

HB 1837 -- CORRECTIONAL FACILITIES

SPONSOR: Fitzwater (144)

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Corrections by a vote of 11 to 0. Voted "Do Pass" by the Select Committee on Judiciary by a vote of 10 to 0.

Under current law, it is a crime to possess, deliver, deposit, or conceal certain items in a prison or jail. This act adds two-way telecommunications devices and their component parts to the list of prohibited items.

This act provides that the prohibition on telecommunications devices does not apply to law enforcement officers lawfully engaged in their duties or any person who is authorized to use such a device in the facility.

This bill is the same as SB 689 (2016).

PROPOSERS: Supporters say that the Department of Corrections is having problems with inmates who are obtaining cell phones while incarcerated. Currently, if an inmate is caught, the phone is confiscated and they can get a conduct violation. While the conduct is referred to the local prosecutors, they are reluctant to bring charges. There have been cases where an inmate has taunted a victim with these smuggled cell phones; there is also potential to harass witnesses. The presence of illicit cell phones in prisons and jails is a security issue for these facilities. This is a nationwide issue and other jurisdictions are passing the same legislation to ensure cellphones are banned from prisons.

Testifying for the bill were Representative Fitzwater and the Missouri Department of Corrections.

OPPOSERS: There was no opposition voiced to the committee.