

HCS HB 820 -- DEATH PENALTY EXECUTION TEAM

SPONSOR: Kelly (Moore)

COMMITTEE ACTION: Voted "do pass" by the Committee on Corrections and Public Institutions by a vote of 7 to 0.

This substitute requires the Director of the Department of Corrections to select an execution team consisting of medical support personnel and individuals who administer lethal gas or chemicals. Team member identities are to be kept confidential, and the departmental record of team members is privileged and not subject to discovery, subpoena, or other means of legal compulsion.

Any person who knowingly discloses the identity of a current or former member of an execution team without the director's direct consent will be guilty of a class A misdemeanor.

Any licensing board or department is prohibited from sanctioning a professional license belonging to an execution team member due to his or her lawful participation in an execution.

FISCAL NOTE: Estimated Cost on General Revenue Fund of More than \$100,000 in FY 2008, FY 2009, and FY 2010. No impact on Other State Funds in FY 2008, FY 2009, and FY 2010.

PROPOSERS: Supporters say that the bill is needed to provide protection to the members of the execution team and their families from retaliation and ridicule. The bill also provides license protection for health professionals who participate in executions.

Testifying for the bill were Representative Moore; and Department of Corrections.

OPPOSERS: Those who oppose the bill say that nothing should prohibit the disclosure of the disbursement of public funds, and it takes away all public oversight. The public should be able to make sure that the people on an execution team are competent to ensure that the executions are carried out humanely.

Testifying against the bill were Missouri Association of Criminal Defense Lawyers; Jeff Stack, Missourians to Abolish the Death Penalty; and Missouri Catholic Conference.

OTHERS: Others testifying on the bill say that the Department of Corrections should not establish policy. Its duty is to uphold the laws of the state, and there is a need to protect state employees and families.

Testifying on the bill were Department of Corrections; and Missouri Corrections Officers Association.