

SECOND REGULAR SESSION

[PERFECTED]

SENATE SUBSTITUTE FOR

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 1652

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOSLEY.

7082S.04P

KRISTINA MARTIN, Secretary

AN ACT

To amend chapters 210 and 595, RSMo, by adding thereto two new sections relating to a newly created office within the department of public safety, with penalty provisions.

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

Section A. Chapters 210 and 595, RSMo, are amended by
2 adding thereto two new sections, to be known as sections
3 210.1017 and 595.326, to read as follows:

210.1017. 1. **There is hereby created a statewide**
2 **program called the "Phoenix Alert System" referred to in**
3 **this section as the "system" to aid in the identification**
4 **and location of abducted or missing African American women**
5 **and girls.**

6 2. **For the purposes of this section, "abducted or**
7 **missing African American women and girls" means an African**
8 **American woman or girl whose whereabouts are unknown and who**
9 **is:**

10 (1) **Reasonably believed to be the victim of the**
11 **offense of kidnapping as defined by section 565.110,**
12 **565.120, or 565.130 as determined by local law enforcement;**

13 (2) Reasonably believed to be the victim of the
14 offense of child kidnapping as defined by section 565.115 as
15 determined by local law enforcement;

16 (3) Reasonably believed to be a victim of parental
17 kidnapping as defined by section 565.153 as determined by
18 local law enforcement; or

19 (4) Reasonably believed to be a victim of an offense
20 of trafficking pursuant to sections 566.206, 566.209,
21 566.210, or 566.211.

22 3. The department of public safety shall develop
23 regions to provide the system. The office of missing and
24 murdered African American women and girls and department of
25 public safety shall coordinate local law enforcement
26 agencies and public commercial television and radio
27 broadcasters to provide an effective system. In the event
28 that a local law enforcement agency opts not to set up a
29 system and an abduction occurs within the jurisdiction, it
30 shall notify the office of missing and murdered African
31 American women and girls who shall notify local media in the
32 region.

33 4. All regions shall be notified within one hour of
34 receipt of a report of a missing or murdered African
35 American woman or girl. Each region shall immediately
36 disseminate notifications to law enforcement and media
37 outlets within the regions.

38 5. The Phoenix alert system shall include all state
39 agencies capable of providing urgent and timely information
40 to the public together with broadcasters and other private
41 entities that volunteer to participate in the dissemination
42 of urgent public information. At a minimum, the Phoenix
43 alert system shall include the office of missing and
44 murdered African American women and girls, department of

45 public safety, highway patrol, department of transportation,
46 department of health and senior services, and Missouri
47 lottery commission.

48 6. Participation in the Phoenix alert system is at the
49 option of local law enforcement agencies and federally
50 licensed radio and television broadcasters.

51 7. The department of public safety shall update
52 notifications sent under this section whenever new
53 information becomes available, and every month for the first
54 year after the initial notification. One year after the
55 first notification, the department shall make updates every
56 three months.

57 8. Any person who knowingly makes a false report that
58 triggers an alert pursuant to this section is guilty of a
59 class A misdemeanor.

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

6 2. (1) The director shall appoint an executive
7 director for the office who is a person closely connected to
8 the African American community and who is highly
9 knowledgeable about criminal investigations. The director
10 is encouraged to consider candidates for appointment who are
11 recommended by members of the African American community.
12 The director shall hire a qualified executive director no
13 later than December 31, 2026.

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

17 3. (1) The office has the following duties:

18 (a) Advocate for legislation that will facilitate the
19 accomplishment of mandates identified in the report of the
20 task force on missing and murdered African American women
21 and girls;

22 (b) Advocate for state agencies to take actions to
23 facilitate the accomplishment of mandates identified in the
24 report of the task force on missing and murdered African
25 American women and girls;

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

30 (d) Facilitate research to refine the mandates in the
31 report of the task force on missing and murdered African
32 American women and girls and to assess the potential
33 efficacy, feasibility, and impact of the recommendations;

34 (e) Collect data on missing person and homicide cases
35 involving African American women and girls, including the
36 total number of cases, the rate at which the cases are
37 solved, the length of time the cases remain open, and a
38 comparison to similar cases involving different demographic
39 groups;

40 (f) Collect data on Amber alerts, including the total
41 number of Amber alerts issued, the total number of Amber
42 alerts that involve African American girls, and the outcome
43 of cases involving Amber alerts disaggregated by the child's
44 race and sex;

45 (g) Collect data on reports of missing African
46 American girls, including the number classified as voluntary
47 runaways, and a comparison to similar cases involving
48 different demographic groups;

49 (h) Analyze and assess the intersection between cases
50 involving missing and murdered African American women and
51 girls and labor trafficking and sex trafficking;

52 (i) Develop recommendations for legislative, agency,
53 and community actions to address the intersection between
54 cases involving missing and murdered African American women
55 and girls and labor trafficking and sex trafficking;

56 (j) Analyze and assess the intersection between cases
57 involving murdered African American women and girls and
58 domestic violence, including prior instances of domestic
59 violence within the family or relationship, whether an
60 offender had prior convictions for domestic assault or
61 related offenses, and whether the offender used a firearm in
62 the murder or any prior instances of domestic assault;

63 (k) Develop recommendations for legislative, agency,
64 and community actions to address the intersection between
65 cases involving murdered African American women and girls
66 and domestic violence;

67 (l) Develop tools and processes to evaluate the
68 implementation and impact of the efforts of the office;

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

72 (n) Facilitate technical assistance for local and
73 state law enforcement agencies during active cases involving
74 missing and murdered African American women and girls;

75 (o) Conduct case reviews and report on the results of
76 case reviews for the following types of cases involving
77 missing and murdered African American women and girls: cold
78 cases for missing African American women and girls and death
79 investigation review for cases of African American women and

80 girls ruled as suicide or overdose under suspicious
81 circumstances;

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

87 (q) Prepare draft legislation as necessary to allow
88 the office access to the data necessary for the office to
89 conduct the reviews required in this section and advocate
90 for passage of that legislation;

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

95 (s) Develop and maintain communication with relevant
96 divisions in the department of public safety regarding any
97 cases involving missing and murdered African American women
98 and girls and on procedures for investigating cases
99 involving missing and murdered African American women and
100 girls;

101 (t) Coordinate, as relevant, with federal efforts, and
102 efforts in neighboring states;

103 (u) Coordinate with the department of public safety,
104 law enforcement agencies, public commercial television, and
105 radio broadcasters to facilitate the implementation and
106 operation of the Phoenix alert system.

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

109 (a) "Labor trafficking":

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

113 (i) Debt bondage;

114 (ii) Forced or coerced labor or services;

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

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

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

121 (b) "Sex trafficking":

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

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

128 4. In fulfilling its duties, the office may
129 coordinate, as useful, with stakeholder groups that were
130 represented on the task force on missing and murdered
131 African American women and girls and state agencies that are
132 responsible for the systems that play a role in
133 investigating, prosecuting, and adjudicating cases involving
134 violence committed against African American women and girls;
135 those who have a role in supporting or advocating for
136 missing or murdered African American women and girls and the
137 people who seek justice for them; and those who represent
138 the interests of African American people. This includes the
139 following entities: Missouri Police Chiefs Association;
140 Missouri Sheriffs' Association; Missouri Peace Officers
141 Association; Missouri Association of Prosecuting Attorneys;

142 United States Attorney's Office; juvenile courts; Missouri
143 Coroners' and Medical Examiners' Association; United States
144 Coast Guard; state agencies, including the departments of
145 health and senior services, elementary and secondary
146 education, corrections, and public safety; service providers
147 who offer legal services, advocacy, and other services to
148 African American women and girls; African American women and
149 girls who are survivors; and organizations and leadership
150 from urban and statewide African American communities.

151 5. The office shall report on measurable outcomes
152 achieved to meet its statutory duties, along with specific
153 objectives and outcome measures proposed for the following
154 year. The report shall include data and statistics on
155 missing and murdered African American women and girls in
156 Missouri, including names, dates of disappearance, and dates
157 of death, to the extent the data is publicly available. The
158 office shall submit the report by January fifteenth each
159 year to the chairs and ranking minority members of the
160 legislative committees with primary jurisdiction over public
161 safety.

162 6. There is hereby created in the state treasury the
163 "Missing and Murdered African American Women and Girls
164 Fund", which shall consist of moneys appropriated by the
165 general assembly, gifts, and grants. The state treasurer
166 shall be custodian of the fund. In accordance with sections
167 30.170 and 30.180, the state treasurer may approve
168 disbursements. The fund shall be a dedicated fund and money
169 in the fund shall be used solely by the director of public
170 safety for the purposes authorized by this section.
171 Notwithstanding the provisions of section 33.080 to the
172 contrary, any moneys remaining in the fund at the end of the
173 biennium shall not revert to the credit of the general

174 revenue fund. The state treasurer shall invest moneys in
175 the fund in the same manner as other funds are invested.
176 Any interest and moneys earned on such investments shall be
177 credited to the fund.

178 7. (1) The office shall issue grants to community-
179 based organizations that provide services designed to
180 prevent or end the targeting of African American women or
181 girls, or to provide assistance to victims of offenses that
182 targeted African American women or girls.

183 (2) Grant recipients shall use money to:

184 (a) Provide services designed to reduce or prevent
185 crimes or other negative behaviors that target African
186 American women or girls;

187 (b) Provide training to the community about how to
188 handle situations and crimes involving the targeting of
189 African American women and girls, including, but not limited
190 to, training for law enforcement officers, county attorneys,
191 city attorneys, judges, and other criminal justice partners;
192 or

193 (c) Provide services to African American women and
194 girls who are victims of crimes or other offenses, or to the
195 family members of missing and murdered African American
196 women and girls.

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

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

201 (a) The services provided by the grant recipient;

202 (b) The number of individuals served in the previous
203 year; and

204 (c) Any other information required by the office.

205 (5) On or before February first of each year, the
206 office shall report to the legislative committees of the
207 general assembly with jurisdiction over public safety on the
208 work of grant recipients, including a description of the
209 number of entities awarded grants, the amount of those
210 grants, and the number of individuals served by the grantees.

211 8. The office shall have access to corrections data
212 and medical data maintained by an agency and classified as
213 private data on individuals or confidential data on
214 individuals to the extent the data is necessary for the
215 office to perform its duties under this section.

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