

HB 1207 -- OFFICER-INVOLVED DEATHS

SPONSOR: Dogan

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Civil and Criminal Proceedings by a vote of 11 to 1.

This bill requires each law enforcement agency to have a written policy regarding the investigation of officer-involved deaths. The written policy must:

(1) Require an investigation conducted by at least two investigators, one of whom is the lead investigator and neither of whom is employed by a law enforcement agency that employs a law enforcement officer involved in the officer-involved death;

(2) Require, in the case of a traffic-related death, the investigation to use a crash reconstruction unit from a law enforcement agency that does not employ a law enforcement officer involved in the officer-involved death being investigated. However, any state law enforcement agency may allow an investigation involving a law enforcement officer employed by that agency to use a crash reconstruction unit from the same state law enforcement agency; and

(3) Allow an internal investigation into the officer-involved death if the internal investigation does not interfere with the investigation required under these provisions.

The investigators conducting an investigation must provide a complete report, in an expeditious manner, to the prosecutor of the county or city not within a county in which the officer-involved death occurred. If the prosecutor determines there is no basis to prosecute the law enforcement officer involved in the officer-involved death, the investigators conducting the investigation must release a report of their findings.

PROPOSERS: Supporters say that currently, there is a lack of public trust and police accountability in the post-use of force procedure used by police departments. Furthermore, because officer-involved shootings are a matter of public concern, there needs to be a more transparent process to address the aftermath of a police shooting. The bill will bring that transparency by modifying the procedure used by the National Transportation Safety Board in its accident review process.

Testifying for the bill were Representative Dogan; Michael Bell; and ACLU of Missouri.

OPPONENTS: There was no opposition voiced to the committee.