

<p style="text-align: center;">COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING RESERVE PEACE OFFICERS FACT SHEET</p>
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Appointment of municipal police officers:

The authority for appointment of municipal police reserve officers is found in Title 11 O.S. § 34-101.

Appointment of county deputy reserve officers:

The authority for appointment of county deputy reserve officers is found in Title 19 O.S. § 547.

Standards for training and certification of reserve officers:

Title 70 O.S. § 3311 establishes minimum standards for the training and certification of reserve peace officers. The Council on Law Enforcement Education and Training (CLEET) derives its authority from this statute.

Standards for training and certification of reserve officers:

Reserve peace officers, within 6 months of their commission or appointment as a reserve officer, must satisfactorily complete a minimum 240 hours CLEET approved certification course and satisfactorily complete all practicum work and pass all written examinations required for certification.

Requirements for attending training:

In order to attend CLEET approved certification training, reserve officers must meet, as a minimum, the following conditions:

1. Employing agency must have conducted a background investigation prior to commissioning as a peace officer.
2. Must have fingerprint clearance from the Federal Bureau of Investigation & the Oklahoma State Bureau of Investigation.
3. Must have undergone a psychological evaluation by a psychologist licensed by the State of Oklahoma and has been evaluated to be suitable to serve as a peace officer in the State of Oklahoma.
4. Must be a high school graduate or have a GED equivalency certificate. (Minimum requirements)
5. Must not be participating in a deferred sentence agreement for a felony, a crime involving moral turpitude or a crime of domestic violence, and does not have any criminal charges pending in any court in this state, another state, in tribal court or pursuant to the United States Code.
6. Must not be currently the subject to an order of the Council revoking, suspending, or accepting a voluntary surrender of peace officer certification.
7. Must not be currently undergoing treatment for a mental illness, condition or disorder.
8. Be at least 21 years of age.
9. Be a United States citizen or in resident alien status, as defined by U.S. Immigration and Naturalization Service.
10. Must not have been convicted in state or federal court for any felony, crime of moral turpitude, or crime of domestic violence.
11. Must not be the subject of a revocation or voluntary surrendering of a peace officer certification in another state for a violation of any law or rule or in settlement of any disciplinary action in such state.
12. Must not have been involuntarily committed to a mental institution. If so, may attend training or work as a peace officer after the Council receives notification of a psychological evaluation conducted by a licensed physician, psychologist or licensed mental health professional which attests and states by affidavit that the officer and the evaluation test data of the officer have been examined and that, in the professional opinion of the physician, psychologist or licensed mental health professional, the officer is psychologically suitable to return to duty as a peace officer (70 OS § 3311 J 1 f).
13. Must submit all required documentation and enrollment materials prior to the certification training.
14. Must pass a reading, writing and comprehend test (Oklahoma Career Techs P.O.S.S.E.) and results must be included in Reserve Academy Application
15. Must not have the entry of a final order of protection against them.

Workers' Compensation Insurance:

Reserve peace officers must be covered by Workers' Compensation as required under Title 85 O.S. § 308

Reserve Officers Hours of Service:

A reserve officer shall serve not more than one-hundred forty (140) hours per calendar month. Those reserve officers who work for more than one agency and who is in compliance with Title 51 § 6, this total is cumulative.

Authority of Reserve Peace Officer while on-duty:

When on duty, reserve peace officers have the same authority as full-time certified peace officers, under Oklahoma Statutes. Counties and municipalities may choose to limit assignment or authority of reserve peace officers under their jurisdiction.

Municipal reserve officers may be assigned to work alone prior to CLEET certification. County reserve officers must work with a full-time Sheriff or CLEET certified deputy until the reserve is CLEET certified. This disparity is due to differences in the statutes that govern municipal and county reserves.

Authority of Reserve Peace Officer while off-duty:

Off-duty reserve peace officers, with specific authority from the employing agency, may be permitted to carry off-duty weapons. Authority is found under Title 21 O.S. § 1289.23, of the Oklahoma Statutes. If such authority is granted, it must meet requirements of this section. Counties and municipalities may choose to not permit off-duty carrying of weapons.

Authority “employed”:

The authority of a reserve peace officer exists only when the officer is “employed” by a law enforcement agency. If the reserve officer leaves the agency, for any reason, the officer has no authority beyond that of a private citizen. The reserve officer’s certification with the State of Oklahoma remains valid, unless revoked, suspended, voluntarily surrendered, or the reserve officer is de-certified, as provided for under Title 70 O.S. § 3311 and/or the administrative rules of CLEET.

Dual Office Holding:

Title 51 O.S. § 6-A prohibits dual office holding for persons who hold an office under the laws of the State of Oklahoma, or deputies of such officers. The statute then lists specific exceptions to this rule. If you think you may be covered by one of the exceptions, you need to consult with legal counsel for the agencies involved to see if one of the exceptions applies. CLEET cannot render a legal opinion on whether one of the exceptions applies.

Agreement-requirements of Title 70, § 3311:

Reserve peace officers who have been absent during mandatory training, or who have not satisfactorily completed skills proficiency portions of the academy may be denied the opportunity to participate in progress examinations or the certification examination. Upon satisfactory completion of remedial training and/or skills exercises, such examinations may be administered by a CLEET Field Representative or by CLEET’s designee.

Reserve peace officers attending CLEET approved certification training must agree to do so under requirements of Title 70 O.S. § 3311, and the CLEET Administrative Rules 390 governing the Reserve Certification Program.

Approval of Reserve Academy:

CLEET issues approval for reserve academies to be conducted by agencies meeting minimum standards for the conduct of such academies including, but not limited to: curriculum, facility, academy coordinator, instructors, and scheduling.

Training requirements beyond certification:

All reserve officers are required to successfully re-qualify with a handgun at least one time annually. Reserve Officers are mandated eight (8) hours of annual continuing education requirements. Within the 8 hours mandated, one (1) hour must be mental health. The employing agency may mandate additional training requirements for reserve officers.

DISQUALIFICATIONS

It is unlawful for any person to willfully make any statement in an application to CLEET knowing the statement is false or intentionally commits fraud in any application to the Council for attendance in any CLEET conducted or CLEET approved peace officer academy or program. Violation of this statute is a felony punishable by imprisonment in the Department of Corrections for a term of no less than two (2) years nor more than five (5) years, or by a fine not exceeding two thousand dollars (2,000.00), or by both such fine and imprisonment (Title 70 O.S. § 3311 I).

Any person who is related to, or has ANY interest (financial or otherwise) in, a wrecker or towing service is prohibited from serving as a law enforcement officer. (Title 47 O.S. § 956)

Police Officers shall not be bail bondsmen, shall not perform the acts of a bail bondman and shall not directly or indirectly receive any benefits from the execution of any bail bond. (Title 59§ 3350.3 & 1315)

Note: The Reserve Peace Officers Fact Sheet is designed to provide information and answers to the most frequently asked questions regarding the Oklahoma Statutes governing the employment and certification requirements for reserve peace officers. It is not intended to include all information or address specific local issues.

Additional information may be obtained by contacting the Council on Law Enforcement Education and Training in Ada, (405) 239-5100 or from a CLEET Field Representative.

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