

FIRST REGULAR SESSION

# HOUSE BILL NO. 814

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES EL-AMIN (Sponsor), OXFORD, CHAPPELLE-NADAL, CURLS, HOSKINS, BROWN (50), LOW (39), BLAND, SANDERS BROOKS, HUBBARD, WRIGHT-JONES, BOYKINS, BOWMAN, WALTON, BAKER (25), DENISON AND BLACK (Co-sponsors).

Read 1<sup>st</sup> time March 16, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0839L.011

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### AN ACT

To repeal section 590.653, RSMo, and to enact in lieu thereof one new section relating to civilian review boards.

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

Section A. Section 590.653, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 590.653, to read as follows:

590.653. 1. Each city, county and city not within a county may establish a civilian review board, or may use an existing civilian review board which has been appointed by the local governing body, with the authority to investigate allegations of misconduct by local law enforcement officers towards members of the public. The members shall not receive compensation but shall receive reimbursement from the local governing body for all reasonable and necessary expenses.

2. The board shall have the power to receive, investigate, make findings and recommend disciplinary action upon complaints by members of the public against members of the police department that allege misconduct involving excessive use of force, abuse of authority, discourtesy, or use of offensive language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation and disability. **The board may subpoena witnesses, administer oaths, require the production of books, papers, accounts, documents, and other records or material of any evidentiary nature, and may examine witnesses in any investigation or proceeding authorized pursuant to subsection 1 of this section.** The

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.

15 findings and recommendations of the board, and the basis therefor, shall be submitted to the chief  
16 law enforcement official. No finding or recommendation shall be based solely upon an unsworn  
17 complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints be  
18 the basis for any such findings or recommendations.