

FIRST REGULAR SESSION

# HOUSE BILL NO. 591

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WEST.

1759H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 43.505, RSMo, and to enact in lieu thereof two new sections relating to reporting requirements of law enforcement agencies.

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

Section A. Section 43.505, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 43.505 and 650.040, to read as follows:

43.505. 1. The department of public safety is hereby designated as the central repository for the collection, maintenance, analysis and reporting of crime incident activity generated by law enforcement agencies in this state. The department shall develop and operate a uniform crime reporting system that is compatible with the national uniform crime reporting system operated by the Federal Bureau of Investigation.

2. The department of public safety shall:

(1) Develop, operate and maintain an information system for the collection, storage, maintenance, analysis and retrieval of crime incident and arrest reports from Missouri law enforcement agencies;

(2) Compile the statistical data and forward such data as required to the Federal Bureau of Investigation or the appropriate Department of Justice agency in accordance with the standards and procedures of the national system;

(3) Provide the forms, formats, procedures, standards and related training or training assistance to all law enforcement agencies in the state as necessary for such agencies to report incident and arrest activity for timely inclusion into the statewide system;

(4) Annually publish a report on the nature and extent of crime and submit such report to the governor and the general assembly. Such report and other statistical reports shall

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.

18 be made available to state and local law enforcement agencies and the general public through  
19 an electronic or manual medium;

20 (5) **Beginning January 1, 2026, publish quarterly clearance rates, as defined in**  
21 **section 650.040, on the department's website by the fifteenth calendar day on the month**  
22 **following the close of the preceding quarter;**

23 (6) **Beginning January 1, 2027, report the data collected pursuant to subdivision**  
24 **(2) of subsection 3 of this section to the governor, Missouri peace officers standards and**  
25 **training commission, chair of the committee on the judiciary and civil and criminal**  
26 **jurisprudence of the senate, chair of the committee on crime prevention and public**  
27 **safety of the house of representatives, and chair of the committee on the judiciary of the**  
28 **house of representatives by July 1, 2027, and by July first of each year thereafter. The**  
29 **department shall also make the report available to the public on the department's**  
30 **website;**

31 (7) Maintain the privacy and security of information in accordance with applicable  
32 state and federal laws, regulations and orders; and

33 ~~[(6)]~~ (8) Establish such rules and regulations as are necessary for implementing the  
34 provisions of this section. Any rule or portion of a rule, as that term is defined in section  
35 536.010, that is created under the authority delegated in this section shall become effective  
36 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,  
37 section 536.028. This section and chapter 536 are nonseverable and if any of the powers  
38 vested with the general assembly pursuant to chapter 536 to review, to delay the effective date  
39 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
40 rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid  
41 and void.

42 3. Every law enforcement agency in the state shall:

43 (1) Submit crime incident reports to the department of public safety on forms or in the  
44 format prescribed by the department; and

45 (2) Submit any other crime incident information which may be required by the  
46 department of public safety.

47 (a) **Beginning January 1, 2026, every law enforcement agency in the state shall**  
48 **collect data documenting case clearances, including information on clearance rates, as**  
49 **defined in section 650.040, for nonfatal shootings, as determined by the department of**  
50 **public safety, and report such data to the department on a monthly basis.**

51 (b) **All clearance rate data collected and reported pursuant to this section shall**  
52 **be disaggregated by whether the offense was cleared by arrest or the offense was cleared**  
53 **by exceptional means, as defined in section 650.040; document the year of the offense**

54 **and the demographic information of the victim; and detail the average duration per**  
55 **office from the date of the offense to the date of clearance.**

56 4. Any law enforcement agency that violates this section after December 31, 2021,  
57 may be ineligible to receive state or federal funds which would otherwise be paid to such  
58 agency for law enforcement, safety or criminal justice purposes.

**650.040. 1. As used in this section, the following terms shall mean:**

2 (1) "Clearance rates", the rate at which law enforcement agencies clear an  
3 offense by arrest or by exceptional means;

4 (2) "Offense cleared by an arrest", when at least one person has been arrested,  
5 charged with the commission of the offense, and turned over to the court for  
6 prosecution;

7 (3) "Offense cleared by exceptional means", when the law enforcement agency  
8 has:

9 (a) Identified the offender;

10 (b) Gathered enough evidence to support an arrest, make a charge, and turn  
11 over the offender to the court for prosecution;

12 (c) Identified the offender's exact location so that the suspect could be taken into  
13 custody immediately; and

14 (d) Encountered a circumstance outside the control of such agency that  
15 prohibited the agency from arresting, charging, and prosecuting the offender.

16 2. There is hereby created the "Missouri Violent Crime Clearance Grant  
17 Program" within the department of public safety. This program shall be developed in  
18 consultation with the Missouri peace officers standards and training commission  
19 created pursuant to section 590.120, the office for victims of crime created pursuant to  
20 section 650.310, and the crime laboratory review commission created pursuant to  
21 section 650.059.

22 3. The purpose of this program is to improve law enforcement strategies and  
23 initiatives aimed at increasing violent crime clearance rates.

24 4. To the extent that such uses can be demonstrated to advance the purposes  
25 described in subsection 3 of this section, eligible uses for the funding include:

26 (1) Improved investigatory resources, including the hiring of personnel assigned  
27 to investigate violent crimes or collect, process, and test forensic evidence;

28 (2) Development of evidence-based policies, procedures, and training;

29 (3) Technical assistance;

30 (4) Law enforcement equipment or technology, including investigative, evidence-  
31 processing, or forensic-testing equipment or technology;

32 (5) Contractual support;

33           **(6) Information systems, with prioritization for projects that would improve**  
34 **data integration and the ability to share information across and between law**  
35 **enforcement agencies, prosecuting attorneys' offices, and crime labs;**

36           **(7) Officer health and wellness services;**

37           **(8) Hiring and retention of victim-witness coordinators;**

38           **(9) Partnership with hospital-based violence intervention programs;**

39           **(10) Partnership with accredited behavioral health programs; and**

40           **(11) Partnership with local community service providers to improve support for**  
41 **victims of violent crime.**

42           **5. In awarding a grant under subsection 2 of this section for an allowable use**  
43 **under subsection 4 of this section, the department of public safety shall give priority to**  
44 **law enforcement agencies:**

45           **(1) With consistent public reporting of low clearance rates;**

46           **(2) That demonstrate a commitment to working with community-based**  
47 **organizations and government agencies to reduce violent crime rates; or**

48           **(3) That detail a process for evaluating the effectiveness of both investigators**  
49 **and investigative units, including the development of specific goals and performance**  
50 **metrics.**

51           **6. All law enforcement agencies that receive funding under this section shall**  
52 **report to the department of public safety annually on activities carried out to reduce**  
53 **violent crime and improve clearance rates during the preceding fiscal year including,**  
54 **but not limited to:**

55           **(1) The number of personnel hired or assigned to investigate violent crimes,**  
56 **disaggregated between sworn law enforcement officers and civilian or unsworn**  
57 **professional staff;**

58           **(2) The number of personnel hired or assigned to collect, process, and test**  
59 **forensic evidence;**

60           **(3) The number of personnel hired or assigned to provide victim services;**

61           **(4) The description of any training developed or implemented;**

62           **(5) The description of any new technology purchased or acquired;**

63           **(6) How grant-funded activities have impacted clearance rates;**

64           **(7) The record management system, or equivalent, used to collect case**  
65 **information and its ability to integrate with other agencies', prosecuting attorney**  
66 **offices', and crime labs' record management systems; and**

67           **(8) How the grantee worked with community-based organizations to improve**  
68 **violent crime rates and clearance rates for violent crimes.**

69           **7. Distribution of state funds or technical assistance shall be by contractual**  
70 **arrangement between the department and each recipient law enforcement agency.**  
71 **Terms of the contract shall be negotiable each year. The state auditor shall periodically**  
72 **audit all law enforcement agencies receiving state funds.**

73           **8. Nothing in this section shall prohibit any law enforcement agency from**  
74 **receiving federal or local funds should such funds become available.**

75           **9. No state funds shall be expended unless appropriated by the general assembly**  
76 **for this purpose.**

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