

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 1541, Page 1, in the Title, Lines 2-3, by deleting the phrase "a pilot project
2 for increasing children's access to incarcerated parents" and inserting in lieu thereof the words
3 "department of corrections"; and
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5 Further amend said bill, Page 2, Section 217.145, Line 37, by inserting immediately after said line
6 the following:
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8 "217.691. 1. To encourage and assist the governor in carrying out his or her constitutional
9 responsibility, the board shall review thoroughly the case history and prison record of those
10 offenders incarcerated in a correctional institution with a sentence that includes more than fifteen
11 years or life with no possibility of parole and the offender:

12 (1) Has no prior felony conviction;

13 (2) Has served at least fifteen years of such sentence; and

14 (3) Has exhausted all of such offender's appeals, in both state and federal court.

15 2. The board, after study and review of such cases, shall prepare a report to the governor
16 with a recommendation to either grant or deny executive clemency. The board shall make its report
17 to the governor within a reasonable time. This report shall also be given to each offender
18 interviewed at the same time it is presented to the governor, thereby allowing them to assess their
19 own progress.

20 3. Provided, however, that if the offender's:

21 (1) History included evidence of abuse of the offender, including physical, mental,
22 emotional, or sexual;

23 (2) Age and maturity at the time of the crime and any contributing influence affected the
24 offender's judgment;

25 (3) Prior convictions, if any, included no felony convictions;

26 (4) Appeals in both state and federal courts have been exhausted;
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28 Then after serving at least fifteen years of such sentence, such person shall be eligible for parole.

29 4. Any offender released under this section shall be under the supervision of the board for an
30 amount of time to be determined by the board.

31 5. Nothing in this section shall limit the review of any other offender's case who has applied
32 for clemency, nor shall it limit in any way the governor's power to grant clemency.

33 6. The board shall consider, but not be limited to, the following criteria when making its
34 decision:

35 (1) Length of time served;

36 (2) Prison record and self-rehabilitation efforts;

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- 1 (3) Whether the history of the case included evidence of abuse of the offender, including
2 physical, mental, emotional or sexual;
3 (4) The offender's role in the perpetration of the crime and the degree of violence exhibited;
4 (5) If an offer of a plea bargain was made and if so, why the offender rejected or accepted the
5 offer;
6 (6) The severity of the sentence received considering the offender's role in the crime;
7 (7) The age and maturity of the offender at the time of the crime and any contributing
8 influence affecting the offender's judgment;
9 (8) Whether the offender has given substantial thought to a workable parole plan.
10 7. Any offender's case reviewed under this section shall be again reviewed and a
11 recommendation made to the governor every three years if the offender remains incarcerated.
12 8. Nothing in this section shall limit the review of any offender's case who has applied for
13 executive clemency, nor shall it limit in any way the governor's power to grant clemency."; and
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15 Further amend said bill by amending the title, enacting clause, and intersectional references
16 accordingly.
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