

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 834, Page 19, Section 589.565, Line 19, by inserting after all of said section and line
3 the following:
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5 "590.650. 1. As used in this section "minority group" means individuals of African,
6 Hispanic, Native American or Asian descent.

7 2. Each time a peace officer stops a driver of a motor vehicle, that officer shall report the
8 following information to the law enforcement agency that employs the officer:

9 (1) The age, gender and race or minority group of the individual stopped;

10 (2) The reasons for the stop;

11 (3) Whether a search was conducted as a result of the stop;

12 (4) If a search was conducted, whether the individual consented to the search, the probable
13 cause for the search, whether the person was searched, whether the person's property was searched,
14 and the duration of the search;

15 (5) Whether any contraband was discovered in the course of the search and the type of any
16 contraband discovered;

17 (6) Whether any warning or citation was issued as a result of the stop;

18 (7) If a warning or citation was issued, the violation charged or warning provided;

19 (8) Whether an arrest was made as a result of either the stop or the search;

20 (9) If an arrest was made, the crime charged; ~~and~~

21 (10) If any injury was made by a law enforcement animal to the individual stopped; and

22 ~~[(10)]~~ (11) The location of the stop.
23

24 Such information may be reported using a format determined by the department of public safety
25 which uses existing citation and report forms.

26 3. (1) Each law enforcement agency shall compile the data described in subsection 2 of this
27 section for the calendar year into a report to the attorney general.

28 (2) Each law enforcement agency shall submit the report to the attorney general no later
29 than March first of the following calendar year.

30 (3) The attorney general shall determine the format that all law enforcement agencies shall
31 use to submit the report.

32 4. (1) The attorney general shall analyze the annual reports of law enforcement agencies
33 required by this section and submit a report of the findings to the governor, the general assembly
34 and each law enforcement agency no later than June first of each year.

35 (2) The report of the attorney general shall include at least the following information for
36 each agency:

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(a) The total number of vehicles stopped by peace officers during the previous calendar year;

(b) The number and percentage of stopped motor vehicles that were driven by members of each particular minority group;

(c) A comparison of the percentage of stopped motor vehicles driven by each minority group and the percentage of the state's population that each minority group comprises; and

(d) A compilation of the information reported by law enforcement agencies pursuant to subsection 2 of this section.

5. Each law enforcement agency shall adopt a policy on race-based traffic stops that:

(1) Prohibits the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law;

(2) Provides for periodic reviews by the law enforcement agency of the annual report of the attorney general required by subsection 4 of this section that:

(a) Determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency; and

(b) If the review reveals a pattern, require an investigation to determine whether any peace officers of the law enforcement agency routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law; and

(3) Provides for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within ninety days of the review.

The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

6. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency.

7. Each law enforcement agency in this state may utilize federal funds from community-oriented policing services grants or any other federal sources to equip each vehicle used for traffic stops with a video camera and voice-activated microphone.

8. A peace officer who stops a driver of a motor vehicle pursuant to a lawfully conducted sobriety check point or road block shall be exempt from the reporting requirements of subsection 2 of this section.

590.1300. The POST commission shall investigate all injuries made by a law enforcement animal as that term is defined under section 575.010 when the animal is involved in law enforcement investigation, apprehension, tracking, or search or the animal is in the custody or under the control of a peace officer.

590.1305. All peace officers shall wear video cameras affixed to the peace officer's uniform while on duty and with a law enforcement animal as that term is defined under section 575.010 in the custody or under the control of the peace officer in connection with the peace officer's official duties.

590.1310. 1. The department shall establish minimum standards and training requirements for law enforcement animal as that term is defined under section 575.010 training for peace officers. The training requirements may be satisfied through the completion of and certification by a nationally accredited law enforcement animal training program.

2. No peace officer may employ the use of a law enforcement animal in connection with their official duties until the officer has satisfied the training and certification requirements of subsection 1 of this section.

1 Section 1. Any finding for damages resulting from a law enforcement animal as that term is
2 defined under section 575.010 shall be paid with in an equal proportion by the jurisdiction for which
3 the law enforcement animal provides service and the state from money appropriated in specified
4 allocation to the department of public safety."; and

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6 Further amend said bill by amending the title, enacting clause, and intersectional references
7 accordingly.