

**COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
REGULAR MEETING
K. O. Rayburn Training Center, 2401 Egypt Road, Ada, OK 74820
January 19, 2011
MINUTES**

COUNCIL MEMBERS PRESENT:

Chief Norman McNickle, Stillwater Police Dept.
Sheriff John Whetsel, Oklahoma County
Major Todd Blish, Oklahoma Highway Patrol
Chief Bill City, Oklahoma City Police Dept.
Director Stan Florence, O.S.B.I.
Chief Clayton Johnson, Ponca City Police Dept.
Chief Jason O'Neal, Chickasaw Lighthouse Police
Chief Bob Ricks, Edmond Police Dept.
Chief Michael Robinson, O.S.U. DPS
Corporal Jason Smith, F.O.P.
Sheriff Bob Wilder, Marshall County

MEMBERS ABSENT:

Dr. Steve Turner, East Central University
Director Darrell Weaver, OK Bureau of Narcotics

GUESTS:

Chief Jason Teel, Stonewall P.D.
Mr. James Carroll, PSAC
Mr. Ron Bartmier, F.O.P.
Mr. John Morrison, Dept. of Central Services
Mr. Steve Williams, Louisiana State University

STAFF PRESENT:

Dr. Larry Birney, Director
Steve Emmons, Assistant Director
Kimberly Richey, Associate Director
Steven Floyd, Comptroller
Becky Johnson, Sr. Admin. Attorney
James H.B. Wilson, Sr. Training Attorney
Chris Sutterfield, Program Manager - CE
Shannon Butler, Academy Coordinator
Walt Birdsong, Legal Investigator II
Kelly James, Compliance Manager
Wendell Manuel, Maintenance Supervisor
Briana Tully, Special Project Coord.
Cindy Donnelly, Training Div. Secretary
Erica Vasquez, Secretary/Receptionist

1. Call Meeting to Order

Chairman Chief Norman McNickle called the meeting to order at 10:02 a.m. Roll was taken; eleven members were present representing a quorum.

2. Approval of Minutes

Action Taken: Sheriff John Whetsel made a motion to approve the minutes of the October 20, 2010 meeting as written. The motion was seconded by Chief Bob Ricks. A roll call vote was taken with the following results: Chairman Norman McNickle voted yes; Sheriff John Whetsel voted yes; Major Todd Blish voted yes; Chief Bill City voted yes; Director Stan Florence voted yes; Chief Clayton Johnson abstained; Chief Jason O'Neal voted yes; Chief Bob Ricks abstained; Chief Michael Robinson abstained; Corporal Jason Smith abstained and Sheriff Bob Wilder abstained. The motion carried 6-5.

3. Council Composition

Chairman McNickle welcomed Director Stan Florence, O.S.B.I, and Corporal Jason Smith, F.O.P., to the Council and thanked Mr. Ron Bartmier for his past service.

Action Taken: No action taken.

4. Advisory Council Report

Council members reviewed the minutes of the January 6, 2011, Advisory Council meeting. (Attachment A)

Action Taken: Chief Jason O'Neal made a motion to accept the Advisory Council Report. The motion was seconded by Sheriff Bob Wilder. A roll call vote was taken with the following results: Chairman Norman McNickle voted yes; Sheriff John Whetsel voted yes; Major Todd Blish voted yes; Chief Bill Citty voted yes; Director Stan Florence voted yes; Chief Clayton Johnson voted yes; Chief Jason O'Neal voted yes; Chief Bob Ricks voted yes; Chief Michael Robinson voted yes; Corporal Jason Smith voted yes and Sheriff Bob Wilder voted yes. The motion carried unanimously 11-0.

5. Advisory Council Composition

Director Birney addressed members stating sixteen applications had been received for the at-large seat vacated by Captain Bill Bass, Tulsa County Sheriff's Office. The Advisory Council voted to bring forward four names to the Council for consideration; however, Director Birney indicated all resumes and applications were available to the Council for review. As stated in his resignation letter to the Council, Captain Bill Bass's recommendation is that Chief Deputy Tim Albin, Tulsa County Sheriff's Office, be appointed as his replacement.

Sheriff John Whetsel noted this seat has historically been filled by a larger sheriff's office and he agreed with the recommendation of Tim Albin. Members then discussed various applicants and their qualifications.

Sheriff Whetsel questioned if there were another vacancy on the Advisory Council. Director Birney stated there was no vacancy, simply a switch of positions. Major Rob Turner replaced Major Rod Hummel as the training officer at Tulsa Police Department. Associate Director Richey stated this seat is reserved for Tulsa P.D.

Action Taken: Sheriff John Whetsel made a motion to appoint Deputy Chief Tim Albin from Tulsa County Sheriff's Office to the Advisory Council. The motion was seconded by Chief Bill Citty. A roll call vote was taken with the following results: Chairman Norman McNickle voted yes; Sheriff John Whetsel voted yes; Major Todd Blish voted yes; Chief Bill Citty voted yes; Director Stan Florence voted yes; Chief Clayton Johnson voted yes; Chief Jason O'Neal voted yes; Chief Bob Ricks voted no; Chief Michael Robinson voted yes; Corporal Jason Smith voted yes and Sheriff Bob Wilder voted yes. The motion carried 10-1.

6. Private Security Advisory Committee (PSAC) Report and Composition

Becky Johnson, Sr. Admin. Attorney, addressed the Council stating the primary issue of importance is the filling of the southwest quadrant vacancy. She referenced the list of names included in the agenda packet, noting two additional applications had been received since re-opening the position. One applicant, Mr. Alan Grayson, currently serves on the PSAC as the ASIS representative; however, his term is expiring and he has elected to apply for the southwest quadrant vacancy. Ms. Johnson stated it is the recommendation of the PSAC that Mr. Grayson be appointed to the committee. By having already served several years on the PSAC, members believe Mr. Grayson would be an asset to their committee.

Action Taken: Sheriff John Whetsel made a motion to accept the recommendation and appoint Alan Grayson to the PSAC. The motion was seconded by Chief Bob Ricks. A roll call vote was taken with the following results: Chairman Norman McNickle voted yes; Sheriff John Whetsel voted yes; Major Todd Blish voted yes; Chief Bill Citty voted yes; Director Stan Florence voted yes; Chief Clayton Johnson voted yes; Chief Jason O'Neal voted yes; Chief Bob Ricks voted yes; Chief Michael Robinson voted yes; Corporal Jason Smith voted yes and Sheriff Bob Wilder voted yes. The motion carried unanimously 11-0.

7. Curriculum Review Board Report

Assistant Director Steve Emmons updated members regarding the Rapid Response grant, stating ALERRT will be providing two train-the-trainer courses once funding is received. The Curriculum Review Board has discussed increasing the number of practical hours in the basic academy and we are moving forward with scheduling adjustments. The total number of hours will remain at 576 and will not increase as a result of these changes. We are in discussions with Mr. Steve Williams, LSU coordinator for the state, regarding CLEET's future partnerships with LSU and NCBRT. Several Louisiana State University and NCBRT staff members are currently on campus conducting a two day Prevention and Deterrence of Terrorist Acts Train-the-Trainer program. We are soliciting feedback from several staff members participating in this class to determine if the material would be applicable to our basic academy instruction.

Chris Sutterfield, Program Manager-CE, addressed members regarding possible changes to the Reserve Curriculum. Prior to his retirement from CLEET, David Milnes performed an evaluation of the Reserve Curriculum. Mr. Sutterfield distributed a handout detailing the current curriculum as well as the proposed changes. (Attachment B) These changes are the result of information Mr. Milnes received from three Reserve Academy Curriculum meetings held in Oklahoma City, Tulsa and Ada. Based on input from those individuals teaching and sponsoring reserve academies, recommendations include decreasing hours in some areas while increasing hours in others in order to more accurately reflect the time required to teach each subject. Firearms and Custody and Control are two specific areas in which requests have been made to increase training hours. One item not reflected on the handout which should be considered is the implementation of the First Aide for Law Enforcement Officers class. Currently, reserve officers are required to obtain this training outside of the normal curriculum. Mr. Sutterfield requested members review the proposed changes and perhaps make recommendations which he could then relay on to the Curriculum Review Board.

Chief Clayton Johnson asked about the reduction of hours in the ethics portion of the curriculum. Mr. Emmons stated ethics is taught throughout the academy and not solely restricted to the ethics block. Thus, this change is not necessarily a reduction in hours, it is merely an adjustment. Chief Michael Robinson stated he believes it sends the wrong message to reduce the hours of ethics training; Chief Johnson agreed.

Mr. Sutterfield added that one area he would like to see added to the Reserve Curriculum is Law Enforcement Driver Training. He noted that larger agencies already include this as part of their reserve training. Sheriff Whetsel concurred, stating it should be a mandatory part of the curriculum. A discussion followed regarding the need for increased reserve officer training.

Director Birney presented to members proposed changes to the Basic Academy Curriculum. (Attachment C) These changes, approved by the Curriculum Review Board, reduce classroom instruction by twenty hours and increase practical training by twenty hours. A discussion followed regarding the specific areas of change.

Action Taken: Sheriff Bob Wilder made a motion to approve the increase in practical training hours. The motion was seconded by Major Todd Blish. A roll call vote was taken with the following results: Chairman Norman McNickle voted yes; Sheriff John Whetsel voted yes; Major Todd Blish voted yes; Chief Bill Citty voted yes; Director Stan Florence voted yes; Chief Clayton Johnson voted yes; Chief Jason O'Neal voted yes; Chief Bob Ricks voted yes; Chief Michael Robinson voted yes; Corporal Jason Smith voted yes and Sheriff Bob Wilder voted yes. The motion carried unanimously 11-0.

8. Drug Dog Advisory Council Report and Composition

Ms. Becky Johnson addressed members stating that per state statute one seat on the Drug Dog Advisory Council is allocated to a sheriff's department. We have recently been informed that the individual currently holding this seat has been removed from office and, to date, has not been removed from the Drug Dog Advisory Council. Thus, the Drug Dog Advisory Council is requesting that the Council remove this individual from the seat.

Action Taken: Sheriff John Whetsel made a motion to remove Roger Price from the Drug Dog Advisory Council. The motion was seconded by Major Todd Blish. A roll call vote was taken with the following results: Chairman Norman McNickle voted yes; Sheriff John Whetsel voted yes; Major Todd Blish voted yes; Chief Bill Citty voted yes; Director Stan Florence voted yes; Chief Clayton Johnson voted yes; Chief Jason O'Neal voted yes; Chief Bob Ricks voted yes; Chief Michael Robinson voted yes; Corporal Jason Smith voted yes and Sheriff Bob Wilder voted yes. The motion carried unanimously 11-0.

9. CLEET Financial Report

Steven Floyd, Comptroller, addressed members stating that year-to-date we have spent \$2,873,550.92. In addition, we have encumbered \$1,744,586.82 for a total of \$4,618,137.74. He stated we are half-way through the year and this total equates to approximately 64% of our budget. However, if we were to back-out the encumbrances for future months, we have actually spent only about 45% of our budget for this year.

Expenses have stayed under budget and each month our penalty assessment fees continue to increase slightly. Although they are not at fiscal year 2009 levels, they are higher than the previous year.

A discussion followed regarding the financial outlook for the remainder of the fiscal year and Director Birney indicated we anticipate a carryover of \$280,000.

Action Taken: Chief Michael Robinson made a motion to accept the CLEET Financial Report. The motion was seconded by Sheriff John Whetsel. A roll call vote was taken with the following results: Chairman Norman McNickle voted yes; Sheriff John Whetsel voted yes; Major Todd Blish voted yes; Chief Bill Citty voted yes; Director Stan Florence voted yes; Chief Clayton Johnson voted yes; Chief Jason O'Neal voted yes; Chief Bob Ricks voted yes; Chief Michael Robinson voted yes; Corporal Jason Smith voted yes and Sheriff Bob Wilder voted yes. The motion carried unanimously 11-0.

Chief Bill Citty requested that future financial statements include comparisons to the previous year in order to better recognize and address any significant changes.

10. Actions Against Peace Officers

Sheriff Whetsel asked if those individuals listed, who had voluntarily surrendered their certification, could request reinstatement. Ms. Becky Johnson stated the waiting period for reinstatement of a certification which is voluntarily surrendered is five years. The individual would then have to request reinstatement before the Council.

Members reviewed the information included in the packet; no action was required.

11. Divisional Reports

Members reviewed the information included in the packet; no action was required.

12. 2011 Proposed Legislative Changes

Associate Director Kimberly Richey addressed members referencing the list of proposed legislation included in the agenda packet. Approval is being sought from the Council to move forward on these six bills. The first bill relates to the 5.83% of CLEET's penalty assessment fees paid to the Office of State Finance. We are looking to strike this allotment and direct these monies back to the CLEET fund. The second bill relates to the \$150 reinstatement fee for peace officers whose certification has been suspended, revoked or voluntarily surrendered for any reason, including the failure to obtain continuing education requirements. The third bill inserts a statutory definition of a police department; the current language includes changes made by the Council last year. The fourth bill is an amendment to Section K(8) of Title 70 and allows CLEET to investigate an officer who resigns from an agency while under investigation. The fifth bill relates to MMPIs and allows for a subsequent MMPI evaluation for any officer who has a break in service exceeding five years. The last piece of legislation is a clean-up bill which relates to Private Security and will update continuing education requirements to reflect the new, longer licensing period which passed into law last year.

Sheriff Whetsel noted that at some point the Council needs to request mandatory continuing education for reserve peace officers.

A discussion followed regarding the fifth bill and any possible liability issues this opens up for the Council. Ms. Richey stated the issuance of the MMPI lies within the individual agency and thus does not create an additional inherent responsibility for CLEET.

Action Taken: Sheriff John Whetsel made a motion that the Council support measures one through six. The motion was seconded by Sheriff Bob Wilder. A roll call vote was taken with the following results: Chairman Norman McNickle voted yes; Sheriff John Whetsel voted yes; Major Todd Blish voted yes; Chief Bill Citty voted yes; Director Stan Florence voted yes; Chief Clayton Johnson voted yes; Chief Jason O'Neal voted yes; Chief Bob Ricks voted yes; Chief Michael Robinson voted yes; Corporal Jason Smith voted yes and Sheriff Bob Wilder voted yes. The motion carried unanimously 11-0.

Action Taken: Sheriff John Whetsel made a motion that the Council support continuing education for reserve officers. The motion was seconded by Corporal Jason Smith. A roll call vote was taken with the following results: Chairman Norman McNickle voted yes; Sheriff John Whetsel voted yes; Major Todd Blish voted yes; Chief Bill Citty voted yes; Director Stan Florence voted yes; Chief Clayton Johnson voted yes; Chief Jason O'Neal voted yes; Chief Bob Ricks voted yes; Chief Michael Robinson voted yes; Corporal Jason Smith voted yes and Sheriff Bob Wilder voted yes. The motion carried unanimously 11-0.

A discussion followed regarding comparative continuing education requirements among other professions. Ms. Richey clarified with members that 16 hours for reserve continuing education is a reasonable amount.

Associate Director Richey also provided members with information regarding two potential bills that affect peace officer continuing education. (Attachment D) The first bill is proposed by the Domestic Violence Fatality Review Board and requires a minimum 8 hour course of evidence based domestic violence and stalking investigation training beginning January 1, 2012. This training would be required for all certified peace officers. The second bill, proposed by Senator Ballenger, requires a biennial course on emergency vehicle operations. Ms. Richey sought direction from the Council regarding these two bills.

Sheriff Whetsel stated he is a strong supporter of domestic violence training; however, he is adamantly opposed to this bill for the primary reason that they are again trying to dictate to CLEET the number of hours that will be trained on a specific topic. A discussion followed with the consensus of the Council being that, although this is a well-intentioned and well-meaning piece of legislation, it is not to the best interest of law enforcement training in the state of Oklahoma. Members agreed that any additions or changes to training should not be mandated by the legislature but rather the Council itself, through the mechanisms already in place. Director Birney stated we would express our concerns to the authors of these bills and try to work with them to develop an alternative solution. Ms Richey stated she would keep the Council advised of the status of these bill and any new developments.

Chairman McNickle adjourned the meeting for a brief recess at 11:33A.M.

Chairman McNickle reconvened the meeting at 11:46A.M.

13. Director's Report

Director Birney provided members with a copy of the Directors Report detailing achievements over the last year. (Attachment E and Attachment F) One item not listed in the report was the availability of officer's to view their training records. He explained that due to a miscommunication between ourselves and the computer programmer, the initial information displayed was more limited than originally intended; this issue has now been resolved. Director Birney noted that agenda packets for this meeting were sent via e-mail in order to reduce costs. If there are no objections, we will continue to email the agenda packets with hardcopies being provided at the meeting.

Director Birney then reviewed the items listed on the Directors Report.

14. Proposed Executive Session to include matters pursuant to 25 O.S. Supp. 1995, Section 307(B)(1) and 25 O.S. Supp. 1995, Section 307(B)(4).

Action Taken: Sheriff John Whetsel made a motion the Council go into executive session. The motion was seconded by Major Todd Blish. A roll call vote was taken with the following results: Chairman Norman McNickle voted yes; Sheriff John Whetsel voted yes; Major Todd Blish voted yes; Chief Bill Citty voted yes; Director Stan Florence voted yes; Chief Clayton Johnson voted yes; Chief Jason O'Neal voted yes; Chief Bob Ricks voted yes; Chief Michael Robinson voted yes; Corporal Jason Smith voted yes and Sheriff Bob Wilder voted yes. The motion carried unanimously 11-0.

The Council went into executive session at 12:08 p.m.

15. Return to Open Session

The Council returned to open session at 1:22 p.m.

Action Taken: Sheriff John Whetsel made a motion to return to open session without taking any action on the items discussed in executive session. The motion was seconded by Major Todd Blish. A roll call vote was taken with the following results: Chairman Norman McNickle voted yes; Sheriff John Whetsel voted yes; Major Todd Blish voted yes; Chief Bill Citty voted yes; Director Stan Florence voted yes; Chief Clayton Johnson voted yes; Chief Jason O'Neal was absent; Chief Bob Ricks was absent; Chief Michael Robinson voted yes; Corporal Jason Smith voted yes and Sheriff Bob Wilder voted yes. The motion carried unanimously 9-0.

16. New Business

Kelly James, Compliance Manager, updated members regarding the status of continuing education training entries. She indicated all training entries received through the end of the year have been completed and they are currently entering training information from January. Ms. James commended the administrative staff for their hard work and diligence, especially Robbie Weathers, Linda Mosley, Julie Bender and Maria Perry. These employees have sacrificed weekends, holidays and many evening hours to complete their tasks.

Action Taken: No action taken.

17. Adjournment

Action Taken:

A motion was made by Chief Clayton Johnson to adjourn the meeting. The motion was seconded by Sheriff Bob Wilder and carried unanimously. Chairman Chief Norman McNickle adjourned the meeting at 1:23 p.m.