



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 750		DATE: 3/9/2021
COMMITTEE: Special Committee on Criminal Justice		
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ARTHUR RIZER		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: arthur.rizer@gmail.com	ATTENDANCE: Remote	SUBMIT DATE: 3/2/2021 2:44 PM
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: CHERYL LYNN ADELSTEIN		PHONE NUMBER: 314-442-3872	
BUSINESS/ORGANIZATION NAME: JEWISH COMMUNITY RELATIONS COUNCIL		TITLE: DEPUTY DIRECTOR	
ADDRESS: 12 MILLSTONE CAMPUS DRIVE			
CITY: SAINT LOUIS		STATE: MO	ZIP: 63146
EMAIL: cadelstein@jrcrstl.org	ATTENDANCE: Written	SUBMIT DATE: 3/6/2021 12:22 PM	

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

The Jewish Community Relations Council (JCRC), guided by Jewish values, advocates, educates, collaborates and mobilizes action on issues important to the Jewish community, 60,000 strong in St. Louis. We are committed to pursuing religious tolerance, civic discourse and social justice in St. Louis and beyond. Jews also believe in the concept of B'tzelem Elohim, we are all created in the image of God. This includes police officers, community members, those suspected of committing a crime, and those guilty of a crime. The events across the country this past year, along with challenges in Missouri, have shown us the need to establish standards for law enforcement to treat all communities with dignity and limited use of discriminatory practices toward minority communities. Jews have both positive and negative experiences with police and policing. We look to and count on the Police to help protect our places of worship from acts of anti-Semitism and domestic terrorism. However, for centuries we were the target of police violence—and not just in Czarist Russia or under the Crusades but in the United States as well. As recently as 1902 on New York's Lower East Side, police attacked the funeral procession of a prominent rabbi. We have experienced both sides of the coin, and our memory shapes our attitude towards present HB 750 reforms the process of Civil Asset Forfeiture, which allows the government to take cash, cars, homes and other property suspected of being involved in criminal activity. Unlike criminal forfeiture, with civil forfeiture, the property owner doesn't have to be charged with, let alone convicted of, a crime to permanently lose his property. Ostensibly a tool in crime prevention, in recent years the sales of items claimed in this manner has helped fund police departments. This practice denies property owners basic due process rights and gives law enforcement a financial stake in civil forfeiture. This can distort their priorities and encourage the pursuit of property of the administration of justice. Further, innocent owners, not involved in the alleged crime, have a difficult time getting their property back.. The majority of States in the U.S. have reformed this discriminatory practice. It's time for Missouri to do the same. Please support HB 750.



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WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: CHRISTINE WOODY		PHONE NUMBER: 314-503-7277
BUSINESS/ORGANIZATION NAME: EMPOWER MISSOURI		TITLE: POLICY COORDINATOR
ADDRESS: 308 E. HIGH ST. STE. 100		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65101
EMAIL: christine@empowermissouri.org	ATTENDANCE: Written	SUBMIT DATE: 3/9/2021 8:49 AM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

Founded in 1901, Empower Missouri advocates for the well-being of Missourians through civic leadership, education, and research. As part of our work, we organize a state wide coalition called the Smart Sentencing Coalition. This coalition is made up of individuals and organizations who are working for a smarter and more just criminal justice system. One that works to decrease recidivism, decrease the prison population, decrease Missouri's criminal justice costs all while ensuring our community is safe and there is accountability and transparency in our police departments. We thank Rep. Tony Lovasco for sponsoring HB 750. We believe that passing HB750 will help strengthen the civil asset forfeiture laws that already exist in Missouri. The change proposed in HB 750 will close a loophole that allows local police departments to go around Missouri law by working with federal authorities instead of just state authorities. By working with federal authorities instead, the local departments do not need to follow state law regarding the assets seized during a case but they can follow the federal regulations which have far fewer regulations. Under Missouri law, seized assets can only be collected after a conviction or a guilty plea and are supposed to go towards education. On the other hand, under the federal rules, much of the seized property can go directly back to the law enforcement agency that seized it. This loophole breeds corruption and greed. It allows departments to fund themselves by targeting people who do not have the means or the voice to fight back. We **MUST** close this loophole and eliminate this opportunity for misuse and corruption. Empower Missouri, and the Smart Sentencing Coalition, asks you to please pass HB 750 out of this committee.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: DAN ALBAN		PHONE NUMBER: 703-969-5899	
BUSINESS/ORGANIZATION NAME: INSTITUTE FOR JUSTICE		TITLE: SENIOR ATTORNEY & CO-DIRECTOR OF THE NATIONAL INIT	
ADDRESS: INSTITUTE FOR JUSTICE, 901 N. GLEBE RD., SUITE 900			
CITY: ARLINGTON		STATE: VA	ZIP: 22203
EMAIL: dalban@ij.org	ATTENDANCE: Remote	SUBMIT DATE: 3/1/2021 3:37 PM	
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HB 750 closes a loophole that permits the federal government to usurp the power of the Missouri legislature. In the recently released third edition of our Policing for Profit report (Dec. 2020), the Institute for Justice gave Missouri's forfeiture laws a B+, better than most other states. Unlike most states, Missouri requires a criminal conviction or a guilty plea before property can be forfeited civilly. Missouri also requires that all forfeiture proceeds must be used to fund schools. However, the federal equitable sharing program creates a loophole that circumvents the protections for property rights in Missouri law. Federal equitable sharing allows Missouri law enforcement officers to do an end-run around the requirements of Missouri law by sending seized property to the federal government to be forfeited under federal law. But federal law does not have the same robust protections for property rights found in Missouri law. Federal equitable sharing also permits Missouri law-enforcement agencies to directly receive the proceeds of forfeited property, bypassing Missouri's requirement that forfeiture proceeds go to the school fund. Missouri's forfeiture statistics illustrate how federal equitable sharing has distorted Missouri forfeiture practices: From 2000 to 2018, Missouri law-enforcement agencies forfeited less than \$4 million under state forfeiture law, averaging just over \$211,000 per year. (Policing for Profit, 3rd ed., p. 110) This money is required to go to the school fund under Missouri law. But those same Missouri law-enforcement agencies brought in \$187 million in federal equitable sharing proceeds from 2000 to 2019, averaging over \$9 million per year. (Policing for Profit, 3rd ed., p. 110) This money does not go to the school fund, but instead goes directly to Missouri law-enforcement agencies. HB 750 simply closes this loophole. It ensures that Missouri residents receive the due process required by Missouri law and it ensures that forfeiture proceeds go to the school fund rather than to law-enforcement agencies, as required under Missouri law.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: JAN SCHUMACHER		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: janschu22@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 3/2/2021 1:25 PM
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Allowing police to seize, and then keep or sell, property allegedly involved in a crime is problematic. Owners not arrested or convicted of a crime currently can have their cash, cars, or even real estate to be taken away permanently by the government. How unfair is that?!



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: JEREMY CADY		PHONE NUMBER: 417-210-3156	
REPRESENTING: AMERICANS FOR PROSPERITY		TITLE: STATE DIRECTOR	
ADDRESS: PO BOX 94			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65102
EMAIL: infomo@afphq.org	ATTENDANCE: Written	SUBMIT DATE: 3/2/2021 3:25 PM	
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: MALLORY RUSCH		PHONE NUMBER: 314-306-8945	
BUSINESS/ORGANIZATION NAME: EMPOWER MISSOURI		TITLE: EXECUTIVE DIRECTOR	
ADDRESS: 308 EAST HIGH STREET			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/9/2021 12:00 AM	
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: MICHAEL BOBZIN		PHONE NUMBER: 618-420-9944	
BUSINESS/ORGANIZATION NAME: CRIMINAL JUSTICE MINISTRY		TITLE:	
ADDRESS: 1104 S. JEFFERSON AVE.			
CITY: ST. LOUIS		STATE: MO	ZIP: 63104
EMAIL: mikieb@cjmstlouis.org	ATTENDANCE: Written	SUBMIT DATE: 3/5/2021 11:15 PM	
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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: MO DEL VILLAR		PHONE NUMBER: 816-929-6166
REPRESENTING: AMERICAN CIVIL LIBERTIES UNION OF MISSOURI		TITLE: LEGISLATIVE ASSOCIATE
ADDRESS: 406 WEST 34TH STREET SUITE 420		
CITY: KANSAS CITY		STATE: MO
		ZIP: 64111
EMAIL: mdelvillar@aclu-mo.org	ATTENDANCE: Remote	SUBMIT DATE: 3/2/2021 10:18 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		
The ACLU is in support of HB 750.		



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: NANCY J BATES		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: nancyjbates@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 3/2/2021 10:19 AM
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I am in favor of this bill.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: SUSAN GIBSON		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: Onesuegibson@protonmail.com	ATTENDANCE: Written	SUBMIT DATE: 3/2/2021 7:02 AM
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I am in favor of this bill.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ARNIE C. AC "HONEST-ABE" DIENOFF-STATE PUBLIC ADVO		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: arniedienoff@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 3/2/2021 12:02 AM
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I am Opposed to this Bill. What ever Venue is the best to process and bring Criminals to Justice shall be allowed to proceed and the Assets involved shall go with the Case whether in State Court of Federal District Court.



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WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: KEVIN MERRITT		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME: MISSOURI SHERIFFS UNITED		TITLE: EXECUTIVE DIRECTOR
ADDRESS: 6605 BUSINESS 50 WEST		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65109
EMAIL: kevin@msheriffsunited.com	ATTENDANCE: Written	SUBMIT DATE: 3/9/2021 10:53 AM

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Sheriffs believe in personal property rights yet are opposed to this bill. Criminals should not be allow to profit from illegal activity. Forfeiture provides a form of restitution to Missouri taxpayers



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MICHAEL R GIBBONS		PHONE NUMBER: 573-635-4430	
REPRESENTING: ST. CHARLES COUNTY		TITLE:	
ADDRESS: 115 EAST HIGH STREET			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL: mgibbons@gibbonsworkman.com	ATTENDANCE: In-Person	SUBMIT DATE: 3/9/2021 4:28 PM	
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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: DAVID EDWARD ROLAND		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: libertyandjustice@gmail.com	ATTENDANCE: Remote	SUBMIT DATE: 3/2/2021 1:44 PM
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Asset forfeiture gives law enforcement entities the opportunity to profit from the seizure of private property. Missouri attempted to minimize this profit motive by devoting the proceeds from forfeiture to education. In response, law enforcement entities statewide began running forfeitures through federal agencies, which would then give the state or local law enforcement agencies a very large percentage of the proceeds. This loophole has meant that the profit motive for pursuing asset forfeiture remains in place. This bill seems likely to close that loophole.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: MIKE WOOD		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: mwood@lcmopa.com	ATTENDANCE: In-Person	SUBMIT DATE: 3/1/2021 8:42 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		