

HB 1505 -- PUBLIC SAFETY

SPONSOR: Perkins

VIOLENT CRIME CLEARANCE RATES (Section 43.505, RSMo)

Currently, the Department of Public Safety is the central repository for the collection, maintenance, analysis, and reporting of crime incident activity generated by law enforcement agencies in the State. This bill requires the Department to publish quarterly clearance rates on their website beginning January 1, 2026.

Beginning January 1, 2026, every law enforcement agency in the State will collect data documenting case clearances for nonfatal shootings. Clearance rate data will be reported on a monthly basis. Clearance rate data will include demographic information and be disaggregated by whether the offense was cleared by arrest or by exceptional means, as defined in the bill. Beginning January 1, 2027, the Department will make annual reports of this data to a number of offices listed in the bill.

This bill defines terms "Clearance rates", "Offense cleared by an arrest", and "Offense cleared by exceptional means". The bill creates the Missouri Violent Crime Clearance Grant Program within the Department, to be developed in consultation with the Peace Officers Standards and Training Commission, the Office for Victims of Crime, and the Crime Laboratory Review Commission. The purpose of the Program will be to improve law enforcement strategies and initiatives aimed at increasing violent crime clearance rates. The bill describes eligible uses for funding in the Program to achieve this purpose. Priority for grants under this program will be given to law enforcement agencies:

- (1) With consistent public reporting of low clearance rates;
- (2) That demonstrate a commitment to working with community-based organizations and government agencies to reduce violent crime rates; or
- (3) That detail a process for evaluating the effectiveness of both investigators and investigative units, including the development of specific goals and performance metrics.

The bill requires law enforcement agencies that receive funding under this Program to report to the Department annually on activities carried out to reduce violent crime and increase clearance rates, as described in the bill. The State Auditor will periodically audit all law enforcement agencies receiving state funds.

RESTRAINTS ON CHILDREN DURING JUVENILE COURT PROCEEDINGS (Section 211.436)

This bill requires that instruments of restraint, including handcuffs, chains, irons, or straitjackets, will not be used on a child during a proceeding in a juvenile court and will be removed prior to the child's appearance before the court unless, after a hearing, the court finds both that:

- (1) The use of restraints is necessary to prevent physical harm to the child or another person, there is evidence that the child presents a substantial risk of flight from the courtroom, or history of disruptive courtroom behavior; and
- (2) There are no less restrictive alternatives including, but not limited to, the presence of court personnel, law enforcement officers, or bailiffs.

If the juvenile officer believes there is an immediate safety or flight risk, they will advise the attorney for the child and make a request in writing prior to the commencement of the proceeding for the child to remain restrained. The court will order a hearing and provide the child's attorney an opportunity to be heard before the court orders the use of restraints. If restraints are ordered, the court will make findings of fact in support of the order.

If restraints are used, the restraints will allow the child some limited movement of the hands to read and handle documents necessary to the proceeding. Under no circumstances will a child be restrained using restraints fixed to a wall, floor, furniture, or other stationary object.

OFFENDERS' MEDICAL RECORD REQUESTS (Section 217.075)

This bill requires the Department of Corrections (DOC) to provide to an offender or their personal representative electronic copies of all medical records related to that offender while in the custody of the DOC upon request. The electronic copies will be provided within 30 days of the request and at no cost to the offender.

PERSONAL REPRESENTATIVE DESIGNATION FOR OFFENDERS (Section 217.312)

The bill gives offenders delivered to the reception and diagnostic center of the DOC the opportunity to designate a personal representative. The DOC will develop a form for offenders to make a personal representative designation. The form will be made available in paper and electronic format and will include

information about the personal representative as listed in the bill. The Director will have rulemaking authority for the administration of this section under Chapter 536.

INVESTIGATION OF DEATHS AT DEPARTMENT OF CORRECTIONS FACILITIES (Section 217.446)

The bill requires that when any person under 50 years of age dies within a DOC facility, the State Highway Patrol will conduct an independent death investigation. In conducting the investigation, the State Highway Patrol will be granted full access to any records and findings of an autopsy.

PHONE ACCESS AT JAILS AND CORRECTIONAL CENTERS (Section 217.451)

The bill requires jails and correctional centers to provide offenders and inmates with reasonable access to phone services, except that phone access can be restricted as a disciplinary measure. The total cost of domestic phone calls charged to an inmate or offender will not exceed 12 cents per minute.

HOSPICE CARE TRAINING PROGRAM IN STATE PRISONS (Section 217.1200)

This bill allows the DOC to develop a Hospice Care Training Program. The DOC, in cooperation with the Department of Health and Senior Services (DHSS) and the Department of Commerce and Insurance, can jointly partner in the Program to determine appropriate training for the purpose of obtaining licensure or certification required for inmates selected to participate in the Program.

The Departments will jointly approve program curriculum, including required program credits for each subject and practical skills instruction. Training will be provided by a licensed physician, registered nurse, or other appropriately licensed or trained health care professional. The DOC will issue certificates to inmates who successfully complete the program.

The DOC, in cooperation with DHSS and the Division of Professional Registration, will develop a process for submission of notice of training completion and an application for licensure or certification to the Division of Professional Registration, as prescribed by DHSS. The DHSS, in consultation with DOC, will have rulemaking authority for the administration of this Program subject to Chapter 536.

USE OF RESTRAINTS ON PREGNANT OFFENDERS (Section 221.520)

The bill defines the terms "Extraordinary circumstance", "Labor", "Postpartum", and "Restraints"

This bill bans the use of restraints by a county or city jail on a pregnant offender in her third trimester, except in extraordinary circumstances. This ban will include transportation to and from visits to health care providers and court proceedings or during medical appointments and examinations, or during labor, delivery, or 48 hours postdelivery.

In the event a sheriff or jailer determines that extraordinary circumstances exist and restraints are necessary he or she will fully document in writing within 48 hours of the incident, the reasons he or she determined such extraordinary circumstances existed, the type of restraints used, and the reasons those restraints were considered the least restrictive available and the most reasonable under the circumstances. These written findings will be kept on file by the county or city jail for at least five years from the date the restraints were used.

Any time restraints are used on a pregnant offender in her third trimester or on a postpartum offender within forty-eight hours postdelivery, the restraints will be the least restrictive available and the most reasonable under the circumstances. In no case will leg, ankle, or waist restraints, or any mechanical restraints be used on any such offender, and if wrist restraints are used, such restraints will be placed in the front of such offender's body to protect the offender and the unborn child in the case of a forward fall.

If a health care provider treating the pregnant offender in her third trimester or postpartum requests that restraints not be used, the sheriff or jailer accompanying the offender will immediately remove all restraints. Pregnant offenders will be transported in vehicles equipped with seatbelts.

The bill requires county and city jails to:

- (1) Ensure that employees of the jail are provided with training on the provisions of this section of the bill, and
- (2) Inform female offenders, in writing and orally, of any policies and practices developed in accordance with this section of the bill upon admission to the jail and post the policies and practices in the jail where they will be seen by female offenders.

DENTAL SERVICES FOR OFFENDERS IN STATE CORRECTIONAL CENTERS
(Section 332.081)

Currently, there is an exemption which allows the practice of dentistry at facilities owned by a city, county, or other political subdivision of the State. This bill expands that exception to include State-owned correctional centers.