

HCS HB 1964 -- TAMPERING WITH A WITNESS OR VICTIM

SPONSOR: Hovis

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Crime Prevention and Public Safety by a vote of 6 to 0.

The following is a summary of the House Committee Substitute for HB 1964.

This bill specifies that an otherwise inadmissible witness statement is admissible in evidence in a criminal proceeding as substantive evidence if the court finds, by a preponderance of the evidence in a hearing conducted outside the presence of the jury and before trial, that the defendant engaged in or acquiesced to wrongdoing with the purpose of preventing the witness from testifying in any proceeding.

This bill specifies that the offense of tampering with a witness or victim is a class C felony if the original charge is a class A felony or an unclassified felony.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that this enhances penalties for witness intimidation, and it helps to address violent crime across Missouri. There is a rampant problem with witnesses being tampered with and being intimidated into not testifying. This gives law enforcement a tool to go after a friend or family member of the defendant because, while the defendant might not be concerned about the increased penalties for this offense when they're facing significant charges anyway, friends or family members could be arrested for being the ones to tamper with a witness.

Testifying for the bill were Representative Hovis; Darrell L. Moore, Missouri Association of Prosecuting Attorneys/Missouri Office Prosecution Services; and the Missouri Sheriffs Association.

OPPOSERS: There was no opposition voiced to the committee.