



Senator Matt Bartle – Serving Jackson County

[Website](#) | [Contact Me](#) | [Biography](#) | [Newsroom](#)

[Closing Loopholes for Drug-Dealing Near Schools](#)

Keeping Missouri's laws current is a continual process. As laws go into effect, the need for changes often comes to light. As chairman of the Senate Judiciary Committee, it is my responsibility, along with my fellow committee members, to ensure that Missouri's civil and criminal laws are effective and efficient. Such is the case with two bills I'm sponsoring this session, which address issues that recently arose during the course of two Missouri Supreme Court cases.

Some time back, a law was passed that makes it a class A felony in Missouri to sell drugs within a certain distance of a school or park, creating a buffer zone around these areas. However, the court interpreted the law to require prosecutors to prove, not only that the drug dealer intended to sell drugs, but also that he intended to be in the buffer zone in the first place.

This loophole needed to be fixed to make it easier for prosecutors to get convictions in these cases. The bill I filed ([Senate Bill 180](#)) removes the requirement that a dealer know that he is within a buffer zone and says that actually committing the criminal act is proof enough of intent. The legislation also applies to certain sexual offenses, such as sex offenders who loiter near schools, in an effort to avoid a similar loophole in these cases.

Another issue that arose during a recent court case involved domestic assault and the victim's right to privacy. The statute in question was intended to protect a victim's identity, however, the defendant, who was also a lawyer, twisted the law to keep his name private and to save himself some embarrassment. He argued that if his name was revealed, it would also reveal the name of the victim—his wife—who shared the same last name. The court reluctantly agreed and refused to allow his name to be entered in court records, but urged the Legislature to fix the statute since it was never intended to protect perpetrators of crimes.

[Senate Bill 181](#) would fix this loophole in the law by giving the judge presiding in a domestic assault case discretion to publicly disclose information regarding the defendant, which could be used to identify the victim. The victim may provide the court with a statement regarding whether he or she wishes such information to remain closed. In these cases, the judge may consider the welfare and safety of the victim when deciding how much information to release.

If you have any comments or questions about this week's column or any other matter involving state government, please do not hesitate to contact me. You can reach my office by e-mail at matt_bartle@senate.mo.gov or by phone at (888) 711-9278. My web address is <http://www.senate.mo.gov/bartle>.

-END-

Contact Information

Capitol Office
State Capitol Building
Room 319
Jefferson City, MO 65101

Website:
<http://www.senate.mo.gov/bartle>

Phone Number:
888.711.9278 (toll-free)
573.751.1464

Fax:
573.751.8442