

FIRST REGULAR SESSION

HOUSE BILL NO. 892

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COLLINS.

1136H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 558, RSMo, by adding thereto one new section relating to eligibility for probation or parole.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 558, RSMo, is amended by adding thereto one new section, to be known as section 558.502, to read as follows:

558.502. 1. Notwithstanding any other provision of law, the parole board may, upon petition, reduce a sentence of life without eligibility for probation or parole to a sentence of life with eligibility for probation or parole if the parole board determines that:

(1) The convicted person has served at least thirty years in the department of corrections;

(2) The convicted person was under twenty-two years of age at the time the offense was committed;

(3) The convicted person has not been previously convicted of a dangerous felony as defined under section 556.061;

(4) The victim's family has been given an opportunity to provide comment on, or make a recommendation with respect to, the probation or parole modification; and

(5) Since the commission of the offense, the convicted person has made reasonable efforts toward rehabilitation by successfully completing rehabilitation programs including, but not limited to, substance abuse treatment, effective communication classes, victim impact classes, vocational training, correspondence courses to obtain a degree or diploma, or acquiring job skills.

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **2. Prior to any reduction of sentence under subsection 1 of this section, the**
19 **department of corrections shall conduct and submit to the parole board a pre-release**
20 **assessment of the convicted person that includes recommendations for terms and**
21 **conditions of release and a written personalized discharge plan. Such pre-release**
22 **assessment shall include consideration of the following:**

23 **(1) The convicted person's criminal risk based on the convicted person's pre-**
24 **incarceration risk factors including, but not limited to, his or her arrest and**
25 **incarceration history, revocation history, and age of first recorded criminal activity;**

26 **(2) The convicted person's pre-incarceration drug use severity, if applicable;**

27 **(3) Whether the convicted person plans to enter a drug treatment program after**
28 **leaving prison and, if so, which treatment modality is preferred;**

29 **(4) The number of major disciplinary acts the convicted person committed prior**
30 **to and during his or her incarceration; and**

31 **(5) The convicted person's primary counselor's opinion as to whether the**
32 **convicted person, while incarcerated, was easy to talk to, honest and sincere,**
33 **cooperative, hostile or aggressive, manipulative, motivated to recover, able to get**
34 **along with other inmates, liked by staff, and making acceptable progress.**

35 **3. Notwithstanding any other provision of law, the division of probation and**
36 **parole shall supervise each person receiving a reduction of sentence under subsection 1**
37 **of this section for the duration of such person's natural life, which shall include lifetime**
38 **electronic monitoring. Electronic monitoring shall be based on a global positioning**
39 **system or other technology that identifies and records the convicted person's location at**
40 **all times. The convicted person shall be required to attend weekly supervision meetings**
41 **with a parole officer for the three-year period following the initial reduction in sentence;**
42 **beginning in year four, and every three years thereafter, such person's supervision terms**
43 **shall be reviewed by the parole board and may be reduced to biweekly or monthly**
44 **supervision meetings if determined appropriate.**

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