

**COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
SPECIAL MEETING
Oklahoma County Training Center, 8601 Main Street, Spencer, OK 73084
March 12, 2013
MINUTES**

MEMBERS PRESENT:

Director Norman McNickle, Dept. of Public Safety,
City of Stillwater
Sheriff John Whetsel, Oklahoma County SO
Major Todd Blish, Oklahoma Highway Patrol
Chief Bill Citty, Oklahoma City Police Dept.
Chief Byron Cox, Weatherford Police Dept.
Director Stan Florence, O.S.B.I.
Director Jason O'Neal, BIA
Chief Bob Ricks, Edmond Police Dept.
Chief Michael Robinson, O.S.U. DPS
Sgt. Jason Smith, F.O.P.

STAFF PRESENT:

Steve Emmons, Executive Director
Charles Gerhart, Assistant Director
James Wilson, General Counsel
John Parker, Comptroller
Briana Tully, Special Projects Coordinator
Laurie Schweinle, Recording Secretary

GUESTS:

Lt. Jim Anderson, Oklahoma County SO

MEMBERS ABSENT:

Mr. Ed Smith, East Central University
Director Darrell Weaver, Oklahoma Bureau of
Narcotics

1. Call Meeting to Order

Chairman Norman McNickle called the meeting to order at 1:03 p.m. Roll was taken; ten members were present representing a quorum.

2. Adoption of Permanent Rules for the following Chapters of OAC 390. Council on Law Enforcement Education and Training:

- Chapter 1. Agency Authority and Objectives
- Chapter 2. Administrative Procedures
- Chapter 10. Peace Officer Certification
- Chapter 15. Basic Peace Officer Certification Training
- Chapter 20. Reserve Peace Officer Certification and Training
- Chapter 25. Continuing Law Enforcement Education
- Chapter 27. Firearms Requalification Standards
- Chapter 35. Regulation of Private Security Industry
- Chapter 40. Oklahoma Self-Defense Act

- Chapter 45. Retired Peace Officer Firearms Permit
- Chapter 50. Penalty Assessment Fees
- Chapter 55. Facilities Management

Chapter 1

Sheriff Whetsel asked if there were any drastic changes to the rules. Director Emmons responded that there were no new changes since the last Council meeting, as well as no public comments or suggestions. He explained that many of the rule changes were just to clean up language.

Sheriff Whetsel then made a motion to adopt all the proposed rule changes, seconded by Chief Ricks. Chairman McNickle asked James Wilson, CLEET General Counsel, if it was possible to take a single vote for all changes. Mr. Wilson replied that each chapter should be voted on individually. Sheriff Whetsel and Chief Ricks withdrew their motions.

Action Taken: Sheriff Whetsel made a motion to adopt the proposed rule changes to Chapter 1. The motion was seconded by Chief Cox. Chairman McNickle voted yes; Sheriff Whetsel voted yes; Major Blish voted yes; Chief City voted yes; Chief Cox voted yes; Director Florence voted yes; Director O'Neal voted yes; Chief Ricks voted yes; Chief Robinson voted yes; and Sgt. Smith voted yes. The motion carried 10-0.

Chapter 2

Chief Cox left the meeting at 1:09 p.m.

Chief City asked Director Emmons why the language regarding military training generally not being accepted by CLEET as federal law enforcement employment had been added to so many rules. Director Emmons responded that it was added to address the high number of calls CLEET receives related to this matter and is intended to provide clarity to the callers.

Action Taken: Sheriff Whetsel made a motion to adopt the proposed rule changes to Chapter 2. The motion was seconded by Chief Robinson. Chairman McNickle voted yes; Sheriff Whetsel voted yes; Major Blish voted yes; Chief City voted yes; Director Florence voted yes; Director O'Neal voted yes; Chief Ricks voted yes; Chief Robinson voted yes; and Sgt. Smith voted yes. The motion carried 9-0.

Chapter 10

There was no discussion.

Action Taken: Sheriff Whetsel made a motion to adopt the proposed rule changes to Chapter 10. The motion was seconded by Chief Ricks. Chairman McNickle voted yes; Sheriff Whetsel voted yes; Major Blish voted yes; Chief City voted yes; Director Florence voted yes; Director O'Neal voted yes; Chief Ricks voted yes; Chief Robinson voted yes; and Sgt. Smith voted yes. The motion carried 9-0.

Chapter 15

There was no discussion.

Action Taken: Sheriff Whetsel made a motion to adopt the proposed rule changes to Chapter 15. The motion was seconded by Chief Ricks. Chairman McNickle voted yes; Sheriff Whetsel voted yes; Major Blish voted yes; Chief Citty voted yes; Director Florence voted yes; Director O'Neal voted yes; Chief Ricks voted yes; Chief Robinson voted yes; and Sgt. Smith voted yes. The motion carried 9-0.

Chapter 20

There was no discussion.

Action Taken: Sheriff Whetsel made a motion to adopt the proposed rule changes to Chapter 20. The motion was seconded by Chief Ricks. Chairman McNickle voted yes; Sheriff Whetsel voted yes; Major Blish voted yes; Chief Citty voted yes; Director Florence voted yes; Director O'Neal voted yes; Chief Ricks voted yes; Chief Robinson voted yes; and Sgt. Smith voted yes. The motion carried 9-0.

Chapter 25

There was no discussion.

Action Taken: Sheriff Whetsel made a motion to adopt the proposed rule changes to Chapter 25. The motion was seconded by Chief Ricks. Chairman McNickle voted yes; Sheriff Whetsel voted yes; Major Blish voted yes; Chief Citty voted yes; Director Florence voted yes; Director O'Neal voted yes; Chief Ricks voted yes; Chief Robinson voted yes; and Sgt. Smith voted yes. The motion carried 9-0.

Chapter 27

There was no discussion.

Action Taken: Sheriff Whetsel made a motion to adopt the proposed rule changes to Chapter 27. The motion was seconded by Chief Ricks. Chairman McNickle voted yes; Sheriff Whetsel voted yes; Major Blish voted yes; Chief Citty voted yes; Director Florence voted yes; Director O'Neal voted yes; Chief Ricks voted yes; Chief Robinson voted yes; and Sgt. Smith voted yes. The motion carried 9-0.

Chapter 35

Chairman McNickle asked if the rule changes in Chapter 35 regarding involuntary commitment applied to unarmed or armed guards. Mr. Wilson responded that it applies to both and is intended to mirror the peace officer statute for involuntary commitments. Council members then had a general discussion about whether those who had been involuntarily committed are federally permitted to carry a firearm anyway. Mr. Wilson advised that CLEET could not tell agencies who to hire but could tell them to be aware of the federal law.

Chief Cox returned to the meeting at 1:14 p.m.

Action Taken: Sheriff Whetsel made a motion to adopt the proposed rule changes to Chapter 35. The motion was seconded by Chief Ricks. Chairman McNickle voted yes; Sheriff Whetsel voted yes; Major Blish voted yes; Chief Citty voted yes; Chief Cox abstained; Director Florence voted yes; Director O'Neal voted yes; Chief Ricks voted yes; Chief Robinson voted yes; and Sgt. Smith voted yes. The motion carried 9-0.

Chapter 40

There was no discussion.

Action Taken: Sheriff Whetsel made a motion to adopt the proposed rule changes to Chapter 40. The motion was seconded by Chief Ricks. Chairman McNickle voted yes; Sheriff Whetsel voted yes; Major Blish voted yes; Chief Citty voted yes; Chief Cox voted yes; Director Florence voted yes; Director O'Neal voted yes; Chief Ricks voted yes; Chief Robinson voted yes; and Sgt. Smith voted yes. The motion carried 10-0.

Chapter 45

There was no discussion.

Action Taken: Sheriff Whetsel made a motion to adopt the proposed rule changes to Chapter 45. The motion was seconded by Chief Ricks. Chairman McNickle voted yes; Sheriff Whetsel voted yes; Major Blish voted yes; Chief Citty voted yes; Chief Cox voted yes; Director Florence voted yes; Director O'Neal voted yes; Chief Ricks voted yes; Chief Robinson voted yes; and Sgt. Smith voted yes. The motion carried 10-0.

Chapter 50

There was no discussion.

Action Taken: Sheriff Whetsel made a motion to adopt the proposed rule changes to Chapter 50. The motion was seconded by Chief Ricks. Chairman McNickle voted yes; Sheriff Whetsel voted yes; Major Blish voted yes; Chief Citty voted yes; Chief Cox voted yes; Director Florence voted yes; Director O'Neal voted yes; Chief Ricks voted yes; Chief Robinson voted yes; and Sgt. Smith voted yes. The motion carried 10-0.

Chapter 55

There was no discussion.

Action Taken: Sheriff Whetsel made a motion to adopt the proposed rule changes to Chapter 55. The motion was seconded by Chief Ricks. Chairman McNickle voted yes; Sheriff Whetsel voted yes; Major Blish voted yes; Chief Citty voted yes; Chief Cox voted yes; Director Florence voted yes; Director O'Neal voted yes; Chief Ricks voted yes; Chief Robinson voted yes; and Sgt. Smith voted yes. The motion carried 10-0.

3. Senate Bill 82

Director Emmons gave a brief overview of Senate Bill 82, which would allow peace officers seeking basic certification to attend an Academy City if they live within 25 miles, and advised members that it had passed out of committee but that the title had been taken off the bill. He also advised members that he had been in touch with Senator Newberry about ways for CLEET to provide this training without it becoming statutory. He asked Council members for their feedback on exploring off campus academies and also made them aware that it would cost CLEET approximately \$163,000 to run one off site academy.

Council members then had a discussion regarding the potential impact of this bill passing and also who would pay for these officers to attend an academy as there was no mention of funding in the bill.

Director Emmons discussed several options for compromise with Council members including CLEET having an offsite academy instead of one in Ada to offset the cost. He advised this would probably be a one time event and that it would have to be a commuter academy as there would be no way to provide housing and meals. He advised members that this could not become an annual event as it would interfere with the six month rule for certification.

Council members then discussed how more revenue would be necessary for this and that the Academy Cities would have to charge departments to send their officers whereas they can go to an academy in Ada free of charge. They also discussed liability issues if an outside student was to get injured during training. Several members expressed their opposition to this bill.

Director Florence asked Director Emmons to take the consensus of the Council to Senator Newberry.

4. House Bill 1470

Director Emmons advised members that this bill would eliminate the Advisory Council and combine the Drug and Bomb Dog Advisory Councils. Chief Cox asked what the cost was to have these meetings. Director Emmons that there is no cost to CLEET other than the refreshments provided. Council members then discussed the importance of regional representation brought to CLEET by the Advisory Council and alternatives to it if the bill is passed. Many options were discussed including having more regional meetings across the state.

5. Private Security Update

Director Emmons informed Council members that the bill proposed by CLEET regarding funding the Private Security Division had not been heard. Chairman McNickle advised members that he had tried to contact Senator Shortey regarding the bounty hunter bill and to advise him to add a full time employee to CLEET in the event that it passes but that he had not received a call back. Director Emmons advised members that CLEET had never been asked for a fiscal impact statement regarding the bounty hunter bill.

6. Shared Services Discussion

Director Emmons told members that CLEET had been found to be in the bottom 10% of state agencies in efficiency and that CLEET would now be under the direction of OMES in regards to payroll, purchasing, and other human resources functions. He also reported that CLEET had requested a waiver for shared services participation but that had been denied. Chief Ricks asked what criteria were used to decide efficiency. John Parker, CLEET Comptroller, replied that the criteria are not identified.

7. Bond Refund Update

Assistant Director Gerhart advised members that CLEET will be closing next week on the bond refund and would save approximately \$32,000 per month on the bond repayment. Council members expressed concern that this saving could decrease the budget for CLEET.

Director Emmons informed members that the \$233,000 from the driving track settlement had been received.

Council members then discussed another bill regarding the transport of mental health patients by law enforcement.

8. Adjournment

Action Taken: Chief Bob Ricks made a motion to adjourn the meeting. The motion was seconded by Chief Bill Citty. Chairman McNickle voted yes; Sheriff Whetsel voted yes; Major Blish voted yes; Chief Citty voted yes; Chief Cox voted yes; Director Florence voted yes; Director O'Neal voted yes; Chief Ricks voted yes; Chief Robinson voted yes; and Sgt. Smith voted yes. The motion carried 10-0.

Chairman McNickle adjourned the meeting at 2:18 p.m.