

Summary of SC90113, *Arbary Jackson v. Members of the Missouri Board of Probation and Parole*

Appeal from the Cole County circuit court, Judge Jon Edward Beetem
Submitted on briefs Dec. 2, 2009; opinion issued Jan. 12, 2010

Attorneys: Jackson, of St. Louis, represented himself (no phone number was provided). The board was represented by Stephen D. Hawke of the attorney general's office in Jefferson City, (573) 751-3321.

This summary is not part of the opinion of the Court. It has been prepared by the communications counsel for the convenience of the reader. It neither has been reviewed nor approved by the Supreme Court and should not be quoted or cited.

Overview: A parolee challenges a law imposing a fee on him for certain parole services. In a unanimous per curiam opinion that cannot be attributed to any particular judge, the Supreme Court of Missouri affirms the trial court's decision. The law is not unconstitutionally retrospective.

Facts: Arbary Jackson, who was paroled in 2001 from a prison sentence he began serving in 1977, challenged the requirement that he begin paying a fee authorized in 2005 by section 217.690, RSMo Supp. 2008, that helps the board of probation and parole pay for certain services for those on parole. The trial court found the statute did not violate the prohibition of article I, section 13 of the Missouri Constitution as a law retrospective in its operation. Jackson appeals.

AFFIRMED.

Court en banc holds: The new fee for parole services does not change the effect of Jackson's conviction or his prior parole status, nor does it create a new obligation, impose a new duty, or attach a new disability in respect to past transactions or considerations. Rather, it is a fee for current and future services rendered. Accordingly, it is not unconstitutionally retrospective.