

Week of July 13, 2009



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[Making Missouri Safer](#)

Tuesday (7/14) marked the last day the governor could either sign or veto the bills passed this year by the Legislature. One of the bills the governor signed was [Senate Bill 44](#), a measure I sponsored this session that will make the state's two privately owned jails (located in Johnson and Harrison counties) subject to regulations. Regardless if you live in Johnson County, this legislation will make the entire surrounding area safer.

This issue was difficult to navigate because of the unique nature of private jails. After two inmates escaped from the private jail in Johnson County last year and their escape went unreported for several hours because the jail wasn't required to notify law enforcement, we knew something had to be changed to protect our communities.

Senate Bill 44 addresses the safety concerns posed by the lack of regulations at privately owned jails in Missouri by requiring these facilities to meet the same standards as public jails. The inmate escape at the private jail in Johnson County put local communities in serious jeopardy, and it's unfortunate that it took such a dangerous incident to highlight the need for changes to the law. Most people were shocked to hear that the private jail wasn't required under statute to tell law enforcement about the escape because the idea is so contrary to common sense. But in truth, many of the regulations that state, county and city jails must follow were not required of private jails prior to this bill.

In addition to requiring private jails to immediately notify law enforcement in the event a prisoner has escaped, SB 44 creates the crime of escaping from a private jail. The bill also requires private jails to arrange for any necessary health care for inmates; separate prisoners by gender and type of cause for imprisonment (civil versus criminal); and

provide adequate clothing, food and bedding to prisoners. Through this bill, we also gave the employees of private jails the tools they need to make their jobs safer, including making it a crime to damage private jails.

Many in our state believe private jails shouldn't exist at all and rather than focusing on regulating these facilities, we should require all prisoners to be kept in publicly operated jails. Those on the other side believe private jails shouldn't be subject to government regulation. The bottom line is that no one is completely happy with the outcome, but the law we did pass for our state is a great start. The previous policy was unacceptable, so we changed it. We made a step in the right direction toward making private jails more accountable, and the important thing is that our communities will be safer and better protected.

The path to passage for SB 44 was not easy. At times, both sides—the private jail owners and those who wanted to regulate them out of business—were working against passage, yet somehow we forged a compromise that will work for our state. My fellow legislators and I worked with local law enforcement, including Johnson County Sheriff Charles Heiss, who is president of the Missouri Sheriff's Association; local prosecuting attorney Lynn Stoppy; the private jail industry; and the Missouri Catholic Conference to negotiate a compromise.

As always, please feel free to contact me or my staff with any questions or concerns at any time. We look forward to hearing your comments and suggestions and trying to answer any questions you may have. You can reach us by phone at 866-277-0882 (toll-free) or 573-751-2272, or by fax at 573-526-7381.

Senator David Pearce serves Bates, Cass, Johnson and Vernon counties in the 31st State Senate District.

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