

HCS HB 1505 -- PUBLIC SAFETY

SPONSOR: Perkins

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Commerce by a vote of 7 to 0.

The following is a summary of the House Committee Substitute for HB 1505.

HIGHWAY PATROL SALARY INCREASES (Section 43.080, RSMo)

Currently, the salary schedule report prepared by the Superintendent of the State Highway Patrol must include a comparison of the three largest police departments in the State. This bill requires the report to also include a comparison of the salaries and benefits of police officers employed by the law enforcement agencies located in surrounding states as specified in the bill.

VIOLENT CRIME CLEARANCE RATES (Sections 43.505 and 650.040)

Currently, the Department of Public Safety is the central repository for the collection, maintenance, analysis, and reporting of crime incident activity generated by law enforcement agencies in the State. This bill requires the Department to publish quarterly clearance rates on their website beginning January 1, 2026.

Beginning January 1, 2026, every law enforcement agency in the State will collect data documenting case clearances for nonfatal shootings. Clearance rate data will be reported on a monthly basis. Clearance rate data will include demographic information and be disaggregated by whether the offense was cleared by arrest or by exceptional means, as defined in the bill. Beginning January 1, 2027, the Department will make annual reports of this data to a number of offices listed in the bill.

This bill defines terms "clearance rates", "offense cleared by an arrest", and "offense cleared by exceptional means". The bill creates the Missouri Violent Crime Clearance Grant Program within the Department, to be developed in consultation with the Peace Officers Standards and Training Commission, the Office for Victims of Crime, and the Crime Laboratory Review Commission. The purpose of the Program will be to improve law enforcement strategies and initiatives aimed at increasing violent crime clearance rates. The bill describes eligible uses for funding in the Program to achieve this purpose. Priority for grants under this program will be given to law enforcement agencies:

- (1) With consistent public reporting of low clearance rates;
- (2) That demonstrate a commitment to working with community-based organizations and government agencies to reduce violent crime rates; or
- (3) That detail a process for evaluating the effectiveness of both investigators and investigative units, including the development of specific goals and performance metrics.

The bill requires law enforcement agencies that receive funding under this Program to report to the Department annually on activities carried out to reduce violent crime and increase clearance rates, as described in the bill. The State Auditor will periodically audit all law enforcement agencies receiving state funds. The state funds that are expended are subject to appropriation.

RESTRAINTS ON CHILDREN DURING JUVENILE COURT PROCEEDINGS (Section 211.436)

This bill requires that instruments of restraint, including handcuffs, chains, irons, or straitjackets, will not be used on a child during a proceeding in a juvenile court and will be removed prior to the child's appearance before the court unless, after a hearing, the court finds both that:

- (1) The use of restraints is necessary to prevent physical harm to the child or another person, there is evidence that the child presents a substantial risk of flight from the courtroom, or history of disruptive courtroom behavior; and
- (2) There are no less restrictive alternatives including, but not limited to, the presence of court personnel, law enforcement officers, or bailiffs.

If the juvenile officer believes there is an immediate safety or flight risk, they will advise the attorney for the child and make a request in writing prior to the commencement of the proceeding for the child to remain restrained. The court will order a hearing and provide the child's attorney an opportunity to be heard before the court orders the use of restraints. If restraints are ordered, the court will make findings of fact in support of the order.

If restraints are used, the restraints will allow the child some limited movement of the hands to read and handle documents necessary to the proceeding. Under no circumstances will a child be restrained using restraints fixed to a wall, floor, furniture, or other stationary object.

OFFENDERS' MEDICAL RECORD REQUESTS (Section 217.075)

This bill requires the Department of Corrections (DOC) to provide to an offender or their personal representative electronic copies of all medical records related to that offender while in the custody of the DOC upon request. The electronic copies will be provided within 30 days of the request and at no cost to the offender.

PERSONAL REPRESENTATIVE DESIGNATION FOR OFFENDERS (Section 217.312)

The bill gives offenders delivered to the reception and diagnostic center of the DOC the opportunity to designate a personal representative. The DOC will develop a form for offenders to make a personal representative designation. The form will be made available in paper and electronic format and will include information about the personal representative as listed in the bill. The Director will have rulemaking authority for the administration of this section under Chapter 536.

PHONE ACCESS AT JAILS AND CORRECTIONAL CENTERS (Sections 217.451 and 221.108)

The bill requires jails and correctional centers to provide offenders and inmates with reasonable access to phone services, except that phone access can be restricted as a disciplinary measure. The total cost of domestic phone calls charged to an inmate or offender will not exceed 12 cents per minute.

HOSPICE CARE TRAINING PROGRAM IN STATE PRISONS (Section 217.1200)

This bill allows the DOC to develop a Hospice Care Training Program. The DOC, in cooperation with the Department of Health and Senior Services (DHSS) and the Department of Commerce and Insurance, may jointly partner in the Program to determine appropriate training for the purpose of obtaining licensure or certification required for inmates selected to participate in the Program.

The Departments will jointly approve program curriculum, including required program credits for each subject and practical skills instruction. Training will be provided by a licensed physician, registered nurse, or other appropriately licensed or trained health care professional. The DOC will issue certificates to inmates who successfully complete the program.

The DOC, in cooperation with DHSS and the Division of Professional Registration, will develop a process for submission of notice of

training completion and an application for licensure or certification to the Division of Professional Registration, as prescribed by DHSS. The DHSS, in consultation with DOC, will have rulemaking authority for the administration of this Program subject to Chapter 536.

USE OF RESTRAINTS ON PREGNANT OFFENDERS (Section 221.520)

The bill defines the terms "Extraordinary circumstance", "Labor", "Postpartum", and "Restraints"

This bill bans the use of restraints by a county or city jail on a pregnant offender in her third trimester, except in extraordinary circumstances. This ban includes transportation to and from visits to health care providers and court proceedings or during medical appointments and examinations, or during labor, delivery, or 48 hours postdelivery.

In the event a sheriff or jailer determines that extraordinary circumstances exist and restraints are necessary he or she will fully document in writing within 48 hours of the incident, the reasons he or she determined such extraordinary circumstances existed, the type of restraints used, and the reasons those restraints were considered reasonable under the circumstances. These written findings will be kept on file by the county or city jail for at least five years from the date the restraints were used.

Any time restraints are used on a pregnant offender in her third trimester or on a postpartum offender within 48 hours postdelivery, the restraints will be reasonable under the circumstances. Except in extraordinary circumstances, leg, ankle, or waist restraints, or any mechanical restraints must not be used on any such offender, and if wrist restraints are used, the restraints will be placed in the front of the offender's body to protect the offender and the unborn child in the case of a forward fall.

Pregnant offenders will be transported in vehicles equipped with seatbelts.

The bill requires county and city jails to:

- (1) Ensure that employees of the jail are provided with training on the provisions of this section of the bill, and

- (2) Inform female offenders, in writing and orally, of any policies and practices developed in accordance with this section of the bill upon admission to the jail and post the policies and practices in the jail where they will be seen by female offenders.

DENTAL SERVICES FOR OFFENDERS IN STATE CORRECTIONAL CENTERS
(Section 332.081)

Currently, there is an exemption which allows the practice of dentistry at facilities owned by a city, county, or other political subdivision of the State. This bill expands that exception to include State-owned correctional centers.

GOOD TIME AND EARNED TIME CREDIT (Section 558.041)

Currently, an offender in a Department of Corrections institution may earn good time credit. This bill expands the credit-earning system to include both "good time credit" for displaying exemplary compliance with institutional disciplinary regulations and "earned time credit" for successfully participating in rehabilitative programming or productive activities. Major conduct violations or a total of six minor conduct violations will result in the loss of all good time and earned time credit. Good time credit will be earned at a rate of 54 days per year of the offender's sentence imposed by the courts and earned time credit will be earned at a rate of 10 days for 30 days of successful participation in rehabilitative programming or productive activities.

If the Department of Corrections determines the offender has not satisfactorily complied with institutional regulations, they will not receive good time credit.

Earned time credit will not be awarded for programs completed prior to an offender's sentence. The Department will specify the types of programs or activities for which earned time credit will be awarded, including but not limited to the following: receiving a high school diploma or equivalent, college diploma or professional certificate, or vocational training certificate, and participating in successful employment, parenting, and financial literacy courses, alcohol and drug abuse treatment programs, and restorative justice and faith-based programs.

From January 1, 2026, to December 31, 2026, eligible offenders may petition for earned time credit for programs completed between January 1, 2010 and August 28, 2025. The incarcerated population will be notified of the petition process. Offenders sentenced to death or life sentences without probation will not be eligible for good time credits or earned time credits, but the Department will record their participation in the same manner as the eligible population.

The Department will submit an annual report to the General Assembly on good time credit and earned time credit including the number of offenders receiving credit under both programs.

This bill is similar to HB 1360 and HB 916 (2025).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that law enforcement authorities need these strategies to solve crimes. Clearance rates are good for crime reporting purposes. There is a large percentage of crimes in Missouri that go unresolved and collection of data is essential to solve the crimes and build public trust and confidence. The hospice training program allows for a certificate or license to be given upon successful completion which provides a means to get a good job. Also strengthening family ties is important to reduce recidivism rates.

Testifying in person for the bill were Representative Perkins; Matthew Charles, FAMM; Action Now Initiative; Arnie C. Dienoff.

OPPONENTS: There was no opposition voiced to the committee.

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.