

NAME OF AGENCY:

Council on Law Enforcement Education and Training (CLEET)

TYPE OF DOCUMENT:

Rule Impact Statement

PROPOSED RULES:

CHAPTER 10. PEACE OFFICER CERTIFICATION

390:10-1-3 [AMENDED]

390:10-1-5 [AMENDED]

SUMMARY:

Amendments are necessary to correct a statutory citation, as well as setting out format for agencies to submit address information for all commissioned employees. Last change requires all students, including those attending refresher or reciprocity training, to fully participate in the training and follow all CLEET rules and policies.

AUTHORITY:

Council on Law Enforcement Education and Training; 70 O. S., § 3311.2 through 3311.13.

CLASSES OF PERSONS AFFECTED:

Peace officers certified by CLEET.

PERSONS WHO WILL BENEFIT:

Peace officers certified by CLEET.

PROBABLE ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS: (Listing of fees and justification)

None, there are no fees associated with these changes.

PROBABLE COSTS AND BENEFITS TO THE AGENCY OR ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE; SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT; AND ANTICIPATED EFFECT ON STATE REVENUES:

No additional monies are required for implementation.

ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS OR ASSISTANCE REQUIRED TO IMPLEMENT OR ENFORCE RULE:

No economic impact.

ADVERSE EFFECT ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:

None.

MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS; ALTERNATIVES CONSIDERED:

This work is already being monitored, there would be no additional compliance costs.

EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED; NATURE OF RISK TO PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND EXTENT PROPOSED RULE WILL REDUCE THE RISK:

This proposed rule changes would not affect the public health, safety or environment.

DETRIMENTAL EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED:

None.

DATE PREPARED:

January 6, 2015.

NAME OF AGENCY:

Council on Law Enforcement Education and Training (CLEET)

TYPE OF DOCUMENT:

Rule Impact Statement

PROPOSED RULES:

CHAPTER 15. BASIC PEACE OFFICER CERTIFICATION TRAINING

Subchapter 3. Collegiate Officer Program

390:15-3-10 [AMENDED]

Subchapter 5. Reserve Officer Bridge Academy

390:15-5-2 [AMENDED]

SUMMARY:

Amendments include requirement that Collegiate Officer Program students who reenter the COP program must complete any course work that is more than five (5) years old. Outlines that eligible students for the reserve officer bridge academy, must have completed a CLEET 240 hour reserve officer academy.

AUTHORITY:

Council on Law Enforcement Education and Training; 70 O.S., § 3311 through 3311.13; 20 O.S., § 1313.2.

CLASSES OF PERSONS AFFECTED:

Officers seeking certification.

PERSONS WHO WILL BENEFIT:

Officers seeking certification.

PROBABLE ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS: (Listing of fees and justification)

None. There are no fees associated with this change.

PROBABLE COSTS AND BENEFITS TO THE AGENCY OR ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE; SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT; AND ANTICIPATED EFFECT ON STATE REVENUES:

There are no additional costs. This activity is already monitored.

ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS OR ASSISTANCE REQUIRED TO IMPLEMENT OR ENFORCE RULE:

There is no impact.

ADVERSE EFFECT ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:

None.

MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS; ALTERNATIVES CONSIDERED:

Not applicable.

EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED; NATURE OF RISK TO PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND EXTENT PROPOSED RULE WILL REDUCE THE RISK:

None.

DETRIMENTAL EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED:

The proposed rule would not affect the public health, safety or environment.

DATE PREPARED:

January 6, 2015.

NAME OF AGENCY:

Council on Law Enforcement Education and Training (CLEET)

TYPE OF DOCUMENT:

Rule Impact Statement

PROPOSED RULES:

CHAPTER 20. RESERVE OFFICER CERTIFICATION AND TRAINING

390:20-1-2 [AMENDED]

390:20-1-6 [AMENDED]

SUMMARY:

Amendments change submission date of reserve academy schedule, list of instructors and list of guest instructors from 30 to 90 days prior to the start of the reserve academy. Also adds statement that CLEET may grant an extension of time for reserve officers upon written request.

AUTHORITY:

Council on Law Enforcement Education and Training; 70 O.S., § 3311 through 3311.13; 11 O.S., § 34-101; 19 O.S., § 547; 63 O.S., § 683.1 et. seq.

CLASSES OF PERSONS AFFECTED:

Reserve academy coordinators seeking approval to conduct a reserve academy.

PERSONS WHO WILL BENEFIT:

Reserve academy coordinators seeking approval to conduct a reserve academy.

PROBABLE ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS: (Listing of fees and justification)

None.

PROBABLE COSTS AND BENEFITS TO THE AGENCY OR ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE; SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT; AND ANTICIPATED EFFECT ON STATE REVENUES:

No additional monies are required for implementation.

ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS OR ASSISTANCE REQUIRED TO IMPLEMENT OR ENFORCE RULE:

No economic impact.

ADVERSE EFFECT ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:

None.

MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS; ALTERNATIVES CONSIDERED:

This work is already being monitored, there would be no additional compliance costs.

EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED; NATURE OF RISK TO PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND EXTENT PROPOSED RULE WILL REDUCE THE RISK:

This proposed rule would not affect the public health, safety or environment.

DETRIMENTAL EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED:

None.

DATE PREPARED:

January 6, 2015.

NAME OF AGENCY:

Council on Law Enforcement Education and Training (CLEET)

TYPE OF DOCUMENT:

Rule Impact Statement

PROPOSED RULES:

CHAPTER 27. POLICE OFFICER ANNUAL FIREARMS REQUALIFICATION

390:27-1-2 [AMENDED]

390:27-1-5 [AMENDED]

SUMMARY:

Amendments are necessary to specifically identify CLEET certified line safety officers as having the authority to re-qualify officers annually. Also requires specific information to be included in Firearms Qualification Report, and requires agency heads to validate the credentials of firearms instructor when not utilizing CLEET certified firearms instructors or certified line safety officer.

AUTHORITY:

Council on Law Enforcement Education and Training; 70 O.S., § 3311 through 3311.13.

CLASSES OF PERSONS AFFECTED:

Peace officers certified by CLEET.

PERSONS WHO WILL BENEFIT:

Peace officers certified by CLEET.

PROBABLE ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS: (Listing of fees and justification)

No economic impact.

PROBABLE COSTS AND BENEFITS TO THE AGENCY OR ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE; SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT; AND ANTICIPATED EFFECT ON STATE REVENUES:

There are no costs associated with this change.

ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS OR ASSISTANCE REQUIRED TO IMPLEMENT OR ENFORCE RULE:

No economic impact.

ADVERSE EFFECT ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:

None

MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS; ALTERNATIVES CONSIDERED:

This work is already being monitored, there would be no additional compliance costs.

EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED; NATURE OF RISK TO PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND EXTENT PROPOSED RULE WILL REDUCE THE RISK:

This proposed rule would not affect the public health, safety or environment.

DETRIMENTAL EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED:

None.

DATE PREPARED:

January 6, 2015.

NAME OF AGENCY:

Council on Law Enforcement Education and Training (CLEET)

TYPE OF DOCUMENT:

Rule Impact Statement

PROPOSED RULES:

CHAPTER 30. CDS Detector Dog Certification

390:30-1-5 [AMENDED]

SUMMARY:

Amendment restricts CLEET employees from participating in the training or testing of any canine team.

AUTHORITY:

Council on Law Enforcement Education and Training; 70 O. S., § 3311 through 3311.13; 51 O.S., § 24.A.1 et seq.; and 75, O.S. §250 et seq.

CLASSES OF PERSONS AFFECTED:

CLEET staff members.

PERSONS WHO WILL BENEFIT:

Citizens of Oklahoma.

PROBABLE ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS: (Listing of fees and justification)

No economic impact.

PROBABLE COSTS AND BENEFITS TO THE AGENCY OR ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE; SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT; AND ANTICIPATED EFFECT ON STATE REVENUES:

There are no costs associated with this change.

ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS OR ASSISTANCE REQUIRED TO IMPLEMENT OR ENFORCE RULE:

No economic impact.

ADVERSE EFFECT ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:

None.

MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS; ALTERNATIVES CONSIDERED:

There would be no compliance costs.

EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED; NATURE OF RISK TO PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND EXTENT PROPOSED RULE WILL REDUCE THE RISK:

Proposed rule would not affect the public health, safety or environment.

DETRIMENTAL EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED:

None.

DATE PREPARED:

January 6, 2015.

NAME OF AGENCY:

Council on Law Enforcement Education and Training (CLEET)

TYPE OF DOCUMENT:

Rule Impact Statement

PROPOSED RULES:

CHAPTER 31. Bomb Detector Dog Certification

390:31-1-6 [AMENDED]

SUMMARY:

Amendment restricts CLEET employees from participating in the training or testing of any canine team.

AUTHORITY:

Council on Law Enforcement Education and Training; 70 O. S., § 3311 through 3311.13; 51 O.S., § 24.A.1 et seq.; and 75, O.S. §250 et seq.

CLASSES OF PERSONS AFFECTED:

CLEET staff members.

PERSONS WHO WILL BENEFIT:

Citizens of Oklahoma.

PROBABLE ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS: (Listing of fees and justification)

No economic impact.

PROBABLE COSTS AND BENEFITS TO THE AGENCY OR ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE; SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT; AND ANTICIPATED EFFECT ON STATE REVENUES:

There are no costs associated with this change.

ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS OR ASSISTANCE REQUIRED TO IMPLEMENT OR ENFORCE RULE:

No economic impact.

ADVERSE EFFECT ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:

None.

MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS; ALTERNATIVES CONSIDERED:

There would be no additional compliance costs.

EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED; NATURE OF RISK TO PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND EXTENT PROPOSED RULE WILL REDUCE THE RISK:

Proposed rule would not affect the public health, safety or environment.

DETRIMENTAL EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED:

None.

DATE PREPARED:

January 6, 2015.

NAME OF AGENCY:

Council on Law Enforcement Education and Training (CLEET)

TYPE OF DOCUMENT:

Rule Impact Statement

PROPOSED RULES:

CHAPTER 35. REGULATION OF PRIVATE SECURITY INDUSTRY

Subchapter 1. General Provisions

390:35-1-3. [AMENDED]

Subchapter 5. License Requirements

390:35-5-1 [AMENDED]

390:35-5-2 [AMENDED]

Subchapter 7. Application Procedure

390:35-7-3 [AMENDED]

390:35-7-4 [AMENDED]

Subchapter 9. Violations and Investigations

390:35-9-4 [AMENDED]

Subchapter 15. Training Requirements

390:35-15-2 [AMENDED]

SUMMARY:

Amendments include adding the “Alford” plea as a form of conviction to meet state statutes. Specifies that completed and expunged deferred sentences are not a conviction, and adds the definitions of Expungement and Publish. Reduces the number of years that an expired agency license must complete the entire application process, from five to three years. Additionally, states that defendants in a criminal case or subjects serving a deferred sentence, will not be licensed until completion. Language is added to specifically state that CLEET staff will not request nor gather documents for an applicant, nor will staff give advice or advisory opinions regarding whether or not a license will be issued. Applicants for a license will be required to provide all names used by the applicant and provide information related to any previous license issued in any state and any revocations or suspensions of such licenses. Verbal reports of criminal and civil proceedings must be followed up in writing within ten days after arrest or discovery. Lastly, requires instructors whose training, education, teaching or work experience allows them to teach in private security classes, to have been active in that capacity within the last five years.

AUTHORITY:

Council on Law Enforcement Education and Training; 59 O.S., § 1350.1 et seq.; 59 O.S., § 1750.1 through 1750.14; 70 O.S., § 3311 et seq.

CLASSES OF PERSONS AFFECTED:

Individuals licensed by CLEET.

PERSONS WHO WILL BENEFIT:

Individuals licensed by CLEET.

PROBABLE ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS:

None.

PROBABLE COSTS AND BENEFITS TO THE AGENCY OR ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE; SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT; AND ANTICIPATED EFFECT ON STATE REVENUES:

Changes can be implemented with no additional costs to CLEET.

ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS OR ASSISTANCE REQUIRED

TO IMPLEMENT OR ENFORCE RULE:

None.

ADVERSE EFFECT ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:

None.

MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS; ALTERNATIVES CONSIDERED:

There are no costs associated with this change.

EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED; NATURE OF RISK TO PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND EXTENT PROPOSED RULE WILL REDUCE THE RISK:

This proposed rule would not affect the public health, safety or environment.

DETRIMENTAL EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED:

None.

DATE PREPARED:

January 6, 2015.

NAME OF AGENCY:

Council on Law Enforcement Education and Training (CLEET)

TYPE OF DOCUMENT:

Rule Impact Statement

PROPOSED RULES:

CHAPTER 60. REGULATING BAIL ENFORCERS [NEW]

SUMMARY:

The rules in this chapter were approved as Emergency rules by Governor Mary Fallin on April 1, 2014. The Council finds it necessary to promulgate Permanent rules to insure the safety and welfare of individuals seeking training and licensing under this statute, and to implement provisions of The Bail Enforcement and Licensing Act.

AUTHORITY:

Council on Law Enforcement Education and Training; 59 O.S., § 1301, 1303, 1327, 1328, 1329, 1332 and 1332.1.1; 59 O.S., §1350.1 through 1350.20; 59 O.S. §1750.2A, 1750.5, 1750.14; 70 O.S., § 3311 et seq.

CLASSES OF PERSONS AFFECTED:

Bail Enforcers and Armed Bail Enforcers.

PERSONS WHO WILL BENEFIT:

Bail Enforcers, armed Bail Enforcers, and the public.

PROBABLE ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS: (Listing of fees and justification)

Pursuant to Title 59, § 1350.10 original application and license renewal fees will be \$300.00 for an unarmed bail enforcer license or \$400.00 for an armed bail enforcer license. This statute also authorizes reinstatement, duplicate license and late fees. In addition, penalties and fines will be imposed in the same manner as the Oklahoma Security Guard and Private Investigators Act.

PROBABLE COSTS AND BENEFITS TO THE AGENCY OR ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE; SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT; AND ANTICIPATED EFFECT ON STATE REVENUES:

The Council will use staff and resources established for the Oklahoma Security Guard and Private Investigator Act to implement, administer and enforce the Bail Enforcement and Licensing Act. CLEET will use funds available from the CLEET Bail Enforcement Revolving Fund for necessary financial support.

ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS OR ASSISTANCE REQUIRED TO IMPLEMENT OR ENFORCE RULE:

None.

ADVERSE EFFECT ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:

None.

MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS; ALTERNATIVES CONSIDERED:

Existing staff resources established for the Oklahoma Security Guard and Private Investigator Act are being used to implement, administer and enforce the Bail Enforcement and Licensing Act, as well as existing Legal staff.

EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED; NATURE OF RISK TO PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND EXTENT PROPOSED RULE WILL REDUCE THE RISK:

These proposed rules, if not implemented, would restrict CLEET from issuing licenses to

Bail Enforcers or Armed Bail Enforcers pursuant to Senate Bill 1013 passed last legislative session. The persons licensed under these rules, will have had a background check, psychological evaluation, and other criteria prior to licensing.

DETRIMENTAL EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF PROPOSED RULE IS NOT IMPLEMENTED:

None.

DATE PREPARED:

January 6, 2015.