

SECOND REGULAR SESSION

HOUSE BILL NO. 1461

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES EL-AMIN (Sponsor), HUBBARD, BROOKS, WILSON (42),
THOMPSON, BLAND, WALTON, JOHNSON (61), HOSKINS, BOYKINS,
HAYWOOD, DONNELLY AND HILGEMANN (Co-sponsors).

Read 1st time February 11, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3979L.011

AN ACT

To repeal section 590.653, RSMo, and to enact in lieu thereof one new section relating to civilian review boards.

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

Section A. Section 590.653, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 590.653, to read as follows:

590.653. 1. Each city, county and city not within a county may establish a civilian review board, or may use an existing civilian review board which has been appointed by the local governing body, with the authority to investigate allegations of misconduct by local law enforcement officers towards members of the public. The members shall not receive compensation but shall receive reimbursement from the local governing body for all reasonable and necessary expenses.

2. The board shall have the power to receive, investigate, make findings and recommend disciplinary action upon complaints by members of the public against members of the police department that allege misconduct involving excessive use of force, abuse of authority, discourtesy, or use of offensive language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation and disability. **The board may subpoena witnesses, administer oaths, require the production of books, papers, accounts, documents, and other records or material of any evidentiary nature, and may examine witnesses in any investigation or proceeding authorized pursuant to subsection 1 of this section.** The

15 findings and recommendations of the board, and the basis therefor, shall be submitted to the chief
16 law enforcement official. No finding or recommendation shall be based solely upon an unsworn
17 complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints be
18 the basis for any such findings or recommendations.