

HB 668 -- USE OF DEADLY FORCE BY LAW ENFORCEMENT OFFICERS

SPONSOR: Walton Gray

Currently, a law enforcement officer may use deadly force when he or she reasonably believes that the use of deadly force is immediately necessary to effect the arrest and reasonably believes that the person to be arrested has committed or attempted to commit a felony, is attempting to escape by use of a deadly weapon, or may otherwise endanger the life or inflict serious physical injury unless arrested without delay.

This bill changes the provisions to allow a law enforcement officer to use deadly force when all other reasonable means of apprehension have been exhausted or are unavailable, the officer has given notice of his or her identity as an officer and a warning that deadly force may be used unless resistance or flight ceases, and the officer reasonably believes that the person to be arrested has committed or attempted to commit a felony or is attempting to escape and possesses a deadly weapon.

A law enforcement officer must be immediately suspended and removed from duty, without pay, when he or she uses deadly force against an unarmed person who is at a distance of 20 feet or more from the officer, thereby posing no imminent danger to the officer until a full investigation of the incident has been completed.

The bill establishes a Task Force On The Use Of Force By A Law Enforcement Officer in the Department of Public Safety. The task force must focus its efforts clarifying the use of force allowed by law enforcement officers in St. Louis County. The task force must consist of nine members appointed by the department director that may include, but not be limited to:

- (1) A person from the Peace Officer Standards and Training (POST) Commission;
- (2) A former sheriff, chief of police, deputy sheriff, or deputy chief of police;
- (3) An assistant attorney general;
- (4) A retired judge;
- (5) A licensed attorney with experience in criminal defense who is in no way involved in prosecuting crimes; and
- (6) A former prosecuting attorney or assistant prosecuting attorney who served in that capacity for at least 10 years.

Task force members may be reimbursed for expenses but must not receive a per-diem allowance.