

HB 2414 -- POSSESSION OF UNLAWFUL ITEMS IN A PRISON OR JAIL

SPONSOR: Van Schoiack

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Corrections and Public Institutions by a vote of 6 to 3.

This bill amends the offense of possession of unlawful items in a prison or jail to include when a person knowingly delivers, attempts to deliver, possesses, deposits, or conceals in or around the prison or jail any unauthorized portable electronic communication device that is used to initiate, receive, store, or view communication, information, images, or data. A violation of this provision is a class D felony.

PROPOSERS: Supporters say that this bill is simple. Right now, individuals with unauthorized devices in our prisons face administrative penalties that are not sufficient to discourage the behavior. Drug trafficking and even human trafficking are coordinated with these devices. There could be hits on people or assassinations. Inmates may use the provided telephones if needed. The Department of Corrections finds approximately 100 cell phones per year in our prisons; it's a real security concern. This isn't unique to our state, but the Department would like an additional tool to address the issue. There are inappropriate relationships between inmates and staff, phones are used to move money through electronic wallets, and this has resulted in Federal charges in the past. Currently, an offender is written a conduct violation resulting in a disciplinary sanction, likely including a referral for prosecution. Because it is a misdemeanor right now, prosecutors often don't proceed with charges. This is a good, sensible bill that improves the safety and security of our institutions.

Testifying in person for the bill were Representative Van Schoiack; Taylor Hagenhoff, Missouri Department of Corrections; and Arnie Dienoff.

OPPOSERS: 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.