

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1088, Page 1, Section A, Line 2, by inserting after said section and line the
2 following:

3
4 "590.1254. 1. Beginning January 1, 2022, the Missouri state highway patrol and each local law
5 enforcement agency that employs peace officers shall report to the attorney general's office the following:

6 (1) All use of force by its peace officers that results in death or serious bodily injury, including:

7 (a) The date, time, and location of the use of force;

8 (b) The perceived race, ethnicity, sex, and approximate age of the person contacted, provided that the
9 identification of these characteristics is based on the observation and perception of the peace officer making
10 the contact and other available data;

11 (c) The names of all peace officers who were at the scene, identified by whether the peace officer
12 was involved in the use of force, except that the other peace officers at the scene not directly involved in the
13 use of force shall be identified by the officer's identification number issued by the POST commission unless
14 the peace officer is charged criminally or is a defendant to a civil suit arising from the use of force;

15 (d) The type of force used, the severity and nature of the injury, whether the peace officer suffered
16 physical injury, and the severity and nature of the peace officer's injury;

17 (e) Whether the peace officer was on duty at the time of the use of force;

18 (f) Whether a peace officer unholstered a weapon during the incident;

19 (g) Whether a peace officer discharged a firearm during the incident;

20 (h) Whether the use of force resulted in a law enforcement agency investigation and, if so, the result
21 of the investigation; and

22 (i) Whether the use of force resulted in a citizen complaint and the resolution of that complaint;

23 (2) All instances in which a peace officer resigned while under investigation for violating department
24 policy;

25 (3) All data relating to contacts conducted by its peace officers, including:

26 (a) The perceived race, ethnicity, sex, and approximate age of the person contacted, provided that the
27 identification of these characteristics is based on the observation and perception of the peace officer making
28 the contact and other available data;

29 (b) Whether the contact was a traffic stop;

30 (c) The time, date, and location of the contact;

31 (d) The duration of the contact;

32 (e) The reason for the contact;

33 (f) The suspected offense;

34 (g) The result of the contact, such as:

35 a. No action, warning, citation, property seizure, or arrest;

36 b. If a warning or citation was issued, the warning provided or violation cited;

37 c. If an arrest was made, the offense alleged;

38 d. If the contact was a traffic stop, the information collected, which is limited to the driver;

39 (h) The actions taken by the peace officer during the contact including, but not limited to, whether:

40 a. The peace officer asked for consent to search the person and, if so, whether consent was provided;

Action Taken _____ Date _____

1 b. The peace officer searched the person or any property and, if so, the basis for the search and the
2 type of contraband or evidence discovered, if any;

3 c. The peace officer seized any property and, if so, the type of property that was seized and the basis
4 for seizing the property;

5 d. A peace officer unholstered a weapon during the contact; and

6 e. A peace officer discharged a firearm during the contact;

7 (4) All instances of unannounced entry into a residence with or without a warrant, including:

8 (a) The date, time, and location of the use of unannounced entry;

9 (b) The perceived race, ethnicity, sex, and approximate age of the subject of the unannounced entry,
10 provided that the identification of these characteristics is based on the observation and perception of the
11 peace officer making the entry and other available data;

12 (c) Whether a peace officer unholstered a weapon during the unannounced entry; and

13 (d) Whether a peace officer discharged a firearm during the unannounced entry.

14 2. Notwithstanding any provision of law to the contrary, the data reported under this section shall be
15 made available to the public on the database established under subsection 3 of this section. The Missouri
16 state highway patrol and local law enforcement agencies shall not report the name, address, Social Security
17 number, or other unique personal identifying information of the subject of the use of force; victim of the
18 official misconduct; or persons contacted, searched, or subjected to a property seizure.

19 3. The office of the attorney general shall maintain a statewide database with data collected pursuant
20 to this section, in a searchable format, and publish the database on its website. The database shall be made
21 available to the public no later than January 1, 2022. The database shall include a law enforcement
22 identification system to track peace officer complaints from one agency to another. The database shall be
23 accessible to the public and shall not require special accounts or impose fees for access to the data.

24 4. The Missouri state highway patrol and any local law enforcement agency that fails to meet its
25 reporting requirements under this section shall be subject to the suspension of its funding by its appropriating
26 authority.

27 5. The director of the department of public safety may promulgate all necessary rules and regulations
28 for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010,
29 that is created under the authority delegated in this section shall become effective only if it complies with and
30 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter
31 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to
32 review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional,
33 then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be
34 invalid and void."; and

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