

HCS HB 495 -- PUBLIC SAFETY

SPONSOR: Christ

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Crime and Public Safety by a vote of 13 to 6.

The following is a summary of the House Committee Substitute for HB 495.

This bill allows the chief law enforcement executive for any law enforcement agency to request assistance from a law enforcement agency in another jurisdiction, including from outside the State but within the United States. The bill creates provisions for how arrests are handled if executed by an officer outside of his or her jurisdiction. This bill specifies that, for benefits and other employment-related matters, law enforcement officers remain employees of their respective law enforcement agencies throughout any request for assistance.

Currently, the driver of an emergency vehicle can park or stand, regardless of the normal rules of the road; proceed past a red or stop signal or stop sign after slowing down as necessary for safe operation; exceed the speed limit as long as the driver does not endanger life or property; and disregard regulations governing direction of movement or turning in specified directions. These exemptions apply only to emergency vehicles that, while in motion, sound audible signals by bell, siren, or exhaust whistle as reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle.

The bill provides that an authorized emergency vehicle operated as a police vehicle is not required to use an audible signal or display a visual signal when the vehicle is being used to get evidence of a speeding violation; respond to a suspected crime in progress when use of an audible or visual signal, or both, could reasonably result in the destruction of evidence or escape of a suspect; or conduct surveillance of a vehicle or the passengers of a vehicle who are suspected of involvement in a crime.

Beginning August 28, 2025, the Board of Police Commissioners will assume control of the municipal police department of St. Louis and, no later than September 28, 2025, four citizen commissioners will be appointed to the Board, as provided in the bill, to serve with the mayor as the governing body of the police force. The Board will have the power to appoint the chief of police, determine

appeals from the decisions of the chief of police, and to promulgate rules for the department.

Additionally, until the Board adopts other investigative and disciplinary procedures, the police force will follow the disciplinary and investigative procedures established by the Police Manual of the St. Louis Metropolitan Police Department that are consistent with law.

This bill provides that the city of St. Louis can pass ordinances, including ordinances for preserving order and protecting the public, but no ordinance, charter provision, or initiative petition can conflict or interfere with the powers or the exercise of the powers of the Board of Police Commissioners. Additionally, the mayor or any city officer must not impede or hinder the Board of Police Commissioners. The mayor or any city officer will be liable for a penalty of \$1,000 for each offense to hinder the Board and will forever be disqualified from holding or exercising any office of the city.

The salaries paid as of August 28, 2025, will not be less than the annual salaries paid to each member before the enactment of this bill. No additional compensation will be given to any officer of the rank of lieutenant or above for overtime, court time, or stand-by court time. The bill specifies provisions related to compensation and other employment benefits for all positions on the police force.

This bill provides that reimbursements from the Legal Expense Fund to the Board for liability claims will be on an equal share basis per claim up to a maximum of \$1 million per fiscal year.

This bill repeals provisions relating to the municipal police force established by the city of St. Louis and other provisions relating to procedures of the Board.

The bill prohibits stunt driving, as defined in the bill, on the roads and highways of this State. A violation of this provision is a class B misdemeanor unless an accident is involved, in which case it is a class A misdemeanor. The bill also prohibits stunt driving in connection with a street takeover or performing or participating in a street takeover, as defined in the bill. A violation of this provision is a class A misdemeanor for a first offense, a class E felony for a second offense, and a class D felony for a third or subsequent offense. The bill also prohibits a suspended imposition of sentence or a fine in lieu of imprisonment for a defendant who is proven to be a prior, persistent, aggravated, chronic, or habitual offender. The bill also specifies minimum prison terms for such a defendant. The bill provides exceptions for events

sanctioned by a political subdivision or private entity with responsibility for maintenance and control of the portion of highway or private property on which the motor vehicle operation occurs.

The bill adds the offense of endangering the welfare of a child in the first degree to the definition of "dangerous felony" in the criminal code. The bill also amends the offense of endangering the welfare of a child to include when a person, in the presence of a child or in a residence where a child resides, unlawfully manufactures or attempts to manufacture, compounds, possesses, produces, prepares, sells, transports, tests, or analyzes fentanyl or carfentanil. The offense in such circumstances carries a sentence of five to 10 years of imprisonment and is not eligible for suspended execution of sentence, for a fine in lieu of imprisonment, or for conditional release or parole until the person serves at least five years of imprisonment.

This bill adds to the offense of burglary in the second degree when a person unlawfully enters a motor vehicle or any part of a motor vehicle with the intent to commit a theft or any felony. The bill defines "enters" as a person intruding with any part of the body or any physical object connected with the body. If a person who commits a violation under this provision was in possession of a firearm at the time or stole a firearm from the motor vehicle during the violation, he or she is guilty of a class C felony.

The bill also creates the offense of unlawfully gaining entry into a motor vehicle, which a person commits if he or she lifts the door handles or otherwise tries the doors and locks of successive vehicles in an attempt to gain entry. A violation of this section is a class E felony. A person does not commit the offense of unlawfully gaining entry into a motor vehicle if the person is the owner of the vehicle or has the owner's permission to enter the vehicle.

Currently, the offense of rioting is committed when a person knowingly assembles and conspires with six or more individuals to violate the criminal laws of this state or of the United States, and the offense is a class A misdemeanor. This bill removes the requirement for a conspiracy and it involves a person assembling with six or more persons and thereafter violating any of the criminal laws of this sState or the United States. It also increases the penalty to a class D felony for a first offense and a class C felony for a second or subsequent offense.

The bill specifies that any vehicle involved in the commission of the offense of resisting an arrest, detention, or stop when the offense is a class E felony will be impounded and forfeited.

This bill establishes the "Committee on School Safety" within the Department of Public Safety with membership as provided in the bill. The Committee will at least quarterly evaluate and establish guidelines for school safety concerns, including plans to prevent school firearm violence. The Committee must submit a report to the Governor, the President Pro Tem of the Senate, and the Speaker of the House of Representatives after every meeting of the committee.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that this would put a local board in place to take control of the police department in the city of St. Louis. It is marketed as State control, but the commission members will be local citizens as well as the mayor of the city. There are reports that crime in the city is down, but there is some adjusting of the numbers, such as consolidating crimes into one, to make it look like crime is down. Since the board was removed, the city has lost over 40,000 residents, and many businesses and investors have left the area and they do not want to invest in the city. There is an argument that Kansas City has similar crime statistics and it is under the control of a State board, but that city has a much larger population than the city of St. Louis. Local control for the last 11 years has clearly failed. Facilities are collapsing, officers are leaving because they know they are working in one of the most dangerous cities in the country. The board would create stability and uniformity within the city. It is really important to increase the penalties for the offense of endangering the welfare of a child and for the dealing in fentanyl and carfentanil. The Mayor of St. Louis has full-time officers guarding her and her son, and that is a waste of taxpayer dollars, especially when you hear that there are sometimes two officers in a district per shift. Many businesses, like radio stations and news stations, have left the city for the county. Almost all 200+ members of the ethical society of police are in support of State control of the police department. The 7% pay increase went to the officers who are in years 1-20 of service, but a person who has been there 20 years or more got 2%. The civilian personnel of the police department did not get a raise. There have been great strides made to increase the pay of officers in the city but there is still a \$12,000 difference between the pay of top officers in the city versus the top officers in the county, and it takes seven years longer to get there in the city. The good thing about moving the police department back under the control of a board is it brings the

department back under the auspices of the Attorney General's office and the legal expense fund.

Testifying in person for the bill were Representative Christ; Arnie Dienoff; St. Louis Police Officers Assoc., Stl County Police Officers Assoc. & Mo Fop; Todd Scott, Missouri Attorney General's Office; Byron Keelin, Freedom Principle Of Mo; St. Louis County Police Association; Jay Schroeder, Missouri Fop; Steve Pelton, Missouri Sheriffs United; Donny Walters, Ethical Society Of Police; Joe Steiger, St. Louis Police Officers' Association.

OPPONENTS: Those who oppose the bill say that this legislation will not make St Louis safer and it will undermine the efforts the city has already been making. Crime is down in the city and it's lower than pre-pandemic numbers. The clearance rate has increased from less than 40% to 70%. Under State control in 2006, St. Louis was the most dangerous city in the country. St. Louis is in the middle of a renaissance. The Mayor holds town hall meetings with the business owners who have decided to lay roots in the city and, as a result, these businesses have decided to renew their leases. The city has not taken any money away from the police department. The city holds events for youth to help keep them away from violence and crime and to reduce the chances that they will recidivate. If the police department has asked for additional funding, it has received it. The crime in St. Louis is down but not acceptable. Point one percent of the population of St. Louis commits most of the crime, and the demographic is 31-year-old black males. Red flag laws would help decrease crime in the city, as would laws that require a CCW to carry.

Testifying in person against the bill were Abortion Action Missouri; Mayor Tishaura O. Jones, City Of St. Louis; Robert J. Tracy, St. Louis Police Department; James Figueroa-Robnett Jr., Missouri Naacp Conference; Adolphus Pruitt, St. Louis City NAACP; Precious Jones, Breaking Generational Poverty Foundation.

OTHERS: Others testifying on the bill submitted their testimony in writing.

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