

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill Nos. 302 & 228, Page 3, Section 650.522,
2 Line 40, by inserting after all of said section and line the following:

3
4 "650.550. 1. There is hereby established the "Missouri Innocence Commission". Members
5 of the Missouri innocence commission shall consist of the following:

6 (1) The Missouri attorney general or his or her designee;

7 (2) The president of the Missouri Organization of Defense lawyers or his or her designee
8 who shall have at a minimum twenty years of trial or appellate experience in criminal defense;

9 (3) The superintendent of the Missouri state highway patrol or his or her designee;

10 (4) Two jail or department of corrections staff members acting as counselors who are
11 appointed by the governor;

12 (5) A correctional caseworker or a chaplain involved with individual prisoners who is
13 appointed by the director of the Missouri department of corrections;

14 (6) A prosecutor designated by the president of the Missouri Association of Prosecuting
15 Attorneys;

16 (7) A forensic scientist experienced in the management and oversight of laboratory
17 operations who is appointed by the governor;

18 (8) A retired justice of the Missouri supreme court or a retired judge of the Missouri court
19 of appeals who is appointed by the governor; and

20 (9) Two members of the community or a civil rights organization who are appointed by the
21 governor.

22
23 Each member shall serve for a term of three years or until his or her successor is appointed.

24 Members of the Missouri innocence commission shall be reimbursed for the actual and necessary
25 expenses incurred in the discharge of the members' official duties.

26 2. The Missouri innocence commission shall:

27 (1) Analyze the circumstances of innocent persons being charged, prosecuted, convicted,
28 and incarcerated;

29 (2) Advise the legislature concerning the causes and factors associated with such wrongful
30 convictions;

31 (3) Consider and recommend reforms to any investigative, prosecutorial, judicial, and other
32 processes; and

33 (4) Propose remedial legislation with the goals of reducing the likelihood that innocent
34 persons are convicted of crimes.

35 3. The commission shall evaluate current practices and make appropriate recommendations
36 in the following areas:

Action Taken _____ Date _____

- 1 (1) Post-conviction access to the evaluation of DNA and other forensic evidence;
- 2 (2) Eyewitness identification processes;
- 3 (3) Videotaping custodial and other questioning of suspects and witnesses;
- 4 (4) Use of informants', cooperating individuals', and inmates' testimony;
- 5 (5) Use of witnesses with questionable credibility;
- 6 (6) Timely and full compliance with the state's responsibility to make exculpatory
- 7 information available to a defendant and his or her counsel;
- 8 (7) Law enforcement training and education programming;
- 9 (8) Independent, impartial, and scientifically reliable forensic laboratory operations;
- 10 (9) Payment of counsel for the defense, for investigative services, and other trial costs;
- 11 (10) Any other factors or areas that may be brought to the attention of the Missouri
- 12 innocence commission that relates to the concern of the wrongful convictions of innocent persons;
- 13 and
- 14 (11) Oversight and disciplinary structures for evaluating allegations of police, prosecutorial,
- 15 defense, and judicial misconduct in criminal proceedings."; and

16
17 Further amend said bill by amending the title, enacting clause, and intersectional references
18 accordingly.