



July 16, 2024

Honorable Mayor Buffaloe and Honorable Members of the City Council:

The state legislature recently passed legislation that includes amendments to the statute that provides for civilian oversight of law enforcement. On July 9, 2024, Governor Parsons signed the legislation. The legislation will take effect on August 28, 2024.

The changes to Section 590.653 RSMO, negatively impact civilian oversight and further restrict the work of the Citizens Police Review Board. Under the new law, civilian oversight entities “shall have the power solely limited to receiving, investigating, making findings and recommending disciplinary action upon complaints by members of the public against members of the police department that allege misconduct involving excessive use of force, abuse of authority, discourtesy, or use of offensive language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation and disability.” The new law states: “Only the powers specifically granted herein are authorized and any and all authority granted to future or existing boards, divisions, or entities outside the scope of the powers listed herein are expressly preempted and void as a matter of law.”

Currently, the Board has the following duties:

- (1) Review appeals from the police chief's decisions on alleged misconduct as provided for in this article.
- (2) Conduct a jurisdictional review from the decision by the police chief that a person's allegations do not fall within the requirements set forth in this article related to complaints.
- (3) Host public meetings and educational programs for Columbia residents and police department.
- (4) Review and make recommendations to the police chief and city manager on police policies, procedures and training.
- (5) Conduct audits or reviews of the records of the police department for compliance with the requirements of this article.
- (6) Without disclosing information considered closed under state law, prepare and submit to the city council annual reports that analyze citizen complaints including demographic data on complaints, complaint disposition, and the board's activities. The reports should also describe the board's community outreach and educational programs. The reports should also set forth any recommendations made on police department policies, procedures and training. The reports shall be submitted no later than March 1 for the previous calendar year.

City Code Section 21-49.

The Board can continue to serve the City by reviewing appeals from the police chief's decisions on alleged misconduct, although the definition of misconduct will need to be changed to align with the limited categories of misconduct allowed under the new law. The Board is concerned about the potential loss of the other duties that the Board feels are essential to civilian oversight.

On July 10, 2024, the Board unanimously passed a motion to send a report to the City Council to recommend that staff, in consultation with one or more representatives of the CPRB, draft for the City Council's approval a

plan for adapting the ordinances to the provisions of SB 754; and that plan shall at a minimum include at least the following elements:

- (1) A modification of the forms that citizens use to file complaints and appeals, so that citizens can indicate by simply checking boxes whether the complaint involves any or all of the following: excessive use of force, abuse of authority, discourtesy, use of offensive language, or other.
- (2) A restoration of the ability of Council-appointed citizens to do the duties listed in Section 21-49 (items 2, 3, 4, 5, 6) of the City Code. If these duties now cannot be accomplished by the CPRB, the Council may want to assign them to another body, either by reconfiguring an existing board or by creating a new one.

Your consideration of our recommendations is appreciated.

Sincerely,

Doug Hunt
Chair