

HB 1148 -- VICTIMS' RIGHTS

SPONSOR: Pietzman

Currently, victims may submit a written statement or appear personally or by counsel before the court prior to the court's acceptance of a plea bargain. This bill revises the provision to allow such victims to submit statements or appear personally or by counsel prior to the court's acceptance of a plea of guilt.

Additionally, this bill adds provisions allowing victims' family members to submit written statements to or appear personally or by counsel before the court, on behalf of or in addition to a victim under 18 years of age. A victim or a victim's immediate family member shall be notified of rights granted to victims under Article I, Section 32 of Missouri's Constitution and Section 595.209, RSMo. Prior to accepting a plea of guilt, the court shall make a finding of whether the prosecutor has made efforts to inform the victim of his or her rights to make a statement. If the court finds that efforts have not been made, then the court shall not accept a guilty plea until such finding is made. Such efforts may be shown by the sending of notice to the last known address of the victim.