

SECOND REGULAR SESSION

HOUSE BILL NO. 3429

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MOSLEY.

7352H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 595, RSMo, by adding thereto one new section relating to the office of missing and murdered African American women and girls.

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

Section A. Chapter 595, RSMo, is amended by adding thereto one new section, to be
2 known as section 595.326, to read as follows:

**595.326. 1. The director of the department of public safety shall establish and
2 maintain an office within the Missouri department of public safety dedicated to
3 preventing and ending the targeting of African American women and girls.**

**4 2. (1) The director shall appoint an executive director for the office who is a
5 person closely connected to the African American community and who is highly
6 knowledgeable about criminal investigations. The director is encouraged to consider
7 candidates for appointment who are recommended by members of the African
8 American community.**

**9 (2) The executive director may select, appoint, and compensate out of available
10 funds assistants and employees as necessary to discharge the office's responsibilities.**

11 3. (1) The office has the following duties:

**12 (a) Advocate in the legislature for legislation that will facilitate the
13 accomplishment of mandates identified in the report of the task force on missing and
14 murdered African American women;**

**15 (b) Advocate for state agencies to take actions to facilitate the accomplishment of
16 mandates identified in the report of the task force on missing and murdered African
17 American women;**

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 **(c) Develop recommendations for legislative and agency actions to address**
19 **injustice in the criminal justice system's response to cases of missing and murdered**
20 **African American women and girls;**

21 **(d) Facilitate research to refine the mandates in the report of the task force on**
22 **missing and murdered African American women and to assess the potential efficacy,**
23 **feasibility, and impact of the recommendations;**

24 **(e) Collect data on missing person and homicide cases involving African**
25 **American women and girls, including the total number of cases, the rate at which the**
26 **cases are solved, the length of time the cases remain open, and a comparison to similar**
27 **cases involving different demographic groups;**

28 **(f) Collect data on Amber alerts, including the total number of Amber alerts**
29 **issued, the total number of Amber alerts that involve African American girls, and the**
30 **outcome of cases involving Amber alerts disaggregated by the child's race and sex;**

31 **(g) Collect data on reports of missing African American girls, including the**
32 **number classified as voluntary runaways, and a comparison to similar cases involving**
33 **different demographic groups;**

34 **(h) Analyze and assess the intersection between cases involving missing and**
35 **murdered African American women and girls and labor trafficking and sex trafficking;**

36 **(i) Develop recommendations for legislative, agency, and community actions to**
37 **address the intersection between cases involving missing and murdered African**
38 **American women and girls and labor trafficking and sex trafficking;**

39 **(j) Analyze and assess the intersection between cases involving murdered**
40 **African American women and girls and domestic violence, including prior instances of**
41 **domestic violence within the family or relationship, whether an offender had prior**
42 **convictions for domestic assault or related offenses, and whether the offender used a**
43 **firearm in the murder or any prior instances of domestic assault;**

44 **(k) Develop recommendations for legislative, agency, and community actions to**
45 **address the intersection between cases involving murdered African American women**
46 **and girls and domestic violence;**

47 **(l) Develop tools and processes to evaluate the implementation and impact of the**
48 **efforts of the office;**

49 **(m) Track and collect Missouri data on missing and murdered African American**
50 **women and girls, and provide statistics upon public or legislative inquiry;**

51 **(n) Facilitate technical assistance for local and state law enforcement agencies**
52 **during active cases involving missing and murdered African American women and**
53 **girls;**

54 (o) Conduct case reviews and report on the results of case reviews for the
55 following types of cases involving missing and murdered African American women and
56 girls: cold cases for missing African American women and girls and death investigation
57 review for cases of African American women and girls ruled as suicide or overdose
58 under suspicious circumstances;

59 (p) Conduct case reviews of the prosecution and sentencing for cases where a
60 perpetrator committed a violent or exploitative crime against an African American
61 woman or girl. These case reviews shall identify those cases where the perpetrator is a
62 repeat offender;

63 (q) Prepare draft legislation as necessary to allow the office access to the data
64 necessary for the office to conduct the reviews required in this section and advocate for
65 passage of that legislation;

66 (r) Review sentencing guidelines for crimes related to missing and murdered
67 African American women and girls, recommend changes if needed, and advocate for
68 consistent implementation of the guidelines across Missouri courts;

69 (s) Develop and maintain communication with relevant divisions in the
70 department of public safety regarding any cases involving missing and murdered
71 African American women and girls and on procedures for investigating cases involving
72 missing and murdered African American women and girls;

73 (t) Coordinate, as relevant, with federal efforts, and efforts in neighboring states.

74 (2) As used in this subdivision, the following terms mean:

75 (a) "Labor trafficking":

76 a. The recruitment, transportation, transfer, harboring, enticement, provision,
77 obtaining, or receipt of a person by any means, in furtherance of:

78 (i) Debt bondage;

79 (ii) Forced or coerced labor or services;

80 (iii) Slavery or practices similar to slavery; or

81 (iv) The removal of organs through the use of coercion or intimidation; or

82 b. Receiving profit or anything of value, knowing or having reason to know it is
83 derived from an act described in subparagraph a. of this paragraph;

84 (b) "Sex trafficking":

85 a. Receiving, recruiting, enticing, harboring, providing, or obtaining by any
86 means an individual to aid in the prostitution of the individual; or

87 b. Receiving profit or anything of value, knowing or having reason to know it is
88 derived from an act described in subparagraph a. of this paragraph.

89 4. In fulfilling its duties, the office may coordinate, as useful, with stakeholder
90 groups that were represented on the task force on missing and murdered African

91 American women and state agencies that are responsible for the systems that play a role
92 in investigating, prosecuting, and adjudicating cases involving violence committed
93 against African American women and girls; those who have a role in supporting or
94 advocating for missing or murdered African American women and girls and the people
95 who seek justice for them; and those who represent the interests of African American
96 people. This includes the following entities: Missouri Police Chiefs Association;
97 Missouri Sheriffs' Association; Missouri Peace Officers Association; Missouri
98 Association of Prosecuting Attorneys; United States Attorney's Office; juvenile
99 courts; Missouri Coroners' and Medical Examiners' Association; United States Coast
100 Guard; state agencies, including the departments of health and senior services,
101 elementary and secondary education, corrections, and public safety; service providers
102 who offer legal services, advocacy, and other services to African American women and
103 girls; African American women and girls who are survivors; and organizations and
104 leadership from urban and statewide African American communities.

105 5. The office shall report on measurable outcomes achieved to meet its statutory
106 duties, along with specific objectives and outcome measures proposed for the following
107 year. The report shall include data and statistics on missing and murdered African
108 American women and girls in Missouri, including names, dates of disappearance, and
109 dates of death, to the extent the data is publicly available. The office shall submit the
110 report by January fifteenth each year to the chairs and ranking minority members of
111 the legislative committees with primary jurisdiction over public safety.

112 6. There is hereby created in the state treasury the "Missing and Murdered
113 African American Women and Girls Fund", which shall consist of moneys appropriated
114 by the general assembly, gifts, and grants. The state treasurer shall be custodian of the
115 fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve
116 disbursements. The fund shall be a dedicated fund and money in the fund shall be used
117 solely by the director of public safety for the purposes authorized by this section.
118 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining
119 in the fund at the end of the biennium shall not revert to the credit of the general
120 revenue fund. The state treasurer shall invest moneys in the fund in the same manner as
121 other funds are invested. Any interest and moneys earned on such investments shall be
122 credited to the fund.

123 7. (1) The office shall issue grants to community-based organizations that
124 provide services designed to prevent or end the targeting of African American women or
125 girls, or to provide assistance to victims of offenses that targeted African American
126 women or girls.

127 (2) Grant recipients shall use money to:

128 **(a) Provide services designed to reduce or prevent crimes or other negative**
129 **behaviors that target African American women or girls;**

130 **(b) Provide training to the community about how to handle situations and**
131 **crimes involving the targeting of African American women and girls, including but not**
132 **limited to training for law enforcement officers, county attorneys, city attorneys, judges,**
133 **and other criminal justice partners; or**

134 **(c) Provide services to African American women and girls who are victims of**
135 **crimes or other offenses, or to the family members of missing and murdered African**
136 **American women and girls.**

137 **(3) Applicants shall apply in a form and manner established by the office.**

138 **(4) Grant recipients shall provide an annual report to the office that includes:**

139 **(a) The services provided by the grant recipient;**

140 **(b) The number of individuals served in the previous year; and**

141 **(c) Any other information required by the office.**

142 **(5) On or before February first of each year, the office shall report to the**
143 **legislative committees of the general assembly with jurisdiction over public safety on the**
144 **work of grant recipients, including a description of the number of entities awarded**
145 **grants, the amount of those grants, and the number of individuals served by the**
146 **grantees.**

147 **8. The office director shall have access to corrections data and medical data**
148 **maintained by an agency and classified as private data on individuals or confidential**
149 **data on individuals to the extent the data is necessary for the office to perform its duties**
150 **under this section.**

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