

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 29,
2 Section 590.040, Line 53, by inserting after all of said section and line the following:

3
4 "590.655. 1. There is hereby created a board for review of officer-involved deaths. The
5 board shall be composed of six members as follows:

6 (1) One retired judge;

7 (2) One former sheriff, chief of police, deputy sheriff, or deputy chief of police;

8 (3) One assistant attorney general;

9 (4) One professor or researcher affiliated with a Missouri university or college who has
10 expertise in the field of criminal law or criminal justice;

11 (5) One licensed attorney with experience in criminal defense who is in no way involved in
12 prosecuting crimes; and

13 (6) One former prosecuting attorney or assistant prosecuting attorney who served in that
14 capacity for at least ten years.

15 2. The members shall be appointed by the attorney general. The initial members shall be
16 appointed to the following terms:

17 (1) Two members, as determined by the attorney general, for a term that expires on the May
18 first occurring at least two years after the initial appointment;

19 (2) Two members, as determined by the attorney general, for a term that expires on the May
20 first at least three years after the initial appointment.

21
22 The last two initial members and all other members appointed thereafter shall be appointed for four-
23 year terms.

24 3. Members of the board shall meet as necessary to perform its duties under section
25 590.656.

26 590.656. 1. Each law enforcement agency shall have a written policy regarding the
27 handling of deaths involving a law enforcement officer employed by the agency. Each policy is
28 subject to review and approval of the department of public safety's peace officer standards and
29 training commission.

30 2. (1) Each policy under subsection 1 of this section shall require a team of investigators
31 consisting of at least three individuals, including individuals from at least two different law
32 enforcement agencies that do not employ a law enforcement officer involved in the death being
33 investigated.

34 (2) If the death being investigated is traffic related, the policy under subsection 1 of this
35 section shall require the investigative team to use a crash reconstruction unit from an agency that
36 does not employ a law enforcement officer involved in the death being investigated. The policy

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 shall give preference to using a unit from the state highway patrol.

2 (3) Each policy under subsection 1 of this section may allow an internal investigation into
3 the death if the internal investigation does not interfere with the duties under this section of the team
4 of investigators under subdivision (1) of this subsection.

5 (4) Each policy under subsection 1 of this section shall require any officer involved in the
6 death to submit a blood sample. No person shall perform any analysis or test on the blood sample
7 without either the permission of the officer who submitted the sample or a search warrant. At the
8 conclusion of the investigation of the death, the sample may be destroyed if a court approves.

9 3. Compensation for participation on a team under subsection 2 of this section shall be
10 determined in a manner consistent with mutual-aid agreements under section 44.090.

11 4. (1) A team created under subdivision (1) of subsection 2 of this section shall consult and
12 report to the prosecuting attorney in the county where the death occurred. Except as provided in
13 this subsection, the team shall keep confidential any material and information related to the death
14 and the investigation.

15 (2) When a report under subdivision (1) of this subsection is complete, the prosecuting
16 attorney shall release the report to the board for review of officer-involved deaths created under
17 section 590.655.

18 (3) A team created under subdivision (1) of subsection 2 of this section shall respond to
19 requests under subsection 5 of this section from the board for review of officer-involved deaths
20 unless the prosecuting attorney restricts the team from a response due to a court order or because a
21 response could jeopardize the prosecution or investigation of an open case.

22 5. (1) When the board for review of officer-involved deaths receives a report under
23 subdivision (2) of subsection 4 of this section, it shall review the report and evidence to determine if
24 it addresses all aspects of the death. The board for review of officer-involved deaths may request
25 more information, clarification, or testimony from the investigative team that prepared the report.

26 (2) When the board for review of officer-involved deaths finishes its review of the report, it
27 may make recommendations to the prosecuting attorney of the county in which the death occurred
28 and forward the report to any person responsible for disciplining an officer involved.

29 (3) Meetings of the board for review of officer-involved deaths are open to the public, but
30 public comment is closed unless the majority of the board votes to allow public comment.

31 6. When the board for review of officer-involved deaths completes its review of a report
32 under subsection 5 of this section, the attorney general shall release the report and any
33 accompanying written files unless the information is required to be kept confidential under state
34 law."; and

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36 Further amend said bill by amending the title, enacting clause, and intersectional references
37 accordingly.