

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 878, Page 1, in the Title, Line 3, by deleting the words "corporate security  
2 advisors" and inserting in lieu thereof the words "public safety"; and

3  
4 Further amend said bill and page, Section A, Line 2, by inserting immediately after said line the  
5 following:

6  
7 "590.655. 1. There is hereby created a board for review of officer-involved deaths. The  
8 board shall be composed of five members as follows:

9 (1) One retired judge;

10 (2) A former sheriff, chief of police, deputy sheriff, or deputy chief of police;

11 (3) An assistant attorney general;

12 (4) A professor or researcher affiliated with a Missouri university or college who has  
13 expertise in the field of criminal law or criminal justice;

14 (5) A licensed attorney with experience in criminal defense who is in no way involved in  
15 prosecuting crimes;

16 (6) A former prosecuting attorney or assistant prosecuting attorney who served in that  
17 capacity for at least ten years.

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

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

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

24  
25 The last initial member and all other members appointed thereafter shall be appointed for four-year  
26 terms.

27 3. Such members of the board for review of officer-involved deaths shall meet as necessary  
28 to perform its duties under section 590.656.

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

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

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           (2) If the death being investigated is traffic related, the policy under subsection 1 of this  
2 section shall require the investigative team to use a crash reconstruction unit from an agency that  
3 does not employ a law enforcement officer involved in the death being investigated. The policy shall  
4 give preference to using a unit from the state highway patrol.

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

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

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

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

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

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

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

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

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

34           6. When the board for review of officer-involved deaths completes its review of a report  
35 under subsection 5 of this section, the attorney general shall release the report and any accompanying  
36 written files unless the information must be kept confidential by statute." ; and

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