

**COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
REGULAR MEETING
K.O. Rayburn Training Center, 2401 Egypt Road, Ada, OK 74820
July 18, 2012
MINUTES**

MEMBERS PRESENT:

Director Norman McNickle, Dept. of Public Safety,
City of Stillwater
Director Stan Florence, O.S.B.I.
Chief Bob Ricks, Edmond Police Dept.
Chief Michael Robinson, O.S.U. DPS
Sgt. Jason Smith, F.O.P.
Director Darrell Weaver, Oklahoma Bureau of
Narcotics
Sheriff Bob Wilder, Marshall County

STAFF PRESENT:

Steve Emmons, Executive Director
Charles Gerhart, Assistant Director
Chris Sutterfield, Chief of Operations
James Wilson, General Counsel
John Parker, Comptroller
Shannon Butler, Academy Coordinator
Tracy Shivers, Academic Specialist
Jeff Coble, Instructor
Natalie McDonald, PS Clerk
Tammy Long, PS Clerk
Laurie Schweinle, Recording Secretary

MEMBERS ABSENT:

Major Todd Blish, Oklahoma Highway Patrol
Chief Bill Citty, Oklahoma City Police Dept.
Chief Byron Cox, Weatherford Police Dept.
Chief Jason O'Neal, Chickasaw Lighthouse Police
Mr. Ed Smith, East Central University
Sheriff John Whetsel, Oklahoma County

1. Call Meeting to Order

Chairman Norman McNickle called the meeting to order at 10:05 a.m. Roll was taken; seven members were present representing a quorum.

2. Approval of Minutes

There was no discussion.

Action Taken: Sheriff Wilder made a motion to approve the minutes of the April 18, 2012, regular Council meeting as written. Chief Ricks seconded the motion. Chairman McNickle voted yes; Director Florence voted yes; Chief Ricks voted yes; Chief Robinson voted yes; Sgt. Smith voted yes; Director Weaver voted yes; and Sheriff Wilder voted yes. The motion carried 7-0.

3. **Advisory Council Report**

There was no discussion.

Action Taken: Director Florence made a motion to accept the report. Sheriff Wilder seconded the motion. Chairman McNickle voted yes; Director Florence voted yes; Chief Ricks voted yes; Chief Robinson voted yes; Sgt. Smith voted yes; Director Weaver voted yes; and Sheriff Wilder voted yes. The motion carried 7-0.

4. **Advisory Council Composition**

There was no discussion.

Action Taken: Director Florence made a motion to approve the reappointment of Major Bill Weaver to the CLEET Advisory Council. Chief Robinson seconded the motion. Chairman McNickle voted yes; Director Florence voted yes; Chief Ricks voted yes; Chief Robinson voted yes; Sgt. Smith voted yes; Director Weaver voted yes; and Sheriff Wilder voted yes. The motion carried 7-0.

5. **Private Security Advisory Committee (PSAC) Report**

There was no discussion.

Action Taken: Chief Ricks made a motion to accept the report. Sheriff Wilder seconded the motion. Chairman McNickle voted yes; Director Florence voted yes; Chief Ricks voted yes; Chief Robinson voted yes; Sgt. Smith voted yes; Director Weaver voted yes; and Sheriff Wilder voted yes. The motion carried 7-0.

6. **Curriculum Review Board Report**

Laurie Schweinle, Executive Administrative Assistant, distributed draft copies of the proposed mental health curriculum changes (Attachment A).

Chris Sutterfield, Chief of Operations, explained that the most notable changes were the officer and third party statements of facts, moving statutes out of the lesson plan and into the appendix, and adding practical exercises to the curriculum. He also advised that the Curriculum Review Board would see the proposed changes again before voting on whether or not to accept them. Director McNickle asked if a motion from the Council was necessary. Chris Sutterfield replied that the Curriculum Review Board would like to have the authority to make the final recommendation as they have approved the changes pending a final review and would be forced to wait until November if the Council is required to approve the changes.

Action Taken: Chief Robinson made a motion to allow the Curriculum Review Board to have the final authority for the proposed changes to the mental health curriculum. Director Florence seconded the motion. Chairman McNickle voted yes; Director Florence voted yes; Chief Ricks voted yes; Chief Robinson voted yes; Sgt. Smith voted yes; Director Weaver voted yes; and Sheriff Wilder voted yes. The motion carried 7-0.

Action Taken: Director Weaver made a motion to accept the Curriculum Review Board report. Chief Robinson seconded the motion. Chairman McNickle voted yes; Director

Florence voted yes; Chief Ricks voted yes; Chief Robinson voted yes; Sgt. Smith voted yes; Director Weaver voted yes; and Sheriff Wilder voted yes. The motion carried 7-0.

7. Drug Dog Advisory Council Update

Chris Sutterfield updated Council members that their chairman has submitted his resignation from the Drug Dog Advisory Council, and we are awaiting notification of who the next appointment from DPS will be.

Chris Sutterfield then explained that the Drug Dog Advisory Council has made a recommendation to the Council that there be requirements for training and certification for patrol dogs and that this would require legislation in the future.

Director Florence asked if one of the committees in existence already could develop that training curriculum. Chris Sutterfield explained that the current statutes are too specific to allow for that. Chief Ricks suggested it be implemented as an administrative rule and dealt with internally. James Wilson, CLEET General Counsel, said the statutes only allow for CLEET to promulgate rules for CDS and bomb detector dogs. Chief Ricks clarified that he meant CLEET could set accepted practices and standards for patrol dogs rather than a statute change.

Director Weaver requested the minutes of the Drug Dog and Bomb Dog Advisory Council meetings be included in the Council's packets from now on.

Director McNickle suggested involving officers that train and handle patrol dogs. Director Emmons said that this question could be posted to other states through IADLEST. Chief Ricks also advised it would be a good idea to check around the state to see what other agencies are doing.

8. Safe Room/Bond Refinancing Update

Assistant Director Gerhart updated Council members on the status of the bond refinancing. He advised that we do still want to refund the bond and are moving forward with that. He advised that it was not likely the Department of Corrections would be coming to CLEET. He then reported that CLEET is still looking at several options for building a safe room which include adding the third leg to the barracks building that was included in the original building plans or having CLEET be the off site server storage for OSF and having this room double as the safe room. He added that constructing a larger classroom could also be an option for a safe room. He then reported that CLEET is looking at improving the barracks, multi-purpose room, and firing range.

Director Florence asked what the status is of improvements to the driving course. Assistant Director Gerhart replied that an agreement was reached to give CLEET \$500,000 to make the most needed improvements. Director Emmons elaborated that DCS had advised it would be better to accept the settlement than take it to court.

Director Weaver requested that an analysis be provided that details the costs of desired improvements. Director Emmons explained that CLEET has large Basic Academy classes that will not fit in the smaller classrooms and that adjuncts are uncomfortable in barrack rooms. Hotels are not an option anymore as the legislature did not increase the budget any. Assistant

Director Gerhart advised members that a feasibility study for the desired improvements had been requested from DCS.

9. Certification Exam Score Update

Academic Specialist Tracy Shivers provided members with a Basic Academy Exam Scores Report (Attachment B). She then gave a brief overview of the results of her study, which included a 0% failure rate on the certification exam requiring a score of 80% to pass. Council members commended Ms. Shivers for all of her hard work.

Action Taken: Director Weaver made a motion to accept raising the required scores for exams. Chief Robinson seconded the motion. Chairman McNickle voted yes; Director Florence voted yes; Chief Ricks voted yes; Chief Robinson voted yes; Sgt. Smith voted yes; Director Weaver voted yes; and Sheriff Wilder voted yes. The motion carried 7-0.

10. Law Enforcement Instructor Certification and Training

Director Emmons explained that there had been questions about whether agencies other than CLEET and the Academy Cities could conduct specialized instructor schools as CLEET has difficulty in finding time to hold these classes, and CLEET's Administrative Rules are not specific on this point. Director Emmons then stated that the other issue associated with this question is whether or not instructors would be required to maintain their instructor certification.

A general discussion was had by members regarding maintenance of specialized instructor certifications and how that could be done. One option discussed included requiring instructors to come back to teach at a CLEET Basic Academy at regular intervals, which would also help CLEET attract more adjuncts for skill blocks.

Director Emmons advised that there does not appear to be a rule restriction against this, but that CLEET would need the Council's approval to be able to set up a system to move forward with this. He further explained that the question was posed as to whether or not a CLEET instructor would need to be present during the training if it was done at an outside agency. Director Emmons also expressed concern over the potential for a broad range of quality if any agency was allowed to conduct specialized instructor training.

A general discussion was had about the specifics of firearms instructor training. Director Emmons emphasized that the main concern is really consistency of training. He then directed members' attention to the Firearms Instructor Proposal (Attachment C) and gave a brief description of each phase of training. Director Emmons explained that the proposal would allow for the majority of the training to be moved to the agency but with CLEET oversight.

Director McNickle asked if members would like to table both questions until the next meeting.

Director Florence suggested requiring recertification to be in the three to five year range with that range being narrower for skills instructors. Director Emmons further explained that this would not mean that their instructor certification would leave their record but maybe they would have to do an update if not teaching. He also advised that recertification would require a rule change.

Action Taken: Sheriff Wilder made a motion to table both items. Chief Ricks seconded the motion. Chairman McNickle voted yes; Director Florence voted yes; Chief Ricks voted yes; Chief Robinson voted yes; Sgt. Smith voted yes; Director Weaver voted yes; and Sheriff Wilder voted yes. The motion carried 7-0.

11. Review Recommendation from Advisory Council to Allow Carry Over of CE Hours

Director Emmons reported that Advisory Council members had asked him to recommend to the Council that officers be allowed to carry over continuing education hours from one year to the next if they receive in excess of their mandated training. Director Emmons expressed that he felt this would be hard for CLEET to track with the current database in place. A general discussion was had by members about the potential problems and benefits of doing this. Director McNickle recommended that Director Emmons advise the Advisory Council that this is a good idea but not practical at this time.

12. CLEET Financial Report

John Parker, Comptroller, addressed the Council regarding the financial report. He reported that he expected CLEET to have approximately \$270-280,000 in carryover funds for FY 2013, and payroll is down \$350,000 due to vacancies, and other expenses are up \$170,000. He advised that this increase is mainly due to cafeteria, fuel, tires, and the construction project at the firing range.

Mr. Parker then provided members with the FY '13 Proposed Budget (Attachment D). He informed members that the anticipated operating costs for FY '13 are approximately \$6.1 million after grant money has been factored out and around \$6.7 million when carryover funds are factored in. Mr. Parker reported that appropriations remained flat and that this would impact the Private Security Division. He then gave a brief explanation of the appropriation process and explained options for how to fund the Private Security Division. Director McNickle offered to contact Mr. James Carroll, PSAC, for help with the legislature and securing funds for the Private Security Division.

Action Taken: Director Weaver made a motion to approve the financial report. Director Florence seconded the motion. Chairman McNickle voted yes; Director Florence voted yes; Chief Ricks voted yes; Chief Robinson voted yes; Sgt. Smith voted yes; Director Weaver voted yes; and Sheriff Wilder voted yes. The motion carried 7-0.

The Council went on break at 12:00 noon.

Chief Robinson left the meeting at 12:07 p.m.

The Council meeting reconvened at 12:09 p.m.

13. Divisional Reports

There was no discussion.

14. Actions Against Peace Officers

There was no discussion.

15. Legislative Update

Director Emmons advised that CLEET rule changes went into effect July 13, 2012, (Attachment E). He then updated members that James Wilson had completed his research on the open carry law and that Kevin McCullough, OMAG, had offered to get a group together to discuss this new law. He also reported that CLEET would be presenting information on the open carry law at the Oklahoma Sheriff's Association annual conference in August.

16. Director's Report

Director Emmons advised members that the July 11 Training Summit held at UCO went well with about seventy-five in attendance. He also reported that the ALERRT grant was still going well and that about \$60,000 more had been received in order to train campus police officers. He then advised that the credentialing program had been moved away from CLEET to Emergency Management. Director Emmons then notified members of the upcoming LEPTI conference being held September 10-14, 2012, at Tulsa Tech in Broken Arrow. He then reminded everyone that the Governor's tobacco ban had been implemented at CLEET on July 11, 2012.

Director Emmons reported that a new employee handbook had been developed recently, that there are plans to hire a curriculum specialist and a freeze exception had been submitted, the new cafeteria service had started, and that Greg Evans, Rogers County Sheriff's Office, had been hired to fill the instructor vacancy.

17. New Business

Director Florence asked where the next meeting would be held. Chief Ricks offered to have it scheduled for the Forensic Science Center in Edmond.

18. Adjournment

A quorum was not present to vote on adjournment.

Chairman McNickle adjourned the meeting at 12:17 p.m.