

HB 1487 -- KIDNAPPING A CHILD

SPONSOR: Self

COMMITTEE ACTION: Voted "do pass" by the Committee on Crime Prevention and Public Safety by a vote of 15 to 3.

This bill creates the crime of kidnapping a child, a class A felony. The crime is committed when a person unlawfully removes or confines a child age 13 or younger without the consent of the child's parents or guardians.

The bill contains an emergency clause.

FISCAL NOTE: Estimated Net Cost on General Revenue Fund of Less 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 a recent child abduction in Benton County pointed out a flaw in the kidnapping statutes. Current law does not specifically cover the scenario where a person abducts a child in order to raise that child as his or her own, as opposed to holding the child for ransom, as a hostage, or for the purpose of terrorizing someone. In the recent case, the perpetrator could be charged with burglary, a class B felony, and felonious restraint, a class C felony, but not kidnapping, a class A felony. An important distinction, beyond the length of sentence, is that there is no statute of limitation on class A felonies. In this case, if the perpetrators were not caught for three years, they could no longer be prosecuted.

Testifying for the bill were Representative Self; Karen Woodley, Benton County Prosecutor; Gary Friar, Benton County Sheriff; Rick Fajan, Benton County Sheriff's Department; Office of the Attorney General; Missouri Police Chiefs' Association; State Highway Patrol; and Kansas City Police Officers Association.

OPPOSERS: There was no opposition voiced to the committee.

Richard Smreker, Senior Legislative Analyst