

1 **BOARD BILL NO. 217** **INTRODUCED BY ALDERMAN JENNIFER FLORIDA**
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3 An Ordinance making it unlawful to commit the acts of domestic assault and domestic
4 harassment; containing a definition, a penalty clause, a severability clause and a emergency
5 clause.

6 **WHEREAS**, the month of October was National Domestic Violence Awareness Month,
7 making this an appropriate time to focus on issues of domestic violence, and

8 **WHEREAS**, domestic violence victims can be of any age, sex, race, culture, religion,
9 education, employment or marital status, and

10 **WHEREAS**, although both men and women can be domestically abused, most victims
11 are women and one in four women in the United States will be a victim of domestic violence at
12 some time in her life, and

13 **WHEREAS**, domestic violence includes a pattern of behavior used to establish power
14 and control over another person with whom an intimate relationship is or has been shared
15 through fear and intimidation, often including the threat of use of violence, and

16 **WHEREAS**, no one should have to live in fear and intimidation in their own home or at
17 the hands of a family member or intimate partner,

18 **WHEREAS**, the passage of a City of St. Louis ordinance pertaining to domestic violence
19 will provide an additional resource for addressing domestic violence that occurs within the City;

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

21 **SECTION ONE.** Definition.

22 The following words and phrases mean:

23 “Family” or “household member” means spouses, former spouses, any person related by
24 blood or marriage, persons who are presently residing together or have resided together in the

1 past, any person who is or has been in a continuing social relationship of a romantic or intimate
2 nature with the victim, and anyone who has a child in a common regardless of whether they have
3 been married or have resided together at any time.

4 **SECTION TWO. Domestic Assault.**

5 A. A person commits domestic assault if the act involves a family or household member and

6 1. The person attempts to cause physical injury to such family or household member; or

7 2. The person causes physical injury to such family or household member with the intent
8 to injure the family or household member or with reckless disregard for the physical safety of the
9 family or household member;

10 3. The person purposely places the family or household member in apprehension of
11 immediate physical injury by any means; or

12 4. The person recklessly engages in conduct which creates a grave risk of death or
13 serious physical injury to such family or household member; or

14 5. The person knowingly causes physical contact with such family or household member
15 knowing the other person regard the contact as offensive; or

16 6. The person knowingly attempts to cause or causes the isolation of such family or
17 household member by unreasonably and substantially restricting or limiting such family or
18 household member's access to other persons, telecommunication devices or transportation for the
19 purpose of isolation, including restricting or attempting to restrict the family or household
20 member's access to law enforcement or medical providers.

21 **SECTION THREE. Domestic Harassment.**

22 A person commits domestic harassment if the act involves a family or household member and:

1 The person engages in a purposeful or knowing and intimidating conduct that alarms or
2 causes distress to an adult or child and serves no legitimate purpose. The conduct must be such
3 as would cause a reasonable adult or child to suffer substantial emotional distress and
4 intimidation and must actually cause substantial emotional distress and intimidation to the person
5 or child.

6 **SECTION FOUR. Penalty.**

7 A violation of these provisions shall result in a fine of up to five hundred dollars (\$500) or up to
8 ninety (90) days in jail or both.

9 **SECTION FIVE. Severability Clause.**

10 If any provision, clause, sentence, paragraph or word of this ordinance or the application
11 thereof to any person, entity or circumstances shall be held invalid, such invalidity shall not
12 affect the other provisions of this ordinance which can be given effect without the invalid
13 provisions or application, and to this end the provisions of this ordinance are declared severable.

14 **SECTION SIX. Emergency Clause.**

15 The passage of this ordinance being deemed necessary for immediate preservation of the public
16 peace, health and safety, an emergency is hereby declared to exist within the meaning of Section
17 20 of Article IV of the Charter, and this ordinance shall be in full force and effect immediately
18 upon its passage and approval by the Mayor.