

HB 1331 -- VICTIMS' RIGHTS

SPONSOR: Pietzman

Currently, a victim may submit a written statement, or appear personally or by counsel before the court prior to the court's acceptance of a plea bargain. This bill allows the victim to submit statements or appear personally or by counsel prior to the court's acceptance of a plea of guilt.

This bill adds provisions allowing the family members of a victim to submit written statements to or appear personally or by counsel before the court, on behalf of or in addition to a victim under 18 years of age. A victim or a victim's immediate family member shall be notified of the rights granted to a victim under Article I, Section 32 of Missouri's Constitution and Section 595.209, RSMo. Prior to accepting a plea of guilt, the court shall make a finding of whether the prosecutor has made an effort to inform the victim of his or her rights to make a statement. If the court finds that an effort has not been made, then the court shall not accept a guilty plea until such finding is made. The prosecutor may satisfy this provision by sending a notice to the last known address of the victim.

This bill is the same as HB 1148 (2017).