

SECOND REGULAR SESSION

HOUSE BILL NO. 1920

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GARDNER.

4299H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 590.050, RSMo, and to enact in lieu thereof two new sections relating to peace officers' cultural sensitivity certification.

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

Section A. Section 590.050, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 590.050 and 590.053, to read as follows:

2 590.050. 1. The POST commission shall establish requirements for the continuing
2 education of all peace officers. Peace officers [who make traffic stops] shall be required to
3 receive three hours of training within the law enforcement continuing education three-year
4 reporting period concerning the prohibition against racial profiling and such training shall
5 promote understanding and respect for racial and cultural differences and the use of effective,
6 noncombative methods for carrying out law enforcement duties in a racially and culturally
7 diverse environment.

8 2. The director shall license continuing education providers and may probate, suspend
9 and revoke such licenses upon written notice stating the reasons for such action. Any person
10 aggrieved by a decision of the director pursuant to this subsection may appeal as provided in
11 chapter 536.

12 3. The costs of continuing law enforcement education shall be reimbursed in part by
13 moneys from the peace officer standards and training commission fund created in section
14 590.178, subject to availability of funds, except that no such funds shall be used for the training
15 of any person not actively commissioned or employed by a county or municipal law enforcement
16 agency.

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.

17 4. The director may engage in any activity intended to further the professionalism of
18 peace officers through training and education, including the provision of specialized training
19 through the department of public safety.

**590.053. 1. In addition to the training requirements of section 590.050, the POST
2 commission shall establish a cultural sensitivity certification program for all persons
3 accepted for training at a law enforcement training school or academy and for all peace
4 officers currently employed in the state. Successful completion of an approved cultural
5 sensitivity training program shall be a requirement for graduation from any law
6 enforcement school or academy and shall be a prerequisite for employment as a peace
7 officer by any political subdivision of this state.**

8 **2. Beginning January 1, 2017, all peace officers in this state shall be required to be
9 certified in cultural sensitivity, with recertification required every two years. The POST
10 commission shall establish initial certification and continuing education requirements, and
11 guidelines for biennial review of a peace officer's employment history, including, but not
12 limited to, review of any office disciplinary records or citizen complaints, bias screening,
13 or tactical and scenario-based screenings that assess culturally-responsive practices.**

14 **3. The POST commission shall adopt minimum standards for a course of study of
15 cultural sensitivity, including training on the U nonimmigrant visa created through the
16 federal Victims of Trafficking and Violence Protection Act of 2000, P.L. 106-386. Cultural
17 sensitivity study shall include an understanding of cultural issues related to race, religion,
18 gender, age, domestic violence, national origin, and physical and mental disabilities.
19 Cultural sensitivity training shall include a component on implicit bias and culture
20 responsiveness, with a focus on recognizing and confronting such bias. In establishing
21 course content requirements, the POST commission shall seek assistance and input from
22 advocacy groups that represent the viewpoints on communities with adversarial
23 relationships with law enforcement.**

24 **4. The department of public safety shall promulgate all necessary rules and
25 regulations for the administration of this section. Any rule or portion of a rule, as that
26 term is defined in section 536.010, that is created under the authority delegated in this
27 section shall become effective only if it complies with and is subject to all of the provisions
28 of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
29 nonseverable, and if any of the powers vested with the general assembly pursuant to
30 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
31 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
32 proposed or adopted after August 28, 2016, shall be invalid and void.**

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