

SECOND REGULAR SESSION

HOUSE BILL NO. 3459

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FOUNTAIN HENDERSON.

6956H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 590, RSMo, by adding thereto six new sections relating to homicide investigations, with penalty provisions and a delayed effective date.

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

Section A. Chapter 590, RSMo, is amended by adding thereto six new sections, to be
2 known as sections 590.1200, 590.1202, 590.1204, 590.1206, 590.1208, and 590.1210, to read
3 as follows:

2 **590.1200. 1. The provisions of sections 589.1200 to 589.1210 shall be known and
may be referred to as "Preston's Law".**

3 **2. For purposes of sections 589.1200 to 589.1210, the following terms mean:**

4 **(1) "Family", the next-of-kin of the deceased and any individual designated in
5 writing by the next-of-kin;**

6 **(2) "Homicide scene", any location where a deceased person is discovered or
7 where law enforcement is conducting an active homicide investigation;**

8 **(3) "Next-of-kin", as such term is defined under section 194.119;**

9 **(4) "Trauma-informed conduct", behavior demonstrating empathy, respect, and
10 awareness of the emotional impact of violent loss;**

11 **(5) "Victim information", any nonprivileged factual information regarding the
12 deceased or the investigation that may be lawfully disclosed.**

13 **3. All peace officers and law enforcement personnel responding to or
14 investigating a homicide shall treat family members with integrity, respect,
15 compassion, empathy, and professionalism.**

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.

16 **4. Peace officers shall refrain from any conduct that communicates victim-**
17 **blaming, derogatory commentary, or judgmental statements regarding the deceased or**
18 **the deceased's past.**

19 **5. Peace officers shall protect the civil, legal, and privacy rights of the deceased**
20 **and the family.**

21 **6. All personal information regarding the deceased or the family shall remain**
22 **confidential, except where disclosure is required by law.**

23 **7. Communication with family members shall be ethical, transparent, and**
24 **trauma-informed.**

590.1202. 1. The next-of-kin shall be permitted to visually verify the deceased
2 **within twenty-four hours of identification by law enforcement or the medical examiner.**

3 **2. Verification may be delayed only if:**

4 **(1) Such verification would compromise an active forensic process; or**

5 **(2) The medical examiner provides written justification for the delay.**

6 **3. In cases where verification is delayed as provided under subsection 2 of this**
7 **section, verification shall occur as soon as reasonably possible, and no later than forty-**
8 **eight hours after the written justification is issued.**

590.1204. 1. Law enforcement agencies shall provide the following to the next-
2 **of-kin:**

3 **(1) Victims of Crime Act (VOCA) resources and referral contacts within forty-**
4 **eight hours of initial notification;**

5 **(2) No more than two copies of police reports at no cost, once the reports may be**
6 **disclosed under the law;**

7 **(3) The number of ballistic injuries or major wounds to the deceased, within**
8 **twenty-four to forty-eight hours of receiving preliminary findings from the medical**
9 **examiner;**

10 **(4) A toxicology report within six months of the homicide, unless the medical**
11 **examiner provides written justification for the delay; and**

12 **(5) A full autopsy report within nine to twelve months of the homicide, unless the**
13 **medical examiner provides written justification for the delay.**

590.1206. 1. In addition to the continuing education requirements for peace
2 **officers under section 590.050, peace officers and other law enforcement personnel**
3 **involved in homicide investigations shall complete annual training in:**

4 **(1) Trauma-informed communication;**

5 **(2) Cultural sensitivity;**

6 **(3) Victim rights; and**

7 **(4) Family engagement protocols.**

8 **2. The department of public safety shall develop standards for the training**
9 **required under this section.**

590.1208. 1. Law enforcement agencies shall document compliance with the
2 **provisions of sections 589.1200 to 589.1210.**

3 **2. Families alleging a violation of any provision of sections 589.1200 to 589.1210**
4 **may file a complaint with the POST commission.**

5 **3. The POST commission may, in connection with a violation of sections 589.1200**
6 **to 589.1210, impose:**

7 **(1) Mandatory retraining;**

8 **(2) Administrative discipline; or**

9 **(3) Civil penalties for repeated or intentional violations.**

10 **4. No peace officer or law enforcement agency shall retaliate against any family**
11 **member for requesting information, filing a complaint, or exercising rights under the**
12 **provisions of sections 589.1200 to 589.1210.**

590.1210. The director of the department of public safety may promulgate all
2 **necessary rules and regulations for the administration of sections 589.1200 to 589.1210.**
3 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**
4 **under the authority delegated in this section shall become effective only if it complies**
5 **with and is subject to all of the provisions of chapter 536 and, if applicable, section**
6 **536.028. This section and chapter 536 are nonseverable and if any of the powers vested**
7 **with the general assembly pursuant to chapter 536 to review, to delay the effective date,**
8 **or to disapprove and annul a rule are subsequently held unconstitutional, then the grant**
9 **of rulemaking authority and any rule proposed or adopted after August 28, 2026, shall**
10 **be invalid and void.**

 Section B. The enactment of sections 590.1200 to 590.1210 of this act shall become
2 effective on January 1, 2027.

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