

HB 461 -- OFFICER-INVOLVED DEATHS

SPONSOR: Dogan

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Crime Prevention by a vote of 9 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 12 to 0.

This bill requires every law enforcement agency to have a written policy regarding the investigation of officer-involved deaths. The written policy specified in the bill requires an investigation to be conducted by at least two investigators in the case of a traffic-related death; the investigation to use a crash reconstruction unit; and allows for an internal investigation.

The investigators conducting an investigation must provide a complete report to the prosecutor of the county or city not within a county in which the officer-involved death occurred.

Compensation for participating in an investigation is determined by a manner consistent with a mutual aid agreement.

This bill is similar to HB 1923 (2020).

PROPOSERS: Supporters say that this requires law enforcement agencies to have independent investigations when there are officer-involved deaths. There is a large fiscal note from the Highway Patrol but that is likely because they are assuming the Patrol will be conducting the investigations, but that is not written in the bill. The investigations can be conducted by any adjoining agency; it just has to be an agency that does not employ the officer or officers involved in the death. It should not be any danger to an officer to release the facts of what happened even when charges are not brought against the officer. It is important that the investigations be conducted by an outside agency because an internal investigation could give the impression of camaraderie and that the agencies are simply "clearing their own." This should also help with recruiting issues because it would bring integrity back to the system and to the profession, and it would help improve the impression the public has of law enforcement.

Testifying for the bill were Representative Dogan; Jewish Community Relations Council; American Civil Liberties Union of Missouri; Arnie Dienoff; Michael Bell; and the Missouri State Conference of the National Association for the Advancement of Colored People.

OPPOSERS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.