license by reciprocity in Oklahoma shall at all times while working as a security guard or private investigator in Oklahoma be subject to all laws

regarding security guards and private investigators including all applicable fees for such license.

(4) Reciprocity may be granted only from the state in which the applicant was originally licensed and not from any intervening state by reciprocity to the original licensing state.

(5) The applicant must sign a statement of irrevocable consent that service of process, in any complaint or disciplinary action filed against the applicant, arising out of the applicant's private investigative activities in the reciprocating state, may be made by the delivery of such process on the administrator of the private investigation regulatory agency in his/her/its state of residence.

(6) An armored car employee who is primarily employed by an armored car company in another state, and is properly licensed by that state to carry a weapon while acting in the services of that company in the home state, and meets the minimum home state requirements, would be exempt from other requirements of 59 O. S. Section 1750.1 et seq. during such time as the armored vehicle from that state is actively engaged in interstate commerce within Oklahoma pursuant to 15 U.S.C. Section 5901, the "Armored Car Industry Reciprocity Act of 1993."

390:35-5-3. Conditional licenses

(a) Conditional licenses may be issued only to employees of security or investigative agencies and will only be issued for unarmed security guard applicants or unarmed private investigator applicants. Conditional licenses will NOT be issued for armed security guard applicants or armed private investigator applicants.

(b) Conditional licenses may be issued to such employees when the following requirements have been met:

(1) Receipt of an applicant's completed license application form. ~~An application form shall be considered complete when all applicable spaces have been filled in properly, required documents have been provided, and it has been signed and notarized;~~

~~(2) Receipt of two (2) properly completed, CLEET issued "applicant" fingerprint cards or fingerprints submitted electronically through a fingerprint system approved by CLEET;~~

~~(3) (2) Receipt of correct license fees;~~

~~(4) (3) Receipt of a completed OSBI records name check.~~

(c) Conditional licenses may be issued to an applicant one time per new application every five (5) years. This does not include renewal applications.

(d) If after a conditional license has been issued, disqualifiers are discovered or the applicant fails to respond to requests for additional information within thirty (30) days of request, the conditional license will become null and void. The applicant and employer will be notified that the application is null and void and no further action will be taken.

(e) If, after a conditional license has been issued, the employee-employer relationship under which the application was made ceases to exist, the conditional license will become null and void. The application approval process for a security guard license will continue, however, and upon final approval a regular security guard license may issue. The application process for a private investigator becomes null and void when the employee-employer relationship ends and no further action on the application will be taken.

390:35-5-5. Peace officer exemptions and non-exemptions

(a) If a peace officer who is ordinarily exempt from licensing chooses to become licensed as a security guard or private investigator shall comply with 59 O.S. Section 1750.1 et seq., and these rules in all respects.

(b) The peace officer exemption shall not apply in the following applications of the Act:

- (1) When a peace officer contracts with an employer to provide other guards **or to supervise others who are providing security guard services**;
- (2) No peace officer or reserve peace officer may wear his official police uniform and insignia while working in a capacity of a licensed security guard, except when the policies of his employing law enforcement agency, and the agency in whose jurisdiction he is so privately employed, allow him to do so;
- (3) CLEET certified peace officers, whether full-time or reserve, may be given comparable training credit for successful completion of their CLEET basic peace officer or basic reserve officer certification training, when applying for a private security license;
- (4) Active, **full-time** peace officers are exempt from the psychological evaluation that is required for armed security guard applicants. Retired, **full-time** peace officers are exempt from the psychological evaluation for a period of one (1) year from the date of their retirement. This exemption shall apply to any person who possesses CLEET peace officer certification, except when such person has been terminated from a law enforcement agency for failure to exercise appropriate judgement, restraint, and self-control in the use of force, or when there exists clear and convincing evidence of such;
- (5) Reserve peace officers are not exempt from the psychological evaluation required for an armed security guard license, unless they are in the active service of a law enforcement agency as a reserve peace officer at the time of application.
- ~~(6) Reserve peace officers are not exempt from security guard, armed security guard, or private investigator licenses, and must be licensed while employed as such;~~
- ~~(7)~~ (6) When working as a licensed security guard, armed security guard, or private investigator, peace officers and reserve peace officers may possess firearms only to the extent of the authority allowed under law, as applied to licensed armed security guards.

390:35-5-9. Individual identification cards

- (a) An identification card shall be issued to all licensees. This card shall clearly indicate that the licensee is authorized by the State of Oklahoma to conduct business as a security guard, armed security guard, or private investigator, or armed private investigator.
- (b) The identification card shall not be altered or defaced in any manner.
- (c) The licensee shall not knowingly allow any other person to carry or use his identification card for any purpose whatsoever.
- (d) The licensee shall carry his identification card on his person at all times while acting within the course and scope of his employment as a security guard or private investigator.
- (e) The licensee shall present his identification card upon demand, for inspection by any person, within the course and scope of his employment as a security guard, armed security guard, or private investigator, **unless the licensee is involved in a bonafide, covert investigation at the time.** The card must be presented, upon demand, for inspection by a law enforcement officer or by a representative of CLEET, at any time.
- (f) All identification cards or other written authorization shall remain the property of CLEET, and the licensee shall surrender his identification card to the Director or his designated representative upon written notice setting forth the reasons for such surrender.
- (g) Agencies shall maintain a copy of the individual identification card for all employees.

390:35-5-13. Notification of change of name or address or telephone number

- (a) Private investigators, and security guards shall maintain, with the Council, a current residential address and a current telephone number. Notice of change of address or telephone number must be made **through CLEET's online portal or** in writing, with an original signature within ten (10) days of the effected change. **Notices will not be accepted over the phone by fax, or by email.**

(b) Private investigators and security guards shall notify, in writing, with an original signature, CLEET of any change of name. Notification of change of name shall include certified copies of any marriage license or court document which reflects the change of name. ~~Notices will not be accepted over the phone, by fax, or by email and must be made within (10) days of the date of change. The certified copy provided to CLEET will not be returned to the licensee. Any deviation from this Rule will require the Directors' or his/her designee's approval.~~

(c) The Agency owner or branch manager (in the instances of national corporations) shall notify the Council through CLEET's online portal or in writing, with an original signature of changes in the business address and/or telephone number within 10 days of the effective date of the change. ~~Notices will not be accepted over the phone, by fax, or by email.~~

(d) Failure to notify the Council of business address changes, business telephone changes, or residential address changes, in accordance with the provisions of this Section, shall be considered a violation.

(e) If failure to comply with this Chapter results in Council Action, the use of "lack of notice" shall not be deemed as a valid defense in any proceeding.

390:35-5-14. Reinstatement and late fees [REVOKED]

SUBCHAPTER 7. APPLICATION PROCEDURE

390:35-7-1. Requests for applications

390:35-7-2. Application process; sworn affidavit; penalty

390:35-7-3. Accuracy and completeness of application

390:35-7-4. Background investigation of applicants

390:35-7-5. Individual license fee schedules

390:35-7-6. Conditional license fees

390:35-7-7. Upgrading from an unarmed security guard license to an armed security guard license

390:35-7-8. Individual private security applicant requirements

390:35-7-1. ~~Requests for applications~~ Applications

Applications may be completed through CLEET's online portal or other method authorized by CLEET.

~~(a) An application may be requested at the following address: CLEET, Private Security Division, 2401 Egypt Road, Ada, Oklahoma, 74820-0669.~~

~~(b) When such request is received, requests will be handled in the most expeditious and cost effective manner.~~

390:35-7-4. Background investigation of applicants

(a) The requirements of the Act will necessitate an investigation into the personal history, employment history, and moral character of each applicant. Local, state, and federal criminal indices will be examined in the normal processing of applications for evidence of any prior criminal record. In addition to those offenses set forth in the Statutes, convictions of crimes set forth in Appendix A of this Chapter, may be deemed as disqualifying convictions.

(b) Failure to provide the information necessary to complete this background investigation, including certified copies of final dispositions, shall preclude any further processing and shall result in denial of said application.

(c) All applicants shall submit to a fingerprint background check as required by statute and in accordance with procedures in effect at the time the application is made. ~~Fingerprint cards or electronically captured fingerprints submitted by an applicant which have been rejected by the~~

Oklahoma State Bureau of Investigation (OSBI) or Federal Bureau of Investigation (FBI), have failed to meet the statutory requirement of 59 O. S. Section 1750.6 (A)(1) for providing "classifiable fingerprints to enable the search of criminal indices for evidence of prior criminal record".

- (1) Upon notice to CLEET from the OSBI or FBI that fingerprints have been rejected, CLEET shall send written notice to the applicant requesting resubmission of fingerprints.
 - (2) Failure to resubmit fingerprints within thirty (30) days of the request for resubmittal shall preclude any further processing and shall result in denial, suspension or revocation of any license held by the applicant.
 - (3) Upon the third rejection of fingerprints by the OSBI or FBI or the expiration of one-hundred-eighty days (180) days, whichever occurs first, from the original date of issuance of any license, such license shall be suspended or revoked until such time that classifiable fingerprints have been submitted and criminal history reports have been received from OSBI and FBI.
- (d) An applicant shall state any and all names previously used by the applicant, and the date of any name change.
- (e) An applicant shall provide information on any previous licenses held as a private security guard or private investigator, whether in this state or other state, and any previous revocations or suspensions of any such license.
- (f) No license shall be issued under the following circumstances:
- (1) A new license shall not be issued if a disqualifying charge is pending against the applicant in any court in this state, another state, tribal court, or pursuant to the United States Code.
 - (2) A new or renewal license shall not be issued if the applicant is subject to the provisions of a deferred sentence or deferred prosecution in any court in this state, another state, tribal court, or pursuant to federal authority for the commission of any disqualifying offense. The preclusive period shall be for five (5) years and shall begin upon the final determination of the matter.
- (g) An applicant who has been reported to CLEET to have been involuntarily committed at anytime, will be notified in writing of the alleged involuntary commitment along with the applicant's employer. The applicant shall provide to CLEET written notification of a psychological evaluation conducted by a licensed physician or psychologist which attests and states by affidavit that the licensee and the evaluation test data of the licensee have been examined and that, in the professional opinion of the physician or psychologist, the licensee is psychologically suitable to be a security guard or private investigator.

390:35-7-5. License fees

- (a) Individual and Agency license fees shall be determined as set forth in 59 O.S., Section 1750.1 et seq and applicable rules.
- (b) One fingerprint fee is required of each applicant. For example, if a private investigator also applies for an armed security guard license, the applicant need not pay another fingerprint fee. Applicant is responsible for paying any fees required by the F.B.I.
- (c) No fingerprint fee is required for Special Event Licenses.
- (d) Overpayments of more than Ten Dollars (\$10.00) will be returned to the remitter.
- (e) Overpayments less than Ten Dollars (\$10.00) will be returned to the remitter upon receipt of a written request by the remitter.

390:35-7-6. Conditional license fees

- (a) All conditional license and fingerprint fees shall be non-refundable, and must accompany the license application.

- (b) Conditional licenses shall be issued for a period of 180 days. The fee for a conditional license is the same as the regular license.
- (c) The holder of a conditional license shall be issued a regular license when the following conditions have been satisfied:
 - (1) All required training and tests have been successfully completed; and
 - (2) The applicant's background investigation is satisfactorily completed.
- (d) Regular licenses so issued shall expire three (3) years from the effective date of the conditional license.

390:35-7-8. Individual private security applicant requirements

- (a) Applicants for a License issued pursuant to Title 59, Section 1750.1 through 1750.13 must:
 - (1) Be a citizen of the United States or an alien legally residing in the United States and have a minimum of six (6) months legal residence documented in this state;
 - (2) Be at least Eighteen (18) years of age for an unarmed license and at least twenty one (21) years of age for an armed license;
 - (3) Proof of successful completion of the training and psychological evaluation requirements for the license applied for, and related testing, as prescribed by CLEET;
 - (4) Have no final victim protection orders issued in any state in which applicant is the respondent / defendant;
 - (5) Have no record of a felony conviction or a deferred judgment or suspended sentence for a felony offense; that substantially relates to the occupation of a security guard or private investigator and poses a reasonable threat to public safety;
 - (A) If the applicant is the defendant in such a felony criminal prosecution that is pending, no license will be issued until final resolution of the criminal prosecution.
 - (B) If the applicant is the subject of an Order Deferring Imposition of Judgment and Sentence in such a felony case, no license will be issued until completion of the deferred sentence and dismissal of the criminal prosecution without a finding of guilt.
 - (C) If the Applicant was convicted of a felony that substantially relates to the occupation of a security guard or private investigator, and the sentence was completed more than five (5) years prior to the date of application, and the Applicant otherwise meets the licensing requirements, an Unarmed Security or Private Investigator License may be issued, but an Armed Security Guard or Armed Private Investigator license may not be issued to the Applicant if the felony involved the use of a firearm or was violent in nature. The Applicant must provide all documentation required by CLEET.
 - (6) Have no record of conviction for assault or assault and battery, aggravated assault and battery, larceny, theft, false pretense, fraud, embezzlement, false impersonation of an officer, any offense involving a minor as a victim, any nonconsensual sex offense, any offense involving the possession, use, distribution, or sale of a controlled dangerous substance, any offense involving a firearm, or any other offense as prescribed by the Council.
- (b) If an applicant was convicted of a disqualifying crime, and the sentence was completed more than five (5) years prior to the application date and the Council is convinced the offense constituted an isolated incident and the applicant has been rehabilitated, the Council may, in its discretion, waive the conviction disqualification as provided for in this paragraph and issue an unarmed Security or Private Investigator license, but shall not issue an armed Security or Private Investigator license if the offense was a felony and involved the use of a firearm; or was violent in nature. The passage of five (5) years from completion of the sentence does not

mean that the applicant is entitled to a license. The decision on whether the disqualifying conviction is waived is within the sole discretion of CLEET. The applicant must supply all documentation required by CLEET for consideration of a possible waiver.

(c) If it is discovered that a disqualifying conviction exists, other than one that was waived pursuant to this section, the Council shall immediately revoke or deny any license;

(d) Under oath, the applicant shall certify that the applicant has no disqualifying convictions as specified in the Private Security Licensing Act or by CLEET rule, or must disclose the disqualifying convictions and state that more than five (5) years have lapsed since the completion of the sentence for a disqualifying conviction.

(e) The applicant must submit a fingerprint search of provide CLEET and the Oklahoma State Bureau of Investigation with individual fingerprints for a state and national criminal history records pursuant to procedures in effect at the time the application is submitted search.

(f) The applicant must supply CLEET an two (2) current individual passport style - sized photographs photograph with the completed CLEET application.

(g) The applicant must provide certified copies of all court documents showing the disposition of any criminal charges. If no certified copies are available, the applicant must provide a "no records letter" from the appropriate court. Obtaining and providing certified copies is the responsibility of the applicant.

(h) The applicant must state, under oath, that the applicant is not currently undergoing treatment for a mental illness, condition, or disorder.

(i) The applicant must state, under oath, whether the applicant has ever been adjudicated incompetent or committed to a mental institution.

(j) The applicant must state, under oath, whether the applicant has any history of illegal drug use or alcohol abuse.

(k) Upon presentation by the Council of the name, gender, date of birth, and address of the applicant to the Department of Mental Health and Substance Abuse Services, the Department of Mental Health and Substance Abuse Services shall notify the Council within ten (10) days whether the computerized records of the Department indicate the applicant has ever been involuntarily committed to an Oklahoma state mental institution.

(l) The applicant must state, under oath, whether the applicant has ever been charged with any misdemeanor domestic violence offense.

(m) The applicant must provide proof of liability insurance or an individual bond in a minimum amount established by the Private Security Licensing Act.

(n) The applicant must complete all the training requirements, and pass the appropriate examinations related to training.

(o) The submission by the applicant of an online application or the signature of the applicant on the Application shall be considered an attestation that the Applicant has read these Rules, and agrees to obey these Rules.

(p) Private Security guard and or private investigator licenses are not transferrable.

(q) Any changes in licensee's information shall be provided to CLEET in writing within ten (10) days of the effective date of the change. Notice of changes of Licensee information will not be accepted over the phone.

(r) An applicant who previously voluntarily surrendered an Unarmed Security Guard, Armed Security Guard, Unarmed Private Investigator, Armed Private Investigator license, any combination license, or an Agency license shall complete all application requirements, including paying the applicable licensing fee, as if he or she is a new applicant. If said applicant was in good standing with CLEET and was not the subject of an investigation into, or a pending or completed proceeding involving, allegations of violation of the Act or CLEET rules at the time of such voluntary surrender, no particular time requirement shall be imposed before such applicant can make a new application. If such applicant voluntarily surrendered

his or her license(s) while a subject of an investigation into, or a pending or completed proceeding involving, allegations of violation of the Act or CLEET rules, such applicant will not be eligible to apply for another license under the Act until five (5) years have passed from the date of such voluntary surrender.

SUBCHAPTER 9. VIOLATIONS AND INVESTIGATIONS

- 390:35-9-1. Classifications of actions against licensees
- 390:35-9-2. Complaint procedure
- 390:35-9-3. Failure to obtain license
- 390:35-9-4. Notification of legal proceedings against licensee
- 390:35-9-5. Grounds for actions against licenses
- 390:35-9-6. Disciplinary penalties and/or fines
- 390:35-9-7. Reinstatement of License

390:35-9-2. Complaint procedure

Complaints of violations subject to investigation may be made in person, by telephone, through CLEET's online portal, or in writing to CLEET.

390:35-9-5. Grounds for actions against licenses

CLEET may take an action against a license issued under this Chapter, if the licensee:

- (1) Violates any provisions of the Act or rules and regulations promulgated hereunder;
- (2) Practices fraud, deceit or misrepresentation;
- (3) Commits an act which would disqualify the licensee;
- (4) Conviction of a crime related to the practice of the occupation; and
- (5) Willful or grossly negligent failure to comply with substantial provisions of federal law or state statute governing the practice of the occupation.
- (6) Involuntary commitment of a licensee in a mental institution or licensed private mental health facility for any mental illness, condition or disorder that is diagnosed by a licensed physician or psychologist as a substantial disorder of thought, mood, perception, psychological orientation, or memory that significantly impairs judgment, behavior, capacity to recognize reality, or ability to meet the ordinary demands of life. Provided, the license may be reinstated upon the Council receiving notification of a psychological evaluation conducted by a licensed physician or psychologist which attests and states by affidavit that the licensee and the evaluation test data of the licensee have been examined and that, in the professional opinion of the physician or psychologist, the licensee is psychologically suitable to return to duty as a security guard or private investigator.
- (7) Does any of the things described in 390:35-15-8.

SUBCHAPTER 13. USE OF FIREARMS

- 390:35-13-1. Authorized firearms
- 390:35-13-2. Reporting the discharge of firearms

390:35-13-1. Authorized firearms

- (a) 59 O.S., Section 1750.1 et seq. is not intended to be used as a means to obtain authority to carry a weapon except in the course and scope of gainful employment as an armed security guard.
- (b) All armed security guards not in uniform apparel must carry their firearm concealed from view.

(c) Under no condition shall an armed security guard licensee carry an inoperative, unsafe, or replica model firearm while on duty or any firearm in violation of a federal or state law, while in the course and scope of his employment.

(d) No armed security guard or private investigator shall carry a type of firearm with which he has not been formally trained to handle and operate. Formal training must be conducted by a CLEET-licensed private security school which is authorized to provide firearms training or by an accredited and recognized firearms instructor and training program approved by CLEET. Compliance with this requirement is incumbent upon the licensee and notification to CLEET shall be required by submitting a certificate of training or a copy thereof upon completion of said training. Said notification shall include:

- (1) Type of firearms
- (2) Entity and instructor providing training
- (3) Number of training hours
- (4) Qualification scores
- (5) Date(s) of training

(e) The only weapons authorized by CLEET for use by armed security guards or armed private investigators are revolvers, semi-automatic handguns, rifles, and shotguns. The prescribed revolver or semi-automatic handgun ammunition shall be "factory-loaded". Ammunition commonly referred to as "re-loads" is strictly prohibited for use as service ammunition.

(f) The pump (slide action) 12 gauge shotgun shall be the only authorized shotgun weapon. Pump shotguns which have a hammer safety are prohibited. The pump shotgun nomenclature shall be similar to the type indicated in Appendix B of this Chapter. A semi-automatic rifle chambered in a 5.56x45 mm or .223 caliber with a detachable box magazine shall be the only authorized rifle weapon.

(g) The authorized shotgun service ammunition shall be the standard 12-gauge shell which is 2 3/4 inches in length and ordinarily carries from 1 to 1 5/8 ounces of shot with pellets ranging from light bird shot to heavy buckshot. Authorized rifle ammunition shall be American, factory-made, and designed for law enforcement duty use.

(h) The prescribed shotgun and rifle ammunition shall be "factory loaded". Ammunition commonly referred to as "re-loads" is strictly prohibited for use as service ammunition.

(i) No licensee shall brandish, point, exhibit, or otherwise display a firearm at anytime, except as authorized by law, and the rules of this subchapter.

390:35-13-3. Annual firearm requalification [NEW RULE]

Every licensed security guard or private investigator who is authorized by CLEET to carry a firearm must requalify annually on any firearm the licensee is authorized to carry. Requalifications will be pursuant to standards set by CLEET and shall be reported as directed by CLEET.

SUBCHAPTER 15. TRAINING REQUIREMENTS

- 390:35-15-1. Private security school accreditation
- 390:35-15-2. Schools, school coordinators, and instructors
- 390:35-15-3. Revocation or suspension of private security school accreditation
- 390:35-15-4. Appeals of suspension or revocation of approved school status
- 390:35-15-5. Firearms training
- 390:35-15-6. Psychological evaluations
- 390:35-15-7. Attendance and administrative requirements
- 390:35-15-8. Additional violations
- 390:35-15-9. Additional testing and evaluation

APPENDIX A. DISQUALIFYING CONVICTIONS

APPENDIX B. PUMP SHOTGUN ILLUSTRATION

APPENDIX C. DISCIPLINARY PENALTY AND FINE SCHEDULE [REVOKED]

APPENDIX D. DISCIPLINARY PENALTY AND FINE SCHEDULE

390:35-15-1. Private security school accreditation

(a) All schools, school coordinators, and instructors approved by CLEET to conduct private security training shall do so in accordance with the Act and all applicable rules of set forth in this subchapter.

(b) The CLEET approved curricula for private security training was developed and validated by the Oklahoma State Department of ~~Vocational and Technical~~ **Career and Technology** Education, under the direction of the Oklahoma Department of Public Safety, the Council on Law Enforcement Education and Training, and representatives from the fields of industrial security and private investigation. No additions, deletions, or revisions shall be made to the approved curricula without first obtaining the express permission of CLEET.

(c) Training schools wishing to implement private security training must meet the minimum standards for school coordinators, instructors, training facilities, and curriculum, as set forth in this section, to ensure a consistent training program throughout the State of Oklahoma.

(d) The approved private security training program includes three (3) courses of instruction, each being related to the type of license being applied for. These courses are divided into four

(4) training phases:

(1) Phase 1 "Basic" - A course of instruction related to general private security tasks.

(2) Phase 2 "Security Guard" - A course of instruction specifically related to the tasks of unarmed security guards.

(3) Phase 3 "Private Investigator"- A course of instruction specifically related to the tasks of private investigators.

(4) Phase 4 "Firearms" - A course of instruction and familiarization in the care, handling, and firing of revolvers or semi-automatic handguns.

(e) Specific instructional objectives, lesson plans, and examinations for each training phase are published by the Department of ~~Vocational and Technical~~ **Career and Technology** Education, in manual form.

(f) Security guard license applicants must successfully complete Phase 1 - "Basic", and Phase 2 - "Security Guard". This shall be known as the Security Guard Training Course.

(g) Private Investigator license applicants must successfully complete Phase 1 - "Basic", and Phase 3 - "Private Investigator". This shall be known as the Private Investigator Training Course.

(h) Armed Security Guard License applicants must successfully complete Phase 1 - "Basic", Phase 2 - "Security Guard", and Phase 4 - "Firearms". This shall be known as the Armed Security Guard Training Course.

(i) Private Investigators who wish to be licensed as an armed security guard, must successfully complete all phases of private security training at an approved training school, unless training is waived through experience, or credit is granted for comparable training, pursuant to the Act. Private Investigators who do not perform the duties as a security guard, who wish to have the ~~Firearms~~ **Firearms** authorized endorsement@ must complete Phase I, III and IV.

(j) Every person licensed pursuant to the Act must meet the training requirements set forth therein, except in the following circumstances.

(1) All training requirements, except for firearms training, may be **waived** upon proof that the applicant was employed as a **licensed or certified** security guard, armed security guard, private investigator, or law enforcement officer on a full-time basis for at least one (1) year in the three (3) years immediately preceding the date of application. This experience

may be continuous or cumulative, and must be in accordance with (2) of this subsection.

An applicant who previously held a CLEET license as a security guard or private investigator and who has been inactive for more than five years must complete all applicable phases of training before being eligible for a new license.

~~(2) As defined in the Act, it is unlawful to be employed as a security guard, or private investigator after January 1, 1988 unless properly licensed. It is unlawful to be employed as an armed security guard after July 1, 1988 unless properly licensed. No person could lawfully gain the experience necessary to qualify for the "Experience Waiver" while working in a private security position under the purview of the Act. Therefore, credit for experience gained in a private security position shall only apply when this experience was accumulated prior to January 1, 1988. This "Experience Waiver" shall expire on January 1, 1990, except for applicants who accumulated such full-time experience while employed in a private security position that is specifically exempted from the license requirements of the Act, or in another state.~~

~~(3)~~ (2) CLEET may grant an applicant credit for fulfilling all or part of the training requirements, including firearms training, when an applicant submits documented proof of training that meets or exceeds the prescribed training standards as set forth in the Phase 4 - Firearms curriculum. Such training must have occurred within the last five (5) years to be eligible for credit. For firearms training to be eligible for credit the applicant must also provide proof of a successful firearms qualification obtained within sixty (60) days prior to submitting the application.

~~(4)~~ (3) Completion of CLEET mandated Basic Peace Officer training or reserve officer training, pursuant to applicable statute and rules Title 70, Section 3311 (F), may be considered as comparable training.

(k) Private security training conducted by any school without the prior approval of CLEET shall be considered null and void, and not in compliance with the provisions of this Act, and these rules and regulations.

(l) For credit to be given for any training conducted prior to the adoption of these rules and regulations, the training school must make application to CLEET, in compliance with these rules, for the approval of such training to be considered.

(1) If the curriculum of such training courses do not meet the minimum training standards, no credit shall be given.

(2) If any school conducted training under assurances that said training was approved by any agency of the State of Oklahoma, or that such training would satisfy the training requirements of this Act, when in fact there was no such approval, or minimum requirements had not been met, CLEET may:

(A) Deny a subsequent application from that school, or take action against an approved private security training school, or

(B) Present the circumstances to the proper authorities for possible criminal charges or other sanctions authorized by law, or by the rules of this Chapter.

390:35-15-2. Schools, school coordinators, and instructors

(a) Unless otherwise provided in 390:35-15-2, CLEET shall recognize only those training courses that are conducted at approved schools. Approval to conduct private security training may be requested by making written application to the Director.

(b) Approval to conduct private security training courses shall be subject to the following requirements.

(1) Approved private schools must be licensed by the Oklahoma Board of Private Vocational Schools.

(2) Private security training courses must be conducted under the coordinating supervision of a person with professionally recognized training or experience in developing and managing training programs. School coordinators shall submit a resume of related education, training, instructional experience, and work experience. Coordinators may also be approved as instructors.

(3) Private Security student/instructor class ratios shall not exceed forty (40) to one (1); However, firearms instructor-to-shooter ratios shall be not less than one (1) to five (5).

(4) Training units (classes) must be taught by approved instructors.

(A) Instructor qualifications shall be based upon training, education, teaching experience, and work experience, but shall minimally include:

(i) One of the following:

(I) A minimum of two (2) years supervisory experience with a legally recognized security or investigative agency within the previous five (5) years; or

(II) A minimum of two (2) years experience as a full-time certified law enforcement officer within the previous five (5) years; or

(III) A minimum of one (1) year of experience as an instructor at an accredited educational institution in the subject matter for which approval is requested, or in a related field within the last five (5) years.

(ii) Completion of a curriculum orientation workshop conducted by the State Department of ~~Vocational and Technical~~ **Career and Technology** Education.

(B) Firearms instructors must be currently certified as a law enforcement or private security firearms instructor, by CLEET, the Federal Bureau of Investigation, the National Rifle Association, or other professionally recognized organizations.

(C) Instructors for Phase 3 - "Private Investigator" courses shall submit additional evidence as to their training or experience relating to the Phase 3 curriculum.

~~(D) Instructors for Fire Safety must be certified by the accrediting authorities in those fields.~~

(c) Approved schools will be subject to review and inspection by CLEET staff. Training facilities shall meet local and state fire and safety standards. Facilities shall provide a comfortable environment for students and instructors, with minimal learning distractions. Facility and equipment standards shall be consistent with the standards set forth below:

(1) Classrooms of at least ten (10) square feet per student enrolled;

(2) Classrooms adequately heated and cooled;

(3) Classrooms adequately lighted;

(4) Telephones are accessible;

(5) Restrooms are accessible;

(6) Audio/visual equipment is available (projection equipment, chalkboards, etc.;

(7) Firearms training facilities shall minimally provide:

(A) Protective backstop;

(B) 5 firing points;

(C) 3, 5, 7, 15, and 25 yard firing lines;

(D) Public address system;

(E) Restroom facilities;

(F) Accessible telephone;

(G) First Aid supplies;

(H) Protective equipment for eyes and ears.

(8) Indoor firearms training facilities minimally provide:

(A) Protective backstop;

(B) 3 firing points;

(C) 3, 5, 7, 15, 25 yard firing lines. In those instances where the range does not permit firing at 25 yards, the NRA B-34 or Colt T6 target shall be used for shooting the 25 yard state at 50 feet;

(D) Meet the minimum requirements as set forth in the OSHA Code of Federal Regulations, lead standards;

(i) CRF 29 1910.1025 (C) Permissible Exposure Limit

(ii) CRF 29 1910.1025 (D) Exposure Monitoring

(iii) CRF 29 1910.1025 (D)(9) Accuracy of Measurement

(iv) CRF 29 1910.1025 (D)(5)(11) Mechanical Ventilation for Compliance

(E) An annual exposure monitoring report. The monitoring can be conducted by either private firms or by the OSHA Consultation Division of the Department of Labor;

(F) Public address system;

(G) Restroom facilities;

(H) Accessible telephone;

(I) First Aid supplies;

(J) Protective equipment for eyes and ears.

(d) Schools approved to conduct the private security and investigative training courses required for licensing purposes must:

(1) offer these courses as separate courses, independent of any other training course or hours;

(2) separately charge a fee for these courses, if a fee is charged;

(3) advise students that participation in other training programs is not required for licensing; and

(4) refrain from using any statements as training being "CLEET Certified".

390:35-15-5. Firearms training

(a) Applicants for armed security guard licenses must show proof of successful completion of firearms training at:

(1) CLEET approved private security training school; or

(2) Firearms training that is held to be comparable to the CLEET approved firearms curriculum.

(b) Standards for completion of firearms training are set forth in the firearms curriculum available from ~~developed by~~ the Oklahoma State Department of Career and Technology Vocational and Technical Education, which is based on the CLEET Basic Peace Officer Firearms curriculum.

(c) Firearms used for approved firearms training shall be consistent with those described in 390:35-13-1. Handguns shall be limited to revolvers in a minimum of .38 and .357 or larger caliber or semi-automatic handguns in a minimum of 9mm or larger caliber. Rifles shall be limited to semi-automatics chambered in 5.56x45 mm or .223 caliber with detachable box magazines.

(d) Approved schools which intend to conduct Phase 4 "Firearms" training must show proof that a firearm training facility is:

(1) Owned and managed by the school itself; or

(2) Being used through a written agreement with the owner of the facility.

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 45. RETIRED PEACE OFFICER FIREARMS PERMIT**

- 390:45-1-1. Purpose
- 390:45-1-2. Statutory Authority
- 390:45-1-3. Definitions
- 390:45-1-4. Compliance with Laws and Rules
- 390:45-1-5. Eligibility Requirements
- 390:45-1-6. Application Procedure
- 390:45-1-7. Permits
- 390:45-1-7.1. Renewal
- 390:45-1-8. Violations and Investigations
- 390:45-1-9. Denial, Suspension and Revocation
- 390:45-1-10. Administrative Hearings for Violations
- 390:45-1-11. Preclusions
- Appendix A. Preclusions [SUPERSEDED by 390:45-1-11]

[**Authority:** 21 O.S., §§ 1289.8 and 1290.1 et seq.; 70 O.S., § 3311 et seq.; 74 O.S., § 150.9]
[**Source:** Codified 6-12-97]

390:45-1-7.1. Renewal

- (a) The card shall be valid for a period of ten, (10) years from date of issue.
- (b) Upon expiration, or not more than 90 days prior to the listed expiration, the applicant may submit a renewal application to CLEET.
- (c) In addition to the renewal application, applicant shall be subject to a background check pursuant to statute and in accordance with procedures and fees in place at the time the application is made and as provided in section 150.9 of Title 74 of the Oklahoma Statutes, the applicant shall submit two fingerprint cards and a nonrefundable fee for a national criminal history record check by fingerprint analysis. Fees will only be accepted in a format described in 390:1-1-13.
 - (1) Upon completion of a criminal history check that is clear from preclusions listed in 1290.10 or 1290.11 of the Oklahoma Self-Defense Act, a new card shall be issued which shall be valid for a period of 10 years from date of issue.
 - (2) If a preclusion from 1290.10 and 1290.11 is found no card shall be issued and the applicant be notified, in writing, and given explanation of the denial. Additionally, CLEET shall hold a hearing before taking any action to suspend or revoke the authority to carry a firearm pursuant to this rule.

APPENDIX A. PRECLUSIONS [SUPERSEDED BY 390:45-1-11]

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 60. REGULATING BAIL ENFORCERS**

SUBCHAPTER 1. GENERAL PROVISIONS
SUBCHAPTER 3. [RESERVED]
SUBCHAPTER 5. APPLICATION REQUIREMENTS
SUBCHAPTER 7. DISCIPLINARY ACTIONS
SUBCHAPTER 9. LICENSE REQUIREMENTS
SUBCHAPTER 11. RESTRICTIONS
SUBCHAPTER 13. PRIVATE BAIL ENFORCER SCHOOLS
APPENDIX A. DISQUALIFYING CONVICTIONS
APPENDIX B. SCHEDULE OF FINES
APPENDIX C. BADGE EXAMPLES

[**Authority:** 59 O.S., §§ 1301, 1303, 1327, 1328, 1329, 1332, 1332.1.1, 1350.1 through 1350.20, and 1750.1 through 1750.14; 70 O.S., §§ 3311 et seq.]

[**Source:** Codified 9-11-15]

SUBCHAPTER 9. LICENSE REQUIREMENTS

390:60-9-9. Annual firearm requalification [NEW RULE]

Every licensed bail enforcer who is authorized by CLEET to carry a firearm must requalify annually on any firearm the licensee is authorized to carry. Requalification will be pursuant to standards set by CLEET and shall be reported as directed by CLEET.

SUBCHAPTER 13. PRIVATE BAIL ENFORCER SCHOOLS

- 390:60-13-1. Private school accreditation
- 390:60-13-2. Schools, school coordinators, and instructors
- 390:60-13-3. Attendance and administrative requirements
- 390:60-13-4. Revocation or suspension of private security school accreditation
- 390:60-13-5. Appeals of suspension or revocation of approved school status

390:60-13-1. Private school accreditation

- (a) All schools, school coordinators, and instructors approved by CLEET to conduct Bail Enforcer training shall do so in accordance with the Act and all applicable CLET Rules.
- (b) The CLEET approved curricula for Bail Enforcer training was developed and validated by the Oklahoma State Department of Career and Technology Vocational and Technical Education, under the direction of the Oklahoma Department of Public Safety, the Council on Law Enforcement Education and Training, and representatives from the fields of industrial security and private investigation and bail enforcement. No additions, deletions, or revisions shall be made to the approved curricula without first obtaining the express permission of CLEET.
- (c) Training schools wishing to implement Bail Enforcer training must meet the minimum standards for school coordinators, instructors, training facilities, and curriculum, as set forth in these Rules, to ensure a consistent training program throughout the State of Oklahoma.

- (d) Fees for training schools shall be as set in the Oklahoma Bail Enforcement and Licensing Act.
- (e) The approved Bail Enforcer training program includes three (3) courses of instruction, each related to the type of license sought. These courses are divided into five (5) training phases:
 - (1) Phase 1 - A course of instruction related to general private security or bail enforcer tasks.
 - (2) Phase 2 - A course of instruction specifically related to the tasks of unarmed security guards and unarmed bail enforcers.
 - (3) Phase 3 - A course of instruction specifically related to the tasks of private investigators and bail enforcers.
 - (4) Phase 4 "Firearms" - A course of instruction and familiarization in the care, handling, and firing of revolvers or semi-automatic handguns.
 - (5) Phase 5 – A course of instruction specifically related to the tasks of Bail Enforcers.
- (f) Specific instructional objectives, lesson plans, and examinations for each training phase are published by the Department of Career and Technology ~~Vocational and Technical~~ Education, in manual form.
- (g) Bail Enforcer license applicants must successfully complete Phase 1 - and Phase 2 - "Security Guard", and Phase 3 – "Private Investigator", and Phase 5 – "Bail Enforcer". This shall be known as the Bail Enforcer Training Course.
- (h) Armed Bail Enforcer License applicants must successfully complete Phase 1, Phase 2, Phase 3, Phase 4, and Phase 5. This shall be known as the Armed Bail Enforcer Training Course.
- (i) Each Bail Enforcer must be trained on the use of force continuum and the Rules for use of force.

390:60-13-2. Schools, school coordinators, and instructors

- (a) Unless otherwise provided in CLEET Rules, CLEET shall recognize only those training courses that are conducted at approved schools. Approval to conduct Bail Enforcer training may be requested by making written application to the Director.
- (b) Approval to conduct Bail Enforcer training courses shall be subject to the following requirements:
 - (1) Approved private schools must be licensed by the Oklahoma Board of Private Vocational Schools.
 - (2) Private security training courses must be conducted under the coordinating supervision of a person with professionally recognized training or experience in developing and managing training programs. School coordinators shall submit a resume of related education, training, instructional experience, and work experience. School Coordinators may also be approved as instructors.
 - (3) Bail Enforcer student/instructor class ratios shall not exceed forty (40) to one (1); However, firearms instructor-to-shooter ratios shall be not less than one (1) to five (5).
 - (4) Training units (classes) must be taught by approved instructors.
- (c) Instructor qualifications shall be based upon training, education, teaching experience, and work experience, but shall minimally include:
 - (1) One of the following:
 - (A) A minimum of two (2) years supervisory experience with a legally recognized security or investigative or Bail Enforcement Agency; or
 - (B) A minimum of two (2) years continuous experience as a full-time certified law enforcement officer; or

(C) A minimum of one (1) year of experience as an instructor at an accredited educational institution in the subject matter for which approval is requested, or in a related field.

(2) Completion of a curriculum orientation workshop conducted by the State Department of **Career and Technology Vocational and Technical** Education.

(d) Firearms instructors must be currently certified as a law enforcement or private security firearms instructor, by CLEET, the Federal Bureau of Investigation, the National Rifle Association, or other professionally recognized organizations.

(e) Instructors for Phase 3 - "Private Investigator" courses shall submit additional evidence as to their training or experience relating to the Phase 3 curriculum.

(f) Instructors for Fire Safety must be certified by the accrediting authorities in those fields.

(g) Use of force instructors must be currently certified as a defensive tactics instructor by CLEET, or other professionally recognized organizations.

(h) Approved schools will be subject to review and inspection by CLEET staff. Training facilities shall meet local and state fire and safety standards. Facilities shall provide a comfortable environment for students and instructors, with minimal learning distractions. Facility and equipment standards shall be consistent with the standards set forth below:

(1) Classrooms of at least ten (10) square feet per student enrolled;

(2) Classrooms adequately lighted, heated, and cooled;

(3) Telephones are accessible;

(4) Restrooms are accessible;

(5) Audio/visual equipment is available (projection equipment, chalkboards, etc.);

(6) Firearms training facilities shall minimally provide:

(A) Protective backstop;

(B) 5 firing points;

(C) 3, 5, 7, 15, and 25 yard firing lines;

(D) Public address system;

(E) Restroom facilities;

(F) Accessible telephone;

(G) First Aid supplies;

(H) Protective equipment for eyes and ears.

(7) Indoor firearms training facilities shall minimally provide:

(A) Protective backstop;

(B) A minimum of 3 firing points;

(C) 3, 5, 7, 15, 25 yard firing lines. An indoor firing range may include reduction targets for weapons fired at fifty (50) feet to simulate weapons fired at seventy-five (75) feet);

(D) Public address system;

(E) Restroom facilities;

(F) Accessible telephone;

(G) First Aid supplies;

(H) Protective equipment for eyes and ears.

(8) Firearms training facilities must meet the minimum requirements as set forth in the OSHA Code of Federal Regulations, lead standards;

(A) 29 CFR 1910.1025 (C) Permissible Exposure Limit

(B) 29 CFR 1910.1025 (D) Exposure Monitoring

(C) 29 CFR 1910.1025 (D)(9) Accuracy of Measurement

(D) CRF 29 1910.1025 (D)(5)(11) Mechanical Ventilation for Compliance.

- (9) Firearms training facilities must supply an annual exposure monitoring report. The monitoring can be conducted by either private firms or by the OSHA Consultation Division of the Department of Labor;
- (10) Firearms used for approved firearms training shall be consistent with those described in CLEET Rules. Handguns shall be limited to revolvers in a minimum of .38 and .357 or larger caliber or semi-automatic handguns in a minimum of 9mm or larger caliber.
- (11) Approved schools which intend to conduct Phase 4 "Firearms" training must show proof that a firearm training facility is:
- (A) Owned and managed by the school itself; or
 - (B) Being used pursuant to a written agreement with the owner of the facility.
- (i) Schools approved to conduct the private security and investigative and Bail Enforcer training courses required for licensing purposes must:
- (1) offer these courses as separate courses, independent of any other training course or hours;
 - (2) separately charge a fee for these courses, if a fee is charged;
 - (3) advise students that participation in other training programs is not required for licensing; and
 - (4) refrain from using any statements of training being "CLEET Certified".
- (j) Completion of CLEET mandated Basic Peace Officer training or reserve officer training, pursuant to Title 70, Section 3311, may be considered as comparable training for firearms training purposes.
- (k) Bail Enforcer training conducted by any school without the prior approval of CLEET shall be considered null and void, and not in compliance with the provisions of this Act, and these Rules and regulations.