



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 2708</b>		DATE: <b>3/2/2026</b>	
COMMITTEE: <b>Corrections and Public Institutions</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCAT</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>In-Person</b>	SUBMIT DATE: <b>3/2/2026 2:20 PM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			

**I am in Support of this Bill. This Bill is MUST. The Offense of providing or sneaking in Electronic Devices MUST be a Felony. This Law will greatly enhance and ensure Public Safety of the Prison and the Department of Corrections.**



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<b>WITNESS NAME</b>			
<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>TAYLOR HAGENHOFF</b>		PHONE NUMBER: <b>573-536-2554</b>	
BUSINESS/ORGANIZATION NAME: <b>DEPARTMENT OF CORRECTIONS</b>		TITLE:	
ADDRESS: <b>7729 PLAZA DR</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65109</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>3/2/2026 12:00 AM</b>	
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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>BRITTNIE HARTMANN</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>3/1/2026 11:34 PM</b>	
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**If we are going to insist inmates get felony charges for unauthorized electronic devices, then we absolutely must demand those corrections officers that bring it in get charged with a felony as well. This is not a one way matter, the inmates wouldn't have them if the officers were not bringing them in. No one should be above the law especially not a correctional officer.**



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<b>WITNESS NAME</b>			
<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>DENA NOTZ</b>		PHONE NUMBER: <b>417-260-2003</b>	
BUSINESS/ORGANIZATION NAME: <b>COLLECTIVELY CHANGING CORRECTIONS</b>		TITLE: <b>PRESIDENT</b>	
ADDRESS: <b>PO BOX 102</b>			
CITY: <b>ROBY</b>		STATE: <b>MO</b>	ZIP: <b>65557</b>
EMAIL: <b>cccforchange24@gmail.com</b>	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>3/1/2026 11:32 PM</b>	

**THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.**

We know exactly why Hovis wants this bill to pass. Because he knows that it's just a matter of time before the inmates in Missouri leak footage of what's going on in Missouri prisons. Hovis does not like inmates, it's been clear since the hearing about Centurion. He continues to make excuses for the MODOC and bash the incarcerated individuals. He does not view those in prison as humans with rights, that is very evident.

If you are going to charge an inmate with a felony for having an electronic device in a prison, then you need to be prepared for them to be turning in the employee/correctional officer who brought the device in. Will that person be charged with a felony as well? We are sure the answer to that is no. Why are there always double standards? Why do the inmates get held to a higher standard than the ones who are hired and take an oath to provide safety and security?

Collectively Changing Corrections opposes this bill for obvious reasons.



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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>GLADYS COLLIS</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>3/2/2026 1:35 AM</b>	
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If the inmates are getting a felony for contraband that the correctional officers bring in, then the correctional officers better be getting a felony as well for bringing it in!

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If you are going to charge an inmate with a felony for having an electronic device in a prison, then you need to be prepared for them to be turning in the employee/correctional officer who brought the device in. Will that person be charged with a felony as well? We are sure the answer to that is no. Why are there always double standards? Why do the inmates get held to a higher standard than the ones who are hired and take an oath to provide safety and security?

I oppose this bill for obvious reasons.



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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>JESSICAH DONEHUE</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>3/2/2026 10:03 PM</b>
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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>KORTNIE HUDDLESTON</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>3/2/2026 11:38 PM</b>	

**THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.**

I am writing to express my strong opposition to HB2708. While maintaining safety in our correctional facilities is a valid concern, this bill takes a misguided approach that prioritizes harsh punishment over genuine justice and rehabilitation. It will have devastating consequences for the very people our justice system should be trying to help.

The most significant problem with this bill is its creation of a new class D felony for possessing a cellular phone or similar device in a correctional facility. Treating a cell phone as equivalent to a dangerous weapon is a profound overreach. In today's world, a cell phone is a lifeline. It is the primary way incarcerated individuals maintain contact with their families, especially their children. It connects them to legal resources and support systems that are critical for their mental health and successful reentry into society. Severing these ties does not make our communities safer; it makes them less safe by isolating people and increasing the likelihood they will reoffend upon release.

This bill continues a failed policy of endlessly escalating penalties. Adding yet another felony conviction to a person's record does not solve the problem of contraband. It permanently harms that individual's chances of finding housing and employment after their sentence is complete, creating a permanent underclass. Instead of investing in effective strategies to prevent contraband, such as better screening technology for staff and visitors, this bill relies on the blunt instrument of the criminal law to punish individuals who are already under the state's complete control.

The specific language in subdivision (4) regarding any item that "may be used" to endanger safety is dangerously vague. This could be interpreted to apply to countless innocent objects, giving correctional officers and prosecutors immense and unchecked power. This lack of clarity invites arbitrary enforcement and will inevitably lead to people facing severe felony charges for items that were never intended to cause harm.

While the bill includes an expungement provision for some alkaloid violations, it is a hollow gesture. It explicitly excludes anyone who delivered or concealed the substance, which are the very people most likely to be targeted for prosecution. This does not represent meaningful reform or a pathway to redemption; it is a narrow exception that will apply to almost no one.

True safety in our prisons and jails comes from humane conditions, adequate staffing, mental health services, and genuine opportunities for rehabilitation. This bill does nothing to address those root causes. It simply adds more punitive laws to the books, creating more felonies, destroying more lives, and doing nothing to build a just and equitable Missouri.

**We should be working to reduce the harms of mass incarceration, not inventing new ways to expand it.  
I urge you to vote no on this bill.**



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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>LISA LUTER</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>3/2/2026 10:00 AM</b>	
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There are more important factors that need to be addressed other than this bill. This particular bill does not address the punishment for the responsible party that provided the inmate with an item such as a cell phone or investigate and punish the actual source. This bill is extremely one sided and that is not a just or fair bill. In addition, there are more important and extreme issues that need to be the focus of everyone's time and questions. Such as, lowering the canteen, phone, and email costs; raising an inmates wage; providing timely and actual medical services. If these topics were within appropriate and humane balance, fewer inmates would have the need for inappropriate items such as a cell phone to reach out to their loved ones on the outside. Especially when they need to "whistle blow" on the people that are paid to protect them and to provide their basic human needs and their inalienable rights. Remember, all paid phone calls are recorded to track the conversations. If a MO resident needs to express the poor conditions, the likelihood of retaliation is high and very likely. We need oversight, not biased reasons to continue to not rehabilitate or further punishment to extend their stay at paid for profit institutions whether state or federal. Thank you for your time to this matter.



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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>LYNN DEFRIES</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>3/2/2026 8:20 PM</b>
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**Why why would you just punish the inmate? Do you know how they are getting in there? The nurses, officers and any other employee. If you want to stop this maybe start at the top! Not sure why you hate inmates so much, what have they done to you? They are human just like us.**



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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>MICHAEL DREYER</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>3/2/2026 11:37 PM</b>	

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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>SARAH BERRY</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>3/2/2026 8:12 AM</b>
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**HB 2708 expands the offense of possession of unlawful items in a prison or jail, including the addition of unauthorized portable electronic communication devices as a class D felony, and criminalizes possession of items prohibited by rule or regulation.**

**The constitutional concerns center on vagueness, delegation, proportionality, and due process.**

**Vagueness and Overbreadth**

**( U.S. Const. Amend. XIV; Mo. Const. Art. I §10 )**

**Subdivision (3) criminalizes possession of any item a prisoner is prohibited from receiving “by law, by rule ... or by regulation.” Criminal liability tied to institutional rules raises notice concerns if such rules are not sufficiently clear, stable, and accessible. While subsection 3 requires posting of rules for visitors, criminal statutes must provide fair notice of prohibited conduct.**

**Incorporation of evolving administrative rules into felony or misdemeanor liability invites vagueness challenges if enforcement becomes inconsistent or discretionary.**

**Delegation of Criminal Scope**

**( Mo. Const. Art. II §1 )**

**The statute effectively allows administrative rules and facility regulations to define the scope of criminal conduct under subdivision (3).**

**Although the legislature may reference agency rules, courts may examine whether the statute delegates the functional definition of criminal behavior without sufficiently definite legislative standards.**

**Electronic Device Provision**

**Subdivision (5) criminalizes possession of broadly defined communication devices, including “any substantially similar device.” Such catchall language may invite challenges if the scope is interpreted expansively. Criminal statutes are construed strictly, and ambiguity may trigger due process scrutiny.**

**Proportionality**

**( U.S. Const. Amend. VIII; Mo. Const. Art. I §21 )**

**Classification of possession of certain electronic devices as a class D felony may be challenged in extreme cases under proportionality principles, particularly where no evidence of facilitation of further criminal conduct exists. While legislatures retain broad authority to set penalties, felony classification increases scrutiny in marginal applications.**

**HB 2708 is not facially unconstitutional.**

**However, its reliance on administrative rules to define criminal conduct and its broad device-based language create foreseeable vagueness and delegation challenges in specific prosecutions. The statute's constitutional durability will depend on clear rulemaking, consistent enforcement, and narrow judicial interpretation.**

**When criminal liability expands by reference to institutional rules and broadly defined devices, constitutional scrutiny turns on clarity. Criminal statutes must speak with precision, not approximation.**



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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>SUNNY LOCKWOOD</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>3/2/2026 5:30 AM</b>

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Hello. My son was released from a MODOC treatment center a very short time ago. He was incarcerated for four years. During that 4 year period, I watched, and received all of the emails that told me one thing after another - after another - after another - were no longer permitted for the inmates to own, keep or receive many of the things that make it easier for them to stay connected to their loved ones and also to life on the outside. Every time something else was restricted, MODOC stated the reason was due to "drugs" being somehow sent to or smuggled into the facilities by inmates friends and families.

Well, now it seems there are even more incidents of overdose (drugs) and according to Rep. Hovis - other contraband (phones) - still getting into the prisons in Missouri. Rep. Hovis believes that inmates having access to devices that could possibly record and PROVE the neglect and abuse they report suffering at the hands of the guards is such a huge issue that he decided to write up this bill to make sure every inmate found to be in possession of a cell/smart phone should receive an additional felony charge against them. With all of the recently enacted restrictions on care packages, magazines and books as well as on all offender mail, the contraband making it's way into the prisons should be on the decline. But it's not. In my opinion, if Rep. Hovis was truly concerned about the inmates safety and the security of the facilities housing these offenders, Rep. Hovis would be putting his full support behind the DOC Oversight and Accountability Bill, instead of wasting his time writing yet another bill to re-enforce a law we already have. Added support for the independent Oversight bill would allow the governor to appoint a group of people to form one - or several - committees who would periodically visit certain DOC facilities, observe the activities within and report anything amiss. This oversight group would handle many of the complaints and concerns from prisoners and their families by investigating allegations thoroughly and ensuring that staff follows the policies and procedures for dealing with situations as outlined in the employee handbook. We do not need more laws that make something that is already a crime even more criminal. We do, however, need Independent Oversight of the MODOC staff to ensure the safety and decent treatment of inmates as well as to hold employees accountable when they dont perform their duties as instructed. I believe there should be cameras in open areas of the prisons and a way to access the inmates activity in real time by the public to remove any possibility of wrongful accusations of mistreatment by the offenders or the guards - but that is also just my opinion. Thank you.