

HCS HB 1317 -- CRIME VICTIM'S RIGHTS (Lipke)

COMMITTEE OF ORIGIN: Crime Prevention and Public Safety

This substitute requires a photograph to be taken of an incarcerated individual upon release and made available to the victim at the victim's request. The substitute also allows victims to be represented by an appointed person instead of a personal appearance during parole and probation revocation hearings for the defendant and gives victims the right, upon request, to have a partition set up to shield them from the probationer or parolee during the hearing. The victim's appointee who honors any subpoena to testify in or attend a criminal proceeding is protected from discharge by any employer or from using vacation, personal, or sick leave to attend any criminal proceeding.

Currently, access to official court records for persons arrested and charged but the case is subsequently nolle prossed, dismissed, or the accused is found not guilty or imposition of sentence is suspended is limited to law enforcement agencies, child care agencies, residential care facilities, and skilled nursing facilities. The substitute authorizes access to official court records to victims of offenses against the family found in Chapters 566 and 568, RSMo, for use in his or her own judicial proceedings.

The State Highway Patrol or its designee is required to develop evidentiary collection kits and make them available to the appropriate medical providers. The medical providers will use the kits to perform a forensic examination and administer medical treatment following a checklist developed by the Department of Health and Senior Services. A report must be made within 72 hours of completing the examination.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$2,873,757 in FY 2007, \$3,542,677 in FY 2008, and \$3,648,260 in FY 2009. No impact on Other State Funds in FY 2007, FY 2008, and FY 2009.