

FIRST REGULAR SESSION

SENATE BILL NO. 181

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARTLE.

Read 1st time January 13, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

0159S.01I

AN ACT

To repeal section 566.226, RSMo, and to enact in lieu thereof one new section relating to protection of crime victim information.

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

Section A. Section 566.226, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 566.226, to read as follows:

566.226. 1. After August 28, 2007, any information contained in any court
2 record, whether written or published on the Internet, that could be used to
3 identify or locate any victim of sexual assault, domestic assault, stalking, or
4 forcible rape shall be closed and redacted from such record prior to disclosure to
5 the public. Identifying information shall include the name, home or temporary
6 address, telephone number, Social Security number or physical characteristics.

7 2. If the court determines that a person or entity who is requesting
8 identifying information of a victim has a legitimate interest in obtaining such
9 information, the court may allow access to the information, but only if the court
10 determines that disclosure to the person or entity would not compromise the
11 welfare or safety of such victim.

12 3. Notwithstanding the provisions of subsection 1 of this section,
13 the judge presiding over a domestic assault case shall have the
14 discretion to publicly disclose identifying information regarding the
15 defendant which could be used to identify or locate the victim of the
16 crime. The victim may provide a statement to the court regarding
17 whether he or she desires such information to remain closed. When
18 making the decision to disclose such information, the judge shall
19 consider the welfare and safety of the victim and any statement to the
20 court received by the victim regarding the disclosure.

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