

HCS HB 1055 -- SEXUAL OFFENSES

SPONSOR: Mayer (Bruns)

COMMITTEE ACTION: Voted "do pass" by the Committee on Crime Prevention and Public Safety by a vote of 10 to 0.

This substitute changes possession of child pornography from a class A misdemeanor to a class D felony. Under current law, it is a class D felony for a second or subsequent offense. The substitute also requires sex offenders to successfully complete a sex offender treatment program. Current law requires only that the offenders participate in the program.

FISCAL NOTE: Estimated Net Cost on General Revenue Fund of More than \$100,000 in FY 2005, FY 2006, and FY 2007. No impact on Other State Funds in FY 2005, FY 2006, and FY 2007.

PROPOSERS: Supporters say that there is a direct correlation between possession of child pornography and child molestation. This is because pedophiles often show child pornography to their intended victims to seduce them. Because possession of child pornography is just a misdemeanor, the statute of limitation is only one year. If it is a felony, it becomes three years. These types of cases often take a long time to prosecute, so that extra time is needed. Also, prosecuting child molestation is often made difficult by the child's unwillingness to testify. If possession of child pornography is a felony, then at least the molester can be convicted of a felony without the child testifying. With the rapid growth of the Internet, most children are now in danger of being subjected to child pornography. To combat this growing problem, several of the states bordering Missouri have already changed this crime to a felony.

Testifying for the bill were Representative Bruns; Bill Tackett, Cole County Prosecutor; Springfield Police Department; Kansas City Police Officers' Association; Missouri Police Chiefs' Association; Missouri Family Network; and Missouri Baptist Convention.

OPPOSERS: There was no opposition voiced to the committee.

Richard Smreker, Senior Legislative Analyst