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JEFFERSON CITY

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Sen. Chris Koster Works With Fellow Lawmakers to Increase Penalty for Parental Kidnapping

JEFFERSON CITY — Sen. Chris Koster (D-Harrisonville) yesterday (1/28) introduced legislation that would impose harsher sentences for parental kidnapping when the child is taken for certain periods of time.

Senate Bill 1031, sponsored by Sen. Koster and co-sponsored by Sen. Victor Callahan (D-Independence) and Sen. Jolie Justus (D-Kansas City) increases the penalty from a Class D felony to a Class C felony when a parent kidnaps his or her child and detains or conceals the child for 60 to 119 days — increasing the maximum prison sentence to seven years. If the parent kidnaps the child for more than 120 days, the penalty becomes a Class B felony, increasing the maximum sentence to 15 years in prison.

“This legislation provides for a punishment befitting the crime,” Sen. Koster said. “If a parent abducts a child for an extended period of time, the level of prosecution should be heightened, along with the sentence.”

The senator was compelled to introduce the legislation after the 2004 Porter parental abduction case underscored a loophole in the current law that makes it possible for parents to circumvent strict sentencing in extreme cases. Daniel Porter was convicted of kidnapping his two children after they were reported missing during a weekend visit with him.

Two of his four charges were dismissed by the Missouri Court of Appeals when the court ruled that Porter couldn't be found guilty of unlawfully removing the children from their mother's home because it had been a regularly scheduled visit. His kidnapping sentence was decreased from 38 to eight years until he admitted to shooting his children and received a life sentence.

The slain children's mother, Tina Porter, has joined Sen. Koster, along with Senators Callahan and Justus to promote the legislation.

“Unfortunately cases similar to the Porter’s are an all too common occurrence in today’s world,” Sen. Koster said. “With more children being raised in single-parent environments and custodial rights being vague and unclear, the potential for extended abductions is greater. I’m confident that my colleagues will see the great need for clarity on this issue and act accordingly.”

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