



Senator Matt Bartle – Serving Jackson County

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Revising Missouri's Crime Laws

As the legislative session draws to a close, we continue to work on an omnibus crime bill that addresses a variety of issues relating to crime and punishment in the Show-Me State. This is the first comprehensive crime bill to come before the General Assembly in several years. The next two weeks will tell if we are able to get the bill through the legislative process.

The bill contains a multitude of provisions. Some of them merely make revisions to archaic provisions of the statute that need to be cleaned up. For instance, one portion of the bill would remove the requirement that prosecutors take legal action against individuals who fail to trim their hedge fences. This law, originally enacted in 1909, says that every person owning a hedge fence along a public road must trim the hedges to a height of not more than five feet. If they do not comply, the prosecutor could go after them and collect a fine.

Similarly, the bill also removes the requirement that court costs be charged to the prosecutor in trespass cases if the defendant is acquitted or the prosecution fails. This law, also enacted in 1909, was probably meant to protect defendants from frivolous trespassing claims, but in the modern judicial system, it is unnecessary.

One of the more substantive parts of the bill provides people an absolute defense against civil liability or criminal prosecution for killing a dangerous dog that threatens them or their family. There have been several violent attacks on innocent people in Eastern Jackson County and it is only a matter of time before a child or even an adult is killed. This legislation would help ensure that the law won't punish those who are just trying to defend themselves and others. The bill also makes dog owners liable if their dog bites a person without being provoked and an owner could be subject to criminal charges if their dog bites people repeatedly.

Among other things, the crime bill also makes it a crime to use a false or misleading diploma for admission to higher education institutions or in connection with

employment; requires a photo to be taken of an incarcerated individual prior to his or her release, at the victim's request, and then be provided to the victim; expands the crime of assault of a corrections officer; and extends the amount of time a prosecutor has to bring a case against an arsonist. The bill would also make it easier for law enforcement to run blood alcohol tests on minors who are visibly intoxicated and would outlaw devices called "vaporizers" that are designed to quickly rush alcohol to the brain.

A mere nine legislative days remain in this year's session. The crime bill is one of many waiting for its opportunity to be debated by the full Senate. Time will tell if it can be passed before time expires on May 15th.

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>.

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