

HB 531 -- PROBATION

SPONSOR: Evans

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Judiciary by a vote of 11 to 0.

This bill specifies that a court must consider the option to order certain offenders to participate in community-based treatment programs as a sentencing alternative if the offender is the primary caregiver of one or more dependent children and the offender meets certain other specified requirements. The Department of Corrections currently administers a community corrections program to encourage the establishment of such local sentencing alternatives. This bill adds promoting opportunities for nonviolent primary caregivers to care for their dependent children as one of the goals of that program.

This bill is the same as HB 1291 (2020).

PROPONENTS: Supporters say that this is a family-first bill. In the statute that tells judges what they should do when considering whether to grant probation, the judge has to consider whether the person is a primary caretaker of a minor child as important in whether to grant probation. The person has to be deemed not a safety risk. It is fundamentally important to be a parent here and that should definitely be a focus when considering probation. This would help keep a parent out of jail and there would be tons of positive results from this, especially to his or her kids, who would have more of a solid foundation if the parent is not in jail. Judges can already consider this now, but this would really just be a policy statement that Missouri puts an emphasis on keeping the kids in the home. Statistics have shown that children of incarcerated parents are 64% more likely to have mental health issues and to be sexually abused, drop out of school, and get involved with drugs, and that is an important aspect of this. Supporters believe in keeping families together and this is important for kids' physical and mental health. Other states have passed similar legislation and they estimate that if only 10 defendants are sentenced like this a year, a state could save over \$250,000. It is heartbreaking to see the end of visiting hours and having to peel kids away from their parents. This would hopefully help break the cycle of incarceration.

Testifying for the bill were Representative Evans; Missouri Catholic Conference; Kaitlin Owens, American Conservative Union; Missouri Appleseed; Arnie Dienoff; Barbara Baker, Center for Women in Transition; Angela McCurry; Patty Berger; Missouri State Medical Association; and Samantha Lund.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.