

FIRST REGULAR SESSION

# HOUSE BILL NO. 1207

## 98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DOGAN.

2579H.02I

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To amend chapter 590, RSMo, by adding thereto one new section relating to law enforcement agency policies regarding officer-involved deaths.

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

Section A. Chapter 590, RSMo, is amended by adding thereto one new section, to be known as section 590.510, to read as follows:

**590.510. 1. Every law enforcement agency in this state shall have a written policy regarding the investigation of officer-involved deaths that involve a law enforcement officer employed by the law enforcement agency. Such written policy shall:**

**(1) Require an investigation conducted by at least two investigators, one of whom is the lead investigator and neither of whom is employed by a law enforcement agency that employs a law enforcement officer involved in the officer-involved death;**

**(2) Require the investigation to use a crash reconstruction unit from a law enforcement agency that does not employ a law enforcement officer involved in the officer-involved death being investigated, if the death is traffic-related. However, any state law enforcement agency may allow an investigation involving a law enforcement officer employed by that agency to use a crash reconstruction unit from the same state law enforcement agency; and**

**(3) Allow an internal investigation into the officer-involved death if the internal investigation does not interfere with the investigation required under this section.**

**2. Compensation for participation in an investigation under this chapter shall be determined in a manner consistent with mutual aid agreements.**

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.

17           **3. The investigators conducting an investigation under this section shall provide a**  
18 **complete report, in an expeditious manner, to the prosecutor of the county or city not**  
19 **within a county in which the officer-involved death occurred. If the prosecutor determines**  
20 **there is no basis to prosecute the law enforcement officer involved in the officer-involved**  
21 **death, the investigators conducting the investigation under this section shall release a**  
22 **report of their findings.**

23           **4. As used in this section, the term “officer-involved death” shall mean a death of**  
24 **an individual that results directly from an action or an omission of a law enforcement**  
25 **officer while the officer is on duty or while the officer is off duty but performing activities**  
26 **that are within the scope of his or her law enforcement duties.**

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