

Dear Senators,

Legislation before this body today, HB 1450, is a giant step backwards for criminal justice reform. In this moment of crisis, the focus of the legislature should be on responses to COVID-19, not measures that would incarcerate more individuals and strip local authority from elected prosecutors. Enacting these measures, without true public input and debate, subverts the will of the people and positions our state to increase its prison population.

First, HB 1450 would permit law enforcement officers to sidestep the authority of the Circuit Attorney of St. Louis and take complaints directly to the Attorney General within sixty days, an arbitrary time limit set before most high-level cases even have all the needed information to move forward. Regardless of political affiliation, this is about the power of local elected prosecutors and the ability of those officials to do the jobs that they were elected to do. Circuit Attorney Gardner was elected based on her commitments to criminal justice reform by residents of St. Louis. Ignoring her authority is not a measure to increase public safety- it is a direct attempt to subvert the will of St. Louis City voters. If we permit concurrent jurisdiction for the Attorney General in St. Louis, we set a precedent that local elected prosecutors can be ignored and the wishes of their communities are unimportant.

Second, HB 1450 institutes an array of enhanced penalties and mandatory minimums that would put Missouri on track to increase its prison population and forgo its reform efforts. This bill would result in more certification hearings for youth offenders and thus, more children tried as adults. This stands in direct opposition to the spirit of Raise the Age legislation this body enacted in 2018. Additionally, this legislation enhances penalties for various crimes that would result in hundreds of new individuals facing incarceration, including 800 offenders by 2030. If Missouri is serious about criminal justice reform, this last-minute, rushed initiative is misguided at best.

Third, HB 1450, which started as a five page piece of legislation, is now forty pages after a committee substitute yesterday. Those additional pages represent significant changes to our criminal justice system that must be thoroughly vetted. Adding these provisions, at a moment when the public is actively discouraged from showing up to the Capitol and expressing their opposition directly, is a further affront to voters. Our government should be focused on responses to the pandemic. This legislation is not. Our government should be transparent. This process is not.

There are other, significant, reasons to oppose this legislation, we have merely highlighted the tip of the iceberg. We urge you, elected officials from across Missouri, to oppose this legislation and stand firm against what it would do and the deterioration of our process that it represents.

Sincerely,

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