



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

*Theresa Galvin (6th) Chair, Dan Tarwater III (4th) Vice Chair,
Jalen Anderson (1st AL), Crystal Williams (2nd AL), Tony Miller (3rd AL),
Scott Burnett (1st), Ronald E. Finley (2nd), Charlie Franklin (3rd),
Jeanie Lauer (5th)*

Jackson County Courthouse
415 E. 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

Monday, October 28, 2019

1:00 PM

Forty-second Regular Meeting

K.C. Legislative Assembly Area, Kansas City, Missouri

Theresa Galvin, Chair, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

A motion was made by Dan Tarwater III, seconded by Jalen Anderson to approve the journal of the previous meeting held on October 21, 2019. The motion passed by a voice vote.

4 HEARINGS

Theresa Galvin introduced Presiding Judge David M. Byrn to speak about alternatives to incarceration and detention. She said that Frank White, Jr., County Executive, recommended that we invite Judge Byrn to speak on this topic.

Judge Byrn said that there is a distinction between incarceration and detention. When a defendant is in detention that normally means they are awaiting trial or have not yet pleaded guilty.

Judge Byrn said that the Jackson County Detention Center has some challenges and that there are state issues that will also impact the County. The population of inmates continues to grow both at the Jackson County Detention Center and at the state level. Missouri has one of the highest incarceration rates in the United States, ranking in the top 15% nationwide. The projected shortage of beds in Missouri over the next few years is approximately 2,000. This growth would necessitate the addition of two new

prisons at a cost to the state of half a billion dollars. Rather than allocate funds for new prisons, the current philosophy is to reallocate funds to local jurisdictions. This will result in additional inmates receiving probation or parole, with more of these individuals in our local communities.

As this relates to the County, Judge Byrn said that the Jackson County jail mostly houses defendants for pretrial detention. Numerous lawsuits have been filed throughout the country about how bond is handled in the United States. This is because defendants are presumed to be innocent until proven guilty. Using a monetary type of bond system could be a violation of the equal protection clause of the United States Constitution because the current bond practice favors those with the financial means to pay bond while those who are indigent cannot.

Judge Byrn said that with the recognition that the current bonding system is not equitable, there are no simple answers on how to fix the system. Current rules state that defendants shall be entitled to pretrial release unless there is a finding by the court of certain factors that would allow a defendant to be detained pretrial. The rules also require that the court follow the least restrictive conditions of bond release and require the court to consider non-monetary conditions of bond release.

In Jackson County, Judge Byrn said, there are two options for defendants: either detain them in the Jackson County Detention Center or release them. There are few provisions for monitoring these defendants. Additionally, Jackson County is only reimbursed for housing state defendants that are convicted and sentenced to a state facility. Jackson County is not reimbursed for those who plead guilty and are released or are sentenced to probation.

Judge Byrn said that many defendants have either mental health or substance abuse issues. Treatment in the community is more effective than treatment in the Detention Center. He said that there are limited options for after care for inmates that are released.

Judge Byrn recommends an expansion of these treatment programs. Jackson County has some highly effective programs including Jackson County Drug Court, Veterans Court, Mental Health Court, and Family Drug Court. These programs are at or near capacity and he recommends that they be expanded. He said that as Jackson County looks at the possibility of building a new jail facility that we look at building a pre-detention campus with diversion programs, on-site drug and mental health treatment programs, job training programs, and other programs that

will reduce recidivism rates.

Discussion.

5 COMMUNICATIONS WITH AND REPORTS OF THE COUNTY EXECUTIVE

Frank White Jr., County Executive, thanked the County Legislature for allowing Presiding Judge David Byrn to make his presentation. He told Ronald E. Finley, County Legislator, that he would follow up on the precise amount of funds owed by the State of Missouri to Jackson County for detainees. He said it is a statewide issue.

Theresa Galvin said it costs Jackson County \$110 per day to house an inmate. The State of Missouri only pays \$22.58 per day per inmate.

Caleb Clifford, Chief of Staff, said Jackson County ranks 87th in sentencing rate (out of 114 counties in Missouri). He said he would share the most current offender profile from the Missouri Department of Corrections website.

Judge Byrn said that, as clarification of his statements, the County's Population Control Office has 100 spots available for house arrest, however, technical problems impact the number of current users of that program. He recommends expansion of house arrest programs.

Discussion.

Scott Burnett, County Legislator, said it was his understanding that informal reviews were completed. However, he knows of at least 10 taxpayers in his district who have not received a response from the Assessment Department.

Ed Stoll, Chief Administrative Officer, said he believes they have contacted all who filed for an informal review. Any taxpayer who has not received a response should contact the Assessment Department.

Ronald E. Finley asked about how Clay County handles its detainees. Tony Miller, County Legislator, said that Clay County has a work release program for detainees, and they have a bailiff in every courtroom to maintain the security of their courthouse. He recommends that Jackson County look more closely at these types of alternative programs.

Crystal Williams, County Legislator, said that she has heard from constituents that assessment notices were received after the due date and after hearing dates are set. She wants the administration to be aware that there are still notification issues to be resolved.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

A motion was made by Dan Tarwater III, seconded by Scott Burnett, to waive the reading of Ordinance #5279. The motion passed by a voice vote.

[5279](#)

AN ORDINANCE transferring \$259,206.00 within the 2019 General Fund and appropriating \$564,412.00 from the undesignated fund balance of the 2019 Grant Fund, in acceptance of the Jackson County Sheriff's Office's DWI/Traffic Safety Unit Salary Grant awarded by the Missouri Department of Transportation, Traffic and Highway Safety Division, and authorizing the County Executive to execute a contract with the Missouri Highway Safety Division for the expenditure of grant funds.

(Finance and Audit Committee - 1st. Perfection)

[5282](#)

Rules Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[5276](#)

Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[20289](#)

Land Use Committee moved to adopt. Consent Agenda.

9 CONSENT AGENDA

[5282](#)

AN ORDINANCE repealing section 210., Jackson County Code, 1984, relating to the meetings of the County Legislature, and enacting, in lieu thereof, one new section relating to the same subject.

(PERFECTED)

[5276](#)

AN ORDINANCE appropriating \$1,200.00 from the undesignated fund balance of the 2019 Health Fund in acceptance of funds received from the Missouri Department of Health and Senior Services Summer Food Services Program.

(ADOPTED)

[20289](#)

A RESOLUTION awarding a contract for the furnishing of a metal shelter house for use by the Parks + Rec Department at Longview Beach to Athco of Lenexa, KS, under the terms and conditions of Invitation to Bid No. 45-19, at an actual cost to the County in the amount of \$39,590.00.

(ADOPTED)

*Ordinance #5282 was moved to the Consent Agenda for perfection.
Ordinance #5276 and Resolution #20289 were moved to the Consent Agenda for adoption.*

A motion was made by Dan Tarwater III, seconded by Crystal Williams, to approve the Consent Agenda. The motion passed by a roll call vote:

Yes: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

None.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[20290](#)

A motion was made by Dan Tarwater III, seconded by Crystal Williams, to adopt Resolution #20290, authorizing the Jackson County Legislature to hold a closed meeting on Monday, October 28, 2019, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. The motion passed by a roll call vote:

Yes: 9 - Jalen Anderson, Crystal Williams, Tony Miller, Scott Burnett, Ronald E. Finley, Charlie Franklin, Dan Tarwater III, Jeanie Lauer and Theresa Galvin

(ADOPTED)

[20291](#)

Authorizing the County Executive to execute agreements with certain organizations to provide services in connection with the 2019 Christmas in the Park event, at an aggregate cost to the County not to exceed \$38,000.00.

(Assigned to the Land Use Committee.)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Crystal Williams said she is moving forward with holding Budget Committee hearings. She said these hearings are for departments with larger projects and challenges. Departments who do not have a hearing before the Budget Committee are welcome to talk to legislators about their needs. She said all legislators are invited to attend the Budget Committee meetings.

The County Legislature went into closed session per Resolution #20290. The County Legislature reconvened.

15 ADJOURNMENT

A motion was made by Crystal Williams, seconded by Dan Tarwater III, to adjourn the meeting. The motion passed by a voice vote.

Meeting adjourned until Monday, November 4, 2019 at 1:00 P.M. at the Jackson County Courthouse, 415 E. 12th Street, Kansas City, Missouri, 2nd Floor, Legislative Assembly Area.