

EXECUTIVE OFFICE
REQUEST FOR LEGISLATIVE ACTION

OCT 02 2018

Completed by County Counselor's Office:
 Res/Ord No.: 19998
 Sponsor(s): Alfred Jordan
 Date: October 8, 2018

<p>SUBJECT</p>	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Awarding a Twelve Month Agreement for Expungement Clinic Services for use by the Prosecuting Attorney's Office to the University of Missouri Kansas City (UMKC) of Kansas City, Missouri as an Acquisition from Another Government.</u></p>												
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$40,000</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$40,000</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$40,000</td> </tr> <tr> <td>Source of funding (name of fund) and account code number: 010-4110-56790</td> <td></td> </tr> <tr> <td>Grant Fund, Smart Prosecution Grant, Other Contractual Services</td> <td>\$40,000</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: _____</p> <p>Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____</p>	Amount authorized by this legislation this fiscal year:	\$40,000	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$40,000	Amount budgeted for this item * (including transfers):	\$40,000	Source of funding (name of fund) and account code number: 010-4110-56790		Grant Fund, Smart Prosecution Grant, Other Contractual Services	\$40,000
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<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): 4925 11/18 Prior resolutions and (date): 19871 5/21/18 19897 10/18/18</p>												
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Barbara Casamento, Purchasing Administrator, 881-3253</p>												
<p>REQUEST SUMMARY</p>	<p>The Prosecuting Attorney's Office is increasing community outreach through a federal SMART Prosecution Grant. As part of this effort, the office seeks ways to engage neighborhoods of high violent crime and increase community buy-in in the criminal justice system. Missouri Law provides for the expungement of certain convictions and the range of convictions was broadened by a revised expungement statute that went into effect on January 1, 2018. In response to these revisions, the Prosecuting Attorney's Office would like to contract with UMKC's School of Law to provide an Expungement Clinic. UMKC will coordinate with the Prosecuting Attorney, Clerk of the Court, the Presiding Judge of the 16th Circuit Court and local defendants and defense council. The Expungement Clinic would help residents from the focus areas identified by the Prosecuting Attorney's Office. The services are estimated to cost \$40,000 and would be paid for via the SMART Prosecution Grant.</p> <p>UMKC is the sole law school in Jackson County, Missouri and one of only four law schools in the State of Missouri and would be considered a Sole Source for these services.</p> <p>Pursuant to Section 1030.2 of the Jackson County Code, the Prosecuting Attorney would like to contract with UMKC for Expungement Clinic Services as an Acquisition from Another Government.</p>												
<p>CLEARANCE</p>	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) N/A <input type="checkbox"/> Business License Verified (Purchasing & Department) N/A <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office) N/A</p>												
<p>COMPLIANCE</p>	<p><input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals No Goals Attached <input type="checkbox"/> VBE Goals</p>												

ATTACHMENTS	A Memorandum from Kate Brubacher, APA and Director of the SMART Prosecution Grant for the Prosecuting Attorney's Office and a copy of the Contract	
REVIEW	Department Director: <i>Juniper Damera</i>	Date: <i>9-26-18</i>
	Finance (Budget Approval): <i>Saul M</i> <i>If applicable</i>	Date: <i>10/2/18</i>
	Division Manager: <i>Juan Peters Baker</i>	Date: <i>9-26-18</i>
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # *4925*
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

Contract for support of The Expungement Project at the UMKC School of Law

Studies show that one third of American adults have been arrested by age 23, often for relatively minor or nonviolent offenses. Amy L. Solomon, *In Search of a Job: Criminal Records as Barriers to Employment*, National Institute of Justice Journal #270 (2012). Additionally, “[n]early one in three American adults have a criminal record.” Because of the collateral consequences of such convictions, as well as bias against those with criminal records, “even a minor criminal history produces lifelong barriers that can block successful reentry and participation in society.” Christina Stacy and Mychal Cohen, Research Report, *Ban the Box and Racial Discrimination*, Urban Institute (2017), especially pp. 18, 21-22. These barriers include loss of full participation as a citizen (e.g., voting) as well as access to housing, education, and all-important employment. Unfortunately, because a disproportionate number of people with arrests and convictions are poor and people of color, these burdens fall disproportionately on them, their families, and their communities.

A recent statute has expanded opportunities for obtaining expungement of criminal convictions in Missouri, but the law has many technical requirements that make obtaining expungements without an attorney very difficult. Despite efforts by The Missouri Office of State Courts Administrator (OSCA) to explain the new law and the processes necessary for obtaining expungement, in their present form, these processes and forms are not understandable or usable by those most in need of obtaining expungements. Unfortunately, neither Legal Aid nor the Public Defenders’ Office is capable of providing assistance to people in need of expungement who do not have the means to afford a private lawyer.

The ClearMyRecord Expungement Project is designed to assist individuals who may be eligible for expungement of criminal offenses but who cannot afford the normal charges for a lawyer. As a term of this contract, the Project will place particular focus and emphasis on “hotspot” areas targeted by the Jackson County Prosecutor’s Office in its Smart Prosecution Initiative Strategic Plan.

The Project is working to make information about expungement and the process for obtaining it more understandable to the community at large and more accessible by creating an easily understandable website and developing technology to make the interview process and preparation of documents more efficient, allowing us to serve the large number of people needing expungement in order to facilitate employment, housing, social services, and other basic needs. Using both students (under the direction of Dean Emerita and Professor Ellen Suni) and volunteer lawyers, eligibility for expungement will be determined, documents necessary to seek expungement will be prepared, and representation will be provided to those who need it.

Budget

This is a \$40,000 fixed-price contract from October 1, 2018 through September 30, 2019. Payments will be made in eleven monthly increments in the amount of \$3636.36 per month, paid on the first of each month. The budget below provides a current best estimate of how the funds will be spent to meet the School of Law and UMKC’s obligations under this agreement. UMKC and the School of Law shall have the ability to move funds between budget categories as actual Project needs develop during the contract period.

Expenditure	Amount
Student Assistant	\$11,000.00
MoBarNet (Powered by Rejis) monthly fee	600.00
Mo Criminal history searches	6,000.00
Supplies	700.00
Marketing (including flyers, signs, printing and website development and maintenance)	3,500.00
Technology: Although we intend to use Open Source material and coding assistance from Code for America and students from the UMKC School of Computing and Engineering, it is possible that we will require additional tech resources to develop the tool that will allow us to most efficiently deliver expungement services to those who need them. This is a line item for unforeseen tech expenses that are essential to the project.	5,000.00
University Overhead (33%)	13,200.00
Total	\$40,000.00