

1 **BOARD BILL NO. 260AA INTRODUCED BY: ALDERMAN TERRY KENNEDY**

2 An ordinance recommended by the Board of Estimate and Apportionment,
3 authorizing a supplemental appropriation; amending Ordinance #70272, commonly
4 referred to as the budget ordinance for Fiscal Year 2016-17; appropriating and setting
5 apart revenues to address the expenditure required and set forth herein for the current
6 fiscal year, in the amount of \$95,000, to be apportioned to the Division of Corrections for
7 the purpose of establishing a charity bail fund pilot program to assist certain non-violent
8 defendants in posting bail as allowed by the Court, and to alleviate the cost of housing
9 such persons, and to save public funds currently allocated for the incarceration of such
10 persons, requiring the Commissioner of the Division of Corrections with certain duties in
11 the process of selecting a service provider in association with expending such charity bail
12 fund, and containing an Emergency Clause.

13 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

14 **SECTION ONE.** Declaration of Policy and Appropriation

15 The proper operation of municipal government requires that public funds be expended
16 soberly and responsibly and to promote good fiscal decisions and the general welfare of
17 its citizens. In recognition of these goals, there is hereby established a charity bail fund
18 pilot program to assist certain non-violent defendants in the Division of Correction
19 system post bail as required by the Court, to allow the Division of Corrections to save the
20 expenditure of taxpayer funds to incarcerate non-violent offenders who meet certain
21 qualifications, and to prevent defendants from debilitating issues like the loss of
22 employment and housing while incarcerated for no other reason than lacking funds which
23 would allow their release.

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1 Therefore, pursuant to the recommendation of the Board of Estimate and Apportionment,
2 there is hereby appropriated a supplemental appropriation amending ordinance #70272 to
3 add a budget item in the amount of \$95,000 to apportion funds to the Division of
4 Corrections to establish a Charity Bail Fund to be held by the Comptroller's Office and to
5 be administered by a service provider to be selected by the Commissioner of the Division
6 of Corrections as required by the laws of the City of St. Louis, which Charity Bail Fund
7 will provide and make available bail funds for certain nonviolent defendants as allowed
8 by law subject to guidelines to be developed by the Commissioner of the Division of
9 Corrections.

10 **SECTION TWO.** Charity Bail Fund Established.

11 The Comptroller is authorized and directed to establish a fund to be designated as the
12 Charity Bail Fund for the purposes stated herein.

13 **SECTION THREE.** Duties of the Commissioner of the Division of Corrections.

14 a. The Commissioner of the Division of Corrections is charged with initiating
15 the selection process for selecting a service provider to use monies allocated
16 in the Charity Bail Fund to assist certain non-violent offenders in posting bail
17 as allowed by the Court, and hereby authorized and instructed to enter into
18 such Agreement with such service provider. Any such selection will be
19 conducted in compliance with the laws of the City of St. Louis.

20 b. The Commissioner of the Division of Corrections will ensure that any service
21 provider selected will comply with 374.695 to 374.789 RSMo.

- 1 c. The Commissioner of the Division of Corrections will ensure that any service
2 provider selected will be a non-profit corporation and recognized and
3 organized as such under the laws of the State of Missouri.
- 4 d. The Commissioner of the Division of Corrections will ensure that any service
5 provider selected will assist defendants that meet certain qualifications, which
6 must include, but shall not be limited to: financial/income criteria, criteria to
7 verify non-violent status of charged offense or offenses of defendant,
8 verification of no pending warrants or holds in other jurisdictions, and
9 verification that defendants to benefit not be charged with domestic violence.
- 10 e. The Commissioner of the Division of Corrections will ensure that any service
11 provider selected will have a contract ending no later than June 30, 2019
12 without approval by the Board of Aldermen. No further monies can be
13 allocated to the charity bail fund after June 30, 2019 without approval by the
14 Board of Aldermen. No new contract can be signed to allocate monies to the
15 charity bail fund after June 30, 2019 without approval by the Board of
16 Aldermen.
- 17 f. The Commissioner of the Division of Corrections shall develop rules and
18 regulations to administer the Charity Bail Fund. Such regulations shall be
19 approved by the Public Safety Committee of the Board of Aldermen.

20 **SECTION FOUR.** Filing of Reports.

21 A report shall be provided to the Commissioner of the Division of Corrections of the City
22 of St. Louis, the Board of Aldermen and the Office of the Comptroller detailing the use of
23 funds provided by the Charity Bail Fund pilot program. This report will be provided no

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1 later than December 31, 2019, and include—but not be limited to—the following metrics:

2 1) Number and percent of individuals served (by race, age, gender,
3 charge(s), and bail amount);

4 2) Number and percent of individuals who attended their court date;

5 3) Number and percent of individuals with new charges while awaiting
6 court date;

7 4) Amount of money expended on bail;

8 5) Average bail amount;

9 6) Amount of bail returned to fund;

10 7) Amount of savings to the Division of Corrections.

11 **SECTION FIVE.** Emergency Clause.

12 This being an Ordinance necessary for the immediate preservation of public peace, health
13 and safety, it is hereby declared to be an emergency measure within the meaning of
14 Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this
15 Ordinance shall become effective immediately upon its passage and approval by the
16 Mayor.