

HB 957 -- LAW ENFORCEMENT OFFICER ACCOUNTABILITY

SPONSOR: Bosley

This bill specifies that a law enforcement officer is justified in using a chokehold to effect an arrest or prevent an escape from custody if the officer reasonably believes it is necessary to defend himself or herself or a third person from what the officer believes to be the use or imminent use of deadly physical force or serious physical injury. Using a chokehold for any other purpose is cause for the officer's immediate dismissal and revocation of his or her law enforcement certification.

A law enforcement officer must intervene to prevent or stop another officer from using physical force that exceeds the degree of force permitted to effect an arrest, place a person in detention, take a person into custody, book a person, or control a crowd or riot. The bill specifies to whom a law enforcement officer must report the excessive use of force and what information must be included in the report. When an internal investigation finds that an officer failed to intervene, that officer shall be disciplined, up to and including termination, and the Peace Officer Standards and Training Commission will revoke the officer's certificate. The offense of failing to intervene to prevent the use of unlawful force is considered an act of complicity and the penalty will be equal to the penalty imposed on the officer who used the unlawful force.

Subject to exceptions specified in the bill, all law enforcement officers in Missouri must wear a video camera affixed to their uniforms while on duty; the cameras will record each interaction between an officer and a member of the public. The camera recordings must be preserved by law enforcement agencies for at least 60 days and the agencies must make the recordings available to the public within 14 days of any incident.

Starting January 1, 2022, the State Highway Patrol and every local law enforcement agency that employs law enforcement officers must report certain information to the Attorney General's Office related to law enforcement officers' use of force, as specified in the bill. No later than January 1, 2022, the Attorney General must maintain a statewide database to make information collected from these reports available to the public.