

PRESS RELEASE



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In Wake of Beine Decision, Missouri General Assembly Corrects Statute for Sexual Misconduct Involving a Child

“When our children’s safety is at risk, we cannot afford to have a loophole in the law that could allow sex offenders to go free,” says Rep. Rachel Storch, who drafted the legislative fix

JEFFERSON CITY – Earlier today, the Missouri House adopted legislation to rewrite Missouri’s statute on sexual misconduct involving children, specifically related to indecent exposure. This action was taken pursuant to a Missouri Supreme Court decision issued April 26, 2005, State of Missouri v. James A. Beine, 2005 WL 949241 (Mo.) which struck down Missouri’s statute on sexual misconduct involving a child by indecent exposure, RSMo 566.083.1(1).

“I was pleased and relieved by the legislature’s action today to remedy the Beine situation,” Representative Rachel Storch (D – St. Louis) said. “Immediately following the Court’s decision, I called on my colleagues in the legislature to act quickly to rewrite Missouri’s statute. We need strong laws to protect our children from predators. When our children’s safety is at risk, we cannot afford to have a loophole in the law that could allow sex offenders to go free.”

In the Beine decision, the Court overturned the conviction of charges brought against James Beine, also known as Mar James, for indecently exposing himself to three young boys at a St. Louis school during the 2000-2001 school year. Beine is a former priest who has had numerous allegations of sexual abuse brought against him. Prior to the Court’s action, he was serving a 12-year sentence at the Farmington Correctional Center.

“I fought hard to ensure that this language would be included in the crime bill and passed into law before session ends,” Storch explained. “There is bipartisan support in the Missouri General Assembly for this effort to ensure that sexual predators are not on the prowl. Pedophiles must not be allowed to brutalize our children.”

The Bill is HB 353.

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