

FIRST REGULAR SESSION

# HOUSE BILL NO. 328

## 98TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVE WALTON GRAY.

0857L.011

D. ADAM CRUMBLISS, Chief Clerk

---

### AN ACT

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

---

*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  
2 known as section 590.555, to read as follows:

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

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

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

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

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

**10 (4) Civic organizations;**

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

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

**13 (7) Local government;**

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

**15 (9) A member of the Mound City Bar Association with experience in criminal  
16 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 the 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 officer should receive appropriate training based upon the issue;**

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

32           **(3) Determine how to use modules in order to determine an officer's cultural**  
33 **competency;**

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

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

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

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

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

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

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

- 53           **(11) Work with the department of public safety to define excessive and elevated use**  
54 **of force under section 563.046;**
- 55           **(12) Determine and recommend outreach efforts to ensure effective neighborhood**  
56 **policing, officer safety, and community health;**
- 57           **(13) Determine how law enforcement can work with the community to minimize**  
58 **needless confrontation;**
- 59           **(14) Determine how law enforcement should engage in planning and preparation**  
60 **in times of unrest, including evaluating protocols and training and choosing the**  
61 **appropriate equipment and uniforms needed;**
- 62           **(15) Determine whether consistent racial profiling should be required throughout**  
63 **the state;**
- 64           **(16) Investigate the disparity directed at minorities by law enforcement, including**  
65 **racial profiling;**
- 66           **(17) Make a continuing study and analysis of local police department bias,**  
67 **noncompliance, and investigation system;**
- 68           **(18) Address the need for additional resources to improve the quality of fairness**  
69 **provided to minorities in law enforcement graduating from the police academy seeking**  
70 **employment;**
- 71           **(19) Investigate the operations, effects, and administration of local police**  
72 **departments for bias or inconsistencies directed at minorities;**
- 73           **(20) Investigate measures and methods for the elimination of bias;**
- 74           **(21) Determine mentoring programs to encourage minorities to join law**  
75 **enforcement;**
- 76           **(22) Determine scholarships to increase minority attendance at the police academy;**
- 77           **(23) Determine whether criminal justice courses should be offered in middle school**  
78 **and high school curriculums;**
- 79           **(24) Evaluate the powers and duties of civilian review boards;**
- 80           **(25) Recommend programs through local police departments in the schools and**  
81 **community that would increase positive interactions between members of the community**  
82 **and law enforcement officers in an effort to develop a harmonious rapport between the two**  
83 **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 law  
92 enforcement officers can take to decrease the likelihood that an event or crisis will occur;

93 (29) Conduct studies on actions schools and law enforcement officers can take to  
94 eliminate or 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 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 law enforcement officers and police departments need to**  
128 **be accredited;**

129 **(43) Make recommendations to the general assembly necessary to provide adequate**  
130 **protection for minorities, the low income, and young persons in this state regarding due**  
131 **process and equal protection rights; and**

132 **(44) Compile a full report of its activities for the submission to the general assembly**  
133 **by January thirtieth of each year that the general assembly convenes in regular session.**

134 **5. The provisions of this section shall expire on January 30, 2020.**

✓