

HB 2364 with HCA 1 -- ARREST AND INCIDENT RECORDS

SPONSOR: Rhoads

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Public Safety and Emergency Preparedness by a vote of 10 to 0.

This bill allows incident reports to remain closed if a criminal investigation occurs as a result of an incident until after a decision by the prosecuting attorney or Grand Jury whether to file charges, or for a year after the incident date, whichever is later. If the law enforcement agency believes the safety of a victim, witness, or individual cannot be reasonably insured, or if it believes a criminal investigation will be jeopardized, the agency, without time limitations, may file a motion to keep the records partially or completely closed.

HCA #1: The amendment replaces the word "later" with the word "sooner", such that records would remain closed until the earlier of two events occurs: a charging decision by the prosecuting attorney or Grand Jury has been issued or until one year after the date of the incident.

PROPONENTS: Supporters say that this bill is good because it allows records to remain closed for at least one year after the incident if no charges are filed by the prosecuting attorney or the Grand Jury.

Testifying for the bill were Representative Rhoads; Missouri Press Association; and the Board Of Police Commissioners Of Kansas City.

OPPONENTS: There was no opposition voiced to the committee.