
Emergency Rule

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and
Training Program
Chapter 15—Continuing Education**

EMERGENCY AMENDMENT

11 CSR 75-15.010 Continuing Education Requirement. The director is adding a new section (9) and renumbering as needed.

PURPOSE: This emergency amendment adds de-escalation and implicit bias to the topics for continuing law enforcement education.

EMERGENCY STATEMENT: This emergency amendment specifies that of the twenty-four (24) hours of continuing education required annually for peace officers, one (1) credit hour is to cover the topic of de-escalation and one (1) credit hour is to cover the topic of implicit bias.

An emergency amendment will allow these training standards to go into effect during the 2021 reporting year. Without an emergency amendment, officers will not be required to receive training in these areas until 2022, and they will not have to report compliance until 2023.

This emergency amendment is necessary due to an immediate danger to the public health, safety or welfare: Incidents in which law enforcement officers have failed to properly de-escalate a situation or have exhibited bias have resulted in injury or death to individuals interacting with law enforcement; civil unrest that endangers the lives, property, and security of the public and law enforcement officers has followed these incidents; and improved training of officers will help to prevent such incidents in the future.

This emergency amendment is also necessary to preserve a compelling government interest by helping to eliminate bias in policing and improve relations between law enforcement and the communities they serve. A recent national survey showed that confidence in police is at its lowest recorded point, with only nineteen percent (19%) of Black adults reporting “a great deal” or “quite a lot” of confidence in the police. According to a database of police shootings, on-duty law enforcement officers shot and killed twenty-eight (28) people in Missouri in 2019. Forty-six percent (46%) of these individuals with a known race who were shot and killed were Black, but only twelve percent (12%) of Missourians are Black.

This emergency amendment follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances, including the following: The Peace Officer Standards and Training (POST) Commission conducted surveys of the public and law enforcement, and held public listening sessions to discuss the results of these surveys. Twenty-five percent (25%) of the public survey respondents expressing concern about law enforcement identified inadequate training as their primary concern, and both the public and law enforcement surveys identified de-escalation as the top area necessitating additional training. After receiving this feedback, the POST Commission unanimously approved this amendment at a public meeting on October 5, 2020.

The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. The director believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed October 16, 2020, becomes effective January 1, 2021, and expires June 29, 2021.

(9) Every peace officer is to obtain at least one (1) credit hour of CLEE training covering the topic of de-escalation and one (1) credit hour of CLEE training covering the topic of implicit bias.

[(9)](10) At the conclusion of each CLEE period, the director is to determine the compliance of each peace officer pursuant to this rule. Each peace officer is responsible for reporting and demonstrating compliance to the director.

[(10)](11) A peace officer may apply to the director for a modification or waiver of the CLEE requirement for any CLEE period in which the officer takes official state or federal military leave of absence or in which the director determines that the officer was unable to comply with the CLEE training standard due to a documented medical condition. Any determination made by the director pursuant to this rule is subject to review only pursuant to section 536.150, RSMo.

[(11)](12) Any peace officer who fails to comply with this rule is subject to discipline pursuant to section 590.080.1.(6), RSMo.

AUTHORITY: sections 590.030.5(1), 590.050, and 590.190, RSMo 2016. Original rule filed May 1, 2002, effective Oct. 30, 2002. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Oct. 16, 2020, effective Jan. 1, 2021, expires June 29, 2021. A proposed amendment covering this same material will be published in the Nov. 16, 2020 issue of the **Missouri Register**. An emergency amendment covering this same material will be published in the Dec. 1, 2020 issue of the **Missouri Register**.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.