

HB 62 -- THIRD PARTY AGENCY INVESTIGATIONS

SPONSOR: Walton Gray

This bill creates a board for review of officer-involved deaths. The board will consist of five members as follows:

- (1) One retired judge;
- (2) A former sheriff, chief of police, deputy sheriff, or deputy chief of police;
- (3) An assistant attorney general;
- (4) A professor or researcher affiliated with a Missouri university or college who has expertise in the field of criminal law or criminal justice;
- (5) A licensed attorney with experience in criminal defense who is in no way involved in prosecuting crimes; or
- (6) A former prosecuting attorney or assistant prosecuting attorney who served in that capacity for at least 10 years.

The board members must be appointed by the attorney general with the initial members serving staggered terms.

The bill also requires each law enforcement agency to establish a written policy regarding the handling of deaths involving law enforcement officers. The policies must be approved by the POST commission.

Each department will be required to have a team of at least three investigators, with at least two from different law enforcement agencies that do not employ a law enforcement officer involved in the death being investigated.

If the death is traffic related, the investigation team will be required to use a crash reconstruction unit from a law enforcement agency that does not employ a law enforcement officer involved in the death being investigated.

Any officer involved in the death will be required to submit a blood sample. A search warrant or permission from the officer will be needed to perform any analysis or test on the blood sample. At the conclusion of the investigation, the sample may be destroyed with court approval.