

HOUSE BILL NO. 1774

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DOGAN.

4991H.011

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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