

HB 66 -- PRETRIAL WITNESS PROTECTION SERVICES

SPONSOR: Patterson

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Judiciary by a vote of 17 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 13 to 0.

This bill creates the "Pretrial Witness Protection Services Fund".

The bill authorizes the Department of Public Safety to disburse money from the Pretrial Witness Protection Services Fund to law enforcement agencies for the purposes of providing for the security of witnesses, potential witnesses, and their immediate families in criminal proceedings or investigations. Funds are subject to appropriations from the General Assembly.

A law enforcement agency must submit an application to the Department of Public Safety with the following information:

- (1) A statement of conditions that qualify persons for protection;
- (2) Precise methods the agency will use to provide protection;
- (3) A statement of projected costs over a specified period of time; and
- (4) If the requesting agency expects the person to provide evidence in any court of jurisdiction.

The application is a closed record, not subject to a Sunshine request, and any information that could reveal the location or address of anyone qualified for these services shall not be disclosed by any entity.

This bill contains an emergency clause.

This bill is the same as Section 491.641, RSMo, from SS#3 SB 1 (2020 special Session).

PROPONENTS: Supporters say that the creation of this fund would allow police departments around the state to obtain money to be used for witness protection. Every year murders and other violent crimes go unsolved because witnesses are afraid to share information with police. This bill would help protect witnesses.

Testifying for the bill were Representative Patterson; City of Kansas City; Arnie C. "A.C." Dienoff; The Civic Council of Greater Kansas City; Missouri Sheriffs Association; City of Springfield;

Robert W Russell, Missouri Association of Prosecuting Attorneys;
and Missouri Police Chiefs Association.

OPPONENTS: Those who oppose the bill say that they are not opposed to witness protection. Witnesses testified that nearly 60% of persons exonerated in this state were convicted based on false testimony. Witnesses want to ensure that this money will not be spent to incentive false testimony. Witnesses also stress that defendants still need to be entitled to know the name of those testifying against them.

Testifying against the bill was Empower Missouri.