

HCS HB 38 -- SENTENCING

SPONSOR: Higdon

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 8 to 3.

This bill removes the requirement that certain offenders must serve a specified mandatory minimum percentage of his or her sentence.

The bill specifies that any offender, except for an offender who was found guilty of first degree murder or any sex offense under Chapter 566, RSMo, who meets specified qualifications is eligible for a parole hearing.

This bill is similar to HB 2512 (2016).

PROPONENTS: Supporters say that repealing the requirement for mandatory minimum prison terms would save the state money because a lot of money is currently spent housing offenders for such a lengthy period. Not all individuals are the same people they were when they committed their offenses, and the minimum an individual is required to serve should be up to the judge. This would give the judge an opportunity to look at each individual based on his or her merits. It is difficult for some offenders who serve the mandatory minimum to acclimate to society upon their release, because the world changes so much. It is difficult for some of them to find housing and adequate employment. Offenders should be held accountable for their actions, but they should also be given an opportunity to rehabilitate and there should be more discretion in sentencing.

Testifying for the bill were Representative Higdon; Annette G. Driver, Driver And Associates; Sheila Winston, Let's Start; Susan Walker, Let's Start; Families Against Mandatory Minimums (FAMM); ACLU-Missouri; Rachel Cramsey, Let's Start; Missouri Catholic Conference; and Rachel Girdler, Empower Missouri.

OPPONENTS: There was no opposition voiced to the committee.