

COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
REGULAR MEETING
KO Rayburn Training Center, 2401 Egypt Road, Ada, OK 74820
January 20, 2016
MINUTES

MEMBERS PRESENT:

Sheriff John Whetsel, Oklahoma County
Chief Michael Robinson, OSU DPS
Sheriff John Christian, Pontotoc County
Chief Bill Citty, Oklahoma City Police Dept.
Director Stan Florence, OSBI
Major Pat Mays, Oklahoma Highway Patrol
Director Norman McNickle, DPS City of Stillwater
Chief Ike Shirley, Bixby Police Dept.

STAFF PRESENT:

Steve Emmons, Executive Director
Charles Gerhart, Assistant Director
John Parker, Director of Administration
Shannon Butler, Training Manager
James Wilson, General Counsel
Kelly James, Field Representative
Linda Mosley, Records Supervisor
Lisa Nessel, Records Clerk
Janey Rowden, Receptionist
Josh Sutton, Facilities Manager
Laurie Schweinle, Recording Secretary

MEMBERS ABSENT:

Dr. James Burke, East Central University
Chief Bob Ricks, Edmond Police Dept.
Chief Jason Smith, Anadarko Police Dept.
Chief Randy Wesley, Chickasaw Nation Lighthouse
Police Dept.

GUESTS:

Kevin McCullough, OMAG
Eric Grubbs, University of Oklahoma PD
Mike Norman, Oklahoma Highway Patrol
Jon Woods, OMAG
Austin Boring, Virtual Drive
Kevin Knapp, Virtual Drive
Mike Boring, District Attorney

1. Call Meeting to Order

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

2. Open Meeting Act Compliance

Sheriff Whetsel confirmed that the meeting was being held in compliance with the Oklahoma Open Meeting Act.

3. Roll Call

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

4. Approval of Minutes

There was no discussion.

Action Taken: Director McNickle made a motion to approve the October 14, 2015 minutes as

written. Chief Robinson seconded the motion. Sheriff Whetsel voted yes. Chief Robinson voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Major Mays voted yes. Director McNickle voted yes. Chief Shirley abstained. The motion carried 7-0.

5. Council Composition

There was no discussion.

6. Committee and Board Reports

There was no discussion.

7. Advisory Council Composition

Kelly James, CLEET Field Rep, advised members that Assistant Chief JR Kidney was very helpful to CLEET as an adjunct and frequently volunteered his time.

Action Taken: Chief Robinson made a motion to appoint Assistant Chief JR Kidney, Tecumseh PD, to the Region 5 seat on the Advisory Council. Chief Citty seconded the motion. Sheriff Whetsel voted yes. Chief Robinson voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Major Mays voted yes. Director McNickle voted yes. Chief Shirley voted yes. The motion carried 8-0.

8. Drug Dog Handler Course

Director Emmons advised members of Attachment A, Governor's Executive Order 2015-33, and added that CLEET General Counsel, James Wilson, had concerns that the proposed handler course would conflict with this order. Assistant Director Gerhart advised that James Wilson had recommended a statute change if the Drug Dog Advisory Council wanted to move forward with this.

Action Taken: Chief Citty made a motion to table this item and for CLEET to pursue the requested changes in statute. Chief Robinson seconded the motion. Sheriff Whetsel voted yes. Chief Robinson voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Major Mays voted yes. Director McNickle voted yes. Chief Shirley voted yes. The motion carried 8-0.

9. Bomb Dog Standards and Guidelines

Trooper Mike Norman addressed the Council regarding this item. He advised that there are currently no guidelines and that the proposed changes would bring the state in line with SWAGDOG standards. He explained the cost of maintaining explosives is the reason for adopting these national standards as it allows them to use their own supply of explosives to test the canine teams.

Action Taken: Director McNickle made a motion to approve the proposed Bomb Dog Standards and Guidelines as presented. Major Mays seconded the motion. Sheriff Whetsel voted yes. Chief Robinson voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Major Mays voted yes. Director McNickle voted yes. Chief Shirley voted yes. The motion carried 8-0.

10. CLEET Financial Report

Director Emmons advised members that the 3% cut due to the revenue failure had not impacted CLEET as the agency does not receive any General Revenue funds. Sheriff Whetsel asked if the changes made last year had stabilized the agency financially after the cuts. John Parker, CLEET Director of Administration, replied that they had offset the cuts.

11. Budget Discussion

Director Emmons presented members with Attachment B, a summary of CLEET's expenditures for FY '15. He advised that CLEET's main concern is preparing agencies ahead of time if they will be effected by CLEET's cuts. Sheriff Whetsel asked for a description of reduction options. Director Emmons briefly described some including reducing academy hours, using more off-site academies, eliminating meals entirely, eliminating CLEET's security contract, and reducing continuing education.

Sheriff Whetsel requested that CLEET staff notify agencies and law enforcement organizations about the potential for large cuts to CLEET's budget in the future that could impact agencies.

Members then discussed how to get agency input regarding this matter and the various issues associated with where the cuts are made.

Members then directed staff to add this item to the March special meeting agenda and to also plan to have a meeting at which all agencies will be invited to express their concerns and offer feedback.

12. OJA/DEQ Leasing Office Space at CLEET

Director Emmons advised members that the Ada offices of the Department of Environmental Equality and Office of Juvenile Affairs had both approached CLEET about leasing office space as they are losing theirs. Members briefly discussed what would be required of CLEET if this were to happen. Director Florence advised that he was not supportive of their request to lease CLEET's office space.

No action was taken.

13. Oklahoma County Request for BID

Director Emmons advised that CLEET plans to have BID classes at the training initiatives this year. Assistant Director Gerhart advised that CLEET held 16 or 17 BIDs in 2015 with 7 of those being in the metro area. He added that BIDs were planned for 2016 but were not on the schedule yet. He then requested that if the Council approves this request for an off-site BID that they give CLEET staff until the next regular meeting to form a proposal.

Captain Jim Anderson, Oklahoma County Sheriff's Office, told members that this class would be for their detention officers and would be small in size so that they could then have an off-site Defensive Tactics Instructor school. Major Mays asked if it would be for Oklahoma County officers only. Captain Anderson replied that would be up to the Council.

Director Emmons advised that CLEET's concern is that there are approximately 4700 officers with a BID in the state currently and most do not teach classes. He added that staff would like to find a way for those to keep their credentials current with a BID coordinator class or something similar.

Action Taken: Director Florence made a motion to direct CLEET staff to develop standards for off-

site BID classes and present those at the next meeting. Sheriff Christian seconded the motion. Sheriff Whetsel voted yes. Chief Robinson voted yes. Sheriff Christian voted yes. Chief City voted yes. Director Florence voted yes. Major Mays voted yes. Director McNickle voted yes. Chief Shirley voted yes. The motion carried 8-0.

14. Shotgun Training in Basic Academy

Shannon Butler, CLEET Training Manager, advised members that he had surveyed Oklahoma law enforcement agencies about this issue and then gave a brief summary of those results. His recommendation was to not change the Basic Academy curriculum at this time and look at adding rifle training in the future when it would be more feasible.

Members then discussed a number of issues associated with this item including cost of adding rifle training into the academy, the possibility of using reduced targets, Academy Cities that no longer issue shotguns to their officers but are required to train on them, implementing a long gun qualification, and adding continuing education to address both weapons.

Sheriff Whetsel asked if the representatives from OMAG could see any liability for CLEET if the qualification was removed from the Basic Academy and made a requirement for the agencies to complete. Jon Woods, OMAG CEO, said he could see no liability for CLEET in that situation.

Action Taken: Director McNickle made a motion to provide an orientation without live fire for both shotgun and rifle in the CLEET Basic Academy with the qualification of the weapon they carry to be the responsibility of the employing agency and to meet CLEET standards. Chief Robinson seconded the motion. Sheriff Whetsel voted yes. Chief Robinson voted yes. Sheriff Christian voted yes. Chief City voted yes. Director Florence voted yes. Major Mays voted yes. Director McNickle voted yes. Chief Shirley voted yes. The motion carried 8-0.

Sheriff Whetsel requested a brief break at 12:06 p.m.

15. Online Continuing Education Hours

The meeting was brought back to order at 12:15 p.m. Chief City left the meeting.

Director Emmons advised members that the Department of Career Technology had made a CLEET training module on Moodle. He added that this could be a direction to move to in the future.

Assistant Director Gerhart advised that he had conducted an IADLEST survey to see if other states have online training restrictions. He said that 22 states responded, and of those, 73% have no restrictions, 27 % have restrictions or are working on them. He then reported that only 5% of all training reported to CLEET is online. He then went through the options presented to the Council in detail.

Jon Woods, OMAG CEO, advised Council members that online training is valuable to the agencies that they serve in that they cannot provide enough on-site training with limited resources. He also said that 60% of agencies insured by OMAG have 5 or fewer officers. He then urged Council members not to impose any limitations at this time.

Members then had a general discussion about how limiting the number of online training hours could impact officers and agencies.

Action Taken: Chief Shirley made a motion to retain the current standard of no restrictions on online training. Director Florence seconded the motion. Sheriff Whetsel voted yes. Chief Robinson voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director McNickle voted yes. Chief Shirley voted yes. The motion carried 7-0.

16. Instructor Refresher Requirements

Shannon Butler, CLEET Training Manager, gave an overview of incentives currently being offered to attract adjunct instructors to CLEET. He recommended that CLEET continue with the incentive program until able to track a mandated course requirement for refresher and to add Reserve Academy and COP instructors to the list of instructors that have to return to assist with a CLEET approved academy within the 3 years prior to the class they have requested to teach.

Action Taken: Chief Robinson made a motion to accept the recommendation of staff, which is to require Reserve Program lead instructors and any other COP and Reserve Program instructors to have assisted with a CLEET approved Basic Academy within the last 3 years prior to the request. Director Florence seconded the motion. Sheriff Whetsel voted yes. Chief Robinson voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director McNickle voted yes. Chief Shirley voted yes. The motion carried 7-0.

17. Drive USA Online SDA Class

Kevin Knapp, Virtual Drive USA, gave a brief overview of their company. Director Florence advised that he had seen the material for the online SDA class and it was very impressive. He added that there are measures in place to make sure the right person is taking the class. Sheriff Whetsel asked if there was a direct feed to the OSBI. Mr. Knapp said that there was not, but that the OSBI and CLEET have full access to the course.

Action Taken: Director McNickle made a motion to approve the Virtual Drive USA online SDA class. Director Florence seconded the motion. Sheriff Whetsel voted yes. Chief Robinson voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director McNickle voted yes. Chief Shirley voted yes. The motion carried 7-0.

18. Updated Report on Regional Training Pilot Program at Tulsa PD

Major Ryan Perkins, Tulsa PD, addressed the Council regarding this item. He requested a permanent extension for the Tulsa PD regional training program at their Basic Academy.

Action Taken: Chief Shirley made a motion to permanently extend the regional training option at Tulsa PD's Basic Academy. Major Mays seconded the motion. Sheriff Whetsel voted yes. Chief Robinson voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director McNickle voted yes. Chief Shirley voted yes. The motion carried 7-0.

19. Proposed Executive Session to include matters pursuant to 25 O.S. 1995, Section 307(B)(1): "Discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee;"

Action Taken: Sheriff Christian made a motion to move into Executive Session. Director Florence seconded the motion. Sheriff Whetsel voted yes. Chief Robinson voted yes. Sheriff Christian voted

yes. Director Florence voted yes. Major Mays voted yes. Director McNickle voted yes. Chief Shirley voted yes. The motion carried 7-0.

The meeting entered Executive Session at 12:54 p.m.

20. Resume Meeting Following Executive Session

Action Taken: Sheriff Christian made a motion to return to open session. Chief Robinson seconded the motion. Sheriff Whetsel voted yes. Chief Robinson voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director McNickle voted yes. Chief Shirley voted yes. The motion carried 7-0.

The meeting returned to open session at 1:15 p.m.

Director McNickle asked that the record reflect that the performance evaluations for the Executive and Assistant Directors of CLEET had been positive.

21. Proposed Statute Changes

Council members were presented with Attachment C, a letter from the Department of Justice denying CLEET's request for an ORI.

Director Emmons gave a summary of CLEET's request bills and also alerted members to SB939, which would modify the OSPOA's appointment on the Council from a sheriff of a county with a population under 50,000 to under 16,000. This would also change a Curriculum Review Board seat with the same population requirements.

Sheriff Whetsel advised that Senator Kim David may be running an omnibus CLEET bill to address reserve officer training.

22. Actions Against Peace Officers

There was no discussion.

23. Divisional Reports

There was no discussion.

24. Director's Report

Director Emmons advised that the public hearing for proposed rules would be held March 9. He also advised that there had been no movement regarding repairs to the driving track or consolidation.

25. Board Comments

There was no discussion.

26. New Business

There was no discussion.

27. Adjournment

Action Taken: Director McNickle made a motion to adjourn the meeting. Major Mays seconded the motion. Sheriff Whetsel voted yes. Chief Robinson voted yes. Sheriff Christian voted yes. Director Florence voted yes. Major Mays voted yes. Director McNickle voted yes. Chief Shirley voted yes. The motion carried 7-0.

The meeting adjourned at 1:16 p.m.