

HB 2034 -- EARLY PAROLE FOR GERIATRIC OFFENDERS

SPONSOR: Hannegan

COMMITTEE ACTION: Voted "Do Pass" by the Special Committee on Criminal Justice by a vote of 6 to 2.

This bill specifies that any incarcerated offender 65 years of age or older who has no prior felony convictions of a violent nature, who is not a convicted sexual offender, who is serving a sentence of life without parole for a minimum of 50 years or more, and who was sentenced under Section 565.008, RSMo, for an offense committed prior to October 1, 1984, must receive a parole hearing upon serving 30 years or more of his or her sentence.

The Parole Board must determine whether there is a reasonable probability that the offender will not violate the law upon release and therefore is eligible for release based upon a finding that the offender meets specified criteria.

The bill requires any offender granted parole under these provisions to be placed on a minimum of five years supervision by the Division of Probation and Parole.

This bill is similar to HB 352 (2019).

PROPOSERS: Supporters say that this addresses a very specific issue. When Missouri changed the life sentence from 50 years to 30 years, there was a group of people who had served 30 years and would have completed their sentence if they had committed the same offense a few years later. This legislation is not a "get out of jail free" card; this simply allows certain individuals to receive a parole hearing. Currently, the only option these certain individuals have is to be granted clemency or a pardon by the Governor. This currently applies to 21 people, and most of the victims and their families do not object to the early release of these offenders.

Testifying for the bill were Representative Hannegan; John Ammann, Saint Louis University Law Clinic; Jeffrey Mizanskey; American Civil Liberties Union of Missouri; Sarah Paulsard, Empower Missouri; and the Missouri Catholic Conference.

OPPOSERS: There was no opposition voiced to the committee.