



MISSOURI SHERIFFS UNITED

Stronger Together

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FOR IMMEDIATE RELEASE
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Missouri Sheriffs United resolves to support Truth-in-Sentencing

At its annual general membership meeting, members of Missouri Sheriffs United, a sister company to the Missouri Sheriffs' Association, approved a Truth-in-Sentencing resolution.

As criminal justice reformists tout accomplishments such as decreased prison population and reduced recidivism, dangerous criminals are released into and allowed to remain in communities.

Studies indicate that, "Despite the portion of prisoners in for serious and violent offenses, less than 15% of state felony convictions result in more than two years served in prison" and that, "83% of released state prisoners are arrested for a new offense at least once after their initial release" with "More than one-third of those convicted of violent felonies either on probation, parole, or out pending the disposition of a prior case - when they committed their offense."

Although the criminal justice process for incarcerating an individual is an open process, the early release of an individual is not. Under Missouri Revised Statute 217.670, "any meeting, record, or vote, of proceedings involving probation, parole, or pardon, may be a closed meeting, closed record, or closed vote." Done in secret, the continued departure from the lawfully imposed sentence undermines the governing court's authority and dishonors law-abiding citizens.

Therefore, Missouri Sheriffs United adopts the attached Truth-in-Sentencing resolution.

David J Parrish
Sheriff David Parrish
President

Kevin Merritt
Kevin Merritt
Executive Director

Missouri Sheriff's United Resolution

Be it now resolved that the Missouri sheriffs are individually elected by the people and are held accountable by the people of Missouri.

Further the sheriffs of Missouri are representatives of the people to enforce law and uphold the constitution. Therefore, the sheriffs are to also help report information to and educate the state legislators in law enforcement and constitutional matters.

Therefore, take note that, Missouri sheriffs are United in the following beliefs:

We believe that dangerous lifetime career criminals are being let out into the streets against judge's orders, (reference RSMo 558.019 & 558.011 – Minimum Prison Terms).

Further lifetime and career criminals are endangering the citizens of our state by being kept under the supervision of Probation and Parole instead of being returned to prison after multiple legal and technical violations.

We believe the consequences of this are unconstitutional, secretive, and very dangerous to our community. We believe that justice is Truth-In-Sentencing.

We believe that the federal government observes Truth-In-Sentencing. The county government observes Truth-In Sentencing. The city governments observe Truth-In-Sentencing. However, the State of Missouri honors no such legal precedent.

We believe that the judge and jury are the only ones who hear all the admissible evidence from the defendants and victims alike. Therefore, the judge and the jury are the only ones who should decide which punishment is fair and righteous based on the law and the merit of the evidence after proper due process is established.

We believe that justice is the appropriate response to a specific behavior. We believe a small criminal violation should receive a small punishment to "justify" the behavior of the accused. We also believe a large criminal violation should receive a large punishment to "justify" the behavior of the accused. Without "justifying" the actions of the law violator, that person cannot stand justified in eyes of his or her community. They have not paid their debt to society, and the victims of the bad behavior cannot receive "just" compensation without that fully served response.

We believe an attack on Truth-In-Sentencing is an attack on the law itself. As it purposely undermines the order of the court.

We believe that once a person has been "justified" in their actions, they are to be forgiven by society and sanctions should end after they are completed. We believe sanctions should not be held over their head forever (without legislation with just cause).

We believe, for example, that if a person only serves 30% of his or her ordered commitment that 70% of justice was not served.

We believe that the best way to prevent crime is to appropriately justify past crimes.

We believe that all individuals will think twice before committing a crime, after seeing other citizens adjudicated “justly”.

We believe judge’s orders must be followed. And that all foundations of the republic are lost when justice is not fully served.

We believe it unconscionable that a legislative body would undermine justice of our victims and citizens of this state by minimizing the orders of a court.

We believe the Department of Corrections (The Board Probation and Parole) cannot and have not heard the entire evidence, or seen the evidence presented in the original trial and therefore should not be making the decisions as to the amount of time served by a convicted person.

We believe the Department of Corrections should not decide how long a person is in their custody. The D.O.C. warden should correct the behavior and ways of an inmate while the inmate is in custody.

We believe Probation and Parole should not decide how long a person is under their supervision, but instead make sure the parolee follows all laws and rules, as the parolee prepares to return to society.

We believe Probation and Parole officers are forced to release persons from supervision before the court order time and restitution has been completed. We believe this is unconstitutional.

We believe the Missouri legislators should set the ranges of punishment for specific crimes, but not undermine those same ranges through minimum sentences like RSMo 558.019, RSMo 558.011 and others.

We believe the Missouri legislators should set the ranges of punishment for specific crimes, and then fund the execution of the punishments and not to undermine the governing courts authority by failing to honor the Truth of the Sentence.

We believe if the judge and the jury heard the evidence, they should decide the measure of justice within the legislators original authorized terms (and not later amended minimum terms).

We believe the above listed facts are a threat to the safety of the citizens of our state, the rule of law and the very constitution in which we all swore to uphold.

Therefore, we Missouri Sheriffs United, are requesting the following from our Missouri legislators:

- 1) We request that it be written into law that the Missouri Department of Corrections and its employees shall honor all orders and sentences of the Associate Circuit Courts, Circuit Courts, Appellate Courts and the State Supreme Courts, known more specifically as Truth-In-Sentencing.

If this basic request of truth cannot be honored, we further request the following:

- 2) We request that it be written into law, that on the third conviction of any law violation (Criminal law), Truth-In-Sentencing shall be fully enforced by Department of Corrections exactly as the Judge orders it word for word.

- 3) We request that it be written into law, that after three Parolee violations (either technical or criminal) said Parolee will be sent back to the custody of the Department of Corrections serve the remainder of his or her term and therefore at least justifying the actions from the original adjudicated crime.
- 4) We request that it be written into law that after three probationer violations (either technical or criminal) said probationer's probation be revoked and his sentence be executed.

We thank the Missouri legislators, governor, and the courts for their efforts to further law and order in the great state of Missouri.