



MISSOURI ASSOCIATION OF PROSECUTING ATTORNEYS

PRESIDENT
Amy J. Fite

www.prosecutors.mo.gov

200 Madison St., Ste. 1060
P.O. Box 899
Jefferson City, MO 65102
T: 573-751-0619
F: 573-751-1171

EXECUTIVE DIRECTOR
Jason H. Lamb

December 27, 2016

MEDIA CONTACT: *Jason Lamb, 573-751-0619*
Amy Fite, 417-581-7915

CRIMINAL CODE REVISION TAKES EFFECT JANUARY 1, 2017; A DECADE IN THE MAKING

Two years ago, the Missouri General Assembly passed SB491, which contained the Revised Criminal Code. Additional suggestions were also incorporated into HB1371, which was signed into law later in 2014. The bills contained a two-year delayed implementation date until January 1, 2017. Next week marks the end of a ten year process to draft, pass and implement a Revised Criminal Code. The Missouri Association of Prosecuting Attorneys (MAPA) applauds the General Assembly, the Missouri Bar and other stakeholders for joining Missouri's prosecutors in the effort to institute a modern criminal code as a foundation for the criminal justice system of the twenty-first century in Missouri.

“The passage of the Revised Criminal Code by the General Assembly is historic,” said **MAPA Executive Director Jason Lamb**, who co-chaired the Missouri Bar drafting committee. “From day one, ten years ago, the mission was to come together and bring harmony and common-sense back to the Criminal Code. Working together, we found consensus on many items that touch on the fundamental ideals of fairness and justice. We took that product to the Missouri Legislature, and with the leadership of four outstanding statesmen, Missouri now has a modern Criminal Code for the twenty-first century of criminal justice.”

The process began when a special committee was formed through the Missouri Bar designed to draft a revision to the Criminal Code, the structure of which had been neglected for decades. This committee, comprised of veteran prosecutors and defense attorneys alike, labored for approximately four years and produced a document borne out of compromise, consensus and common-sense. Sen. Jolie Justus and Rep. Stanley Cox filed versions in the General Assembly, which were co-sponsored by Sen. Bob Dixon and Rep. Chris Kelly. These versions were subjected to more than 30 public hearings and were debated on the floors of the General Assembly for three years before being passed by overwhelming majorities. The Revision received the unprecedented support of a broad coalition of attorneys, law enforcement and victim advocate organizations. In addition to MAPA and the Missouri Bar, the Code Revision was supported by Missouri KidsFirst, Missouri Coalition Against Domestic and Sexual Violence, Missouri Sheriffs' Association, and Missouri Association of Criminal Defense Lawyers.

“It’s safe to say that no bill has been so thoroughly vetted through the legislative and stakeholder process,” said **MAPA President and Christian County Prosecuting Attorney Amy Fite**. “This process set a new standard for how crime and punishment is crafted in Missouri, by involving all stakeholders and through a disciplined structure of incrementally increasing punishment for non-violent to violent crimes and first-time to repeat offenses, and resisting efforts to create duplicative or unnecessary crimes when that criminal conduct is already addressed through existing statutes. Going forward each session, we must maintain this focus as we analyze new bills and make sure that we maintain the structure set forth in this Revision.”

The Revision touches on virtually all aspects of criminal law, including strengthening the punishment for repeat, violent offenders; increasing the penalties for child sex predators; and enhancing DWI enforcement laws.

Highlights of the Revision include:

- The addition of a fifth-felony class, allowing a more stair-stepped approach to punishment that starts with non-violent and first-time offenses, such as property crimes and simple drug possession offenses, and increases penalties for repeat and violent crimes such as assaults and sex offenses;
- The creation of four levels of felony child molestation;
- The addition of incest as an aggravator in child molestation cases, which increases the punishment;
- Raising the range of punishment of causing a death in a drunk driving crash to include up to ten years in prison; and
- Classification of habitual DWI offenders as dangerous felonies – meaning they must serve 85% of their sentence.

###