

FIRST REGULAR SESSION

SENATE BILL NO. 43

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR NASHEED.

Pre-filed December 1, 2014, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0604S.01I

AN ACT

To amend chapter 563, RSMo, by adding thereto one new section relating to officer-involved deaths.

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

Section A. Chapter 563, RSMo, is amended by adding thereto one new
2 section, to be known as section 563.078, to read as follows:

**563.078. 1. Each law enforcement agency shall have a written
2 policy regarding the investigation of officer-involved deaths that
3 involve a law enforcement officer employed by the law enforcement
4 agency.**

5 **2. It shall be at the discretion of the attorney general whether to
6 investigate an officer-involved death. If an investigation is requested
7 or ordered by the attorney general's office, the investigation shall be
8 conducted by at least two investigators, one of whom is the lead
9 investigator and neither of whom is employed by a law enforcement
10 agency that employs a law enforcement officer involved in the officer-
11 involved death. If the officer-involved death being investigated is
12 traffic related, the investigators shall use a crash reconstruction unit
13 from a law enforcement agency that does not employ a law enforcement
14 officer involved in the death being investigated.**

15 **3. The investigators conducting the investigation under
16 subsection 2 of this section shall provide a complete report to the
17 attorney general. If the attorney general determines that there is no
18 basis to prosecute the law enforcement officer involved in the officer-
19 involved death, the attorney general may release the report to the
20 general public.**

21 **4. The provisions of this section shall only apply to officer-**

22 involved deaths that occur after August 28, 2015.

23 5. As used in this section the following terms shall mean:

24 (1) "Law enforcement agency", any agency of this state that
25 employs law enforcement officers;

26 (2) "Law enforcement officer", any public servant having both the
27 power and duty to make arrests for violations of the laws of this state
28 except a member of the Missouri state highway patrol;

29 (3) "Officer-involved death", a death of an individual that results
30 directly from an action or an omission of a law enforcement officer
31 while the law enforcement officer is on duty or while the law
32 enforcement officer is off duty but performing activities that are within
33 the scope of his or her law enforcement duties.

✓

Bill

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