

Council on Law Enforcement Education and Training
Meeting
C.L.E.E.T
2401 Egypt Road
Ada, OK
January 31, 2018
10:00 a.m.

Minutes

Council Members Present:

Chief Michael Robinson, Chairman, OSU DPS
Chief Jason Smith, Vice-Chairman, Jenks PS PD.
Director Stan Florence, OSBI
Dr. James Burke, East Central University
Director John Scully, O.B.N.D.D
Sheriff John Christian, Pontotoc County
Chief Ike Shirley, Bixby PD
Chief Randy Wesley, Chickasaw Nation Lighthouse PD
Sheriff Chris West, Canadian County

Staff Present:

Steve Emmons, Director
Charles Gerhart, Asst. Director
John Parker, Director of Admin.
Gerald Konkler, General Counsel
Shannon Butler, Operations Manager
Shelly Lowrance, Rec. Secretary
Janesa West, Data Entry Clerk
Kelly James, Field Rep
Steven Lanier, Field Rep
Jeanelle Hebert, PS/Records Coor.
Cathi Edwards, Paralegal

Council Members Absent:

Major Pat Mays, OHP
Sheriff Bobby Whittington, Tillman County
Chief Bill Citty, Oklahoma City PD

Guest:

LT Tom Duroy, Ponca City, PD
Sheriff Jim Weir, Grady County
Joshua Huffines, Grady County

1. Call Meeting to Order

Chief Robinson called the meeting to order at 10:03 a.m.

2. Open Meeting Act Compliance

Chief Robinson confirmed this meeting is being held in compliance with the Oklahoma Open Meeting Act.

3. Roll Call for the Council

Chief Robinson asked for a roll call of Council members. Shelly Lowrance called roll call and a quorum was met.

4. **Approval of Minutes**

Chief Robinson asked for a motion to approve the regular meeting minutes for October 18, 2017.

There was no discussion.

Action Taken: Director Scully made a motion to approve. Chief Wesley seconded the motion. Chief Robinson voted yes, Chief Jason Smith voted yes, Dr. James Burke voted yes, Sheriff John Christian voted yes, Director Florence voted yes, John Scully voted yes, Chief Ike Shirley, Chief Wesley voted yes and Sheriff West voted yes. Motion carried 9-0.

Chief Robinson asked for a motion to approve the Special Council / Advisory meeting on December 13, 2017.

There was no discussion.

Action Taken: Chief Wesley made a motion to approve. Chief Shirley seconded the motion. Chief Robinson voted yes, Chief Jason Smith voted yes, Dr. James Burke voted yes, Sheriff John Christian voted yes, Director Florence voted yes, John Scully voted yes, Chief Ike Shirley, Chief Wesley voted yes and Sheriff West voted yes. Motion carried 9-0.

5. **Council Composition**

Chief Robinson asked for an appointment for the 2018 Council Chairman.

Action Taken: Director Florence made a motion to elect Chief Robinson as the 2018 Chairman. Director Scully seconded the motion. Chief Jason Smith voted yes, Dr. James Burke voted yes, Sheriff John Christian voted yes, Director Florence voted yes, John Scully voted yes, Chief Ike Shirley, Chief Wesley voted yes and Sheriff West voted yes. Motioned carried 8-0.

Chief Robinson asked for an appointment for 2018 Council Vice-Chairman.

Action Taken: Director Florence made a motion to elect Chief Jason Smith as the 2018 Vice-Chairman. Director Scully seconded the motion. Chief Robinson voted yes, Dr. James Burke voted yes, Sheriff John Christian voted yes, Director Florence voted yes, John Scully voted yes, Chief Ike Shirley, Chief Wesley voted yes and Sheriff West voted yes. Motioned carried 8-0.

6. **Advisory Council Composition**

Discussion: Chief Robinson stated that Director Jeff Harp, UCO, has resigned and created a vacancy on the Advisory Council. The position is for an active officer from a campus law enforcement agency. Shelly explained CLEET is taking applications for the position until April and it is posted on the website. Chief Robinson asked about the

application process. Shelly stated that the information is on the CLEET website and campuses have been made aware and to email her directly.

No Action Taken

7. Private Security Advisory Committee

There was no discussion.

No Action Taken.

8. Curriculum Review Board

Chief Robison stated that this is information only. Minutes were provided from the Curriculum Review Board meeting held November 14, 2017 and January 9, 2018.

There was no discussion.

No Action Taken.

9. Reserve Legal Refresher (Phase 1)

Discussion: Chief Robinson stated this has to do with previous discussion of officers who have been out for over 5 years and the requirement for a legal refresher. There has been some discussion that this is not adequate for people who had been out of the reserves that length of time. No action has been taken up to this point. Chief Robinson states that we need to send this back to the Advisory Council to research and give some recommendation. Asst. Director Gerhart explained that the Council Committee does need a motion to send it back to the Advisory Council for recommendations.

Action Taken: Chief Shirley made a motion to refer back to Advisory Council for recommendation for Council. Chief Wesley seconded the motion. Chief Robinson voted yes, Chief Jason Smith voted yes, Dr. James Burke voted yes, Sheriff John Christian voted yes, Director Florence voted yes, John Scully voted yes, Chief Ike Shirley, Chief Wesley voted yes and Sheriff West voted yes. Motion carried 9-0.

10. Proposed Legislative Changes

Discussion: Chief Robinson stated that there have been discussions in previous meetings about the proposal of a fee based academy to allow CLEET to charge a fee to noncommissioned officers or non-employed people to get their certification. There is also a proposed legislative changes regarding approval to conduct basic peace officer academies. Both proposals would require legislation changes. Documentation on both issues was provided. At this time Chief Robinson turned the floor over for discussion.

Director Emmons states the primary Bill that has been in discussion is Senator McCortney's SB 1023. After the last Advisory Board meeting one of their Advisory

board members went back and talked to their Representative Dell Kerbs. He asked for a meeting with CLEET and after the meeting Rep. Kerbs has taking a Bill up to the House side, HB 2738. Both bills are very similar and both are moving forward.

Chief Wesley asked if it is like the COPS program. Director Emmons replied yes. They would go through CLEET and then be able to go out and market themselves.

Chairman Robinson asked what the requirements would be. Is there a psychological evaluation be required? Director Emmons replied yes and finger print check. It would be similar to an armed security officer. Chairman Robinson asked if they will have to make those arrangements before hand. Director Emmons replied yes.

Director Emmons states we have been directed to get the language for the regional academy. Senator McCortney agreed to run that language as well in our bill that we already have in place Title 70, Section 3311. Documentation was provided for the Council. These changes would remove the population requirement and allow CLEET to perform an investigation on the agencies, but the Council has the ability to approve or deny the academy.

Director Emmons stated that 3311.5 are already established but SB 1230 is new. SB 1230 by Senator Anthony Sykes is new language to have a committee formed. If the bill passes a committee would be formed starting November 1st of this year to review the training only (The CLEET training). It would start with the current process, review the costs and then it would review moving the training from CLEET to the Technology Centers for basic academy training. That committee would have until November of 2019 to prepare a report for the governor. This bill is directed towards review only. Chief Wesley asked who would appoint the committee. Chairman Robinson stated that it's listed on page 2 of the bill.

At 10:30 Director Florence left.

Director Emmons states that the committee consists of eight (8) members. In reviewing the bills on Monday I came across another Bill, HB 2882. Documentation was not provided because it had been found after the revising of the agenda. HB 2882 is by Representative Josh West is similar, but not the same. In this Bill language states any state supporting technology school in the state of Oklahoma operating under the career techs or any higher education which would include colleges shall be authorized upon application and approval from CLEET offer courses of study for law enforcement certification, basic peace officer education and any other law enforcement relative training. All must meet standards of Title 3311. Students should be able to be eligible for the federal GI Bills. CLEET should approve or deny an application to offer course of training. This will be opening up to any college or career tech can offer courses that CLEET has approved.

Chairman Robinson asked how this is any different than the COPS program. Director Emmons states this opens it up for any college and/or career tech could consider offering

course approved by CLEET that could go towards their 583 hours of basic academy training or to their continuing education which already exist. There is language in it that takes it as far as basic peace officer academy. No Representatives made any contact with CLEET. It is unknown where this is coming from.

Director Emmons asked the Council, the legislation starts next week, what bills does the Council want him to support in the committee meetings?

Sheriff West states that on page 1 section (a) states that the task force shall investigate, study and consider the transfer of current structure. This grabs my attention. The transfer of current structure of the Council on Law Enforcement Education and Training to the Oklahoma Department of Career and Technology Education for training of future law enforcement. This sounds like they want to do away with CLEET. I do not like this verbiage.

Director Emmons stated that this could mean that we would be umbrella under that. Senator Sykes has not made any contact with CLEET but I will be making contact with him to find out what direction he is going with this.

Vice-Chairman Smith states it sounds like it is cutting us out and giving it all to the Vo-Techs. If we are umbrella under the career techs then we are umbrella under the education and law enforcement has no business being umbrella under the education.

Chairman Robinson states he doesn't have a lot of concern with the second bill we have talked about. Because Council still has the ability to approve, make recommendation of course work and requirement.

Chief Wesley asked Director Emmons the difference between 1230 and 1282
Director Emmons states that 1230 on page 2 line 8 it states recommendation for the transfer of duties. This could mean that CLEET would hand off to the career techs. 2882 does not go anywhere near there. The bill just state the Council Committee can approve a college or career tech to teach a course or can approve one to have an academy. So if ECU has the COPS program which is a 2 year program or a 4 year program they could be approved to have an academy. Under 2882 they could ask the Council to do that.
Vice-Chairman Smith asked if this was what we have been doing anyways. We are asking for people to be able to pay. Director Emmons replied yes.

Chairman Robinson asked if there was any more input.

Sheriff West states that until we have a sit down with Senator Sykes and find out his intent we don't support this. I'm not for turning over this industry to non practitioners.

Chief Wesley asked that the Chairman of the Council write a letter that shares our concerns. That way they know where we stand. Chairman Robinson stated we are not opposing but we are not supporting until we receive more clarification. Sheriff West

states we need more clarification. Chairman Robinson stated that there is already political support somewhere to do this.

Chief Wesley stated he believes no Law Enforcement agency would be for this.

Sheriff West states we all know we are in different times. We are an evolving world. And we know that the career techs are financially healthy. I don't believe dissolving CLEET is the answer.

Director Emmons stated this is just to form a committee. Vice-Chairman Smith stated that with all due respect the career techs would have a member on that committee and we would not.

Director Emmons stated that it just states a member of CLEET. This bill could come up next week. Right now we will take a neutral approach. I'm not sure how to get the information back to the Council. If the Council wants me to take an action we would have to have a special meeting.

Sheriff West asked if we vote to send Director Emmons to say that if the intent is to dissolve CLEET and turn everything over to the career techs that we don't support that. Chairman Robinson states we would have to carefully state that.

Chief Shirley stated that we need more clarification on this from Senator Sykes because we have concerns about it.

Chairman Robinson stated that if Senator Sykes will meet with us, I'm happy to sit in on that with the director. Vice-Chairman Smith stated that Senator Sykes may not know what the CLEET Council committee is made up with.

Chairman Robinson asked if there was any more discussion before voting.

Action Taken: Sheriff West made a motion to set up a meeting with Senator Sykes, Director Emmons, Chairman Robinson and himself to find out his intent, and if it is to turn CLEET over to the Vo-tech system we cannot support it as a Council. Chief Shirley seconded the motion. Chief Robinson voted yes, Chief Jason Smith voted yes, Dr. James Burke voted yes, Sheriff John Christian voted yes, Director Florence voted yes, John Scully voted yes, Chief Ike Shirley, Chief Wesley voted yes and Sheriff West voted yes. Motion carried 9-0.

11. Department of Corrections Training Requests

Discussion: Chairman Robinson asked Director Emmons to provide information on the DOC streamline training. Director Emmons received a call from the Department of Corrections stating that they were going to run a bill that would allow the officers from DOC to be removed from 80 hours of instruction so that through those 80 hours they could be taught Department of Corrections related instruction. This would create a new

level of law enforcement officer in the state. This has never been done before. We would have to have a bridge type of program if they ever left DOC and went to a state or county agency. At this time I have not heard if they have moved forward with this matter.

No Action Taken

12. Legislative Budget Hearing

Discussion: Director Emmons stated that CLEET had its budget hearing two weeks ago, the discussion turned toward the fee based academy. There was very little discussion on the intent of CLEET or on the budget for this year. We did ask for the \$1.00 penalty assessment fee that was passed last year that CLEET only receives 33%. At this time we don't have more to report since very little was talked of CLEET's budget for this year.

No Action Taken.

13. Actions against Peace Officers

Discussion: Chairman Robinson stated that this is information only. A list of suspended and voluntarily surrender officers since the last meeting. Director Emmons made note of the details that have been added.

No Action Taken.

14. Divisional Reports

There was no discussion

Chairman Robinson stated that the information has been provided for everyone to look over.

No Action Taken.

15. CLEET Financial Report

Discussion: Director Emmons stated that the Summary of Expenditures has been provided and Mr. John Parker is here to answer any questions. Mr. Parker stated that we are on track. As provided we only have 60% to 70% showing of CLEET's budget available.

No Action Taken.

16. IADLEST National Certification Program

There was no discussion

No Action Taken.

17. IADLEST National Instructor Certification Program

There was no discussion

Director Emmons stated that IADLEST is looking at providing a national instructors certificate.

No Action Taken.

18. Director's Report

Discussion: Director Emmons stated that it's all about the end of the year right now. We are going through the process of sending the suspensions out. 1,011 letters were mailed out to officers who didn't complete their training. We have two job openings at this time. Jeanelle Herbert is moving from our training side over to the administration side. She is going to be the coordinator for Private Security and Records effective February 1, 2018. One field rep has resigned, Jim Elliott. Steve Lanier will be taking over the SW side of the state, Walt Birdsong will be NW, and Tammy Burnett will have NE and Kelly James with continue with the SE.

No Action Taken.

19. Proposed Executive Session

Possible discussion and vote to enter Executive Session to discuss voluntary surrender and denial of reinstatement of Joshua Huffines. Executive Session is permitted pursuant to 25 O.S. 307(B)(1) to discuss disciplining of a salaried public officer or employee and 25 O.S. 307(B)(7) to discuss a matter where disclosure of information would violate confidentiality requirements (i.e., 51 O.S. 24A8(E)).

Action Taken: Sheriff West made a motion to enter in to Executive Session. Sheriff Christian seconded the motion. Chief Robinson voted yes, Chief Jason Smith voted yes, Dr. James Burke voted yes, Sheriff John Christian voted yes, Director Florence voted yes, John Scully voted yes, Chief Ike Shirley, Chief Wesley voted yes and Sheriff West voted yes. Motion carried 9-0.

Action Taken: Sheriff West made a motion to leave Executive Session. Chief Smith seconded the motion. Chief Robinson voted yes, Chief Jason Smith voted yes, Dr. James Burke voted yes, Sheriff John Christian voted yes, Director Florence voted yes, John Scully voted yes, Chief Ike Shirley, Chief Wesley voted yes and Sheriff West voted yes. Motion carried 9-0.

20. Proposed Executive Session

Possible discussion and vote to enter Executive Session to discuss notice(s) of termination or resignation while under investigation pursuant to 70 O.S. 3311(J)(8). Executive Session is permitted pursuant to 25 O.S. 307(B)(1) to discuss disciplining of a salaried public officer or employee, 25 O.S. 307(B)(4), confidential communications between a public body concerning a pending investigation,

claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest and 25 O.S.307(B)(7) to discuss a matter where disclosure of information would violate confidentiality requirements (i.e., 51 O.S. 24A8(E).

Action Taken: Sheriff Christian made a motion to enter in Executive Session. Chief Smith seconded the motion. Chief Robinson voted yes, Chief Jason Smith voted yes, Dr. James Burke voted yes, Sheriff John Christian voted yes, Director Florence voted yes, John Scully voted yes, Chief Ike Shirley, Chief Wesley voted yes and Sheriff West voted yes. Motion carried 9-0.

Action Taken: Chief Shirley made a motion to leave Executive Session. Chief Christian seconded the motion. Chief Robinson voted yes, Chief Jason Smith voted yes, Dr. James Burke voted yes, Sheriff John Christian voted yes, Director Florence voted yes, John Scully voted yes, Chief Ike Shirley, Chief Wesley voted yes and Sheriff West voted yes. Motion carried 9-0.

21. Discussion and/or Direction Regarding 59 O.S. 1750.5 (H)(6)(a)

Asst. Director Gerhart explained that part of the requirement on an investigation on private security is that we have the ability set aside a conviction that is 5 or more years old. We want to be clear on the direction of these instances. Gerald Konkler had it researched and last month we had seventeen, which would be 45-50 a quarter. Do you want us to bring these to the Council for decisions? Director Florence asked if we wanted a decision from the Council to see these as a standing policy or leave this process to the CLEET staff? Asst. Director Gerhart stated yes.

Action Taken: Director Scully made a motion that CLEET staff will carry out this process on these cases. Director Florence seconded the motion. Chief Robinson voted yes, Chief Jason Smith voted yes, Dr. James Burke voted yes, Sheriff John Christian voted yes, Director Florence voted yes, John Scully voted yes, Chief Ike Shirley, Chief Wesley voted yes and Sheriff West voted yes. Motioned carried 9-0.

22. New Business

No new business.

No Action Required

23. Board Comments

Discussion: Director Florence suggested that the committee take some time and talk about the committee wants to be a part of the appeal process with the direction of the CLEET staff.

No Action Required

24. Public Comments

No public comments.

No Action Required

25. Adjournment

Sheriff Christian made a motion to adjourn. Doctor Burke seconded the motion. Chief Robinson voted yes, Chief Jason Smith voted yes, Dr. James Burke voted yes, Sheriff John Christian voted yes, Director Florence voted yes, John Scully voted yes, Chief Ike Shirley, Chief Wesley voted yes and Sheriff West voted yes. Motion carried 9-0.

