

FIRST REGULAR SESSION

HOUSE BILL NO. 1213

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DOGAN.

1947H.03I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 590.650, RSMo, and to enact in lieu thereof one new section relating to prohibitions against unlawful policing.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 590.650, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 590.650, to read as follows:

590.650. 1. **The provisions of this section shall be known and may be cited as "The Fourth Amendment Affirmation Act"**. As used in this section, [~~"minority group" means individuals of African, Hispanic, Native American or Asian descent~~] **the following terms mean:**

(1) **"Benchmark"**, the number used as a basis of comparison in determining possible disparities;

(2) **"Consent search"**, a search authorized by the consent of the individual, not by probable cause;

(3) **"Contraband"**, illegal drugs, guns, or other objects that may warrant an arrest;

(4) **"Explicit bias"**, a prejudice, such as racism, against a group of individuals involving animosity and consciously recognized by the individual although not necessarily admitted publicly;

(5) **"Hit rate"**, the rate of searches in which contraband is found. The hit rate is calculated by dividing the number of searches that yield contraband by the total number of searches. Hit rate may be calculated for individual officers, agencies, or multiple agencies;

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.

- 16 (6) "Implicit bias", a prejudice not consciously recognized by the individual but
17 which can be in conflict with the individual's conscious values and affect behavior,
18 resulting in embarrassment or regret;
- 19 (7) "Investigative stop", a law enforcement activity in which an individual is briefly
20 detained based upon reasonable suspicion accompanied by articulable facts about the
21 individual indicating the possibility of criminal behavior. Investigative stops include:
- 22 (a) Agency initiated investigations;
23 (b) Officer initiated investigations, including pretext stops;
24 (c) Responses to calls for service; and
25 (d) Responses to license plate readers or scans;
- 26 (8) "Law enforcement activity", certain activities conducted by a peace officer
27 including:
- 28 (a) Stops; actions taken the course of making a traffic or pedestrian stop;
29 (b) Post-stop activities; actions officers take after making a stop;
30 (c) Searches; searches based on probable cause or consent, including aspects of the
31 search; and
32 (d) Arrests; detentions for which arrest charges are filed;
- 33 (9) "Limited search", a law enforcement activity in which a peace officer conducts
34 a limited pat-down of a pedestrian or driver, or a restricted search of his or her vehicle for
35 weapons, not including areas of the vehicle that are not immediately accessible to the
36 driver, when there are specific and articulable facts which, taken together with rational
37 inferences from those facts, would lead a peace officer to reasonably believe the individual
38 is armed and presently dangerous to the officer or others;
- 39 (10) "Minority group", individuals of African, Hispanic, Native American, or Asian
40 descent;
- 41 (11) "Pedestrian stop", an encounter between a peace officer and a civilian that
42 involves an investigatory detention based on a reasonable suspicion of wrongdoing;
- 43 (12) "Pretext stop", a stop for which the peace officer cites a criminal violation but
44 which would not have been made except for the officer's concern that other violations
45 might be involved;
- 46 (13) "Racial or ethnic group", a population of individuals perceived as White or
47 Caucasian, Black or African American, Hispanic or Latino, American Indian or Alaska
48 Native, Asian, multiracial, or other;
- 49 (14) "Rate of law enforcement activity", depending on specific circumstances, the
50 rate shall be:

51 (a) For categories of stops, the proportion of incidents affecting a group divided by
52 its benchmark, the proportion that group is of the general population;

53 (b) For categories of searches, the number of searches affecting a group divided by
54 the number of stops for that group;

55 (c) For contraband found, the hit rate, the number of searches for a group in which
56 contraband is found divided by the number of searches for that group;

57 (d) For other categories of post-stop activities, the number of incidents affecting a
58 group divided by the number of stops for that group;

59 (15) "Ratio of disparity", the ratio of the rate of stops or other peace officer
60 activities for the individuals of a minority group to the rate for Caucasian individuals;

61 (16) "Reasonable suspicion", a belief about an individual based on specific and
62 articulable facts which, taken together with rational inferences from those facts, would lead
63 a peace officer reasonably to believe the individual is involved in criminal activity;

64 (17) "Significant disparity", a ratio of disparity that is over one hundred twenty-
65 five percent of the overall state disparity for any minority group for that category of officer
66 activity after adjustments have been accepted by the attorney general for factors other
67 than bias that are contributing to the disparity;

68 (18) "Significant disproportion", a ratio of disparity that is over one hundred
69 twenty-five percent of the overall state ratio of disparity for any minority group for that
70 category of officer activity;

71 (19) "Sobriety checkpoint or roadblock", a law enforcement activity in which
72 public safety justifies all vehicles be stopped without probable cause or reasonable
73 suspicion;

74 (20) "Systemic bias," institutional bias, rather than individual bias, as evident in
75 a significant disparity or other measure of disproportion;

76 (21) "Unlawful policing", occurs in circumstances in which the peace officer's
77 actions are based in whole or in part on the real or perceived race, ethnicity, religious
78 beliefs, gender, English language proficiency, status as a person with a disability, or
79 national origin of a person rather than upon lawful and appropriate law enforcement
80 procedures based on observed behavior or facts about the individual indicating criminal
81 activity. "Unlawful policing" does not include investigations of alleged crimes when law
82 enforcement must seek out suspects who match a specifically delineated description.

83 2. ~~[Each time a peace officer stops a driver of a motor vehicle, that officer shall report~~
84 ~~the following information to the law enforcement agency that employs the officer:~~

85 ~~———(1) The age, gender and race or minority group of the individual stopped;~~

86 ~~———(2) The reasons for the stop;~~

87 ——— (3) Whether a search was conducted as a result of the stop;
88 ——— (4) If a search was conducted, whether the individual consented to the search, the
89 probable cause for the search, whether the person was searched, whether the person's property
90 was searched, and the duration of the search;
91 ——— (5) Whether any contraband was discovered in the course of the search and the type of
92 any contraband discovered;
93 ——— (6) Whether any warning or citation was issued as a result of the stop;
94 ——— (7) If a warning or citation was issued, the violation charged or warning provided;
95 ——— (8) Whether an arrest was made as a result of either the stop or the search;
96 ——— (9) If an arrest was made, the crime charged; and
97 ——— (10) The location of the stop.
98 Such information may be reported using a format determined by the department of public safety
99 which uses existing citation and report forms.
100 ——— 3. (1) Each law enforcement agency shall compile the data described in subsection 2 of
101 this section for the calendar year into a report to the attorney general.
102 ——— (2) Each law enforcement agency shall submit the report to the attorney general no later
103 than March first of the following calendar year.
104 ——— (3) The attorney general shall determine the format that all law enforcement agencies
105 shall use to submit the report.
106 ——— 4. (1) The attorney general shall analyze the annual reports of law enforcement agencies
107 required by this section and submit a report of the findings to the governor, the general assembly
108 and each law enforcement agency no later than June first of each year.
109 ——— (2) The report of the attorney general shall include at least the following information for
110 each agency:
111 ——— (a) The total number of vehicles stopped by peace officers during the previous calendar
112 year;
113 ——— (b) The number and percentage of stopped motor vehicles that were driven by members
114 of each particular minority group;
115 ——— (c) A comparison of the percentage of stopped motor vehicles driven by each minority
116 group and the percentage of the state's population that each minority group comprises; and
117 ——— (d) A compilation of the information reported by law enforcement agencies pursuant to
118 subsection 2 of this section.
119 ——— 5. Each law enforcement agency shall adopt a policy on race-based traffic stops that:
120 ——— (1) Prohibits the practice of routinely stopping members of minority groups for
121 violations of vehicle laws as a pretext for investigating other violations of criminal law;

~~———— (2) Provides for periodic reviews by the law enforcement agency of the annual report of the attorney general required by subsection 4 of this section that:~~

~~———— (a) Determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency; and~~

~~———— (b) If the review reveals a pattern, require an investigation to determine whether any peace officers of the law enforcement agency routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law; and~~

~~———— (3)]~~ **Each law enforcement agency shall adopt a policy prohibiting unlawful policing that** provides for appropriate counseling and training of any peace officer found to have engaged in ~~[race-based traffic stops within ninety days of the review]~~ **unlawful policing.**

The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

~~[6. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency.~~

~~———— 7.]~~ **3.** Each law enforcement agency in this state may utilize federal funds from community-oriented policing services grants or any other federal sources to equip each vehicle used for traffic stops with a video camera and voice-activated microphone.

~~[8. A peace officer who stops a driver of a motor vehicle pursuant to a lawfully conducted sobriety check point or road block shall be exempt from the reporting requirements of subsection 2 of this section.]~~

4. Each time a peace officer stops a driver of a motor vehicle or completes a pedestrian stop, the officer shall report, based on his or her perceptions, at least the following information in a format determined by the Missouri department of public safety:

(1) The real or perceived racial or ethnic group, age, gender, status as a person with a disability, and English language proficiency of the individual stopped;

(2) The jurisdiction in which the stopped individual resides based on the best information available;

(3) The reason or reasons leading to the stop including, but not limited to, moving violation, equipment defect, invalid license plate, sobriety checkpoint, roadblock, investigative stop, disorderly conduct, panhandling, jaywalking, illegal possession of a weapon, call for service, marijuana possession, and drug offense;

- 157 (4) How the alleged violations were detected including, but not limited to, officer
158 observation, radar, and scanner;
- 159 (5) The time, date, location, and duration of the stop;
- 160 (6) Post-stop activities;
- 161 (7) Whether any physical force was used;
- 162 (8) Whether a mental health professional was consulted at the scene;
- 163 (9) Under what authority the stopped individual was searched including, but not
164 limited to, probable cause, consent, inventory, drug or alcohol odor, incident to arrest,
165 plain view contraband, reasonable suspicion-weapon, and drug dog alert;
- 166 (10) If a peace officer summoned a drug dog, if the drug dog alerted, and if the
167 search found contraband;
- 168 (11) Stop outcome including, but not limited to, citation, warning, arrest, and no
169 action;
- 170 (12) If contraband was found and what type of contraband was found including,
171 but not limited to, drugs, alcohol, paraphernalia, currency, weapons, and stolen property;
- 172 (13) If the stopped individual was handcuffed before arrest;
- 173 (14) If a peace officer asked for consent to a search, if consent was received and
174 how that consent was documented including, but not limited to, signature, audio recording,
175 and video recording;
- 176 (15) If individuals in the vicinity of or accompanying the stopped individual were
177 searched;
- 178 (16) What areas of a vehicle or person were searched including, but not limited to,
179 possessions, clothing, and electronic devices; and
- 180 (17) If a vehicle was towed.
- 181 **5. Each law enforcement agency shall:**
- 182 (1) Compile the annual data, which includes all the information from section 3 of
183 this section, on the standardized forms determined by the department of public safety for
184 vehicle stops and pedestrian stops;
- 185 (2) Submit the form to the attorney general no later than March first of the
186 following calendar year;
- 187 (3) Update the compiled data and conspicuously publish the data on the respective
188 law enforcement agency's website on a monthly basis;
- 189 (4) Maintain all data collected under this section for not less than ten years; and
- 190 (5) Provide for the protection of the privacy of individuals whose data is collected
191 by not providing to the public the individual names and identifying information regarding

the particular peace officers who made the stops and the pedestrians, drivers, and passengers who were stopped.

6. (1) The attorney general shall analyze the annual data compilations of law enforcement agencies required by this section and submit a report of the findings to the governor, the general assembly, the judiciary, and each law enforcement agency no later than June first of the following calendar year. The report shall use best practices to identify as clearly as possible situations in which racial and ethnic groups are disproportionately affected by law enforcement activity so that further analysis may be conducted to determine whether explicit, implicit, or systemic bias may be contributing factors.

(2) The attorney general's report shall include specific information on each law enforcement agency, including compilations of the information reported by them under subsection 5 of this section. This section shall be called agency data.

(3) The attorney general's report shall include statewide totals of all the categories of law enforcement activity reported by law enforcement agencies. This section shall be called statewide data.

(4) The agency data section and the statewide data section of the attorney general's annual report shall include analysis of all categories of stops, including total numbers of drivers or pedestrians stopped, searched, or arrested.

(5) The agency data section and the statewide data section of the attorney general's annual report shall include subsections analyzing all categories of stops on the basis of the ethnic and racial group proportions of drivers and pedestrians. These subsections shall be called group proportion data.

(6) The group proportion data subsections shall include rates for each racial and ethnic group based on census data for each jurisdiction or alternatives as described in this section. For the statewide group proportion data subsection, rates shall be based on statewide group proportions. The rates shall be a group's proportion of stops in each category divided by its benchmark proportion of the drivers or pedestrians.

(7) The group proportion data subsections shall include disproportions expressed as ratios of disparity for each stop category. The ratios of disparity shall be each group's rate divided by the Caucasian group's rate. In instances in which discrimination may affect the Caucasian population, the attorney general may issue a supplemental section to his or her group proportion data subsection in which the ratios of disparity shall be each group's rate divided by the overall rate for all minority groups.

(8) The benchmarks for analyzing stop data shall be determined by the attorney general following best practices. The benchmark:

- 228 (a) May be based on group proportions for the jurisdiction in the most recent
229 census;
- 230 (b) May include adjustments of the census proportions following best practices such
231 as:
- 232 a. A race and ethnicity spatial weighting data analysis tool;
- 233 b. Race and ethnicity specific data from observational surveys of motorists;
- 234 c. Race and ethnicity specific data about traffic accidents in which the driver is not
235 found to be at fault;
- 236 d. Data derived from the United States Department of Transportation National
237 Household Transportation Survey;
- 238 e. Other benchmarks accepted by recognized experts or a combination of the
239 benchmark measures listed in this subdivision;
- 240 (c) Shall report the disproportions expressed as ratios of disparity: the rate for the
241 drivers of each minority group divided by the rate for Caucasian drivers and the rate of
242 pedestrians of each minority group divided by the rate for Caucasian pedestrians.
- 243 (9) The agency data and statewide data sections shall include subsections analyzing
244 post-stop peace officer outcomes including, but not limited to, citations and warnings given,
245 and arrests made, as well as vehicles towed, based on the group proportions of drivers who
246 have been stopped and on the group proportions of pedestrians who have been stopped.
247 These subsections shall be called post-stop outcome data.
- 248 (a) The post-stop outcome data subsections of the attorney general's annual report
249 shall include rates for each racial and ethnic group for each category of post-stop activity
250 based on the benchmark of group proportions of stops.
- 251 (b) The rates shall be the group's proportion of incidents in each category divided
252 by the group's proportion of stops.
- 253 (c) The disproportions shall be expressed as ratios of disparity: the rate for the
254 drivers of each minority racial and ethnic group divided by the rate for white drivers or
255 the rate for the pedestrians of each minority racial and ethnic group divided by the rate
256 for the white pedestrians.
- 257 (10) The agency data and statewide data sections shall include subsections
258 analyzing all categories of searches. These subsections shall be called search and hit rate
259 data.
- 260 (a) The search and hit rate data subsections shall include search rates for each
261 racial and ethnic group for each category of search using group proportions of stops as the
262 benchmark. The search rate shall be the group's number of searches in each category
263 divided by the group's number of stops.

(b) The search and hit rate data subsections shall include hit rates for each racial and ethnic group for each category of search using group proportions of searches as the benchmark. The rate shall be the group's number of searches in which contraband is found divided by the group's number of searches.

(c) The disproportions shall be expressed as ratios of disparity: the hit rate for the drivers of each minority racial and ethnic group divided by the hit rate for white drivers, or the hit rate for the pedestrians of each minority racial and ethnic group divided by the hit rate for white pedestrians.

(11) The attorney general's report shall include a section ranking agencies on the basis of their ratios of disparity for categories of officer actions most likely to involve bias. The rankings shall take into account numbers of incidents. The rankings shall not be taken to prove unlawful policing but shall serve to underscore the importance of determining the factors behind the disproportions and addressing any that involve bias.

7. (1) Each law enforcement agency shall ensure there is an annual review of the data collected by its peace officers under subsection 3 of this section, of the annual report of the attorney general required by subsection 5 of this section, and of the agency's internal data and information. Such review shall analyze all categories of law enforcement activity contained in the attorney general's report to determine whether individual officers in the agency, or the agency as a whole, engage in unlawful policing.

(2) If the review reveals a pattern of disproportion, either systemically or for individual peace officers, the agency shall determine whether the agency or any peace officers of the agency engage in unlawful policing. The review shall examine factors that might be contributing to the disproportion. Bias shall be assumed to be a factor if other factors do not entirely account for the disproportion.

(a) The agency shall seek to determine the degree to which systemic bias is a contributing factor in creating any pattern of disproportion. In doing so, it shall review policies, supervision, and training.

(b) The agency shall seek to determine the degree to which explicit bias and implicit bias are contributing factors in situations where bias appears to be a factor. If explicit bias cannot be determined to be involved, implicit bias shall be assumed to be a factor in the disproportions.

(c) Agencies shall investigate complaints and commendations received from the public in order to determine if they support suggestions in the data that peace officers are acting in ways that result in racial and ethnic disproportions as a result of individual or systemic factors. A summary of these investigations without the names of individuals shall be included in the annual review.

(d) No later than September first of each year, the agency shall issue a report to the public explaining the results of the review, including the extent to which disproportions result from bias or from factors other than peace officer bias. The report shall include proposed solutions to any problems identified. Identifying information about individual officers shall not be included in this report.

(e) The agency shall correct any problems revealed by the review and immediately provide for appropriate supervision, training, or counseling of any peace officer found to have engaged in unlawful policing. The officer shall be removed from patrol duties until completion of training.

(f) Peace officers who persistently engage in unlawful policing shall be subject to discipline, up to and including dismissal.

8. Each law enforcement agency with more than fifty peace officers shall create a community partnership and comply with each of the requirements listed below. Agencies with less than fifty peace officers who choose to create a community partnership shall include no fewer than five participants composed of representatives of law enforcement, community leaders, and educational leaders who reflect the diversity of the local community. No law enforcement agency shall be allowed to file a request to the attorney general seeking a supplemental report using an alternative benchmark unless they have created a community partnership and received its approval to do so. The community partnership shall seek to create mutual understanding between law enforcement and the community about unlawful policing and to provide a forum for each group to listen and respond to the other's concerns. For agencies with more than fifty officers, the partnership shall:

(1) Include no less than five participants composed of representatives of law enforcement, community leaders, and educational leaders who reflect the diversity of the local community;

(2) Facilitate workshops and public meetings in the community on racial and other biases;

(3) Advise and assist in policy development, recruitment and hiring of new peace officers, and the training and education of law enforcement agencies on unlawful policing;

(4) Annually and formally recognize law enforcement agencies and individual peace officers who have demonstrated strong commitment to addressing issues of unlawful policing and working with the local community;

(5) Contribute to the agency's annual review;

(6) Approve or disapprove an agency's request that the attorney general issue a supplemental report using an alternative benchmark.

336 **9. (1) If a law enforcement agency has failed, excluding minor technical errors, to**
337 **comply with any of the requirements of this section for three consecutive years, the**
338 **attorney general shall order that the jurisdiction or governing body that the law**
339 **enforcement agency serves be required, from that point forward, to forfeit ten percent of**
340 **its annual general operating revenue received from fines, bond forfeitures, and court costs**
341 **for traffic violations including amended charges for any traffic violations. The forfeited**
342 **amount shall be paid to the general revenue fund of the state of Missouri, to be designated**
343 **as additional funds for the police officers standards and training commission. The penalty**
344 **shall continue until such time as the requirements are met.**

345 **(2) If a law enforcement agency reports for three consecutive years a significant**
346 **disproportion, the attorney general shall study the efforts of the law enforcement agency**
347 **to achieve lawful policing during the prior three years, including the law enforcement**
348 **agency's annual review and remediation efforts. If the attorney general determines that**
349 **a significant disparity exists, the agency shall be subject to review for a period of three**
350 **years. In each year of the review, the attorney general's office shall repeat its study of the**
351 **law enforcement agency's records, each time covering the prior three years, to determine**
352 **if a significant disparity continues.**

353 **(3) If, in its second year of review, a law enforcement agency reports a significant**
354 **disproportion, and the attorney general's study determines that a significant disparity**
355 **exists, and the law enforcement agency cannot show good faith efforts as determined by**
356 **the attorney general to remedy the disparity, the governor may withhold any state funds**
357 **appropriated to the law enforcement agency. In addition, the attorney general shall**
358 **require changes in the agency's policies and practices, including techniques for identifying**
359 **problem officers, requirements that an officer's ratios of disparity along with any**
360 **mitigating circumstances be a part of the record used to evaluate promotions and**
361 **reassignments, training of supervisors in the skills necessary to eliminate unlawful policing,**
362 **and increasing the quality and quantity of officer training related to unlawful policing.**
363 **The attorney general's office shall work with other state agencies to provide financial**
364 **assistance and expertise to facilitate these changes.**

365 **(4) If, in its third year of review, a law enforcement agency reports a significant**
366 **disproportion and the attorney general's study determines a significant disparity exists, the**
367 **attorney general shall also study the record of the law enforcement agency during the**
368 **review period to determine if the disparities are of such magnitude that the law**
369 **enforcement agency should be further penalized. The attorney general shall take into**
370 **account whether the agency is making a good faith effort to achieve lawful policing. As a**
371 **minimum penalty, the agency shall remain under review, with ongoing attorney general**

oversight, until such time as the agency's annual report shows that a significant disparity no longer exists or until such time as the attorney general's study determines that bias is no longer a significant cause of the disparity. As a maximum penalty, or after six years of review, the attorney general shall order that the governing body or jurisdiction that the law enforcement agency serves be required, from that point forward, to forfeit twenty-five percent of its annual general operating revenue received from fines, bond forfeitures, and court costs for traffic violations including amended charges for any traffic violations. The forfeited amount shall be paid to the general revenue fund of the state of Missouri, to be designated as additional funds for the police officers standards and training commission. This penalty shall continue until such time as the law enforcement agency's annual report shows that a significant disparity no longer exists or until such time as the attorney general's study determines that bias is no longer a significant cause of the disparity. In addition, the governor shall withhold any state funds appropriated to the law enforcement agency until such time as the law enforcement agency's annual report shows that a significant disparity no longer exists or until such time as the attorney general's study determines that bias is no longer a significant cause of the disparity.

10. If after seven years or longer of review, the law enforcement agency continues to report significant disparities for any category of officer action for any minority group, the attorney general shall have the authority to bring an action against the law enforcement agency for systemic bias. If the plaintiff is successful, the judge shall order that the law enforcement agency in question be dismantled and that law enforcement responsibilities be taken over by the county or state until such time as the local agency can be reconstituted with newly hired and appropriately trained officers at both the command and rank-in-file level.

11. All law enforcement agency training shall be in accordance with peace officer standards and training (POST) commission standards on issues related to the prohibition of unlawful policing. The POST commission shall develop and disseminate guidelines and training on this section for peace officers. The course or courses of instruction and the guidelines shall stress development of effective, noncombative methods of carrying out law enforcement duties in a diverse environment.

(1) Peace officers responsible for hiring shall receive training in how to hire for the purposes of reducing bias in the department.

(2) The course of basic training for peace officers shall include adequate instruction on diverse communities in order to foster mutual respect and cooperation between law enforcement and members of all diverse communities. The facilitators for the training

407 should reflect the diversity of cultures and races that the law enforcement agencies serve
408 and should include community organizers and activists that work on policing issues.

409 (3) In developing and establishing criteria for the training, the POST commission
410 shall consult with appropriate groups and individuals having an interest and expertise in
411 the fields of implicit bias, fair and impartial policing, civil rights, cultural awareness, and
412 diversity.

413 (4) Every peace officer shall participate in at least a one-time training as prescribed
414 and certified by the POST commission. The course of instruction shall include:

415 (a) Constitutional rights, including second amendment rights;

416 (b) Identification of key indices and perspectives that make up differences among
417 residents in a local community;

418 (c) Negative impacts of implicit and explicit biases, prejudices, and stereotyping on
419 effective law enforcement, including examination of how historical perceptions of
420 discriminatory enforcement practices have harmed police and community relations;

421 (d) The history and the role of the civil rights movement and struggles and their
422 impact on law enforcement;

423 (e) Specific obligations of peace officers in preventing, reporting, and responding
424 to discriminatory or unlawful practices by fellow officers; and

425 (f) Perspectives of diverse, local constituency groups and experts on particular
426 cultural and police and community relations issues in a local area.

427 (5) Once the initial one-time training is completed, each peace officer shall be
428 required to complete an annual training course that reviews the topics listed in subdivision
429 (5) of this subsection.

430 12. If any provision of this section or its application to any person or circumstance
431 is held invalid, such determination shall not affect the provisions or applications of this
432 section which may be given effect without the invalid provision or application, and to that
433 end the provisions of this section are severable.

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