

## Legislative Update

As you may be aware, for some time a very negative atmosphere has been pervasive in our State Capitol.

The only progressive criminal justice bills moving are those sponsored by Republicans. All the good ones sponsored by Democrats have not even been assigned to committees, with one exception: **HB 2301** by Barbara Washington, a Democrat, to Raise the Age was referred to the Judiciary Committee. This is no doubt due to other Republican Raise the Age bills being advanced. Empower Missouri has been fighting long and hard for legislation that would raise to 18 the age for which young people are automatically tried as adults in criminal court.

**SB 793** sponsored by Senator Wayne Wallingford, the Senate version of the Raise the Age bill which would require that children under the age of 18 be prosecuted for most criminal offenses in juvenile courts unless certified as an adult, was voted out of the Senate committee with a vote of 5 yes to 0 no with one absent! **HB 1255**, Rep. Nick Schroer's Raise the Age bill, is scheduled for a hearing February 20 at 5:00 pm or upon adjournment in hearing room 1.

### Mandatory Minimums:

**HB 1739** Rep. Cody Smith, would limit mandatory minimum sentencing, has a hearing scheduled for Tuesday February 20 at 8 am in Hearing Room 5.

**HB 1359** Rick Hannegan would authorize the early parole of certain offenders over the age of sixty-five. It was voted out of the House committee Do Pass with some amendments added (increasing the age and changing the parole hearing schedule). However, Rep. Hannegan thinks he can get those removed during the floor debate process.

**HB 1869** Mike Kelley, which would reduce to 50% the required time that first-time offenders of certain dangerous felonies would have to serve, has been referred to the Crime Prevention committee.

**HB 1596** Galen Higdon, which would make some mandatory minimums discretionary, was also referred to Crime Prevention. It reads: *Any person, except for a person who was found guilty of first degree murder or of any sex offense under chapter 566, meeting the following qualifications shall be eligible for a parole hearing at a time set by the court, if there was no heinous motive involved in the crime; the person is capable of rehabilitation; the person has been a model prisoner; the crime did not involve physical harm or the threat of violence to another person; and the crime did not involve a firearm. For purposes of this subsection, "heinous" means any crime that is hateful or shockingly evil.*

The following bills (all sponsored by Democrats) have had only the second reading by the House as of 2/16/18:

### House Bills

**1433** T.J. Berry would repeal the death penalty in Missouri

**1695** Sarah Unsicker would abolish the death penalty and specifies that any person sentenced to death before August 28, 2018, must be sentenced to life imprisonment without parole

**2218** Steve Roberts would abolish the death penalty in MO

**2455** S. Roberts judge must consider if race played a role in death penalty decisions

**1732** Peter Meredith would require a judge or a jury to determine if a person's life would constitute a threat to another or society prior to issuing a sentence of death

- 2198** Jim Neely would establish a procedure that would allow consenting prisoners to donate organs upon execution
- 1579** Bruce Franks would establish good time
- 1776** Brandon Ellington Modifies provisions relating to good time credit and provisions authorizing expungement of certain criminal records
- 1777** B. Ellington Modifies when a person sentenced to LWOP may be eligible for parole if such person was under 21 years of age when the offense was committed and was sentenced after January 1, 1976 (this bill was written by a prisoner, Kenneth Bell).
- 1935** Gail McCann Beatty would allow parole hearing for LWOP after 25 years
- 2072** J. Neely would allow a court to reduce a life without parole sentence to a sentence of life with eligibility for parole in certain circumstances
- 2071** J. Neely would allow a court to reduce a sentence for the offense of armed criminal action under certain circumstances
- 1448** Karla May regarding legalizing marijuana
- 1989** B. Ellington legalizing limited amounts of marijuana for persons aged 21 or older
- 1581** B. Franks No prison for child support arrears
- 1586** B. Franks would establish a protestors' Bill of Rights
- 1778** B. Ellington would establish the Missouri Innocence Commission
- 1986** B. Ellington DOC must help prepare prisoners for outside jobs (via federal bonding program, certification of skilled work, worker certificates for other work done in prison)
- 1318** S. Roberts would establish the Accelerated Rehabilitative Disposition Pilot Program

**To help move these bills along, please contact the speaker of the house, Rep. Todd Richardson, and urge him to assign them to committees ASAP. Here is his contact information:**

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