

SECOND REGULAR SESSION

# HOUSE BILL NO. 1526

98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WALTON GRAY.

4394H.02I

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To amend chapter 590, RSMo, by adding thereto one new section relating to a task to study community policing.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 590, RSMo, is amended by adding thereto one new section, to be known as section 590.558, to read as follows:

**590.558. 1. There is hereby established in the department of public safety a "Task Force To Study Community-Based Policing".**

**2. The task force shall have a membership of eleven persons appointed by the director. Membership may include, but not be limited to, representatives of the following groups:**

**(1) Persons from the POST commission;**

**(2) Former sheriffs, chiefs of police, deputy sheriffs, or deputy chiefs of police;**

**(3) The National Association for the Advancement of Colored People or Urban League;**

**(4) Civic organizations;**

**(5) Community-based organizations;**

**(6) The Missouri commission on human rights;**

**(7) Local government;**

**(8) Local police organizations; and**

**(9) A member of the Mound City Bar Association with experience in criminal defense who is in no way involved in prosecuting crimes.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           **3. Within thirty days of its creation, the director or the director's designee shall**  
18 **convene the first meeting of the task force for the purpose of establishing bylaws and**  
19 **electing officers to include a chairperson, vice chairperson, and secretary. The task force**  
20 **shall not meet more than four times annually. Members may be reimbursed for expenses**  
21 **but shall not receive a per-diem allowance.**

22           **4. The task force shall:**

23           **(1) Determine whether a peace officer should be required to disclose if he or she has**  
24 **had any complaints, disciplinary actions, and internal investigations prior to being hired,**  
25 **or during the application or interview process. If such disclosure is necessary, then the**  
26 **following determinations are necessary:**

27           **(a) Whether the peace officer should have a psychological evaluation to establish**  
28 **if he or she can effectively work in the field of law enforcement; and**

29           **(b) Whether such peace officer should receive appropriate training based on the**  
30 **issue;**

31           **(2) Determine whether a peace officer shall have annual psychological screenings**  
32 **by a mental health professional prescribed by the department of public safety;**

33           **(3) Determine how to use modules in order to determine a peace officer's cultural**  
34 **competency;**

35           **(4) Investigate whether peace officers should be required to have diversity training,**  
36 **sensitivity training, cultural competency training, community relations training, disability**  
37 **awareness training, and racial profile training annually throughout his or her tenure as**  
38 **opposed to the current requirement of three hours every three years and determine who**  
39 **should provide the training under this subdivision;**

40           **(5) Study and make recommendations for increasing minorities in law enforcement**  
41 **professions through mentoring projects between high school students and law enforcement**  
42 **agencies;**

43           **(6) Determine the resources law enforcement needs to effectively serve and protect**  
44 **when citizens are exercising their constitutionally protected rights;**

45           **(7) Provide guidance as to how to approach maintaining order during first**  
46 **amendment protected events;**

47           **(8) Determine the best tools and practices that will help peace officers maintain**  
48 **public safety while safeguarding constitutional rights;**

49           **(9) Devise a plan to form durable relationships between peace officers and the**  
50 **community;**

51           **(10) Study how certain practices demonstrate implicit biases which lead to**  
52 **pervasive community mistrust and make recommendations as to how to alleviate such**  
53 **biases;**

54           **(11) Work with the department of public safety to define excessive and elevated use**  
55 **of force under section 563.046;**

56           **(12) Determine and recommend outreach efforts to ensure effective neighborhood**  
57 **policing, peace officer safety, and community health;**

58           **(13) Determine how law enforcement can work with the community to minimize**  
59 **needless confrontation;**

60           **(14) Determine how law enforcement should engage in planning and preparation**  
61 **in times of unrest, including evaluating protocols and training and choosing the**  
62 **appropriate equipment and uniforms needed;**

63           **(15) Determine whether consistent racial profiling should be required throughout**  
64 **the state;**

65           **(16) Investigate the disparity directed at minorities by law enforcement, including**  
66 **racial profiling;**

67           **(17) Make a continuing study and analysis of local police department bias,**  
68 **noncompliance, and investigation system;**

69           **(18) Address the need for additional resources to improve the quality of fairness**  
70 **provided to minorities in law enforcement graduating from the police academy seeking**  
71 **employment;**

72           **(19) Investigate the operations, effects, and administration of local police**  
73 **departments for bias or inconsistencies directed at minorities;**

74           **(20) Investigate measures and methods for the elimination of bias;**

75           **(21) Determine mentoring programs to encourage minorities to join law**  
76 **enforcement;**

77           **(22) Determine scholarships to increase minority attendance at the police academy;**

78           **(23) Determine whether criminal justice courses should be offered in middle school**  
79 **and high school curriculums;**

80           **(24) Evaluate the powers and duties of civilian review boards;**

81           **(25) Recommend programs through local police departments in the schools and the**  
82 **community that would increase positive interactions between members of the community**  
83 **and peace officers in an effort to develop a harmonious rapport between the two groups;**

84           **(26) Determine which programs under subdivision (25) of this subsection, policies,**  
85 **and training would require funding and determine the funding mechanism for such**  
86 **programs, policies, and training;**

87           **(27) Determine whether instructions as to how to set up a civilian review board and**  
88 **information regarding its development should be in place on local police department**  
89 **websites, including information regarding the National Association for Civilian Oversight**  
90 **of Law Enforcement (NACOLE);**

91           **(28) Conduct studies on school security features and practices schools and peace**  
92 **officers can take to decrease the likelihood that an event or crisis will occur;**

93           **(29) Conduct studies on actions schools and peace officers can take to eliminate or**  
94 **reduce the loss of lives and property damage related to an event or crisis;**

95           **(30) Determine how law enforcement could maintain a nonthreatening posture to**  
96 **deescalate the situation in times of unrest;**

97           **(31) Evaluate how peaceful protesters, acting on civil disobedience, should be**  
98 **policed;**

99           **(32) Study and make recommendations for improvements to the social and**  
100 **economic conditions that impede progress, equality, and safety in a city not within a county**  
101 **or a county with a charter form of government and with more than nine hundred fifty**  
102 **thousand inhabitants;**

103           **(33) Determine if peace officers should be required to take at least six hours of**  
104 **psychology courses;**

105           **(34) Determine whether peace officers should accompany a police chief, captain,**  
106 **or other peace officer in authority to city hall and town hall meetings;**

107           **(35) Determine the need for risk-management training;**

108           **(36) Determine if self-defense training using nonlethal tactics is warranted;**

109           **(37) Study, determine methods, and make recommendations for the**  
110 **demilitarization of police and if there should be instances where militarization of police**  
111 **would be necessary with consultation of an independent human rights group;**

112           **(38) Request the director present himself or herself to address any issues under this**  
113 **subsection;**

114           **(39) Seek guidance and direction from a human rights organization, such as the**  
115 **human rights commission;**

116           **(40) Make every effort to meet in at least three urban regions of the state to seek**  
117 **public input and examine trends in local police departments;**

118           **(41) Request the police chiefs in a county with a charter form of government and**  
119 **with more than nine hundred fifty thousand inhabitants, a city not within a county, a home**  
120 **rule city with more than four hundred thousand inhabitants and located in more than one**  
121 **county, a county with a charter form of government and with more than three hundred**  
122 **thousand but fewer than four hundred fifty thousand inhabitants, a county with a charter**

123 form of government and with more than six hundred thousand but fewer than seven  
124 hundred thousand inhabitants, and a home rule city with more than one hundred sixteen  
125 thousand but fewer than one hundred fifty-five thousand inhabitants be present at  
126 meetings to answer questions;

127 (42) Determine whether peace officers and police departments need to be  
128 accredited;

129 (43) Work with the department of public safety to define excessive and elevated use  
130 of force as well as determine the need for scaling back Missouri's broad provisions on the  
131 use of deadly force by peace officers;

132 (44) Study and make recommendations regarding the feasibility of requiring a  
133 special prosecutor be appointed in any case in which a peace officer kills an unarmed  
134 suspect;

135 (45) Determine the feasibility of requiring all law enforcement deployed to protests  
136 to wear clearly identifiable name tags;

137 (46) Study and make recommendations prohibiting the use of tear gas unless a state  
138 of emergency is declared and a neutral third party is present to oversee its humane use;

139 (47) Determine the feasibility of requiring the governor to work with a neutral  
140 third party to immediately report any abuses of human, civil, or constitutional rights by  
141 law enforcement to the Missouri and United States attorney generals;

142 (48) Study and make recommendations regarding the feasibility of requiring the  
143 governor to dispatch state social workers, counselors, and psychologists to affected regions  
144 once a state of emergency is declared;

145 (49) Make recommendations to the general assembly necessary to provide adequate  
146 protection for minorities, the low income, and young persons in this state regarding due  
147 process and equal protection rights; and

148 (50) Compile a full report of its activities for the submission to the general assembly  
149 by January thirtieth of each year that the general assembly convenes in regular session.

150 5. The provisions of this section shall expire on January 30, 2021.

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