

HCS HB 59 -- PROTECTION OF FIRST RESPONDERS

SPONSOR: Schnelting

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Public Safety by a vote of 8 to 0. Voted "Do pass" by Rules-Legislative Oversight by a vote of 9 to 0.

The following is a summary of the House Committee Substitute for HB 59.

ELECTRONIC RECORDS

This bill specifies that, subject to exceptions, if an active or retired first responder notifies a county clerk, county collector, county treasurer, county auditor, or county recorder of deeds in Missouri that the first responder wants his or her home address and personal information in electronic records maintained by the county clerk, county collector, county treasurer, county auditor, or county recorder of deeds kept confidential and protected from view by members of the general public, the electronic records retained by the county clerk, county collector, county treasurer, county auditor, or county recorder of deeds in Missouri must not disclose the home address or personal information of the active or retired first responder or use a data element that discloses the first responder's information.

UNLAWFUL POSTING OF PERSONALLY IDENTIFYING INFORMATION OVER THE INTERNET (DOXXING)

The bill creates the offense of unlawful posting of personally identifying information over the Internet if he or she knowingly posts the name, home address, Social Security number, telephone number, or other personal information of any first responder on the Internet with the intent to cause great bodily harm or death to the first responder or threatening to cause great bodily harm or death to the first responder. The offense of unlawful posting of personally identifying information over the Internet is a class A misdemeanor.

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

PROPONENTS: Supporters say that first responders and law enforcement officers leave their families every day to protect ours, so the least we can do is protect their families as much as we can so we can try to keep them out of harm's way. There are times when officers are taunted and threatened by individuals they

have arrested or by activists because the individuals can just go to the assessor's office and discover as much information about the officer as possible so they can harass or hurt the officers' families. Sometimes officers have other active or retired officers parking outside of their home to make sure their families are safe. Additionally emergency room assaults have started increasing. An overwhelming majority of emergency room nurses have reported being assaulted at work, and this has led to an increase in harm to hospital patients.

Testifying for the bill were Representative Schnelting; Missouri State Medical Association; Kansas City Fraternal Order of Police; Missouri Peace Officers Association; Stephen (Jay) Schroeder, St Louis Police Officers Association; Rick Inglema, Missouri Fraternal Order of Police; and Dale Roberts, Columbia Police Officers Association.

OPPONENTS: Those who oppose the bill say that the execution of the provisions of the bill would not be practical. The recorder's office does not redact records right now, and the office does not have the system or software currently to do so. Implementing this could also interfere with title searches. Having to redact certain information could affect the chain of ownership. One alternative would be to add law enforcement officers and other first responders to the Safe At Home program, which has already been proven to be a successful program and it does not come with unintended consequences. This bill also creates a series of new crimes that are already crimes, making this redundant. Enhanced penalties for attacking officers already exist.

Testifying against the bill were Recorders Association of Missouri and Missouri State Conference of the National Association for the Advancement of Colored People.