

**IN THE CIRCUIT COURT OF KNOX COUNTY
STATE OF MISSOURI**

STATE OF MISSOURI,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 18KN-CR00106
)	
ROBERT MARVIN BECKER,)	
)	
Defendant.)	

STATE’S MOTION TO EXTEND OR REVOKE PROBATION

COMES NOW, the State of Missouri, by and through the Special Prosecuting Attorney for Knox County, Missouri, and moves that this Court extend or revoke the probation of the defendant. It states in support thereof as follows:

1. The defendant, Robert Becker, was convicted of one count of A misdemeanor domestic assault in the fourth degree and one count of A misdemeanor sexual abuse in the second degree on December 19, 2018.

2. Becker was sentenced to one year of incarceration on each count, the execution of those sentences was suspended, and he was placed on two years’ supervised probation.

3. One of Becker’s conditions of probation mandated that he obtain sex offender treatment. See Judgment and Order dated December 19, 2018.

4. On August 10, 2020 the provider of Becker’s sex offender treatment advised his probation officer that Becker would not be able to successfully complete sex offender treatment by the expiration of his probation term.

5. While Becker still has a few months of his probationary period remaining, and he has been, for the most part, regularly attending treatment,

it is the State's understanding that his treatment provider believes that he requires more time to be successful in treatment.

6. Mental health treatment is an individualized process. The speed with which it can be provided depends on the treatment needs of and the amenability to treatment of each client. While it is technically possible for an individual to complete this treatment in two years, treatment needs of the defendant in this case require a longer time period.

7. Even if this Court or the defendant do not feel that he is at "fault" for these circumstances, this Court can and should extend the period of probation in light of "society's needs to be protected" and the defendant's "own need for rehabilitation." *State ex rel. Nixon v. Campbell*, 906 S.W.2d 369, 372 (Mo. 1995).

8. One of Becker's conditions of probation mandated that he pay a monthly \$30 intervention fee. See Judgment and Order dated December 19, 2018.

9. On August 21, 2020 Becker's probation officer submitted an accounting to this Court indicating that Becker had only ever made one required intervention fee payment, resulting in an outstanding balance of \$540.

10. The State seeks a resolution that allows Becker to successfully complete his treatment and pay his fees.

11. Upon an admission or finding that the defendant has violated the conditions of his probation, this Court may extend his term by one year, § 559.036.2, RSMo, or revoke his probation and place him on a new term of probation, § 559.036.5, RSMo.

12. Based on the foregoing, the State of Missouri prays this Honorable Court extend or revoke the defendant's probation.

Respectfully Submitted,

ERIC S. SCHMITT
Attorney General

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was electronically filed using the Missouri eFiling system and thereby served to trial counsel for the defendant, this 31 day of August, 2020. It was also mailed US mail, postage prepaid, to defendant at:

Robert Becker
46292 Five Points Ave.
Rutledge, MO 63563

/s/ Katharine Dolin
Assistant Attorney General