

MISSOURI

Collateral Punishments for Marijuana Offenses

COLLATERAL PUNISHMENTS THAT HINDER FAMILY LIFE

Eligibility to Adopt a Child, or to Become a Foster Parent

Background checks and investigations are required for all prospective adoptive parents. MO. REV. STAT. § 453.070 (2006). There are no automatic bars based on criminal history for either adoptive or foster parents. See MO. REV. STAT. §§ 210.486, 453.070 (2006).

Eligibility for Public Housing

The St. Louis Housing Authority considers arrests and convictions, and indications of rehabilitation, when evaluating applications for housing. LEGAL ACTION CENTER, AFTER PRISON: ROADBLOCKS TO REENTRY: A REPORT ON STATE LEGAL BARRIERS FACING PEOPLE WITH CRIMINAL RECORDS, MICHIGAN (hereinafter "LAC REPORT"), <http://www.lac.org/lac/main.php?view=profile&subaction1=MO> (last modified 2004).

Eligibility for Food Stamps and other Public Assistance

Missouri adheres to the federal lifetime ban for felony drug convictions. MO. REV. STAT. § 205.965 (2006).

COLLATERAL PUNISHMENTS THAT HINDER PROFESSIONAL SUCCESS

Employment and Professional Licensing

Most conviction records are available to the public, including arrest records within 30 days. MO. REV. STAT. § 610.100 (2006).

No law prevents private employers from discrimination based on criminal record, and employers have the right to enquire about and consider arrests not leading to conviction. LAC REPORT. Occupational licensing agencies may consider past convictions as evidence of bad character, but some relationship between the crime and the occupation must be shown. MO. REV. STAT. § 314.200 (2006). Public employers may not discriminate solely on the basis of criminal conviction unless specifically authorized to do so by a statute or the constitution, or there is a reasonable relationship between the job and the crime. MARGARET COLGATE LOVE, RELIEF FROM THE COLLATERAL CONSEQUENCES OF A CRIMINAL CONVICTION: A STATE-BY-STATE RESOURCE GUIDE: MISSOURI, <http://www.sentencingproject.org/pdfs/rights-restoration/Missouri.pdf> (last modified Oct. 8, 2005)(citations omitted).

Eligibility for Educational Loans

Missouri ignores the FAFSA drug conviction question, therefore students with drug convictions are eligible for financial aid. CHRIS MULLIGAN ET AL., FALLING THROUGH THE CRACKS: LOSS OF STATE-BASED FINANCIAL AID ELIGIBILITY FOR STUDENTS AFFECTED BY THE FEDERAL HIGHER EDUCATION ACT DRUG PROVISION 14 (Coalition for Higher Educ. Reform 2006), at <http://www.raiseyourvoice.com/statereport/fallingthrough.pdf> (last modified February 7, 2006).

Driver's License

Possession or use of marijuana results in the suspension of one's driver's license if that person was under twenty-one years of age at the time the offense committed. MO. STAT. ANN. § 577.500

(2006). The first conviction carries a ninety-day suspension. *Id.* Any subsequent offenses entail a one year suspension. *Id.* A restricted license is available in the case of undue hardship. MO. REV. STAT. §§ 577.510, 302.309 (2006).

COLLATERAL PUNISHMENTS THAT HINDER CIVIC PARTICIPATION

Right to Vote

A felony marijuana conviction results in a bar on voting while incarcerated or on parole or probation. It is automatically restored thereafter. MO. CONST. art. VIII8, § 2; MO. REV. STAT. §§ 115.133, 561.026 (2006).

Right to Sit on a Jury

A felony marijuana conviction results in a lifetime bar on jury service, and may only be restored via pardon. MO. REV. STAT. § 561.026(3) (2006).

Right to Possess a Firearm

A marijuana conviction does not result in the loss of the right to possess a firearm. MO. REV. STAT. §§ 571.070, 556.061 (2006).