

Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 10—Reporting of Motor Vehicle
Stops by Law Enforcement Agencies

15 CSR 60-10.010 Definitions

PURPOSE: This rule advises the public of the definitions adopted for certain terms which are used in section 590.650, RSMo, and the rules promulgated thereunder.

(1) The term “law enforcement agency,” as used in section 590.650, RSMo, shall mean the state highway patrol, any state, county, or municipal department or office that employs peace officers who stop drivers of motor vehicles for violations of any motor vehicle statute or ordinance.

(2) The term “peace officer,” as used in section 590.650, RSMo, shall mean any member of the state highway patrol, any state, county, or municipal law enforcement officer possessing the duty and power of arrest for violation of any criminal laws of the state or for violation of ordinances of counties or municipalities of the state who serve full-time, with pay.

(3) The term “search,” as used in section 590.650, RSMo, shall mean any action of a peace officer, arising out of a motor vehicle traffic stop, that infringes upon an individual’s reasonable expectation of privacy.

(4) The term “Terry stop” shall mean a stop of an individual where specific and articulable facts, together with all rational inferences, suggest that the driver is involved in criminal activity. A Terry stop is an investigatory stop that is not an arrest and can be justified by less than the probable cause necessary for an arrest.

(5) The terms “Terry frisk” or “Terry search” shall mean a limited pat-down or frisk of the driver or his or her automobile for weapons which occurs when there are specific and articulable facts which, taken together with rational inferences from those facts, would lead a peace officer reasonably to believe the driver is armed and presently dangerous to the officer or others.

AUTHORITY: section 590.650, RSMo 2000.
 Emergency rule filed Aug. 21, 2000, effective Aug. 31, 2000, expired Feb. 23, 2001.
 Original rule filed Aug. 21, 2000, effective March 30, 2001.*

**Original authority: 590.650, RSMo 2000.*

15 CSR 60-10.020 Report to Attorney General by Law Enforcement Agencies

PURPOSE: Section 590.650, RSMo, requires law enforcement agencies to compile and report certain information to the Attorney General. This rule provides instructions regarding the information to be reported pursuant to section 590.650, RSMo.

(1) On or before March 1 of each year, law enforcement agencies shall compile the information collected pursuant to section 590.650.2, RSMo, and enumerated in this rule, and such other information as the Attorney General may require, into a report to the Attorney General. The information contained in the report shall be for the preceding calendar year.

(2) The first reporting period during which law enforcement agencies are required to compile and report the information required by section 590.650.2, RSMo, and enumerated in this rule, and such other information as the Attorney General may require, shall begin on August 28, 2000, and end on December 31, 2000.

(3) Beginning on January 1, 2001, and thereafter, the reporting period during which law enforcement agencies are required to compile and report the information required by section 590.650.2, RSMo, and enumerated in this rule, and such other information as the Attorney General may require, shall begin on January 1 and end on December 31 of each year.

(4) Each law enforcement agency shall compile the following information in the manner described in section (5) of this rule for submission to the Attorney General. The information shall pertain to the total number of times peace officers employed by the law enforcement agency stopped drivers of motor vehicles for violations of any motor vehicle statutes or ordinances, and shall include:

(A) The age, gender and race or minority group of each individual stopped.

1. For the total number of stops made during the reporting period, indicate the races or minority groups of the drivers using one (1) of the following categories: White; Black/African-American; Hispanic/Latino; American Indian/Alaska Native; Asian; or Other/Unknown. For the purposes of reporting this information, the races or minority groups of the drivers shall be based upon the peace officers’ visual observations.

2. For the total number of stops made during the reporting period, indicate the

number of male drivers stopped and female drivers stopped.

3. For the total number of stops made during the reporting period, indicate the age groups of the drivers stopped;

(B) The total number of traffic violations alleged to have been committed that led to the stops.

1. For the total number of stops made during the reporting period, indicate the number of stops resulting from moving violations, equipment violations or license violations. A stop may include more than one (1) alleged violation.

2. For moving violations, indicate the nature of the violation: speed; lane violation; following too close; commercial vehicle enforcement (CVE); fail to signal; or other;

(C) The total number of searches conducted as a result of the stops.

1. For the total number of stops made during the reporting period, indicate the number of searches made, including the number of property searches, the number of drivers searches, and the number of searches of both drivers and their property;

(D) The total number of searches conducted, including the number of consent searches, the probable cause for the searches and the durations of all searches.

1. For the total number of searches made during the reporting period, indicate whether the probable cause or authority for the searches included the following: consent; odor of illegal drugs or alcohol; plain view contraband; inventory search; incident to arrest; reasonable suspicion (weapon); or other. For any search, one (1) or more of these categories may apply.

2. For the total number of searches made during the reporting period, indicate the lengths of the searches. The duration of search means the time needed to conduct any and all searches;

(E) The number of searches during which contraband was discovered, and the types of any contraband discovered during the searches.

1. For the total number of searches made during the reporting period, indicate the number of times contraband was discovered and, when contraband was discovered, indicate the types of contraband discovered using the following categories: illegal drugs or paraphernalia; currency; stolen property; weapons; or other;

(F) The total number of warnings, citations, and arrests resulting from the stops.

1. For the total number of stops made during the reporting period, indicate the number of stops resulting in the following: warnings; and citations;



(G) The total number of warnings and citations issued.

1. For the total number of stops made during the reporting period, indicate the violations charged or warnings given;

(H) The total number of arrests made and the crimes alleged

1. For the total number of arrests resulting from either the stops or any searches conducted as a result of the stops during the reporting period, indicate the types of crimes alleged using the following categories: outstanding warrant; drug violations; resisting arrest; offense against person; property offense; driving while intoxicated/blood alcohol content; or other. An arrest may include more than one (1) alleged crime;

(I) The locations of the stops.

1. For the total number of stops made during the reporting period, indicate the number of stops made at the following locations: interstate highway; U.S. highway; state highway; county road; city street; or other. For purposes of reporting this information, "location" means the location where the officer observed the alleged violation and signaled the driver to stop, not the location where the driver physically stopped the vehicle;

(J) Total number of vehicle stops made by that agency.

1. This number represents the total number of vehicles stopped by officers in the particular law enforcement agency for alleged motor vehicle violations, whether moving violations, equipment violations, or license violations. This total does not include motor vehicle stops made for reasons other than alleged motor vehicle violations; and

(K) The law enforcement agency jurisdiction in which each driver of a stopped vehicle resides.

1. For the total number of stops made during the reporting period, indicate whether the driver stopped is a resident of the law enforcement agency's jurisdiction.

(5) The information described in section (4) of this rule shall be compiled and broken down according to the races or minority groups of the drivers stopped.

(6) The law enforcement agency head, director, or administrator shall sign each agency report and shall indicate the agency name, agency Originating Agency Identifier (ORI) number, and the date the report was submitted to the Attorney General's Office.

(7) The report shall be submitted on forms furnished by or approved by the Attorney General.

*AUTHORITY: section 590.650, RSMo 2000. * Emergency rule filed Aug. 21, 2000, effective Aug. 31, 2000, expired Feb. 23, 2001. Original rule filed Aug. 21, 2000, effective March 30, 2001. Rescinded and readopted: Filed July 31, 2001, effective Jan. 30, 2002.*

**Original authority: 590.650, RSMo 2000, amended 2001.*

15 CSR 60-10.030 Reporting Forms

PURPOSE: This rule provides forms used for the compilation and reporting of information on motor vehicle stops by law enforcement agencies.

(1) Law enforcement agencies are required, pursuant to section 590.650, RSMo, and 15 CSR 60-1.020 to compile information about motor vehicle stops for submission to the Attorney General.

(2) No report from a law enforcement agency shall be deemed to be in compliance with section 590.650, RSMo, unless the report contains a compilation of the information enumerated in 15 CSR 60-10.020 and such other information as the Attorney General may require.

(3) No report from a law enforcement agency shall be deemed to be in compliance with section 590.650, RSMo, unless the report is signed by the law enforcement agency head, director, or administrator.

(4) The compiled information shall be broken down by races or minority groups of the drivers stopped.

(5) The report to the Attorney General shall be made on a form furnished by or approved by the Attorney General. The reporting form may, at the discretion of the Attorney General, be made available on the Internet.

(6) The Attorney General may create informal guidelines for compliance with the reporting form. The guidelines may, at the discretion of the Attorney General, be made available on the Internet.

*AUTHORITY: section 590.650, RSMo 2000. * Emergency rule filed Aug. 21, 2000, effective Aug. 31, 2000, expired Feb. 23, 2001. Original rule filed Aug. 21, 2000, effective March 30, 2001. Rescinded and readopted: Filed July 31, 2001, effective Jan. 30, 2002.*

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