



Empower Missouri Criminal Justice Reform Talking Points

Empower Missouri is a state wide non-profit organization which advocates for the well-being of all Missourians through civic leadership, education and research. The Criminal Justice Task Force of Empower Missouri has been advocating for decades for changes within the criminal justice system. Included in this document are the legislative priorities of the Criminal Justice Task Force. Empower Missouri plans to work the Missouri General Assembly for the passage of bills that include these priority issues.

I. Parole Board Development

A. Establishment of Criteria for Granting Parole

Empower Missouri recommends that the Board of Probation and Parole establish an objective point system to determine parole. This set of criteria shall be published and inmates shall receive their scores. The desired effect of this legislative proposal is to increase the number of persons released from prison by the Board of Probation and Parole, saving tax-payer dollars while continuing to protect public safety.

The Board of Probation and Parole must be protected from public pressure in their deliberations. However, they must also have a measure of accountability to the public whom they serve. Criteria such as an objective point system will make it clear to the public and to the offender what the offender must accomplish in order to be granted parole. Parole Board deliberations and votes would not be published, nor would inmate scores, however, inmates would receive their scores.

B. Review of lengthy sentences

1. All first time offenders who have served more than 20 years in prison would be hereby eligible for parole and clemency review. Some first time offenders have received lengthy sentences. The Board of Probation and Parole is authorized to review their cases and grant parole or recommend gubernatorial clemency if they are no longer deemed a threat to public safety. It is the responsibility of the Board of Probation and Parole to exercise its judgment. Empower Missouri recommends that the Board review the status of persons with lengthy sentences at regular intervals and grant parole when appropriate.

2. Offenders older than 55 shall be considered for parole and clemency. Research shows that persons over 55 are unlikely to re-offend yet they still have time to work and establish eligibility for Social Security and Medicare, thus, their crimes, their potential for rehabilitation and their behavior history shall be reviewed by the Board of Probation and Parole and potentially granted parole or clemency.

C. Requirements to serve on the Parole Board

Currently there are no requirements for who is appointed to serve on the Parole Board. It is the decision of the Governor and approved by the Senate. Because of the serious nature of this role and the difficult and life altering decisions this board makes, Empower Missouri believes that having certain educational and/or life experience should be a requirement for an appointment. Empower Missouri believes a law should be passed that states that parole board appointees should

possess a 4 year degree or have 5 years of experience in one of the following areas: probation, parole, corrections, law enforcement, psychology, sociology, or social work.

II. Reduce Sentence Length

A. Empower Missouri recommends shorter sentences for crimes overall. According to the Sentencing Report of 2005, Missouri sentences are longer than most other states.

Empower Missouri recognizes the impact that prison time has on the prisoner and on their family, and we also understand that as the years increase, that so does the difficulty of re-adjusting to society. Ninety-seven percent of those in prison will be released. They need to get out while they can still work and be productive members of the community.

B. Empower Missouri recommends that enhancements for prior and persistent violent criminal behavior be limited to consideration of only past violent offenses. Thus, non-violent past offenses such as drug possession could not be used to enhance the penalty for a current violent crime. Similarly, violent past convictions could not be used to enhance a current non-violent crime such as larceny to support a drug addiction.

Instead, we urge prosecutors, judges and probation and parole officers to use tools other than enhancement for first-time violent offenders and for convicted violent offenders who steal less than \$750 or possess drugs.

C. Empower Missouri opposes mandatory minimums and “no parole” statutes.

III. Expansion of Expungement

Empower Missouri was very glad to see expungement legislation pass in 2016, however, we would like to recommend one additional change. The current legislation allows judges to expunge only one conviction. We would like to see judges empowered to bundle drug possession offenses committed more than ten years ago. Many men and women have accumulated possession felonies during times of uncontrolled addiction. Now, though they have been clean and sober for many years, they face roadblocks to promotion and advanced education.

IV. Opposition to the Death Penalty

Empower Missouri opposes the death penalty. Empower Missouri recommends at the very least that Missouri create a commission to study the death penalty with the goal of learning the true costs of administering the death penalty. This study would compare the costs estimated in cases seeking the death penalty compared to cases not seeking the death penalty. Empower Missouri believes this is a good first step but ultimately hopes that Missouri decides to end the use of the death penalty as a form of punishment.

In conclusion, Empower Missouri believes that these changes to the Criminal Justice System in Missouri will not affect the safety of Missouri’s communities and will save the State of Missouri money which can then be used to support social services, education, veteran services as well as all general revenue costs.