

SECOND REGULAR SESSION

HOUSE BILL NO. 1823

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRAY.

3645H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 590, RSMo, by adding thereto one new section relating to the investigation of deaths involving a law enforcement officer.

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 590.659, to read as follows:

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

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

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

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

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

22 **3. Compensation for participation on a team under subsection 2 of this section**
23 **shall be determined in a manner consistent with mutual-aid agreements under section**
24 **44.090.**

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