COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
RESERVE PEACE OFFICERS FACT SHEET

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.

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

1. Be at least 21 years of age.
2. Be a United States citizen or in resident alien status, as defined by U.S. Immigration and Naturalization Service.
3. Must be a high school graduate or have a GED equivalency certificate. (Minimum requirements)
4. Must not have been convicted in state or federal court for any felony, crime of moral turpitude, or crime of domestic violence.
5. Must have fingerprint clearance from the Federal Bureau of Investigation & the Oklahoma State Bureau of Investigation.
6. (Title 70 O.S. § 3311 (E)(2)(b) - Must have undergone psychological evaluation by the employing agency using a psychological instrument approved by CLEET, and administered by the agency in accordance with the standards in the test document. The test results must be evaluated by a psychologist licensed by the State of Oklahoma. The agency must have provided the psychologist with a statement confirming the identity of the individual and attesting that the agency administered the test properly. The agency must certify to CLEET that the evaluation was conducted in accordance with this statute and that the person evaluated is suitable to serve as a peace officer in the State of Oklahoma.
7. Must be commissioned or appointed by employing agency prior to attending CLEET approved certification training.
8. Must be First Aid and CPR certified prior to attending CLEET approved training. (CPR training includes adult and child/infant)
9. Must not have been involuntarily committed to an Oklahoma state mental institution.
10. Must submit all required documentation and enrollment materials prior to the certification training.
11. Passing a reading, writing and comprehend test (Effective Nov. 1, 2015, Title 70 O.S. § 3311.1) (Oklahoma Career Techs P.O.S.S.E.) Results must be included in Reserve Academy Application.

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.

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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 29 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. There are no annual continuing education requirements for reserve peace officers. The employing agency **may** mandate 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 commit 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. § 3311.1).

No person who has had a police or peace officer certification from another state revoked or voluntarily surrendered shall be considered for certification by CLEET within five (5) years of the effective date of any such revocation or voluntary surrender of certification (Title 70 O.S. § 3311 J 10 b).

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 received 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.

Reserve Fact Sheet –Revised 11/3/15