

**Overview:**

Jill Schupp has a lengthy history of siding with sex offenders over the safety of Missourians. This memo documents four egregious examples – which are also highlighted in the Wagner campaign's first ad.

**Example 1:** Schupp voted against a bipartisan constitutional amendment that was introduced to bring child sex offenders to justice and give victims a voice.

**Background:** In 2013, Schupp voted against a constitutional amendment (HJR 16) that made it easier to prosecute child sex offenders:

- In 2013, Schupp voted against a constitutional amendment (HJR 16) “allowing relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature” involving minors. “This proposes a constitutional amendment allowing relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under 18 years of age.” (“The Final Week: Hourly update of the Missouri House,” [Press Release](#), 5/17/13)
- The amendment would “allow use of relevant evidence of past criminal acts to corroborate a victim’s testimony” in cases involving minors. “Prosecutors in Missouri could use evidence of past criminal behavior in child sex abuse prosecutions under a proposed state constitutional amendment approved Friday by the state Legislature. The measure would allow use of relevant evidence of past criminal acts to corroborate a victim's testimony or to demonstrate the defendant has a propensity to commit the crime with which he or she now is charged. That type of evidence would be limited to prosecutions of crimes of a sexual nature in which the victim was younger than 18. ‘It would help stop sex abuse of children,’ said Sen. Rob Schaaf, R-St. Joseph, who sponsored the measure in the Senate.” (“Mo. lawmakers OK measure aimed at child sex abuse,” The Associated Press, 5/17/13)
- Schupp voted against HJR 16. (SCS HJR 16, Passed 135-21, Schupp Voted No, 5/17/13, [Missouri House of Representatives](#), p. 3261)
- *Headline: As sex abuse case goes unprosecuted, some want Missouri law changed<sup>1</sup>* (PD)
- **Background on child rapist Donald Ellison<sup>2</sup>:** Donald Ellison was charged with child molestation in the first degree under section 566.067. The jury found Ellison guilty (the child was 8-9 years old).
  - Ellison’s wife worked with the child’s mother – Ellison took care of the child and sibling while the child’s mother and Ellison’s wife worked together. Ellison repeatedly raped the child while her mom was at work.
  - The child later testified that she did not tell anyone for a year following the first incident because Ellison threatened to kill her if she told.
  - Ellison was charged with child molestation in the first degree. At trial, the state began its case by entering in evidence, pursuant to section 566.025, a certified copy of Ellison's conviction for the class C felony of sexual abuse in the first degree for subjecting a 13-year-

---

<sup>1</sup> [https://www.stltoday.com/news/local/crime-and-courts/as-sex-abuse-case-goes-unprosecuted-some-want-missouri-law-changed/article\\_c7314a3b-b383-5b95-9bbf-9f2a58b0ec8c.html](https://www.stltoday.com/news/local/crime-and-courts/as-sex-abuse-case-goes-unprosecuted-some-want-missouri-law-changed/article_c7314a3b-b383-5b95-9bbf-9f2a58b0ec8c.html)

<sup>2</sup> <https://caselaw.findlaw.com/mo-supreme-court/1065297.html>

old girl “to sexual contact without her consent by the use of forcible compulsion and in the course of such offense [Ellison] inflicted serious physical injury” to the girl.

- Ellison objected to the inclusion of the previous conviction and ultimately the trial court sentenced Ellison as a prior offender to 20 years.
- Ellison appealed over the evidence of his prior child molestation acts and was awarded a new trial. This ultimately led to the constitutional amendment that Jill Schupp opposed.
- Missouri’s sex offender registry entry for [Ellison](#).<sup>3</sup>

The constitutional amendment that Schupp opposed went before the voters in 2014.<sup>4</sup>

- *Official Ballot Title:* “Shall the Missouri Constitution be amended so that it will be permissible to allow relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under eighteen years of age?”
- The constitutional amendment was endorsed by the Post-Dispatch, Kansas City Star, Daily-Star Journal and more.
  - Post-Dispatch: “Those who commit crimes in secret against society’s most vulnerable victims should not be able to keep their past a secret. This amendment seeks to level the playing field for prosecutors. Vote Yes on Amendment 2”
  - KC Star: “a reasonable and necessary measure to help sexually abused children and put dangerous offenders behind bars. The Star recommends voting YES.”

The constitutional amendment passed with 72% of the vote. Jill was once again on the wrong side of Missourians.

**Example 2:** Schupp voted to remove the sex offender status of hundreds of convicted sex offenders – many who had been convicted of violent sexual assaults including child molestation.

Background: In 2013, Schupp voted for HB 301<sup>5</sup> a bill whose official legislative summary said it: “Changes the laws regarding certain sexual offenses and sexually violent offenders and establishes a prisoner re-entry program for certain offenders”. The bill would have removed hundreds of sex offenders from the sex offender registration.

- It passed the legislature but was vetoed by then Democratic Gov. Nixon because it would have removed up to 870 dangerous sex offenders from the state sex offender registry.
- Governor Nixon’s stance was that HB 301 would ultimately weaken rules regarding sex offenders.
- “If this bill is put into effect, Nixon said as many as 870 sex offenders could be removed from the registry.” -MO Times
- “Eight hundred and seventy sex offenders including criminals who have been convicted of crimes like forcible rape, forcible sodomy and child molestation will be removed from these websites in one fowl swoop.” – Governor Nixon<sup>6</sup>

---

<sup>3</sup> <https://www.mshp.dps.missouri.gov/CJ38/Offense?page=0&column=name&id=66001571>

<sup>4</sup> [https://ballotpedia.org/Missouri\\_Evidence\\_in\\_Sexual\\_Crimes\\_Against\\_Minors,\\_Amendment\\_2\\_\(2014\)](https://ballotpedia.org/Missouri_Evidence_in_Sexual_Crimes_Against_Minors,_Amendment_2_(2014))

<sup>5</sup> <https://legiscan.com/MO/bill/HB301/2013>

<sup>6</sup> <https://themissouritimes.com/governor-defends-veto-of-sex-offender-registry-bill/>

- “Nixon vetoed the bill in July because of concerns that it would weaken state laws against sex offenders.” -KOMU<sup>7</sup>
- “This legislation would have eliminated juvenile sex offenders from the websites regardless of the sexual offense for which they were convicted, including forcible rape, forcible sodomy, and child molestation.” -KOMU<sup>8</sup>
- Removing a sex offender’s registration status also ends “lifetime restrictions that prohibit them from living and being near places where children congregate.”<sup>9</sup> This includes schools, day care centers<sup>10</sup> and makes them eligible for employment in jobs would put them in positions of trust over potential victims.
- “The bill also would have deprived victims of sex offenses the opportunity to be heard before an offender is removed,” said Gov. Nixon.<sup>11</sup>
- Media outlets covered her vote during her 2014 state senate race, noting: *Ashcroft contends that over the last six years, Schupp voted for amendments or substitute bills that would have allowed sex offenders to coach youth sports, care for seniors and be removed from the sex offender registry.*”

**Example 3:** Schupp voted for an amendment that would have allowed some sex offenders to coach youth sports.

Background: Schupp voted for an amendment to exempt sex offenders who were prosecuted and convicted in a foreign country from going to playgrounds and swimming pools and coaching youth sports teams. Schupp never explained why she wanted to exclude these types of sex offenders. Details:

- **Amendment Details:** Representative Colona offered House Amendment No. 1 to House Amendment No. 2.

House Amendment No. 1 to House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 62, Page 1, Section 566.150, by deleting after the word “state”, the following:

“Foreign country,”; and Further amend Section 566.155, Line 17, by deleting after the word “state”, the following: “Foreign country,”; and Further amend said bill, by amending the title, enacting clause, and intersectional references accordingly. (Missouri House Journal, April 7, 2009; April 8, 2009, Overall vote on HA 1 to HA 2 to HB 62: 36-100, Webber vote: Yes)

**Sections of the bill targeted by the Schupp-backed amendment:** 566.150. 1. Any person who has pleaded guilty to, or been convicted of, or been found guilty of violating any of the provisions of this chapter, or of an offense in any state, foreign country, tribal or federal or military jurisdiction which, if committed in this state, would be a violation listed in this subsection, or the provisions of subsection 2 of section 568.020, RSMo, incest; section 568.045, RSMo, endangering the welfare of a child in the first degree; subsection 2 of section 568.080, RSMo, use of a child in a sexual performance; section 568.090, RSMo, promoting a sexual performance by a child; section 573.023,

<sup>7</sup> <https://www.komu.com/news/jay-nixon-fights-to-sustains-veto-against-sex-offender-law/page/2>

<sup>8</sup> <https://www.komu.com/news/jay-nixon-fights-to-sustains-veto-against-sex-offender-law/page/2>

<sup>9</sup> [https://www.columbiamissourian.com/news/local/for-some-sex-offenders-the-new-law-ends-lifelong-registration/article\\_3f315f8e-ec25-11e8-b993-d388e6d22924.html](https://www.columbiamissourian.com/news/local/for-some-sex-offenders-the-new-law-ends-lifelong-registration/article_3f315f8e-ec25-11e8-b993-d388e6d22924.html)

<sup>10</sup> [https://www.columbiamissourian.com/news/local/extremely-complex-sex-offender-residency-restrictions-are-challenging-to-enforce/article\\_ca5cac0c-4fd7-11e8-9ebc-7b85485fdce1.html](https://www.columbiamissourian.com/news/local/extremely-complex-sex-offender-residency-restrictions-are-challenging-to-enforce/article_ca5cac0c-4fd7-11e8-9ebc-7b85485fdce1.html)

<sup>11</sup> <https://www.komu.com/news/jay-nixon-fights-to-sustains-veto-against-sex-offender-law/page/2>

RSMo, sexual exploitation of a minor; section 573.025, RSMo, promoting child pornography; or section 573.040, RSMo, furnishing pornographic material to minors; shall not knowingly be present in or loiter within five hundred feet of any real property comprising any public park with playground equipment or public swimming pool. . . . 566.155. 1. Any person who has pleaded guilty to, or been convicted of, or been found guilty of violating any of the provisions of this chapter, or of an offense in any state, foreign country, tribal or federal or military jurisdiction which, if committed in this state, would be a violation listed in this subsection, or the provisions of subsection 2 of section 568.020, RSMo, incest; section 568.045, RSMo, endangering the welfare of a child in the first degree; subsection 2 of section 568.080, RSMo, use of a child in a sexual performance; section 568.090, RSMo, promoting a sexual performance by a child; section 573.023, RSMo, sexual exploitation of a minor; section 573.025, RSMo, promoting child pornography; or section 573.040, RSMo, furnishing pornographic material to minors; shall not serve as an athletic coach, manager, or athletic trainer for any sports team in which a child less than seventeen years of age is a member. (Missouri State House, HB 62, Bill Text)

- Sex crimes include: *Rape, sodomy, child molestation/sexual misconduct/sexual abuse, sex with an animal, sexual conduct with a nursing facility resident or vulnerable person, persistent and predatory sexual offenders, sexual offenders (including sexual conduct with a prisoner or offender; enticement of a child), trafficking (including forced labor); the offenses in other chapters that are included are incest, endangering the welfare of a child (does not have to include sex-related offense), use of child in sexual performance, promoting a sexual performance by a child, sexual exploitation of a minor, promoting child porn, and furnishing pornographic material to minors.*
- Previous coverage: “The accusation stems from a 2009 vote on an amendment to a bill which made various changes to criminal law and harsher restrictions to sex offenders. Schupp voted in favor of an amendment striking some language restricting sex offenders” – MO Times<sup>12</sup>
- Schupp’s support of HB 301 (Example 2, above) also provides further backup of this fact. If a convicted offender is removed from the sex offender registration, that individual would be eligible to coach youth sports, even if their crime included violent sexual assault(s) on minors. That’s hundreds of additional potential sex offenders coaching you sports.
  - Governor Nixon noted that because of the bill that Schupp voted for: “Eight hundred and seventy sex offenders including criminals who have been convicted of crimes like forcible rape, forcible sodomy and child molestation will be removed from these websites in one fowl swoop.”<sup>13</sup>

**Example 4:** Schupp voted to prevent sex offenders who are also illegal immigrants from getting deported.

**Background:** In 2011, Schupp voted against bipartisan legislation requiring the state to report sex offenders to the federal government. Her vote would have made it more difficult to deport illegal immigrant sex offenders once they were released from prison.

- Schupp was 1 of 23 legislators who voted against a bipartisan bill (HB 731) to require the state to report illegal immigrants on the state’s sex offender registry to the federal government. The bill also included language to add citizenship information to the state’s sex offender registration form. “Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry.”

---

<sup>12</sup> <https://themissouritimes.com/hanaway-stumps-ashcroft-doubles-amendment-2/>

<sup>13</sup> <https://themissouritimes.com/governor-defends-veto-of-sex-offender-registry-bill/>

- Schupp voted No on HB 731. (HB 731, March 17, 2011, Overall vote: 130-23, Schupp vote: No, [Missouri House Journal](#), p. 688)
- Former Missouri Rep. Steven Tilley championed the bill, saying the bill “adds the requirement that those convicted of sex crimes which require registration also provide information about their immigration status.” “The bill we passed through this week adds the requirement that those convicted of sex crimes which require registration also provide information about their immigration status. Also, the Highway Patrol would be required to cross-check this registration, and if the offender was not a citizen, report them for deportation. Strangely, the Highway patrol does not currently have the authority to look directly into sex offenders' citizenship or immigration status. Our bill would give them that authority. Fortunately, this bill would cost no extra money, and would provide for an easy solution to a tough problem. It's hard enough to deal with sex offenders in communities who are United States citizens.” (Rep. Steven Tilley, “Growing jobs, protecting families,” *Farmington Press*, 3/24/11)

These examples prove that Jill Schupp has a disturbing pattern putting sex offenders over our safety.