

Missouri Public Safety Assessment (PSA)

Scoring Manual

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Introduction

The Public Safety Assessment (PSA) can assist judicial officers and other professionals in making pretrial decisions. An actuarial pretrial assessment such as the PSA, which was developed by Arnold Ventures, is often one component of a jurisdiction's efforts to improve its pretrial system. The PSA provides information about the likelihood that people who are charged will appear in court and will not be arrested, including for violent offenses, during pretrial release. For more information about the PSA, pretrial decisions, and other pretrial improvements, see the APPR website (advancingpretrial.org).

Jurisdictions must use the same definitions of the PSA factors and outcomes that researchers used when creating and validating the PSA. This will ensure fidelity with the PSA and maximize its predictive accuracy. But each jurisdiction should tailor this PSA Scoring Manual to reflect any relevant local circumstances, clarify how uncommon circumstances are treated, and identify the sources of the data that will be used locally to score each factor.

Ultimately, the PSA Scoring Manual will become an important resource for your jurisdiction and will serve as a critical reference for staff who are scoring the assessment and for judicial officers and others who need to understand the PSA scores.

Suitability for Assessment

Prior to completing the PSA, confirm that you should use it for the person.

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> The PSA was developed to assess people who meet all of the following criteria: <ul style="list-style-type: none"> they are 18 years of age or older; they are charged in the adult criminal legal system; they have been arrested and booked into jail; and their case is pending disposition; they will appear before a judicial officer for a pretrial release decision because they have been either <ul style="list-style-type: none"> (a) charged with a new criminal offense; or (b) arrested on a warrant for a pretrial failure to appear. The PSA should not be used to assess people when they are charged with an offense that allegedly occurred while they were already in jail or prison. The PSA should not be used to assess people when they have allegedly committed a post-conviction (i.e., probation) technical violation. 	<p>Q: Do I complete a PSA if someone is booked into jail on a Failure To Appear warrant and the person is <i>not</i> being charged with a new offense of Failure to Appear?</p> <p>A: In Missouri, yes, when time and staffing resources permit. Complete these PSAs after PSAs have been completed on the people with new charges.</p> <p>Q: The person was arrested and a PSA was completed. They are in custody and the charges have been modified. Should I rescore the PSA?</p> <p>A: If the charge related to the same incident/offense date was modified from nonviolent to violent, or vice versa, then that part of the PSA should be rescored. Do not rescore other parts of the PSA unless you determine that those parts were scored incorrectly based on the person's status at the time of the arrest.</p> <p>Q: The person being charged is a juvenile (younger than age 18) but is being certified as an adult. Do we score a PSA?</p> <p>A: No. The PSA is used only when the person being charged is 18 years of age or older. Note that a person's juvenile history is not used to score the PSA.</p> <p>Q: What is considered case disposition for purposes of completing a PSA?</p> <p>A: For use of the PSA in Missouri, case disposition occurs at the point of sentencing.</p> <p>Q: Should the PSA be used when someone is ordered to pretrial supervision on a case without having been booked into jail on that case?</p> <p>A: No. A person must be booked into jail for a PSA to be completed. And people should never be booked into jail for the sole reason that a PSA would be completed. Do not</p>

Definition	Frequently Asked Questions (FAQs)
	<p>complete the PSA for people who are already out of custody on pretrial status.</p> <p>Q: Should the PSA be used when someone is ordered to pretrial supervision through a warrant for which their pretrial release conditions is own recognizance and pretrial supervision?</p> <p>A: No. The PSA should not be scored for this person because the person was not arrested and booked into jail.</p>

Relevant Data

To complete the PSA, you may use only certain data.

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> • Use only a person's adult criminal history and adult court appearance history. • Use only electronic criminal records. Do not use manual or hand written records. If an electronic record is unclear, you may contact another jurisdiction for clarification. • <u>When scoring all the factors</u>, use only traffic and criminal charges that carry a potential penalty of incarceration (such as jail or prison). • Do not use a person's juvenile history. • Do not use civil traffic violations. • If the scoring for any given PSA factor is not maxed out using state traffic and criminal charges that carry a potential penalty of incarceration, then use municipal or county ordinance violations if all of the following are true: <ul style="list-style-type: none"> ○ The ordinance violation appears in MULES/NCIC; and ○ The ordinance violation has a state-level equivalent (see Appendix B). • If using an ordinance violation: <ul style="list-style-type: none"> ○ Always score it as a misdemeanor; ○ Score it as a violent offense if it is equivalent to an offense on the PSA 	<p>Q: Should I complete the PSA if the statewide system or the National Crime Information Center (NCIC) criminal history database is down?</p> <p>A: No. If the data systems from which the PSA data are drawn are not accessible, do not complete the PSA. Completing the PSA without statewide and NCIC data could result in less predictive results.</p>

Definition	Frequently Asked Questions (FAQs)
<p>Violent Offense List. (see Appendix A).</p> <ul style="list-style-type: none"> • Use only administrative data. <ul style="list-style-type: none"> ◦ Do not use any information the person self-reports, such as information obtained during an interview. 	

Factor 1: Age at Current Arrest

Data Source(s): Jail database or Case.net

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> • Use the person's age at the time of the arrest. • Do not use the person's age at the time the alleged offense was committed. • If the arrest date is unknown, use the person's age at the time you are completing the PSA. <p>Scoring</p> <ul style="list-style-type: none"> • Determine whether the person's age is 23 or older, 21 or 22, or 20 or younger. • Cognos calculates age based on the date of birth the assessor chooses in JIS. 	<p>Q: What date of birth (DOB) should I use if the person has been arrested multiple times and has used multiple DOBs?</p> <p>A: Typically, the default DOB is the one listed in the jail's data system. But if there is compelling evidence that a person has an incorrect DOB documented in the jail system for the current arrest, use the DOB from the statewide and/or NCIC criminal history that appears to be most accurate. For instance, consider a scenario in which records show two DOBs for a person—suggesting that they are either 21 (DOB in jail system) or 31 (DOB in statewide/NCIC criminal history)—and they have an adult arrest record spanning 10 years. This would be compelling evidence that age 31 is more accurate and that you should use the corresponding DOB.</p> <p>Q: What age do I use when a PSA has been completed, the person is arrested again on the same case (such as after failing to appear), and the person is older than they were when they were first arrested?</p> <p>A: The person's age at the time of the current arrest is always used to calculate the factor Age at Current Arrest. This is true even when someone has been arrested multiple times for the same case. For example, a person was 22 years old at the time of the initial arrest. They then failed to appear at a pretrial court appearance and a warrant was issued. When they were arrested on the FTA warrant, they were 23 years old. Because the person was 23 at the time of the current arrest for which the warrant was issued (the FTA</p>

Definition	Frequently Asked Questions (FAQs)
	warrant), you would mark Age at Current Arrest as 23 or older.

Factor 2: Current Violent Offense

Data Source(s): Case.net

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> Check to see whether any of the person's current charges are included in your jurisdiction's PSA Violent Offense List (see Appendix A). For Factor 2, an ordinance violation is counted as violent if all the criteria in the Relevant Data section are met. For purposes of the PSA, an offense is categorized as violent if a person causes or attempts to cause physical injury through use of force or violence against another person. A charge of attempt (such as attempted murder or attempted robbery), being an accessory before the fact, being party to a crime, solicitation, or conspiracy to commit any of these offenses is considered a violent offense. Negligence and recklessness offenses are usually not categorized as violent offenses. Use the charge at the time of booking. However, if the charge is subsequently modified (for example, after prosecutorial review), the PSA should be updated.. <p>Scoring</p> <ul style="list-style-type: none"> If any of the current charges are considered violent, mark this factor as Yes. 	<p>Q: When a person is arrested on multiple charges, which charge do I look at to determine whether there is a Current Violent Offense?</p> <p>A: For this factor, look at all of the charges related to the current arrest. If any charge related to the current arrest is considered violent per your jurisdiction's PSA Violent Offense List, mark this factor as Yes. This is true even when the most serious charge (a felony) is nonviolent but a less serious charge (a misdemeanor) is violent. The charge level (misdemeanor or felony) and the charge class are not considered when scoring this factor.</p>

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> • Cognos indicates whether the charge is violent or not after the assessor chooses Yes or No based on the information in JIS. 	

Factor 2a: Current Violent Offense and 20 Years Old or Younger

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> • If one or more current charges is violent (as defined in factor 2) and the person was 20 years of age or younger at the time of the arrest (as defined in factor 1), mark this factor as Yes. • Cognos autoscores this factor based on the previous responses for the Age at Current Arrest and Current Violent Offense factors. 	

Factor 3: Pending Charge at the Time of the Arrest

Data Source(s): Case.net and MULES/NCIC

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> A pending charge is any charge that has not reached final disposition (i.e., sentencing) at the time of the current arrest. It is a pending charge if any of the following are true: <ul style="list-style-type: none"> The person has a pre-disposition court appearance (any hearing after arrest and prior to sentencing) scheduled for the charge; The charge has not been disposed of due to the person's failure to appear pending trial or sentencing; or The case is in some form of deferred status. That is, there is no guilty plea, the person has not yet been sentenced, and the case has not been dismissed. <i>Note:</i> If the answer to all of the following questions is Yes, a person has a pending charge: <ul style="list-style-type: none"> Was the person previously cited or arrested for an offense? Was the person released and allowed to stay in the community pending trial? Did the person allegedly commit the current offense while released and in the community pending trial for the first charge? For Factor 3, an ordinance violation is counted as 	<p>Q: While being detained for the current charge, the person was served with a warrant they had no knowledge about due to lack of notification. Is that considered a pending charge?</p> <p>A: No. If the person has not previously gone through a release process or been served with a summons for the charge, it is not considered a pending charge.</p> <p>Q: We have NCIC data but it is unclear whether the out-of-state offense is a pending charge or a prior conviction. How do we score this?</p> <p>A: If you are unable to determine the status of a charge on the out-of-state record, do not include it when scoring the PSA. If it is a recent or serious charge, you may choose to report it to the court and attempt to follow up with the court of record.</p> <p>Q: If a person was arrested and booked into jail, and then was referred to and is participating in a pre-charge diversion program, does that count as a pending charge?</p> <p>A: No. With pre-charge diversion, criminal charges are not filed with the court, so this would not be considered a pending charge.</p> <p>Q: If someone is arrested on a warrant for failing to appear for a pre-disposition court appearance, does the underlying charge count as a pending charge for the purposes of scoring the PSA?</p> <p>A: It depends. If the person is being charged with a new criminal offense of failure to appear, then the answer is <i>yes</i>. The PSA would be scored as follows:</p> <ol style="list-style-type: none"> The new charge (of bail jumping) serves as the current offense. The original underlying offense is now a pending charge. The failure to appear (that led to this person's new charge) is counted as a failure to appear when scoring factor 7.

Definition	Frequently Asked Questions (FAQs)
<p>pending if all the criteria in the Relevant Data section are met.</p> <p>Scoring</p> <ul style="list-style-type: none"> If the person has a pending charge, mark this factor as Yes. 	<p><i>Note:</i> If the original underlying offense was a violent offense, Factor 2 is no longer scored as Yes. The fact that the underlying offense was a violent offense should be communicated to the judicial officer when the new PSA results are presented.</p> <p><i>However</i>, if the person is <i>not</i> being charged with a new criminal offense of failure to appear, then the answer is <i>no</i>. The PSA would be scored as follows:</p> <ol style="list-style-type: none"> The scoring from the original PSA for all factors except factors 7 or 8, and possibly factor 1, would remain the same if there was no new information that would result in scoring these other factors differently. Depending on the person's history of previous FTA warrants, the response to factor 7 may change because of the new failure to appear warrant. As a result, the person's PSA scores on the FTA Scale and the NCA Scale may increase. <p><i>Note:</i> The fact that the person's PSA scores have changed solely because of a new FTA warrant should be communicated to the judicial officer when the new PSA results are presented. Some jurisdictions refer to the updated PSA scoring results as a "new PSA," whereas other jurisdictions refer to it as an "updated PSA."</p> <p>Q: The person was previously arrested and is participating in a deferred prosecution program. Now that they have been arrested again, it is likely that the deferred prosecution will be converted to a conviction. Is this considered a prior conviction or a pending charge?</p> <p>A: It remains a pending charge since the deferred status has not yet been converted.</p> <p>Q: If a person's case is on hold pending competency to stand trial determination, is that still considered a pending charge for purposes of scoring the PSA?</p> <p>A: Yes. The charge has not been disposed of, and the case is similar to being in a deferred status.</p> <p>Q: A person has pled guilty but has not yet been sentenced, and they are arrested and booked into jail for a new offense.</p>

Definition	Frequently Asked Questions (FAQs)
	<p>Do I count the charge they pled guilty to as a pending charge or as a conviction when scoring the PSA?</p> <p>A: Count it as pending. Missouri considers sentencing as case disposition, so you count the charge they pled guilty to as a pending charge.</p> <p>Q: How is this factor scored if there is no indication of case disposition or finding of guilt?</p> <p>A: The charges are counted as pending if there is no case disposition or no indication of a guilty plea.</p>

Factors 4 and 5: Prior Misdemeanor and Felony Convictions

Data Source(s): Case.net and MULES/NCIC

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> The prior misdemeanor conviction must be for a traffic or criminal offense defined by statute as a misdemeanor and that carries a potential penalty of incarceration. The prior felony conviction must be for a traffic or criminal offense defined by statute as a felony and that carries a potential penalty of incarceration. For Factors 4 and 5, an ordinance violation conviction is always counted as a misdemeanor conviction and never as a felony conviction (and if all the criteria in the Relevant Data section are met). A conviction is an adjudication of guilt, whether by a guilty plea or a finding of guilt. You must check the person's out-of-state criminal history. Do not count the following as a prior conviction: <ul style="list-style-type: none"> any case for which the person was found not guilty by reason of insanity; or any case that was expunged or for which the conviction was overturned. For Factors 4 and 5, an ordinance violation is counted as a conviction if all the criteria in the Relevant Data section are met. 	<p>Q: The person was previously charged with a misdemeanor or felony and successfully completed a deferred prosecution program. Is that considered a prior conviction?</p> <p>A: No. Provided that the prior charge was dismissed upon successful completion of the program, it is not considered a prior conviction.</p> <p>Q: Does a suspended imposition of sentence (SIS) count as a conviction?</p> <p>A: Yes, because there was a sentence of SIS. But as with any conviction, it counts only if the offense carried a potential penalty of incarceration.</p> <p>Q: The person was previously convicted of a misdemeanor [or felony] offense that is no longer defined in the same way by state statute; instead, the misdemeanor is now considered an infraction [or the felony is now considered a misdemeanor]. Is this still considered a prior misdemeanor [or felony] conviction?</p> <p>A: Yes. The status of the conviction as a misdemeanor [or felony] is determined according to the date of the conviction, regardless of any subsequent classification changes. A conviction is counted if it is in the criminal history even if it will or may be expunged sometime in the future.</p> <p>Q: The person was previously convicted of a felony offense. In the same case, they were also convicted of a misdemeanor offense. Does this count as just a prior felony conviction or does it count as both a prior felony conviction and a prior misdemeanor conviction?</p> <p>A: Convictions are scored on each prior charge, not prior cases. Score this person as having both a prior felony conviction and a prior misdemeanor conviction.</p>

Definition	Frequently Asked Questions (FAQs)
<p>Scoring</p> <ul style="list-style-type: none"> • If the person has one or more prior misdemeanor convictions, mark factor 4 as Yes. • If the person has one or more prior felony convictions, mark factor 5 as Yes. 	<p>Q: An out-of-state record shows a conviction for an offense, but it does not indicate whether it is a misdemeanor or a felony. How should I count it?</p> <p>A: Most state statutes are available online and can be quickly accessed. If the specific code section is provided and the statutes are online for the state in question, you can easily determine whether the conviction was for a misdemeanor or felony. If no code section is provided or you cannot find the code section for that state online, contact the jurisdiction. If you cannot contact the jurisdiction, count the conviction as a misdemeanor unless and only if there is no doubt that the conviction would have been a felony if it had been a conviction in your state; also include a note stating why the conviction was counted as a misdemeanor or a felony.</p> <p>Q: Our state recently raised the age of adult criminal responsibility from 16 to 18. The person charged (who is now older than 18) has an adult criminal conviction from when she was 17 years old. Do we count this prior criminal conviction even though she would be charged as a juvenile today?</p> <p>A: Yes. This conviction counts for the PSA. It was an adult conviction then, so it counts as such for the PSA.</p>

Factor 5a: Prior Conviction

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> • If the person has a prior misdemeanor conviction as defined in factor 4 or a prior felony conviction as defined in factor 5, mark this factor as Yes. • Cognos autoscores this factor based on the previous responses for the Prior Misdemeanor and Felony Convictions factors. 	

Factor 6: Prior Violent Convictions

Data Source(s): Case.net, MULES/NCIC

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> An offense is categorized as violent for purposes of the PSA if a person causes or attempts to cause physical injury through use of force or violence against another person. For Factor 6, an ordinance violation conviction is counted as violent if all the criteria in the Relevant Data section are met. A charge of attempt (such as attempted murder or attempted robbery), being an accessory before the fact, being party to a crime, solicitation, or conspiracy to commit any of these offenses is considered a violent offense. Each prior violent conviction is counted separately, even if multiple convictions were related to the same incident and/or were disposed of on the same day. Check to see whether the criminal code of any in-state prior conviction is included on your jurisdiction's PSA Violent Offense List. See lists in Appendices A and B. You must check the person's out-of-state criminal history. Do not count the following as a prior violent conviction: <ul style="list-style-type: none"> any case in which the person was found not guilty by reason of insanity or not competent to proceed and not likely to regain competency; or any case that was expunged or for which the violent 	<p>Q: We have NCIC data about a person, but it is unclear whether their out-of-state conviction is for a violent offense. How should we score this?</p> <p>A: Use the following guidance to help determine whether out-of-state convictions are for violent offenses:</p> <ul style="list-style-type: none"> Review the language of the out-of-state criminal code. The easiest way to find this language is through an internet search for the statutory code. The language of the code may make it clear that the offense is a violent one. Use Nlets (nlets.org)—a platform for exchanging information about public safety, criminal justice, and law enforcement—to submit inquiries to the jurisdiction where the conviction took place. If the prior conviction is from a jurisdiction that has implemented the PSA, you may be able to review that state's PSA Violent Offense List. Contact the APPR Help Desk (advancingpretrial.org/help) to obtain a state's PSA Violent Offense List. If it remains unclear whether the conviction is for a violent offense, then do not count it as a prior violent conviction, but this should be investigated further and the answer made available to score future PSAs. If you request information from another state and find out after scoring the PSA that the prior conviction is a violent offense, then update the PSA. <p>Q: A person was previously convicted of a violent offense. They had one court case but were convicted on two charges, both of which were violent. Does this count as one or two violent convictions?</p> <p>A: Score this person as having two prior violent convictions. This PSA factor is scored on each prior charge, not prior cases.</p>

Definition	Frequently Asked Questions (FAQs)
<p>conviction was overturned or reversed on appeal.</p> <p>Scoring</p> <ul style="list-style-type: none"> Determine whether the number of prior violent convictions the person has is none, one or two, or three or more. 	<p>Q: Do I score a prior conviction as violent if the offense is no longer in statute?</p> <p>A: Score the conviction as violent if the older statute meets the PSA criteria of a violent offense. If you cannot determine whether the older offense meets the criteria, do not score it as violent.</p>

Factor 7: Prior Failure to Appear Pretrial in Past Two Years

Factor 8: Prior Failure to Appear Pretrial Older Than Two Years

Data Source(s): Case.net, MULES/NCIC

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> To count a failure to appear when scoring these factors, it must be for a pre-disposition court appearance for a traffic or criminal offense that carries a potential penalty of incarceration (jail or prison) and for which the court took an action, such as issuing a bench warrant, capias, or summons. <i>Note:</i> A pre-disposition court appearance is any hearing after arrest and prior to and including sentencing. For Factors 7 and 8, a failure to appear for an ordinance violation is counted if all the criteria in the Relevant Data section are met. Local, state, and national databases are used to score these factors. When scoring the PSA, do not count post-sentence failures to appear, such as an FTA at a hearing for a violation of probation supervision. Do not count the failure to appear if the warrant, capias, or summons is issued and withdrawn, canceled, or quashed on the same day. Do not count the failure to appear if the warrant, capias, or summons was issued for a failure to appear that occurred when the person was in custody (in jail or prison). 	<p>Q: The court records indicate that a person failed to appear at a pre-disposition court event, but those records do not indicate that the court took any action. Does this still count as a failure to appear?</p> <p>A: No. For the purposes of the PSA, a failure to appear includes any pre-disposition court appearance for which the person failed to appear <i>and</i> the court took an action such as issuing a warrant, capias, or summons.</p> <p>Q: Do I count all warrants for failure to appear as Prior Failures to Appear Pretrial?</p> <p>A: No. Count only the warrants for pre-disposition court appearances for traffic or criminal offenses that carry a potential penalty of incarceration. Do not count post-disposition court appearances such as hearings for nonpayment/failure to pay, violations of supervision, and violations of other court-ordered obligations. And do not count failures to appear at civil traffic hearings.</p> <p>Q: Should the PSA be completed if someone is issued an FTA warrant for failing to appear for a sentencing hearing?</p> <p>A: Yes, because in Missouri case disposition occurs at sentencing.</p> <p>Q: The court issued a pretrial FTA warrant and then later canceled, withdrew, or quashed the warrant. Is this still counted when scoring the PSA?</p> <p>A: Yes, under almost all circumstances. The only exception is if the warrant was canceled, withdrawn, or quashed on the <i>same day</i> it was issued. When that happens, the FTA warrant is not counted. If a person has a failure to appear warrant on their record and extenuating circumstances deserve consideration, this information should be brought to the judicial officer's attention.</p>

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> • Failure to appear is counted even if the case was later <i>dismissed or not filed</i>. It is not counted if a case is later <i>vacated or expunged</i>. • A failure to appear for a single court appearance is counted once per case, regardless of the number of charges per case or warrants issued related to a singular nonappearance event. • If a judge issues a warrant for a failure to appear because the person failed to show for a competency hearing for a criminal case, the FTA is counted when scoring the PSA, even if proceedings were suspended. • For factor 7, the failure to appear must have occurred within two years of the current arrest date. For factor 8, the failure to appear must have occurred more than two years before the current arrest date. If you do not know the current arrest date, use the date the PSA is completed. <p>Scoring</p> <ul style="list-style-type: none"> • For factor 7, determine whether the number of the person's pretrial failures to appear in the past two years is none, one, or two or more. • For factor 8, if the person has had one or more pretrial failures to appear more than two years ago, mark this factor as Yes. 	<p>Q: The person was sent a summons to appear but then did not appear in court on the designated day and a failure to appear bench warrant was issued. There is no record to confirm that the person actually received the summons. Do I count this as a failure to appear?</p> <p>A: It depends. For use of the PSA in Missouri, if there is a docket entry that indicates the person did not receive the summons (e.g., "non-est" or "non-established"; or mail was undeliverable), then the Failure To Appear is not counted. If there is no docket entry or there is indication the warrant was served, then the Failure To Appear is counted.</p> <p>Q: A person had two separate court cases. They were scheduled to appear in front of one judge on the same day at the same time for both cases. They did not appear, and the judge issued one or two warrants for failure to appear. Is this counted as one or two failures to appear for this factor?</p> <p>A: This is scored as two failures to appear. Although the person was scheduled to appear only once and the judge may have issued only one warrant, there were two separate cases. This factor is scored based on each case. You can add a note in the pretrial assessment report about the failure to appear on separate cases occurring on the same day.</p> <p>Q: A person who was charged did not appear pretrial, but the records indicate that they were in jail or prison at the time. Does that count?</p> <p>A: No. A failure to appear pretrial is not counted if there is confirmation that the person was in custody (such as in jail or prison) when the FTA occurred.</p> <p>Q: The records indicate that the person failed to appear pretrial, but records show the person was in the hospital at the time. Is the failure to appear still counted?</p> <p>A: Yes. Score the Failure to Appear. This information can be brought to the judicial officer's attention.</p>

Factor 9: Prior Sentence to Incarceration

Data Source(s): Case.net, MULES/NCIC

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> The prior sentence to incarceration—either to jail or prison—must be for a period of 14 or more days. This includes incarceration as a result of a resentencing (such as for a probation revocation and/or imposition of a suspended or stayed sentence). The sentence must be imposed by a judicial officer. It does not include any time spent in jail by order of a probation or community supervision officer. Count the prior sentence to incarceration if either of the following is true: <ul style="list-style-type: none"> The court activates a suspended or stayed sentence of 14 or more days; or The court revokes a person's probation and orders the person to 14 or more days of incarceration. Do not count the prior sentence to incarceration if any of the following are true: <ul style="list-style-type: none"> The sentence of incarceration is in lieu of payment of fines or costs; or The judge stayed or suspended the sentence and placed the person on probation; or 	<p>Q: The person was previously sentenced to 90 days in jail but received “credit for time served.” Does this count as a prior sentence to incarceration?</p> <p>A: Yes. Count a sentence that is “credit for time served,” provided that the sentence was for 14 days or more. Look for a sentence, not whether the person served the time before or after the sentence was imposed.</p> <p>Q: The person was previously sentenced to two years in prison, but the prison sentence was suspended and the person was placed on probation. Does this count as a prior sentence to incarceration?</p> <p>A: No. A sentence that the court stays or suspends and is never activated is not considered a sentence to incarceration.</p> <p>Q: The person was previously sentenced to 20 days in jail, but it appears that they received “good time” credit and were released after serving 10 days in jail. Does this count as a prior sentence to incarceration of 14 or more days?</p> <p>A: Yes. The length of the imposed sentence is the pertinent factor, not the amount of time served.</p> <p>Q: The person was sentenced for several charges on the same date, and although their total sentence amounted to more than 14 days, each sentence was shorter than 14 days. Does that count?</p> <p>A: No. The pertinent factor is whether a court sentenced a person to 14 days or more on a single sentence, not whether a combination of multiple sentences resulted in a sentence of 14 days or more.</p> <p>Q: The person was sentenced to serve 20 days in jail and was allowed to serve it over a period of 10 weekends. Does that count as a sentence of 14 days or more?</p>

Definition	Frequently Asked Questions (FAQs)
<ul style="list-style-type: none"> ○ The sentence is later vacated or expunged, or the conviction that resulted in a jail sentence is vacated or expunged. ● For Factor 9, an ordinance violation sentence to incarceration is counted if all the criteria in the Relevant Data section are met. <p>Scoring</p> <ul style="list-style-type: none"> ● If there is a prior sentence to incarceration, mark this factor as Yes. 	<p>A: Yes. A sentence of 14 days or more counts even if the days are not served consecutively.</p> <p>Q: Do we count a sentence to "jail or work release" even if the person served the time on work release and was not incarcerated?</p> <p>A: Yes, as long as the sentence was for 14 days or more. The length of the imposed sentence to incarceration is the pertinent factor, not the amount of time served.</p>

PSA Outcomes

The PSA assesses the pretrial likelihood of failing to appear (FTA) in court, having a new criminal arrest (NCA), and having a new violent criminal arrest (NVCA). These are the definitions for the PSA's three outcomes:

Failure to Appear (FTA)

This refers to the person who was released not showing up for at least one pre-disposition court hearing *and* the court responding to the nonappearance by issuing a warrant, capias, summons, or similar response.

New Criminal Arrest (NCA)

This refers to the person who was arrested during the pretrial release period for at least one offense that carries a potential penalty of incarceration. The arrest can happen through a custodial arrest or through a citation/summons. The NCA outcome pertains to any arrest—misdemeanor or felony, violent or nonviolent—that meets the criteria above.

New Violent Criminal Arrest (NVCA)

This refers to the person who was arrested during the pretrial release period for at least one violent offense that carries a potential penalty of incarceration. The arrest can happen through a custodial arrest or through a citation/summons and must be for an offense that allegedly occurred during the pretrial release period. The NVCA outcome must be for an offense that is on the Missouri PSA Violent Offense List.

Appendix A

Missouri PSA Violent Offense List

July 2023

Highlighted text indicates offenses that are NOT scored as a violent offense.

Statute	Statute Title	Statutory Language	Felony Class	Misd Class
217.385	Violence or Injury to Others or Property by Offender	1. No offender shall knowingly commit violence to an employee of the department or to another offender housed in a department correctional center. Violation of this subsection shall be a class B felony. 2. No offender shall knowingly damage any building or other property owned or operated by the department. Violation of this subsection shall be a class D felony. (L. 1982 H.B. 1196 § 74, A.L. 1989 H.B. 408, A.L. 1995 H.B. 424, A.L. 2014 S.B. 491)Effective 1-01-17	B	
557.035	Assault Motivated by Discrimination, Third Degree	1. For all violations of section 565.054 or 565.090 , subdivision (1) of subsection 1 of section 569.100 , or subdivision (1), (2), (3), (4), (6), (7) or (8) of subsection 1 of section 571.030 , which the state believes to be knowingly motivated because of race, color, religion, national origin, sex, sexual orientation or disability of the victim or victims, the state may charge the offense or offenses under this section, and the violation is a class D felony. 2. For all violations of section 565.056; subdivision (1) of subsection 1 of section 569.090; subdivision (1) of subsection 1 of section 569.120; section 569.140; or section 574.050; which the state believes to be knowingly motivated because of race, color, religion, national origin, sex, sexual orientation or disability of the victim or victims, the state may charge the offense or offenses under this section, and the violation is a class E felony. 3. The court shall assess punishment in all of the cases in which the state pleads and proves any of the motivating factors listed in this section.(L. 1999 S.B. 328, et al., A.L. 2014 S.B. 491, A.L. 2017 S.B. 34) Effective 8-28-2017	D, E	

565.020	First Degree Murder	<p>1. A person commits the offense of murder in the first degree if he or she knowingly causes the death of another person after deliberation upon the matter.</p> <p>2. The offense of murder in the first degree is a class A felony, and, if a person is eighteen years of age or older at the time of the offense, the punishment shall be either death or imprisonment for life without eligibility for probation or parole, or release except by act of the governor. If a person has not reached his or her eighteenth birthday at the time of the commission of the offense, the punishment shall be as provided under section 565.033. (L. 1983 S.B. 276, A.L. 1984 S.B. 448 § A, A.L. 1990 H.B. 974, A.L. 2016 S.B. 590) Effective 7-13-16</p>	A	
565.021	Second Degree Murder	<p>1. A person commits the offense of murder in the second degree if he or she: (1) Knowingly causes the death of another person or, with the purpose of causing serious physical injury to another person, causes the death of another person; or (2) Commits or attempts to commit any felony, and, in the perpetration or the attempted perpetration of such felony or in the flight from the perpetration or attempted perpetration of such felony, another person is killed as a result of the perpetration or attempted perpetration of such felony or immediate flight from the perpetration of such felony or attempted perpetration of such felony.</p> <p>2. The offense of murder in the second degree is a class A felony, and the punishment for second degree murder shall be in addition to the punishment for commission of a related felony or attempted felony, other than murder or manslaughter.</p> <p>3. Notwithstanding section 556.046 and section 565.029, in any charge of murder in the second degree, the jury shall be instructed on, or, in a jury-waived trial, the judge shall consider, any and all of the subdivisions in subsection 1 of this section which are supported by the evidence and requested by one of the parties or the court. (L. 1983 S.B. 276, A.L. 1984 S.B. 448 § A, A.L. 2014 S.B. 491) Effective 1-01-17</p>	A	
565.023	Voluntary Manslaughter	<p>1. A person commits the offense of voluntary manslaughter if he or she: (1) Causes the death of another person under circumstances that would constitute murder in the second degree under subdivision (1) of subsection 1 of section 565.021, except that he or she caused the death under the</p>	B	

		<p>influence of sudden passion arising from adequate cause; or (2) Knowingly assists another in the commission of self-murder.</p> <p>2. The defendant shall have the burden of injecting the issue of influence of sudden passion arising from adequate cause under subdivision (1) of subsection 1 of this section.</p> <p>3. The offense of voluntary manslaughter is a class B felony. (L. 1983 S.B. 276, A.L. 1984 S.B. 448 § A, A.L. 2014 S.B. 491) Effective 1-01-17</p>		
565.024	Involuntary Manslaughter, First Degree	<p>1. A person commits the offense of involuntary manslaughter in the first degree if he or she recklessly causes the death of another person.</p> <p>2. The offense of involuntary manslaughter in the first degree is a class C felony, unless the victim is intentionally targeted as a law enforcement officer, as defined in section 556.061, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer, in which case it is a class B felony.</p> <p>(L. 1983 S.B. 276, A.L. 1984 S.B. 448 § A, A.L. 1986 H.B. 1596, A.L. 1999 S.B. 328, et al., A.L. 2005 H.B. 972 merged with S.B. 37, et al., A.L. 2005 1st Ex. Sess. H.B. 2, A.L. 2006 S.B. 872, et al., A.L. 2008 H.B. 1715, A.L. 2014 S.B. 491, A.L. 2017 S.B. 34) Effective 8-28-17</p>	B, C	
565.027	Involuntary Manslaughter, Second Degree	<p>1. A person commits the offense of involuntary manslaughter in the second degree if he or she acts with criminal negligence to cause the death of any person.</p> <p>2. The offense of involuntary manslaughter in the second degree is a class E felony, unless the victim is intentionally targeted as a law enforcement officer, as defined in section 556.061, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer, in which case it is a class D felony. (L. 2014 S.B. 491, A.L. 2017 S.B. 34) Effective 8/28/2017</p>	D, E	
565.050	Assault, First Degree*	<p>1. A person commits the offense of assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to another person.</p> <p>2. The offense of assault in the first degree is a class B felony unless in the course thereof the person inflicts serious physical injury on the victim, or if the victim of such assault is a special victim, as the term</p>	A, B	

		"special victim" is defined under section 565.002, in which case it is a class A felony. (L. 1977 S.B. 60, A.L. 1983 S.B. 276, A.L. 1984 S.B. 448 § A, A.L. 2014 S.B. 491) Effective 1-01-17		
565.052	Assault, Second Degree*	<p>1. A person commits the offense of assault in the second degree if he or she: (1) Attempts to kill or knowingly causes or attempts to cause serious physical injury to another person under the influence of sudden passion arising out of adequate cause; or (2) Attempts to cause or knowingly causes physical injury to another person by means of a deadly weapon or dangerous instrument; or (3) Recklessly causes serious physical injury to another person; or (4) Recklessly causes physical injury to another person by means of discharge of a firearm.</p> <p>2. The defendant shall have the burden of injecting the issue of influence of sudden passion arising from adequate cause under subdivision (1) of subsection 1 of this section.</p> <p>3. The offense of assault in the second degree is a class D felony, unless the victim of such assault is a special victim, as the term "special victim" is defined under section 565.002, in which case it is a class B felony.</p> <p>(L. 1977 S.B. 60, A.L. 1983 S.B. 276, A.L. 1984 S.B. 448 § A, S.B. 602, A.L. 1993 S.B. 180, A.L. 2006 S.B. 872, et al., A.L. 2014 S.B. 491) Effective 1-01-17</p>	B, D	
565.054	Assault in the Third Degree	<p>1. A person commits the offense of assault in the third degree if he or she knowingly causes physical injury to another person.</p> <p>2. The offense of assault in the third degree is a class E felony, unless the victim of such assault is a special victim, as the term "special victim" is defined under section 565.002, in which case it is a class D felony.</p> <p>(L. 1977 S.B. 60, A.L. 1998 H.B. 1918, A.L. 2014 S.B. 491) Effective 1-01-17</p>	D, E	
565.072	Domestic Assault, First Degree*	<p>1. A person commits the offense of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a domestic victim, as the term "domestic victim" is defined under section 565.002.</p> <p>2. The offense of domestic assault in the first degree is a class B felony unless in the course thereof the person inflicts serious physical injury on the victim, in which case it is a class A felony. (L. 2000 H.B. 1677, et al., A.L. 2007 H.B. 583, A.L. 2012 S.B. 628, A.L. 2014 S.B. 491) Effective 1-01-17</p>	A, B	

565.073	Domestic Assault Second Degree*	<p>1. A person commits the offense of domestic assault in the second degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and he or she: (1) Knowingly causes physical injury to such domestic victim by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or strangulation; or (2) Recklessly causes serious physical injury to such domestic victim; or (3) Recklessly causes physical injury to such domestic victim by means of any deadly weapon.</p> <p>2. The offense of domestic assault in the second degree is a class D felony. (L. 2000 H.B. 1677, et al., A.L. 2012 S.B. 628, A.L. 2014 S.B. 491, A.L. 2014 H.B. 1371) Effective 1-01-17</p>	D	
565.074	Domestic Assault, Third Degree*	<p>1. A person commits the offense of domestic assault in the third degree if he or she attempts to cause physical injury or knowingly causes physical pain or illness to a domestic victim, as the term "domestic victim" is defined under section 565.002.</p> <p>2. The offense of domestic assault in the third degree is a class E felony. (L. 2000 H.B. 1677, et al., A.L. 2011 S.B. 320, A.L. 2012 S.B. 628, A.L. 2014 S.B. 491) Effective 1-01-17</p>	E	
565.076	Domestic Assault in the Fourth Degree*	<p>1. A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and: (1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim; (2) With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument; (3) The person purposely places such domestic victim in apprehension of immediate physical injury by any means; (4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim; (5) The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or (6) The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.</p> <p>2. The offense of domestic assault in the fourth degree is a class A misdemeanor,</p>	E	A

		unless the person has previously been found guilty of the offense of domestic assault, of any assault offense under this chapter, or of any offense against a domestic victim committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which if committed in this state two or more times would be a violation of this section, in which case it is a class E felony. The offenses described in this subsection may be against the same domestic victim or against different domestic victims. (L. 2014 S.B. 491, A.L. 2017 S.B. 34) Effective 8-28-17		
565.110	Kidnapping, First Degree	<p>1. A person commits the offense of kidnapping in the first degree if he or she unlawfully removes another person without his or her consent from the place where he or she is found or unlawfully confines another person without his or her consent for a substantial period, for the purpose of: (1) Holding that person for ransom or reward, or for any other act to be performed or not performed for the return or release of that person; or (2) Using the person as a shield or as a hostage; or (3) Interfering with the performance of any governmental or political function; or (4) Facilitating the commission of any felony or flight thereafter; or (5) Inflicting physical injury on or terrorizing the victim or another.</p> <p>2. The offense of kidnapping in the first degree is a class A felony unless committed under subdivision (4) or (5) of subsection 1 of this section in which cases it is a class B felony. (L. 1977 S.B. 60, A.L. 2004 H.B. 1487, A.L. 2014 S.B. 491) Effective 1-01-17</p>	A, B	
565.115	Child Kidnapping	<p>1. A person commits the offense of child kidnapping if he or she is not a relative of the child within the third degree and, knowing he or she has no right to do so, removes a child under the age of fourteen without consent of the child's parents or guardian, or confines such child for a substantial period of time without such consent.</p> <p>2. In determining whether the child was removed or confined unlawfully, it is an affirmative defense that the person reasonably believed that the person's actions were necessary to preserve the child from danger to his or her welfare.</p> <p>3. The offense of child kidnapping is a class A felony. (L. 2004 H.B. 1487, A.L. 2014 S.B. 491) Effective 1-01-17</p>	A	

565.225	Stalking, First Degree	<p>1. As used in this section and section 565.227, the term "disturbs" shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.</p> <p>2. A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and: (1) Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property; or (2) At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or (3) At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or (4) At any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age or older; or (5) He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or (6) At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.</p> <p>3. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.</p> <p>4. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers</p>	D, E	
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		conducting investigations of any violation of federal, state, county, or municipal law. 5. The offense of stalking in the first degree is a class E felony, unless the defendant has previously been found guilty of a violation of this section or section 565.227, or any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.227, or unless the victim is intentionally targeted as a law enforcement officer, as defined in section 556.061, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer, in which case stalking in the first degree is a class D felony. (L. 1993 H.B. 476 & 194 § 1, A.L. 2002 S.B. 969, et al., A.L. 2008 S.B. 818 & 795, A.L. 2014 S.B. 491, A.L. 2016 H.B. 1562, A.L. 2017 S.B. 34) Effective 8-28-17		
565.227	Stalking, Second Degree	1. A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person. 2. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law. 3. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section. 4. The offense of stalking in the second degree is a class A misdemeanor, unless the defendant has previously been found guilty of a violation of this section or section 565.225, or of any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.225, or unless the victim is intentionally targeted as a law enforcement officer, as defined in section 556.061, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer, in which case stalking in the second degree is a class E felony. (L. 2014 S.B. 491, A.L. 2017 S.B. 34) Effective 8-28-17	E	A
566.030	First Degree Rape	1. A person commits the offense of rape in the first degree if he or she has sexual intercourse with another person who is incapacitated, incapable of	U	

		<p>consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.</p> <p>2. The offense of rape in the first degree or an attempt to commit rape in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless: (1) The offense is an aggravated sexual offense, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than fifteen years; (2) The person is a persistent or predatory sexual offender as defined in section 566.125 and subjected to an extended term of imprisonment under said section; (3) The victim is a child less than twelve years of age, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the offender has served not less than thirty years of such sentence or unless the offender has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such rape in the first degree is described under subdivision (4) of this subsection; or (4) The victim is a child less than twelve years of age and such rape in the first degree or attempt to commit rape in the first degree was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.</p> <p>3. Subsection 4 of section 558.019 shall not apply to the sentence of a person who has been found guilty of rape in the first degree or attempt to commit rape in the first degree when the victim is less than twelve years of age, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.</p> <p>4. No person found guilty of rape in the first degree or an attempt to commit rape in the first degree shall be granted a suspended imposition of sentence or suspended execution of sentence. (L. 1977 S.B. 60, A.L. 1980 H.B. 1138, et al., A.L. 1990 H.B. 1370, et al., A.L. 1993 S.B. 180, A.L. 1994 S.B. 693, A.L. 1998 H.B.</p>		
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		1779, A.L. 2006 H.B. 1698, et al., A.L. 2009 S.B. 36 & 112, A.L. 2013 H.B. 215, A.L. 2014 S.B. 491) Effective 1-01-17		
566.031	Second Degree Rape	1. A person commits the offense of rape in the second degree if he or she has sexual intercourse with another person knowing that he or she does so without that person's consent. 2. The offense of rape in the second degree is a class D felony. (L. 1977 S.B. 60, A.L. 1994 S.B. 693, A.L. 2013 H.B. 215, A.L. 2014 S.B. 491) Effective 1-01-17	D	
566.032	Statutory Rape, First Degree	1. A person commits the offense of statutory rape in the first degree if he or she has sexual intercourse with another person who is less than fourteen years of age. 2. The offense of statutory rape in the first degree or an attempt to commit statutory rape in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless: (1) The offense is an aggravated sexual offense, or the victim is less than twelve years of age in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years; or (2) The person is a persistent or predatory sexual offender as defined in section 566.125 and subjected to an extended term of imprisonment under said section. (L. 1994 S.B. 693, A.L. 2006 H.B. 1698, et al., A.L. 2014 S.B. 491) Effective 1-01-17	U	
566.034	Statutory Rape, Second Degree	1. A person commits the offense of statutory rape in the second degree if being twenty-one years of age or older, he or she has sexual intercourse with another person who is less than seventeen years of age. 2. The offense of statutory rape in the second degree is a class D felony. (L. 1994 S.B. 693, A.L. 2014 S.B. 491) Effective 1-01-17	D	
566.060	Sodomy, First Degree	1. A person commits the offense of sodomy in the first degree if he or she has deviate sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.	U	

		<p>2. The offense of sodomy in the first degree or an attempt to commit sodomy in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless: (1) The offense is an aggravated sexual offense, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years; (2) The person is a persistent or predatory sexual offender as defined in section 566.125 and subjected to an extended term of imprisonment under said section; (3) The victim is a child less than twelve years of age, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the offender has served not less than thirty years of such sentence or unless the offender has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such sodomy in the first degree is described under subdivision (4) of this subsection; or (4) The victim is a child less than twelve years of age and such sodomy in the first degree or attempt to commit sodomy in the first degree was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.</p> <p>3. Subsection 4 of section 558.019 shall not apply to the sentence of a person who has been found guilty of sodomy in the first degree or an attempt to commit sodomy in the first degree when the victim is less than twelve years of age, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.</p> <p>4. No person found guilty of sodomy in the first degree or an attempt to commit sodomy in the first degree shall be granted a suspended imposition of sentence or suspended execution of sentence. (L. 1977 S.B. 60, A.L. 1980 H.B. 1138, et al., A.L. 1990 H.B. 1370, et al., A.L. 1994 S.B. 693, A.L. 1998 H.B. 1779, A.L. 2006 H.B. 1698, et al., A.L. 2009 S.B. 36 & 112, A.L. 2013 H.B. 215, A.L. 2014 S.B. 491) Effective 1-01-17</p>		
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566.061	Sodomy in the Second Degree	<p>1. A person commits the offense of sodomy in the second degree if he or she has deviate sexual intercourse with another person knowing that he or she does so without that person's consent.</p> <p>2. The offense of sodomy in the second degree is a class D felony. (L. 1977 S.B. 60, A.L. 1994 S.B. 693, A.L. 2013 H.B. 215, A.L. 2014 S.B. 491) Effective 1-01-17</p>	D	
566.062	Statutory Sodomy and Attempt to Commit, First Degree	<p>1. A person commits the offense of statutory sodomy in the first degree if he or she has deviate sexual intercourse with another person who is less than fourteen years of age.</p> <p>2. The offense of statutory sodomy in the first degree or an attempt to commit statutory sodomy in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless: (1) The offense is an aggravated sexual offense or the victim is less than twelve years of age, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years; or (2) The person is a persistent or predatory sexual offender as defined in section 566.125 and subjected to an extended term of imprisonment under said section.</p>	U	
566.067	Child Molestation, First Degree	<p>1. A person commits the offense of child molestation in the first degree if he or she subjects another person who is less than fourteen years of age to sexual contact and the offense is an aggravated sexual offense.</p> <p>2. The offense of child molestation in the first degree is a class A felony and, if the victim is a child less than twelve years of age, the person shall serve his or her term of imprisonment without eligibility for probation, parole, or conditional release.</p>	A	
566.068	Child Molestation, Second Degree	<p>1. A person commits the offense of child molestation in the second degree if he or she: (1) Subjects a child who is less than twelve years of age to sexual contact; or (2) Being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact and the offense is an aggravated sexual offense.</p> <p>2. The offense of child molestation in the second degree is a class B felony. (L. 1994 S.B. 693, A.L. 2000 S.B. 757 & 602, A.L. 2014 S.B. 491) Effective 1-01-17</p>	B	

566.069	Child Molestation, Third Degree	<p>1. A person commits the offense of child molestation in the third degree if he or she subjects a child who is less than fourteen years of age to sexual contact.</p> <p>2. The offense of child molestation in the third degree is a class C felony, unless committed by the use of forcible compulsion, in which case it is a class B felony. (L. 2014 S.B. 491) Effective 1-01-17</p>	B, C	
566.071	Child Molestation, Fourth Degree	<p>1. A person commits the offense of child molestation in the fourth degree if, being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact.</p> <p>2. The offense of child molestation in the fourth degree is a class E felony. (L. 2014 S.B. 491) Effective 1-01-17</p>	E	
566.083	Sexual Misconduct involving a Child	<p>1. A person commits the offense of sexual misconduct involving a child if such person: (1) Knowingly exposes his or her genitals to a child less than fifteen years of age under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm to the child; (2) Knowingly exposes his or her genitals to a child less than fifteen years of age for the purpose of arousing or gratifying the sexual desire of any person, including the child; (3) Knowingly coerces or induces a child less than fifteen years of age to expose the child's genitals for the purpose of arousing or gratifying the sexual desire of any person, including the child; or (4) Knowingly coerces or induces a child who is known by such person to be less than fifteen years of age to expose the breasts of a female child through the internet or other electronic means for the purpose of arousing or gratifying the sexual desire of any person, including the child.</p> <p>2. The provisions of this section shall apply regardless of whether the person violates this section in person or via the internet or other electronic means.</p> <p>3. It is not a defense to prosecution for a violation of this section that the other person was a peace officer masquerading as a minor.</p> <p>4. The offense of sexual misconduct involving a child is a class E felony unless the person has previously been found guilty of an offense under this chapter or the person has previously been found guilty of an offense in another jurisdiction which would constitute an offense under this chapter, in which case it is a class D felony. (L. 1997 S.B. 56, A.L. 2004</p>	D, E	

		H.B. 1055, A.L. 2005 H.B. 353 merged with H.B. 972, A.L. 2006 H.B. 1698, et al., A.L. 2008 S.B. 714, et al., A.L. 2012 S.B. 628, A.L. 2014 S.B. 491) Effective 1-01-17		
566.086	Sexual Contact with a Student	<p>1. A person commits the offense of sexual contact with a student if he or she has sexual contact with a student of the school and is: (1) A teacher, as that term is defined in subdivisions (4), (5), and (7) of section 168.104; (2) A student teacher; or (3) An employee of the school; or (4) A volunteer of the school or of an organization working with the school on a project or program who is not a student at the school; or (4) A volunteer of the school or of an organization working with the school on a project or program who is not a student at the school; or (4) A volunteer of the school or of an organization working with the school on a project or program who is not a student at the school; or (5) An elected or appointed official of the school district; or (6) A person employed by an entity that contracts with the school or school district to provide services.</p> <p>2. For the purposes of this section, "school" shall mean any public or private school in this state serving kindergarten through grade twelve or any school bus used by the school district.</p> <p>3. The offense of sexual contact with a student is a class E felony. 4. It is not a defense to prosecution for a violation of this section that the student consented to the sexual contact. (L. 2005 H.B. 353, A.L. 2006 H.B. 1698, et al., A.L. 2011 H.B. 111, A.L. 2014 S.B. 491) Effective 1-01-17</p>	E	
566.100	Sexual Abuse, First Degree	<p>1. A person commits the offense of sexual abuse in the first degree if he or she subjects another person to sexual contact when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion.</p> <p>2. The offense of sexual abuse in the first degree is a class C felony unless the victim is less than fourteen years of age, or it is an aggravated sexual offense, in which case it is a class B felony. (L. 1977 S.B. 60, A.L. 1990 H.B. 1370, et al., A.L. 1991 H.B. 566, A.L. 1994 S.B. 693, A.L. 2013 H.B. 215, A.L. 2014 S.B. 491) Effective 1-01-17</p>	B, C	

566.101	Sexual Abuse, Second Degree	<p>1. A person commits the offense of sexual abuse in the second degree if he or she purposely subjects another person to sexual contact without that person's consent.</p> <p>2. The offense of sexual abuse in the second degree is a class A misdemeanor, unless it is an aggravated sexual offense, in which case it is a class E felony. (L. 1977 S.B. 60, A.L. 1994 S.B. 693, A.L. 2002 S.B. 969, et al., A.L. 2006 H.B. 1698, et al., A.L. 2013 H.B. 215, A.L. 2014 S.B. 491) Effective 1-01-17</p>	E	A
566.115	Sexual Conduct with a Nursing Facility resident or a Vulnerable Person, First Degree	<p>1. A person commits the offense of sexual conduct with a nursing facility resident or vulnerable person in the first degree if he or she: (1) Being an owner or employee of a skilled nursing facility, as defined in section 198.006, or an Alzheimer's special care unit or program, as defined in section 198.505, has sexual intercourse or deviate sexual intercourse with a resident; or (2) Being a vender, provider, agent, or employee of a certified program operated, funded, licensed, or certified by the department of mental health, has sexual intercourse or deviate sexual intercourse with a vulnerable person.</p> <p>2. The offense of sexual conduct with a nursing facility resident or vulnerable person in the first degree is a class A misdemeanor. Any second or subsequent violation of this section is a class E felony.</p> <p>3. The provisions of this section shall not apply to any person who is married to the resident or vulnerable person.</p> <p>4. Consent of the victim is not a defense to a prosecution under this section. (L. 2014 S.B. 491) Effective 1-01-17</p>	E	A
566.145	Sexual Conduct in the Course of Public Duty, Offense of	<p>1. A person commits the offense of sexual conduct in the course of public duty if the person engages in sexual conduct: (1) With a detainee, a prisoner, or an offender and the person: (a) Is an employee of, or assigned to work in, any jail, prison or correctional facility and engages in sexual conduct with a prisoner or an offender who is confined in a jail, prison, or correctional facility; (b) Is a probation and parole officer and engages in sexual conduct with an offender who is under the direct supervision of the officer; or (c) Is a law enforcement officer and engages in sexual conduct with a detainee or prisoner who is in the custody of such officer; or (2) With someone who is not a detainee, a prisoner, or an offender and the person is: (a) A probation and</p>	E	

		<p>parole officer, a police officer, or an employee of, or assigned to work in, any jail, prison, or correctional facility; (b) On duty; and (c) The offense was committed by means of coercion as defined in section 566.200.</p> <p>2. For the purposes of this section the following terms shall mean: (1) "Detainee", a person deprived of liberty and kept under involuntary restraint, confinement, or custody; (2) "Offender", includes any person in the custody of a prison or correctional facility and any person who is under the supervision of the division of probation and parole; (3) "Prisoner", includes any person who is in the custody of a jail, whether pretrial or after disposition of a charge.</p> <p>3. The offense of sexual conduct in the course of public duty is a class E felony.</p> <p>4. Consent of a detainee, a prisoner, an offender, or any other person is not a defense. (L. 2002 S.B. 969, et al., A.L. 2006 H.B. 1698, et al., A.L. 2009 H.B. 747, A.L. 2014 S.B. 491, A.L. 2021 S.B. 26 merged with S.B. 53 & 60) Effective 8-28-21</p>		
566.151	Enticement of a Child	<p>1. A person twenty-one years of age or older commits the offense of enticement of a child if he or she persuades, solicits, coaxes, entices, or lures whether by words, actions or through communication via the internet or any electronic communication, any person who is less than fifteen years of age for the purpose of engaging in sexual conduct.</p> <p>2. It is not a defense to a prosecution for a violation of this section that the other person was a peace officer masquerading as a minor.</p> <p>3. Enticement of a child or an attempt to commit enticement of a child is a felony for which the authorized term of imprisonment shall be not less than five years and not more than thirty years. No person convicted under this section shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of five calendar years.</p>	U	
566.203	Abusing an Individual through Forced Labor	<p>1. A person commits the offense of abusing an individual through forced labor by knowingly providing or obtaining the labor or services of a person: (1) By causing or threatening to cause serious physical injury to any person; (2) By physically restraining or threatening to physically restrain another person; (3) By blackmail; (4) By</p>	U, B	

		<p>means of any scheme, plan, or pattern of behavior intended to cause such person to believe that, if the person does not perform the labor services, the person or another person will suffer serious physical injury, physical restraint, or financial harm; or (5) By means of the abuse or threatened abuse of the law or the legal process.</p> <p>2. A person who is found guilty of the crime of abuse through forced labor shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, unless such person is otherwise required to register pursuant to the provisions of such section.</p> <p>3. The offense of abuse through forced labor is a felony punishable by imprisonment for a term of years not less than five years and not more than twenty years and a fine not to exceed two hundred fifty thousand dollars. If death results from a violation of this section, or if the violation includes kidnapping or an attempt to kidnap, sexual abuse when punishable as a class B felony, or an attempt to commit sexual abuse when punishable as a class B felony, or an attempt to kill, it shall be punishable for a term of years not less than five years or life and a fine not to exceed two hundred fifty thousand dollars. (L. 2004 H.B. 1487, A.L. 2011 H.B. 214, A.L. 2014 S.B. 491) Effective 1-01-17</p>		
566.206	Trafficking for the Purpose of Slavery, Involuntary Servitude, Peonage, or Forced Labor	<p>1. A person commits the offense of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor if he or she knowingly recruits, entices, harbors, transports, provides, or obtains by any means, including but not limited to through the use of force, abduction, coercion, fraud, deception, blackmail, or causing or threatening to cause financial harm, another person for labor or services, for the purposes of slavery, involuntary servitude, peonage, or forced labor, or benefits, financially or by receiving anything of value, from participation in such activities.</p> <p>2. A person who is found guilty of the offense of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, unless he or she is otherwise required to register pursuant to the provisions of such section.</p>	U, B	

		<p>3. Except as provided in subsection 4 of this section, the offense of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor is a felony punishable by imprisonment for a term of years not less than five years and not more than twenty years and a fine not to exceed two hundred fifty thousand dollars.</p> <p>4. If death results from a violation of this section, or if the violation includes kidnapping or an attempt to kidnap, sexual abuse when punishable as a class B felony or an attempt to commit sexual abuse when the sexual abuse attempted is punishable as a class B felony, or an attempt to kill, it shall be punishable by imprisonment for a term of years not less than five years or life and a fine not to exceed two hundred fifty thousand dollars. (L. 2004 H.B. 1487, A.L. 2011 H.B. 214, A.L. 2014 S.B. 491) Effective 1-01-17</p>		
566.209	Trafficking for the Purpose of Sexual Exploitation	<p>1. A person commits the crime of trafficking for the purposes of sexual exploitation if a person knowingly recruits, entices, harbors, transports, provides, advertises the availability of or obtains by any means, including but not limited to through the use of force, abduction, coercion, fraud, deception, blackmail, or causing or threatening to cause financial harm, another person for the use or employment of such person in a commercial sex act, sexual conduct, a sexual performance, or the production of explicit sexual material as defined in section 573.010, without his or her consent, or benefits, financially or by receiving anything of value, from participation in such activities.</p> <p>2. The crime of trafficking for the purposes of sexual exploitation is a felony punishable by imprisonment for a term of years not less than five years and not more than twenty years and a fine not to exceed two hundred fifty thousand dollars. If a violation of this section was effected by force, abduction, or coercion, the crime of trafficking for the purposes of sexual exploitation is a felony punishable by imprisonment for a term of years not less than ten years or life and a fine not to exceed two hundred fifty thousand dollars. (L. 2004 H.B. 1487, A.L. 2011 H.B. 214, A.L. 2014 S.B. 491, A.L. 2016 H.B. 1562) Effective 1-01-2017</p>	U	

566.210	Sexual Trafficking of a Child, First Degree	<p>1. A person commits the offense of sexual trafficking of a child in the first degree if he or she knowingly: (1) Recruits, entices, harbors, transports, provides, or obtains by any means, including but not limited to through the use of force, abduction, coercion, fraud, deception, blackmail, or causing or threatening to cause financial harm, a person under the age of twelve to participate in a commercial sex act, a sexual performance, or the production of explicit sexual material as defined in section 573.010, or benefits, financially or by receiving anything of value, from participation in such activities; (2) Causes a person under the age of twelve to engage in a commercial sex act, a sexual performance, or the production of explicit sexual material as defined in section 573.010; or (3) Advertises the availability of a person under the age of twelve to participate in a commercial sex act, a sexual performance, or the production of explicit sexual material as defined in section 573.010.</p> <p>2. It shall not be a defense that the defendant believed that the person was twelve years of age or older.</p> <p>3. The offense of sexual trafficking of a child in the first degree is a felony for which the authorized term of imprisonment is life imprisonment without eligibility for probation or parole until the offender has served not less than twenty-five years of such sentence. Subsection 4 of section 558.019 shall not apply to the sentence of a person who has been found guilty of sexual trafficking of a child less than twelve years of age, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.(L. 2006 H.B. 1698, et al., A.L. 2011 H.B. 214, A.L. 2014 S.B. 491, A.L. 2016 H.B. 1562) Effective 1-1-17</p>	U	
566.211	Sexual Trafficking of a Child, Second Degree	<p>1. A person commits the offense of sexual trafficking of a child in the second degree if he or she knowingly: (1) Recruits, entices, harbors, transports, provides, or obtains by any means, including but not limited to through the use of force, abduction, coercion, fraud, deception, blackmail, or causing or threatening to cause financial harm, a person under the age of eighteen to participate in a commercial sex act, a sexual performance, or the production of explicit sexual material as defined in section 573.010, or benefits, financially or by receiving anything of value,</p>	U	

		<p>from participation in such activities; (2) Causes a person under the age of eighteen to engage in a commercial sex act, a sexual performance, or the production of explicit sexual material as defined in section 573.010; or (3) Advertises the availability of a person under the age of eighteen to participate in a commercial sex act, a sexual performance, or the production of explicit sexual material as defined in section 573.010.</p> <p>2. It shall not be a defense that the defendant believed that the person was eighteen years of age or older.</p> <p>3. The offense sexual trafficking of a child in the second degree is a felony punishable by imprisonment for a term of years not less than ten years or life and a fine not to exceed two hundred fifty thousand dollars if the child is under the age of eighteen. If a violation of this section was effected by force, abduction, or coercion, the crime of sexual trafficking of a child shall be a felony for which the authorized term of imprisonment is life imprisonment without eligibility for probation or parole until the defendant has served not less than twenty-five years of such sentence. (L. 2004 H.B. 1487, A.L. 2011 H.B. 214, A.L. 2014 S.B. 491, A.L. 2016 H.B. 1562) Effective 1-1-17</p>		
567.050	Promoting Prostitution in the First Degree	<p>1. A person commits the offense of promoting prostitution in the first degree if he or she knowingly: (1) Promotes prostitution by compelling a person to enter into, engage in, or remain in prostitution; (2) Promotes prostitution of a person less than sixteen years of age; or (3) Owns, manages, or operates an interactive computer service, or conspires or attempts to do so, with the intent to promote or facilitate the prostitution of another. As used in this subdivision, the term "interactive computer service" shall mean any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the internet and such systems operated or services offered by libraries or educational institutions.</p> <p>2. The term "compelling" includes: (1) The use of forcible compulsion; (2) The use of a drug or intoxicating substance to render a person incapable</p>	U	

		<p>of controlling his conduct or appreciating its nature; (3) Withholding or threatening to withhold dangerous drugs or a narcotic from a drug dependent person.</p> <p>3. (1) The offense of promoting prostitution in the first degree under subdivision (1) or (3) of subsection 1 of this section is a class B felony. (2) The offense of promoting prostitution in the first degree under subdivision (3) of subsection 1 of this section is a class A felony if a person acts in reckless disregard of the fact that such conduct contributed to the offense of trafficking for the purposes of sexual exploitation under section 566.209. (3) The offense of promoting prostitution in the first degree under subdivision (2) of subsection 1 of this section is a felony punishable by a term of imprisonment not less than ten years and not to exceed fifteen years.</p> <p>4. A person injured by the acts committed in violation of subdivision (3) of subsection 1 of this section or subdivision (2) of subsection 3 of this section shall have a civil cause of action to recover damages and reasonable attorneys' fees for such injury.</p> <p>5. In addition to the court's authority to order a defendant to make restitution for the damage or loss caused by his or her offense as provided in section 559.105, the court shall enter a judgment of restitution against the defendant convicted of violating subdivision (3) of subsection 1 of this section and subdivision (2) of subsection 3 of this section. (L. 1977 S.B. 60, A.L. 2014 S.B. 491, A.L. 2018 S.B. 793, A.L. 2019 H.B. 397) Effective 8-28-19</p>		
568.045	Endangering the Welfare of a Child in the First Degree	<p>1. A person commits the offense of endangering the welfare of a child in the first degree if he or she: (1) Knowingly acts in a manner that creates a substantial risk to the life, body, or health of a child less than seventeen years of age; or (2) Knowingly engages in sexual conduct with a person under the age of seventeen years over whom the person is a parent, guardian, or otherwise charged with the care and custody; (3) Knowingly encourages, aids or causes a child less than seventeen years of age to engage in any conduct which violates the provisions of chapter 579; (4) In the presence of a child less than seventeen years of age or in a residence where a child less than seventeen years of age resides, unlawfully manufactures, or attempts to manufacture</p>	A, B, C, D	

		<p>compounds, possesses, produces, prepares, sells, transports, tests or analyzes amphetamine or methamphetamine or any of their analogues.</p> <p>2. The offense of endangering the welfare of a child in the first degree is a class D felony unless the offense: (1) Is committed as part of an act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity, or where physical injury to the child results, or the offense is a second or subsequent offense under this section, in which case the offense is a class C felony; (2) Results in serious physical injury to the child, in which case the offense is a class B felony; or (3) Results in the death of a child, in which case the offense is a class A felony. (L. 1990 H.B. 1370, et al., A.L. 1994 S.B. 693, A.L. 1998 H.B. 1147, et al., A.L. 2003 S.B. 5, A.L. 2005 H.B. 353, A.L. 2009 H.B. 62, A.L. 2014 S.B. 491) Effective 1-01-17</p>		
568.060	Abuse or Neglect of a Child	<p>1. As used in this section, the following terms shall mean: (1) "Abuse", the infliction of physical, sexual, or mental injury against a child by any person eighteen years of age or older. For purposes of this section, abuse shall not include injury inflicted on a child by accidental means by a person with care, custody, or control of the child, or discipline of a child by a person with care, custody, or control of the child, including spanking, in a reasonable manner; (2) "Abusive head trauma", a serious physical injury to the head or brain caused by any means, including but not limited to shaking, jerking, pushing, pulling, slamming, hitting, or kicking; (3) "Mental injury", an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of the ability of the child to function within his or her normal range of performance or behavior; (4) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a child under the age of eighteen years, the care reasonable and necessary to maintain the physical and mental health of the child, when such failure presents a substantial probability that death or physical injury or sexual injury would result; (5) "Physical injury", physical pain, illness, or any impairment of physical condition, including but not limited to bruising, lacerations, hematomas, welts, or permanent or temporary disfigurement and impairment of any bodily function or organ; (6)</p>	A, B, D	

		<p>"Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive, or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty; (7) "Serious physical injury", a physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.</p> <p>2. A person commits the offense of abuse or neglect of a child if such person knowingly causes a child who is less than eighteen years of age: (1) To suffer physical or mental injury as a result of abuse or neglect; or (2) To be placed in a situation in which the child may suffer physical or mental injury as the result of abuse or neglect.</p> <p>3. A person commits the offense of abuse or neglect of a child if such person recklessly causes a child who is less than eighteen years of age to suffer from abusive head trauma.</p> <p>4. A person does not commit the offense of abuse or neglect of a child by virtue of the sole fact that the person delivers or allows the delivery of a child to a provider of emergency services.</p> <p>5. The offense of abuse or neglect of a child is: (1) A class D felony, without eligibility for probation, parole, or conditional release until the defendant has served no less than one year of such sentence, unless the person has previously been found guilty of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct or the injury inflicted on the child is a serious emotional injury or a serious physical injury, in which case abuse or neglect of a child is a class B felony, without eligibility for probation or parole until the defendant has served not less than five years of such sentence; or (2) A class A felony if the child dies as a result of injuries sustained from conduct chargeable under the provisions of this section.</p> <p>6. Notwithstanding subsection 5 of this section to the contrary, the offense of abuse or neglect of a child is a class A felony, without eligibility for probation, parole, or conditional release until the defendant has served not less than fifteen years of</p>		
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		<p>such sentence, if: (1) The injury is a serious emotional injury or a serious physical injury; (2) The child is less than fourteen years of age; and (3) The injury is the result of sexual abuse or sexual abuse in the first degree as defined under section 566.100 or sexual exploitation of a minor as defined under section 573.023.</p> <p>7. The circuit or prosecuting attorney may refer a person who is suspected of abuse or neglect of a child to an appropriate public or private agency for treatment or counseling so long as the agency has consented to taking such referrals. Nothing in this subsection shall limit the discretion of the circuit or prosecuting attorney to prosecute a person who has been referred for treatment or counseling pursuant to this subsection.</p> <p>8. Nothing in this section shall be construed to alter the requirement that every element of any crime referred to herein must be proven beyond a reasonable doubt.</p> <p>9. Discipline, including spanking administered in a reasonable manner, shall not be construed to be abuse under this section. (L. 1977 S.B. 60, A.L. 1984 H.B. 1255, A.L. 1990 H.B. 1370, et al., A.L. 1997 S.B. 56, A.L. 2012 S.B. 628, A.L. 2013 H.B. 505, A.L. 2014 S.B. 491) Effective 1-01-17</p>		
568.065	Genital Mutilation of a Female Child-Affirmative Defenses	<p>1. A person commits the offense of genital mutilation if he or she: (1) Excises or infibulates, in whole or in part, the labia majora, labia minora, vulva or clitoris of a female child less than seventeen years of age; or (2) Is a parent, guardian or other person legally responsible for a female child less than seventeen years of age and permits the excision or infibulation, in whole or in part, of the labia majora, labia minora, vulva or clitoris of such female child.</p> <p>2. The offense of genital mutilation is a class B felony.</p> <p>3. Belief that the conduct described in subsection 1 of this section is required as a matter of custom, ritual or standard practice, or consent to the conduct by the child on whom it is performed or by the child's parent or legal guardian, shall not be an affirmative defense to a charge pursuant to this section.</p> <p>4. It is a defense if the conduct which constitutes genital mutilation was: (1) Necessary to preserve the health of the child on whom it is performed and is</p>	B	

		performed by a person licensed to practice medicine in this state; or (2) Performed on a child who is in labor or who has just given birth and is performed for medical purposes connected with such labor or birth by a person licensed to practice medicine in this state. (L. 2000 S.B. 757 & 602, A.L. 2014 S.B. 491) Effective 1-01-17		
569.040	Arson in the First Degree	<p>1. A person commits the offense of arson in the first degree if he or she: (1) Knowingly damages a building or inhabitable structure, and when any person is then present or in near proximity thereto, by starting a fire or causing an explosion and thereby recklessly places such person in danger of death or serious physical injury; or (2) By starting a fire or explosion, damages a building or inhabitable structure in an attempt to produce methamphetamine.</p> <p>2. The offense of arson in the first degree is a class B felony unless a person has suffered serious physical injury or has died as a result of the fire or explosion set by the person or as a result of a fire or explosion started in an attempt by the person to produce methamphetamine, in which case arson in the first degree is a class A felony. (L. 1977 S.B. 60, A.L. 1987 H.B. 57, A.L. 2005 H.B. 353, A.L. 2014 S.B. 491) Effective 1-01-17</p>	A, B	
569.160	Burglary in the First Degree	<p>1. A person commits the offense of burglary in the first degree if he or she knowingly enters unlawfully or knowingly remains unlawfully in a building or inhabitable structure for the purpose of committing an offense therein, and when in effecting entry or while in the building or inhabitable structure or in immediate flight therefrom, the person or another participant in the offense: (1) Is armed with explosives or a deadly weapon; or (2) Causes or threatens immediate physical injury to any person who is not a participant in the crime; or (3) There is present in the structure another person who is not a participant in the crime.</p> <p>2. The offense of burglary in the first degree is a class B felony. (L. 1977 S.B. 60, A.L. 2014 S.B. 491) Effective 1-01-17</p>	B	
570.023	Robbery in the First Degree	1. A person commits the offense of robbery in the first degree if he or she forcibly steals property and in	A	

		the course thereof he or she, or another participant in the offense: (1) Causes serious physical injury to any person; or (2) Is armed with a deadly weapon; or (3) Uses or threatens the immediate use of a dangerous instrument against any person; or (4) Displays or threatens the use of what appears to be a deadly weapon or dangerous instrument; or (5) Steals any controlled substance from a pharmacy. 2. The offense of robbery in the first degree is a class A felony. (L. 1977 S.B. 60, A.L. 2014 S.B. 491) Effective 1-01-17		
570.025	Robbery in the Second Degree	1. A person commits the offense of robbery in the second degree if he or she forcibly steals property and in the course thereof causes physical injury to another person. 2. The offense of robbery in the second degree is a class B felony. (L. 1977 S.B. 60, A.L. 2014 S.B. 491) Effective 1-01-17	B	
570.027	Vehicle Hijacking, Offense of	1. A person commits the offense of vehicle hijacking when he or she knowingly uses or threatens the use of physical force upon another person to seize or attempt to seize possession or control of a vehicle, as defined in section 302.010, from the immediate possession or control of another person. 2. The offense of vehicle hijacking is a class B felony unless it meets one of the criteria listed in subsection 3 of this section. 3. The offense of vehicle hijacking is a class A felony if, in the course thereof, a person or another participant in the offense: (1) Causes serious physical injury to any person in immediate possession, control, or presence of the vehicle; (2) Is armed with a deadly weapon; (3) Uses or threatens the immediate use of a dangerous instrument against any person; (4) Displays or threatens the use of what appears to be a deadly weapon or dangerous instrument; or (5) Seizes a vehicle, or attempts to seize a vehicle, in which a child or special victim as defined in section 565.002 is present. (L. 2020 S.B. 600)	A	
571.030	Unlawful Use of Weapons	1. A person commits the offense of unlawful use of weapons, except as otherwise provided by sections 571.101 to 571.121, if he or she knowingly: (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon	A, B, E	A, B

		<p>readily capable of lethal use into any area where firearms are restricted under section 571.107; or (2) Sets a spring gun; or (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or (4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense; or (6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or (8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board; or (11) Possesses a firearm while also knowingly in possession of a controlled substance that is sufficient for a felony violation of section 579.015.</p> <p>2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection.</p> <p>Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of</p>		
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		<p>this section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection: (1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 12 of this section, and who carry the identification defined in subsection 13 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer; (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime; (3) Members of the Armed Forces or National Guard while performing their official duty; (4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary; (5) Any person whose bona fide duty is to execute process, civil or criminal; (6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921, regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction; (7) Any state probation or parole officer, including supervisors and members of the parole board; (8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the department of public safety under section 590.750; (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner; (10) Any municipal or county prosecuting attorney or assistant prosecuting attorney; circuit attorney or assistant circuit attorney; municipal, associate, or circuit judge;</p>		
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		<p>or any person appointed by a court to be a special prosecutor who has completed the firearms safety training course required under subsection 2 of section 571.111; (11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties; and (12) Upon the written approval of the governing body of a fire department or fire protection district, any paid fire department or fire protection district member who is employed on a full-time basis and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.</p> <p>3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person nineteen years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.</p>		
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		<p>4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued before August 28, 2013, or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.</p> <p>5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.</p> <p>6. Notwithstanding any provision of this section to the contrary, the state shall not prohibit any state employee from having a firearm in the employee's vehicle on the state's property provided that the vehicle is locked and the firearm is not visible. This subsection shall only apply to the state as an employer when the state employee's vehicle is on property owned or leased by the state and the state employee is conducting activities within the scope of his or her employment. For the purposes of this subsection, "state employee" means an employee of the executive, legislative, or judicial branch of the government of the state of Missouri.</p> <p>7. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.</p> <p>8. A person who commits the crime of unlawful use of weapons under: (1) Subdivision (2), (3), (4), or (11) of subsection 1 of this section shall be guilty of a class E felony; (2) Subdivision (1), (6), (7), or (8) of subsection 1 of this section shall be guilty of a class B misdemeanor, except when a concealed weapon is carried onto any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch, in which case the penalties</p>		
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		<p>of subsection 2 of section 571.107 shall apply; (3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A misdemeanor if the firearm is unloaded and a class E felony if the firearm is loaded; (4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.</p> <p>9. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows: (1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony; (2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years; (3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release; (4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.</p> <p>10. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.</p> <p>11. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.</p> <p>12. As used in this section "qualified retired peace officer" means an individual who: (1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability; (2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had</p>		
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		<p>statutory powers of arrest; (3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency; (4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available; (5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms; (6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and (7) Is not prohibited by federal law from receiving a firearm.</p> <p>13. The identification required by subdivision (1) of subsection 2 of this section is: (1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or (2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and (3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm. (RSMo 1939 § 4425, A.L. 1959 H.B. 43, A.L. 1981 H.B. 296, A.L. 1993 H.B. 562 merged with S.B. 250, A.L. 1995 H.B. 160, A.L. 1997 S.B. 367, A.L. 1998 S.B. 478, A.L. 2000 S.B. 944, A.L. 2003 H.B. 349, et al. merged with S.B. 5, A.L. 2007 S.B. 62 & 41, A.L. 2010 H.B. 1692, et al., A.L. 2011 H.B. 294, et al., A.L. 2012 H.B. 1647, A.L. 2013 H.B. 533 merged with S.B. 75, A.L. 2014 S.B. 656 merged with S.B. 745 merged with S.B. 852, A.L. 2016 S.B. 656, A.L. 2021 S.B. 26 merged with S.B. 53 & 60) Effective 8-28-21</p>		
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573.023	Sexual Exploitation of a Minor	<p>1. A person commits the offense of sexual exploitation of a minor if such person knowingly or recklessly photographs, films, videotapes, produces or otherwise creates obscene material with a minor or child pornography.</p> <p>2. The offense of sexual exploitation of a minor is a class B felony unless the minor is a child, in which case it is a class A felony. (L. 2000 S.B. 757 & 602, A.L. 2009 H.B. 62, A.L. 2014 S.B. 491) Effective 1-01-17</p>	A, B	
573.025	Promoting Child Pornography, First Degree	<p>1. A person commits the offense of promoting child pornography in the first degree if, knowing of its content and character, such person possesses with the intent to promote or promotes child pornography of a child less than fourteen years of age or obscene material portraying what appears to be a child less than fourteen years of age.</p> <p>2. The offense of promoting child pornography in the first degree is a class B felony unless the person knowingly promotes such material to a minor, in which case it is a class A felony. No person who is found guilty of promoting child pornography in the first degree shall be eligible for probation, parole, or conditional release for a period of three calendar years.</p> <p>3. Nothing in this section shall be construed to require a provider of electronic communication services or remote computing services to monitor any user, subscriber or customer of the provider, or the content of any communication of any user, subscriber or customer of the provider. (L. 1985 H.B. 366, et al., A.L. 2000 S.B. 757 & 602, A.L. 2008 S.B. 714, et al., A.L. 2009 H.B. 62, A.L. 2014 S.B. 491) Effective 1-01-17</p>	A, B	
573.035	Promoting Child Pornography, Second Degree	<p>1. A person commits the offense of promoting child pornography in the second degree if, knowing of its content and character, such person possesses with the intent to promote or promotes child pornography of a minor under the age of eighteen or obscene material portraying what appears to be a minor under the age of eighteen.</p> <p>2. The offense of promoting child pornography in the second degree is a class D felony unless the person knowingly promotes such material to a minor, in which case it is a class B felony. No person who is found guilty of promoting child pornography in the second degree shall be eligible for probation. (L. 1985</p>	B, D	

		H.B. 366, et al., A.L. 2000 S.B. 757 & 602, A.L. 2008 S.B. 714, et al., A.L. 2009 H.B. 62, A.L. 2014 S.B. 491) Effective 1-01-17		
573.200	Child Used in Sexual Performance	<p>1. A person commits the offense of use of a child in a sexual performance if, knowing the character and content thereof, the person employs, authorizes, or induces a child less than eighteen years of age to engage in a performance which includes sexual conduct or, being a parent, legal guardian, or custodian of such child, consents to the participation by such child in such sexual performance.</p> <p>2. The offense of use of a child in a sexual performance is a class C felony, unless in the course thereof the person inflicts serious emotional injury on the child, in which case the offense is a class B felony.</p> <p>3. The court shall not grant a suspended imposition of sentence or a suspended execution of sentence to a person who has previously been found guilty of an offense under this section. (L. 1984 H.B. 1255, A.L. 2014 S.B. 491) Effective 1-1-17</p>	B, C	
573.215	Promoting Sexual Performance by a Child	<p>1. A person commits the offense of failure to report child pornography if he or she being a film and photographic print processor, computer provider, installer or repair person, or any internet service provider who has knowledge of or observes, within the scope of the person's professional capacity or employment, any film, photograph, videotape, negative, slide, or computer-generated image or picture depicting a child under eighteen years of age engaged in an act of sexual conduct fails to report such instance to any law enforcement agency immediately or as soon as practically possible.</p> <p>2. The offense of failure to report child pornography is a class B misdemeanor.</p> <p>3. Nothing in this section shall be construed to require a provider of electronic communication services or remote computing services to monitor any user, subscriber or customer of the provider, or the content of any communication of any user, subscriber or customer of the provider. (L. 1984 H.B. 1255, A.L. 2000 S.B. 757 & 602, A.L. 2014 S.B. 491) Effective 1-01-17</p>	C	

574.080	Causing Catastrophe	<p>1. A person commits the offense of causing catastrophe if he or she knowingly causes a catastrophe by explosion, fire, flood, collapse of a building, release of poison, radioactive material, bacteria, virus or other dangerous and difficult to confine force or substance.</p> <p>2. As used in this section, the following terms mean: (1) "Catastrophe", death or serious physical injury to ten or more people or substantial damage to five or more buildings or inhabitable structures or substantial damage to a vital public facility which seriously impairs its usefulness or operation; (2) "Vital public facility", includes a facility maintained for use as a bridge, whether over land or water, dam, reservoir, tunnel, communication installation or power station.</p> <p>3. The offense of causing catastrophe is a class A felony. (L. 1977 S.B. 60, A.L. 2014 S.B. 491) Effective 1-1-17</p>	A	
575.200	Escape or Attempted Escape from Custody	<p>1. A person commits the offense of escape from custody or attempted escape from custody if, while being held in custody after arrest for any crime, he or she escapes or attempts to escape from custody.</p> <p>2. The offense of escape or attempted escape from custody is a class A misdemeanor unless: (1) The person escaping or attempting to escape is under arrest for a felony, in which case it is a class E felony; or (2) The offense is committed by means of a deadly weapon or dangerous instrument or by holding any person as hostage, in which case it is a class A felony. (L. 1977 S.B. 60, A.L. 1986 S.B. 450, A.L. 2014 S.B. 491) Effective 1-01-17</p>	A, E	A
576.070	Treason	<p>1. A person owing allegiance to the state commits the offense of treason if he or she purposely levies war against the state, or adheres to its enemies by giving them aid and comfort.</p> <p>2. No person shall be convicted of treason unless one or more overt acts are alleged in the indictment or information.</p> <p>3. In a trial on a charge of treason, no evidence shall be given of any overt act that is not specifically alleged in the indictment or information.</p> <p>4. No person shall be convicted of treason except upon the direct evidence of two or more witnesses to the same overt act, or upon his or her confession under oath in open court.</p>	A	

		5. The offense of treason is a class A felony. (L. 1977 S.B. 60, A.L. 2014 S.B. 491) Effective 1-01-17		
577.703	Bus Hijacking	<p>1. A person commits the offense of bus hijacking if he or she seizes or exercises control, by force or violence or threat of force or violence, of any bus. The offense of bus hijacking is a class B felony.</p> <p>2. The offense of "assault with the intent to commit bus hijacking" is defined as an intimidation, threat, assault or battery toward any driver, attendant or guard of a bus so as to interfere with the performance of duties by such person. Assault to commit bus hijacking is a class D felony.</p> <p>3. Any person, who, in the commission of such intimidation, threat, assault or battery with the intent to commit bus hijacking, employs a dangerous or deadly weapon or other means capable of inflicting serious bodily injury shall, upon conviction, be guilty of a class A felony.</p> <p>4. Any passenger who boards a bus with a dangerous or deadly weapon or other means capable of inflicting serious bodily injury concealed upon his or her person or effects is guilty of the felony of "possession and concealment of a dangerous or deadly weapon" upon a bus. Possession and concealment of a dangerous and deadly weapon by a passenger upon a bus is a class D felony. The provisions of this subsection shall not apply to duly elected or appointed law enforcement officers or commercial security personnel who are in possession of weapons used within the course and scope of their employment; nor shall the provisions of this subsection apply to persons who are in possession of weapons or other means of inflicting serious bodily injury with the consent of the owner of such bus, his or her agent, or the lessee or bailee of such bus. (L. 1982 S.B. 519 § 2, A.L. 2014 S.B. 491) Effective 1-01-17</p>	A, B, D	
577.706	Planting a Bomb or Explosive in or Near a Bus Terminal	1. A person commits the offense of planting a bomb or explosive in or near a bus or terminal if he or she bombs, plants, or places any bomb or other explosive matter or thing in, upon, or near any terminal or bus, wherein a person or persons are located or being transported, or where there is being stored, shipped or prepared for shipment, any goods, wares,	A, B D	

		<p>merchandise or anything of value. The offense of planting a bomb or explosive in or near a bus or terminal is a class A felony.</p> <p>2. Any person who threatens to commit the offense of planting a bomb or explosive in or near a bus or terminal shall be guilty of a class D felony.</p> <p>3. Any person who discharges any firearm or hurls any missile at, into, or upon any bus, terminal, or other transportation facility shall be guilty of a class B felony. (L. 1982 S.B. 519 § 3, A.L. 2014 S.B. 491) Effective 1-01-17</p>		
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Appendix B

Missouri Municipal Ordinance List

July 2023

New 2021 Charge Code	Charge Code	Description	New Code Effective Date
ORD302.0-047Y20215499.0	ORDIN.0-064Y198054.0	Operate motor vehicle on highway while driver license/privilege revoked (revoked for probable cause of .08% blood alcohol content and zero tolerance)	01/01/2021
ORD302.0-048Y20215499.0	ORDIN.0-065Y200054.0	Operate motor vehicle on highway while driver license/privilege revoked (suspended for probable cause .08% blood alcohol content and zero tolerance)	01/01/2021
ORD311.0-014Y20214199.0	ORDIN.0-186Y200341.0	Supplying alcohol to a minor	01/01/2021
ORD455.0-001Y20215099.0	ORDIN.0-348Y200050.0	Violate order of protection for adult	01/01/2021
ORD455.0-002Y20215099.0	ORDIN.0-349Y200050.0	Violate order of protection for child	01/01/2021
ORD565.0-001Y20215309.0	ORDIN.0-275Y200353.0	Harassment	01/01/2021
ORD565.0-002Y202153___.0	ORDIN.0-401Y201953.0	Harassment - By Means Other Than Phone	01/01/2021
ORD565.0-006Y202153___.0	ORDIN.0-276Y200353.0	Stalking	01/01/2021
ORD565.0-013Y20211399.0	ORDIN.0-009Y200013.0	Assault	01/01/2021
ORD565.0-014Y20211399.0	ORDIN.0-010Y200013.0	Domestic assault	01/01/2021
ORD565.0-019Y20211399.0	ORDIN.0-011Y200013.0	Assault on law enforcement	01/01/2021
ORD566.0-001Y20213699.0	ORDIN.0-299Y201136.0	Sexual misconduct	01/01/2021
ORD566.0-002Y20213699.0	ORDIN.0-300Y200336.0	Indecent exposure	01/01/2021
ORD566.0-009Y20213699.0	ORDIN.0-298Y200036.0	Miscellaneous sex violation	01/01/2021
ORD567.0-001Y20214099.0	ORDIN.0-286Y201140.0	Prostitution	01/01/2021

ORD567.0-002Y20214099.0	ORDIN.0-287Y201440.0	Patronizing Prostitution	01/01/2021
ORD568.0-002Y20213899.0	ORDIN.0-345Y200038.0	Non-support	01/01/2021
ORD568.0-004Y20213899.0	ORDIN.0-347Y200038.0	Endangering welfare of a child	01/01/2021
ORD568.0-005Y20213899.0	ORDIN.0-346Y200038.0	Child abuse	01/01/2021
ORD568.0-009Y20213899.0	ORDIN.0-350Y200238.0	Miscellaneous family offense	01/01/2021
ORD569.0-011Y20212999.0	ORDIN.0-283Y200029.0	Property damage	01/01/2021
ORD569.0-031Y20212299.0	ORDIN.0-375Y200422.0	Burglary/breaking and entering	01/01/2021
ORD569.0-032Y20212299.0	ORDIN.0-376Y200422.0	Possession of burglary tools	01/01/2021
ORD569.0-033Y20212999.0	ORDIN.0-332Y200029.0	Tampering	01/01/2021
ORD570.0-001Y202126___.0	ORDIN.0-099Y200026.0	Passing bad check	01/01/2021
ORD570.0-002Y20212699.0	ORDIN.0-100Y200026.0	Fraudulent use of a credit/debit device	01/01/2021
ORD570.0-031Y20212399._	ORDIN.0-329Y200023._	Stealing	01/01/2021
ORD570.0-041Y20212899.0	ORDIN.0-351Y200028.0	Receive stolen property	01/01/2021
ORD570.0-042Y20212899.0	ORDIN.0-352Y200028.0	Possess stolen property	01/01/2021
ORD570.0-061Y20212499.0	ORDIN.0-291Y200024.0	Bus hijacking	01/01/2021
ORD570.0-071Y20211299.0	ORDIN.0-292Y200012.0	Robbery	01/01/2021
ORD570.0-081Y20212699.0	ORDIN.0-102Y198026.0	Miscellaneous fraud	01/01/2021
ORD571.0-001Y20215299.0	ORDIN.0-334Y200052.0	Discharging/shooting a firearm at or from a motor vehicle - physical injury/death	01/01/2021
ORD571.0-002Y20215299.0	ORDIN.0-335Y200052.0	Discharging/shooting a firearm at or from a motor vehicle	01/01/2021
ORD571.0-009Y20215299.0	ORDIN.0-336Y200052._	Miscellaneous weapon violation	01/01/2021
ORD573.0-001Y20216499.0	ORDIN.0-355Y200364.0	Promoting obscenity/pornography	01/01/2021
ORD573.0-002Y20216499.0	ORDIN.0-356Y200364.0	Promoting obscenity/pornography for minors - 1st offense	01/01/2021
ORD573.0-003Y20216499.0	ORDIN.0-357Y200364.0	Promoting obscenity/pornography for minors - 2nd offense	01/01/2021

ORD573.0-011Y20216499.0	ORDIN.0-358Y200364.0	Possession of child pornography material - 1st offense	01/01/2021
ORD573.0-012Y20216499.0	ORDIN.0-359Y200364.0	Possession of child pornography material - 2nd offense	01/01/2021
ORD573.0-021Y20216499.0	ORDIN.0-360Y200364.0	Furnish pornographic material to minor - 1st offense	01/01/2021
ORD573.0-022Y20216499.0	ORDIN.0-361Y200364.0	Furnish pornographic material to minor - 2nd offense	01/01/2021
ORD573.0-031Y20216499.0	ORDIN.0-362Y200364.0	Public display of explicit material - 1st offense	01/01/2021
ORD573.0-032Y20216499.0	ORDIN.0-363Y200364.0	Public display of explicit material - 2nd offense	01/01/2021
ORD573.0-041Y20216499.0	ORDIN.0-364Y200364.0	Coercing acceptance of obscene material	01/01/2021
ORD573.0-051Y20216499.0	ORDIN.0-365Y200364.0	Promoting child pornography - 1st offense	01/01/2021
ORD573.0-052Y20216499.0	ORDIN.0-366Y200364.0	Promoting child pornography - 2nd offense	01/01/2021
ORD573.0-061Y20216499.0	ORDIN.0-367Y200364.0	Knowingly promote child pornography to minor - 1st offense	01/01/2021
ORD573.0-062Y20216499.0	ORDIN.0-368Y200364.0	Knowingly promote child pornography to minor - 2nd offense	01/01/2021
ORD573.0-071Y20216499.0	ORDIN.0-369Y200364.0	Failure to maintain pornographic, morbid, violent videos in separate area - sales or rentals to juveniles	01/01/2021
ORD573.0-081Y20216499.0	ORDIN.0-370Y200364.0	Making obscene or indecent commercial telephone messages - 1st offense	01/01/2021
ORD573.0-082Y20216499.0	ORDIN.0-371Y200364.0	Making obscene or indecent commercial telephone messages - 2nd offense	01/01/2021
ORD573.0-098Y20216499.0	ORDIN.0-372Y200364.0	Miscellaneous obscenity violation	01/01/2021
ORD573.0-099Y20216499.0	ORDIN.0-373Y200364.0	Miscellaneous pornography violation	01/01/2021

ORD575.0-022Y20214899.0	ORDIN.0-338Y200048.0	Resisting arrest	01/01/2021
ORD575.0-026Y20214999.0	ORDIN.0-354Y200349.0	Escape custody	01/01/2021
ORD575.0-039Y20214899.0	ORDIN.0-343Y200048.0	Miscellaneous obstructing police	01/01/2021
ORD577.0-001Y202154___.0	ORDIN.0-234Y200054.0	Leaving the scene of a motor vehicle accident	01/01/2021
ORD577.0-002Y202154___.0	ORDIN.0-235Y200054.0	Leaving the scene of a motor vehicle accident - injury/property damage - 2nd offense	01/01/2021
ORD577.0-003Y202154___.0	ORDIN.0-236Y200054.0	Leaving the scene of all-terrain vehicle accident - injury	01/01/2021
ORD577.0-004Y202154___.0	ORDIN.0-237Y200054.0	Leaving the scene of all-terrain vehicle accident - death or 2nd offense	01/01/2021
ORD577.0-012Y20215499.0	ORDIN.0-249Y200054.0	Failed to stop and report all-terrain vehicle accident to property owner/injured person/police officer/law enforcement agency	01/01/2021
ORD577.0-021Y20215404.0	ORDIN.0-080Y200054.0	Excessive blood alcohol content	01/01/2021
ORD577.0-022Y20215404.0	ORDIN.0-081Y200054.0	Excessive blood alcohol content - prior offender	01/01/2021
ORD577.0-023Y202154___.0	ORDIN.0-394Y201754.0	Boating BAC	01/01/2021
ORD577.0-024Y20215404.0	ORDIN.0-082Y200054.0	Drove commercial motor vehicle - blood alcohol content over .04%	01/01/2021
ORD577.0-031Y20215403.0	ORDIN.0-083Y200054.0	Drove commercial motor vehicle under influence of controlled substance	01/01/2021
ORD577.0-041Y20215404.0	ORDIN.0-085Y200054.0	DWI - alcohol	01/01/2021
ORD577.0-042Y20215404.0	ORDIN.0-086Y200054.0	DWI - alcohol - prior offender	01/01/2021
ORD577.0-043Y20215403.0	ORDIN.0-087Y200054.0	DWI - drug intoxication	01/01/2021
ORD577.0-044Y20215403.0	ORDIN.0-088Y200054.0	DWI - drug intoxication - prior offender	01/01/2021

ORD577.0-045Y20215499.0	ORDIN.0-089Y200054.0	DWI - combined alcohol/drug intoxication	01/01/2021
ORD577.0-046Y20215499.0	ORDIN.0-090Y199954.0	DWI - combined alcohol/drug intoxication - prior offender	01/01/2021
ORD577.0-047Y202154__._	ORDIN.0-393Y201754.0	Boating While Intoxicated	01/01/2021
ORD577.0-048Y202154__._	ORDIN.0-395Y201754.0	Operating Aircraft While Intoxicated	01/01/2021
ORD578.0-002Y20215599._	ORDIN.0-002Y200055.0	Animal cruelty	01/01/2021
ORD578.0-008Y20215599.0	ORDIN.0-390Y201655.0	Vicious Animal - Cause Serious Injury or Death to a Person	01/01/2021
ORD579.0-002Y20213599.0	ORDIN.0-077Y200035.0	Possess drug paraphernalia	01/01/2021
ORD579.0-009Y20213599.0	ORDIN.0-079Y200035.0	Miscellaneous controlled substance	01/01/2021
	ORDIN.0-012Y200013.0	Miscellaneous assault	01/01/2016