

HB 1374 -- SELF DEFENSE

SPONSOR: Cook

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Crime and Public Safety by a vote of 11 to 6.

Currently, a person may use deadly force against a person who unlawfully enters or attempts to unlawfully enter a dwelling, residence, or vehicle lawfully occupied by the person using deadly force. This bill specifies that a person may also use deadly force against a person who unlawfully enters a place of employment, retail establishment, or other place of business in which the individual using the force has a right to be.

Additionally, a person has no duty to retreat from a place of employment where the person is not unlawfully entering or remaining.

PROPONENTS: Supporters say that this strengthens the rights of law-abiding citizens by allowing them to protect themselves in their places of employment. Currently, individuals can use deadly force to protect themselves in their homes and vehicles, but this does not explicitly extend to the work place. This bill corrects that by ensuring that individuals have a right to defend themselves in their places of business. Employees should not have to hesitate to protect themselves in their places of business so this will expand the Castle Doctrine to apply to their places of employment. This allows individuals to protect themselves against unlawful threats, ensuring that Missouri employees and employers have a right to defend themselves.

Testifying in person for the bill were Representative Cook.

OPPONENTS: Those who oppose the bill say that this bill expands the Castle Doctrine to include places of employment but it also adds all retail establishments regardless of whether you work there. And this element does not require a trigger of fear of death; in this instance, it is triggered by a belief that a criminal act is happening. This bill would allow a person to use deadly force against a suspect in this situation. People of color are already targeted and this could encourage people to take matters into their own hands and not wait for employees or the law enforcement officers to do their jobs.

Testifying in person against the bill was MO NAACP.

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