



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 723		DATE: 2/17/2025	
COMMITTEE: Emerging Issues			
TESTIFYING: ☒ IN SUPPORT OF ☐ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ANTHONY STEMATZ-BREITLING		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: stembreit@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/17/2025 8:23 AM
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I support bill HB0723I, It is my understanding that many incarcerated offenders are often already in poverty and struggle to get employment, housing, and transportation after being released. Seizing assets of previous offenders does not set them up for success and increases the risk of becoming a repeat offender. Even if such funds are in savings or bonds -that money has a purpose, a down payment on a house, to send their kid to college, to fix the older vehicle that breaks down often, to pay for bills if someone working gets sick or injured.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: BRIAN BERNSKOETTER		PHONE NUMBER: 573-636-2822	
REPRESENTING: MISSOURI ASSOCIATION OF CRIMINAL DEFENSE LAWYERS		TITLE:	
ADDRESS: 100 E. HIGH			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/17/2025 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: DAVID JACKSON		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:		SUBMIT DATE: 2/17/2025 12:00 AM
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: GARRET SCHMIDT		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: garretjschmidt@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/16/2025 8:25 PM
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I am in support of this bill. Allowing the state to seize up to 90% of the value of an offender's assets creates a cycle of poverty and crime. Prisoners cannot earn a wage in prison that can offset the cost of housing them effectively making them prison debtors.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: GWEN SMITH		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME: EMPOWER MISSOURI		TITLE: CRIMINAL JUSTICE POLICY MANAGER	
ADDRESS:			
CITY: ST. LOUIS		STATE: MO	ZIP: 63116
EMAIL: gwen@empowermissouri.org	ATTENDANCE: In-Person		SUBMIT DATE: 2/17/2025 6:56 PM
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Founded in 1901, Empower Missouri advocates for the well-being of Missourians through civic leadership, education, and research. As part of our work, we organize a statewide Community Justice Coalition with the goal of decreasing recidivism, decreasing the prison population, and decreasing Missouri's criminal justice costs all while ensuring our communities are safe. Many coalition members are formerly incarcerated or have currently incarcerated loved ones, and all are connected by a vision for a future without mass incarceration. We support Representative Peter's HB 723, which would repeal the Missouri Incarceration Reimbursement Act, or MIRA. This law allows the state attorney general to seize the assets of men and women who are serving time in Missouri prisons. Annually, MIRA lawsuits brought by the AG's office raise a fraction of a percent of the Department of Corrections budget, while seizing up to 90% of the incarcerated person's assets. Those assets are typically in the form of money from a legal settlement, insurance proceeds when a relative dies, or funds from the sale of property. Most of the individuals sued by the AG's office under this law do not have the means to retain legal counsel to challenge the lawsuit, and typically cannot even appear in court themselves due to their incarceration. The Public Defender's office is not able to intervene in such cases. The DOC budget in 2023 was almost \$187 million, and the revenue obtained from MIRA lawsuits filed by Missouri Attorney General Andrew Bailey was \$450,000. The MIRA does not provide any measurable relief for taxpayers. For the incarcerated individuals whose assets are being seized, these small windfalls could be life-changing sums of money, providing the ability to provide for family members on the outside while they are in prison or help cover the myriad of costs associated with the reentry process. This law doubles down on punishment for people who are already serving their time, going beyond the scope of the sentence set by a judge and seizing assets that would otherwise go to support loved ones and/or the individual's life after prison. We encourage a 'yes' vote on HB 723 that would repeal this outdated law and protect the rights and assets of all Missourians.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: IRENE KARNS		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: karnslaw941@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/17/2025 3:42 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

Mr. Chairman and members of the Committee: My name is Irene Karns. I am a retired appellate attorney who has represented several prisoners sued under the Missouri Incarceration Reimbursement Act over the last year. I appreciate the opportunity to talk to you about why I think the Act should be repealed. I will limit my testimony out of respect for your time, but you are welcome to contact me with any questions you might have.

I am here to speak for prisoners and former prisoners whose assets have been seized in accordance with the Act, which authorizes the court to award the State up to 90% of a prisoner's assets "from any source whatsoever," with a few exceptions found in the Act or imposed later by the courts.

That prisoners can lose cash, real estate, and other property as well as their freedom as a consequence of violating the law is justified by the idea they should contribute to the cost of their imprisonment, but the effects of taking those assets go beyond depriving the prisoner. As with other aspects of the criminal legal system, the loss ripples out onto families and the community. The Missouri Department of Corrections makes a creditable effort to assist parolees with reintegration into society; Missouri was one of the first states to implement the national Reentry 2030 initiative. Taking assets needed upon return to society is clearly contrary to those efforts.

The taking is especially insidious when it happens close to release from prison. My client Christine already had an out date of December 23, 2024, when the MIRA petition was filed in September; another client has a release date in October of this year. The judge who heard these cases was receptive to reasoning that not having money for a vehicle when released would sabotage their efforts to find employment. He found in favor of the State, but awarded only 40% of the defendants' assets, a commendable exercise of discretion, but both clients had the benefit of an advocate in the courtroom. Another class of defendants clearly harmed is older prisoners who cannot expect to replace assets they might have spent years accumulating. A MIRA petition filed last September against Michael, who is 64 years old and not represented by counsel, targets an IRA valued at \$77,000.

Prisoners have no legal right to an attorney in MIRA cases, and most often there is little opportunity to get one. I took on Ronnie's case after the trial, but before judgment was entered. Ronnie is a young man convicted in the City of St Louis who has communication problems. His efforts to find help were further restricted by being in protective custody at the prison, where communications are further limited, during the period he was given to respond to the suit. Ronnie had no idea how to respond to the instruction to list any defense he had. It was effectively impossible for him to find an attorney willing to take on the case; and since 90% of his assets were escrowed by court order, he had less than \$1,500 to offer should he find one.

Another hardship for MIRA defendants is the court's order that 90% of any deposit to an inmate's account after the filing of the petition be escrowed, in addition to the 90% of the account balance escrowed when the petition was filed, until the judgment is final. Even small contributions from family or friends are reduced to 10% of the amount deposited. Some cases are not resolved for a year or more, especially where there is no defense attorney to move

them along. Taking prisoners' assets is harsh, and the Act itself is an embarrassment. It appears to have been Frankensteined from similar provisions being enacted by other states at the time (1988). The plain language of the Act authorizes seizing 90% of a prisoner's assets from "any source whatsoever" to defray "all costs past, present, and future." The definitions section exempts homesteads up to a value of \$50,000 from the category of assets; another section forbids the State from enforcing a MIRA judgment by executing against the prisoner's homestead. One subsection directs the department to "request" from the prisoner before he is released an assignment of future wages for a period of five years after release to satisfy a MIRA judgment. Information about how MIRA cases are filed is scarce. There is no way to research such cases at the circuit court level without knowing case names or numbers, and the few appeals concern issues of law with little attention to procedure. All of the information I have comes from reviewing Cole County dockets since I became involved with the Act last spring. In the 12 cases where the source of income was disclosed, the most common was proceeds from small life-insurance policies. Two St Louis area attorneys have asserted broad constitutional challenges to MIRA in cases now pending in Cole County. They are vigorously pursuing discovery about how the Attorney General decides which prisoners' assets should be seized and other details of the Act's enforcement. One thing is obvious: prisoners who have the foresight and means to get legal advice on how to transfer assets before incarceration are not subject to the Act. I've heard legislators say that courts should "stay in their own lane" when it comes to reviewing the validity of statutes enacted by the people's representatives. Well, the Missouri Incarceration Reimbursement Act is still in your lane. I encourage you to support its repeal. Respectfully,/s/ Irene C. Karns (573) 289-3128 karnslaw941@gmail.com



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: JEFF SMITH		PHONE NUMBER: 314-323-0915	
REPRESENTING: MISSOURI APPLESEED		TITLE:	
ADDRESS: 5380 MAGNOLIA AVE.			
CITY: ST. LOUIS		STATE: MO	ZIP: 63139
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/17/2025 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: JEREMY LAFAVER		PHONE NUMBER:	
REPRESENTING: EMPOWER MO		TITLE:	
ADDRESS:			
CITY: KC		STATE: MO	ZIP: 64115
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/17/2025 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: KORTNIE HUDDLESTON		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: kortniehuddleston@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/17/2025 9:05 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

I urge you to support HB 723, sponsored by Representative Tara Peters, which seeks to repeal the unjust and counterproductive Missouri Incarceration Reimbursement Act (MIRA) . This legislation represents a critical step toward dismantling a system that punishes families, perpetuates cycles of poverty, and undermines rehabilitation. Under MIRA, the state can seize up to 90% of an incarcerated individual's assets—including savings, property, or even life insurance payouts—to recover a mere 10% of incarceration costs. Imagine a single mother whose car is seized, leaving her children unable to attend school. Or a grandfather whose modest savings, intended to support his family, are stripped away, leaving his loved ones destitute. These are not hypotheticals; they are the real consequences of a policy that prioritizes revenue over humanity. MIRA's financial clawbacks create insurmountable barriers to reentry. When individuals leave prison, they face the daunting task of securing housing, employment, and stability. By draining their resources, the state ensures they start this journey with nothing—no safety net, no means to rebuild. How can we expect successful reintegration when we actively sabotage their chances? Recidivism is not reduced by impoverishment; it is fueled by it . Moreover, this law disproportionately harms low-income families and communities of color, who are already overrepresented in our criminal justice system. Asset seizure under MIRA deepens inequities, punishing not just the incarcerated individual but entire families who bear the collateral damage. It is a regressive tax on vulnerability, undermining trust in a system meant to deliver justice . Repealing MIRA aligns with broader efforts to reform Missouri's criminal justice system. Organizations like Missouri Appleseed emphasize that ending this practice is essential to fostering safer, healthier communities . By passing HB 723, we can redirect our focus from punitive extraction to restorative solutions—investing in education, mental health services, and job training that truly reduce crime. Today, as HB 723 moves through the legislative process , we have an opportunity to choose compassion over coercion. Let us reject a policy that profits from punishment and instead build a system that values redemption and second chances. I urge you to support HB 723 and repeal the Missouri Incarceration Reimbursement Act. Thank you.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: MICHAEL DREYER		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: mdreyer93@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/17/2025 9:04 PM
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I urge you to support HB 723, sponsored by Representative Tara Peters, which seeks to repeal the unjust and counterproductive Missouri Incarceration Reimbursement Act (MIRA) . This legislation represents a critical step toward dismantling a system that punishes families, perpetuates cycles of poverty, and undermines rehabilitation. Under MIRA, the state can seize up to 90% of an incarcerated individual's assets—including savings, property, or even life insurance payouts—to recover a mere 10% of incarceration costs. Imagine a single mother whose car is seized, leaving her children unable to attend school. Or a grandfather whose modest savings, intended to support his family, are stripped away, leaving his loved ones destitute. These are not hypotheticals; they are the real consequences of a policy that prioritizes revenue over humanity. MIRA's financial clawbacks create insurmountable barriers to reentry. When individuals leave prison, they face the daunting task of securing housing, employment, and stability. By draining their resources, the state ensures they start this journey with nothing—no safety net, no means to rebuild. How can we expect successful reintegration when we actively sabotage their chances? Recidivism is not reduced by impoverishment; it is fueled by it . Moreover, this law disproportionately harms low-income families and communities of color, who are already overrepresented in our criminal justice system. Asset seizure under MIRA deepens inequities, punishing not just the incarcerated individual but entire families who bear the collateral damage. It is a regressive tax on vulnerability, undermining trust in a system meant to deliver justice . Repealing MIRA aligns with broader efforts to reform Missouri's criminal justice system. Organizations like Missouri Appleseed emphasize that ending this practice is essential to fostering safer, healthier communities . By passing HB 723, we can redirect our focus from punitive extraction to restorative solutions—investing in education, mental health services, and job training that truly reduce crime. Today, as HB 723 moves through the legislative process , we have an opportunity to choose compassion over coercion. Let us reject a policy that profits from punishment and instead build a system that values redemption and second chances. I urge you to support HB 723 and repeal the Missouri Incarceration Reimbursement Act. Thank you.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: VICTORIA JONES		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: toriatrampler@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/13/2025 4:08 PM
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If the purpose of incarceration, at least in part, is the rehabilitation of an individual, we should not put further roadblocks in their way once they have served their time. I think it is unreasonable for someone trying to reenter society to also have to pay the state for housing, and that such an action could motivate additional criminal action in an effort to stay financially afloat.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: W. BEVIS SCHOCK		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:		SUBMIT DATE: 2/17/2025 12:00 AM
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C."HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: arniedienoff@yahoo.com		ATTENDANCE: In-Person	SUBMIT DATE: 2/17/2025 11:48 PM

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I am Opposed to this Bill. I believe that major Felons should be responsible and repay the State 10-% of their Housing and Costs of Incarceration.