

<NSI BOARD MEETING>

MEETING MINUTES

Meeting Date: 05/17/2021

Meeting Location: Online via Zoom

Approval: Final

Recorded By: Madeline Oberman

1 ATTENDANCE

Name	Title	Organization	Present
Bobbie Butterly	President	DeBaliviere Place SBD	X
Jim Dwyer	Vice President of Finance	North SBD	X
Yusef Scoggin	Vice President	Southeast SBD	X
Henry Edmonds	Board Member	North SBD	X
Gina Heagney	Board Member	Westminster Lake SBD	X
Bill Latz	Board Member	Washington Place SBD	X
Pete Rothschild	Board Member	South SBD	X
Ashley Johnson	Board Member	Euclid South CID	X
Brian Phillips	Board Member	WUMC	X
Eric Weber	Board Member	Waterman Lake SBD	X
Kate Haher	Board Member	North CID	X
Jim Whyte	Executive Director	NSI	X
Sarah Wickenhauser	Deputy Director	NSI	X
Madeline Oberman	Neighborhood Advocate	NSI	X
Lyndon Cornell	Camera Project Manager	NSI	X

Additional Attendees: Thom Goss, Honorable Judge Elizabeth Hogan, Honorable Judge Lynn Perkins

2 MEETING LOCATION

Due to COVID-19, the meeting took place online through Zoom. If you would like to attend these meetings, please let us know before the third Monday of the month and we will send you a link to the Zoom meeting.

3 MEETING START

Meeting Schedule Start: 4:00 pm

Meeting Actual Start: 4:05 pm

4 AGENDA

- **Call meeting to order**
 - Bobbie called the meeting to order at 4:05 pm.
- **Speeches provided by Judge Hogan and Lynn Perkins on the current state of the courts**
 - Judge Hogan

- Judge Hogan has been a circuit court judge since 2005. And you can email her or another judge by using the format firstname.lastname@courts.mo.gov
- Judge Hogan explained that because of the changing CDC guidelines, rules and decisions about how to handle things in the courts are changing rapidly and frequently, but the courts are still frequently disinfecting and limiting the number of people allowed in a single room.
- Judge Hogan added that the biggest hurdle her court has had to deal with has been jury trials, as the building is only doing two jury trials per week to ensure social distancing and proper disinfecting. The jury docket is updated frequently, making priority based on length of time incarcerated or other mitigating circumstances.
- Judge Hogan responded to questions regarding Tony Messenger's recent articles about court delays and how it relates to a new rule.
 - Rule 2209 started March 1, 2021. It changed the rules on preliminary hearings. Before the statute stated that a preliminary hearing needed to take place within "a reasonable amount of time." The new rule is that a preliminary hearing needs to take place "no later than 30 days following the defendant's first appearance" if the person is being held in custody, 60 days if the person is not being held in custody. This rule is not only St. Louis City, but also St. Louis County and some surrounding counties that utilize Grand Juries.
 - At the same time as Rule 2209, the courts passed changes to Rule 3301, a rule passed in 2020 that attempted to eliminate all cash bond. Now the courts are allowed to issue No Bond Allowed pending trial.
- Judge Perkins
 - Judge Perkins introduced himself, he is an Associates Circuit Judge ("where cases begin and landlord-tenant cases are heard") in Division 25. Judge Perkins explained that prior to Rule 2209, the average wait time between initial appearance and preliminary hearing was 60-120 days. The new rule greatly shortens this timeframe, but is not retroactive and therefore only applied on cases that started March 1, 2021 or later.
 - Question: What happens under 2209 if a defendant skips court and does not receive a preliminary hearing within 60 days? Honorable Judge Perkins: There is no 2209 penalty if the defendant skips court and does not receive a preliminary hearing because of the defendant (either by skipping court or asking for a continuance).
 - Question: Prior criminal history/recidivism is something we are concerned about and repeat offenders being released. Can you clarify about how criminal history impacts bond? Honorable Judge Hogan: We are required to use clear and convincing evidence that the minimum security required is confinement in order to not release someone on a form of bond. Usually the evidence is either the current charges, criminal history, or both to make a decision. However, the courts are heavily encouraged to put defendants on ankle monitoring, as the city has received a large amount of federal money for ankle monitoring. This federal money also ensures that nobody is not released on ankle monitoring because they cannot afford the fees associated. Honorable Judge Perkins: Misdemeanors stay in Associate Circuit Court. We will both continue cases and reschedule cases four or five times before a warrant is called for failure to appear. Once the defendant is brought in, the judge is likely to release the defendant again. The defendant will likely promise the court they will return and fail to do so. This cycle repeats. We do not hold people on low, nonviolent crimes. Honorable Judge Hogan: the few people being held in the Justice Center on

misdemeanors are being held on sexual abuse violations. As of April 2021, the remainder are being held on felonies and violent offenses.

- Question: What about drug court as an option? Honorable Judge Hogan: we screen as many people as possible for “health court” which includes wellness court, veterans court, and drug court. Funding is limited and allotted depending on history and other factors. We are currently set back three years and don’t have any real resources or power to mandate programs to defendants. The most effective program [Hogan] has seen is the Police Partnership Program that connects offenders with detectives. Mental health resources are most critically needed right now. If Hogan could change where money goes, she would send all of the money to the mental health and juvenile services.
- Before leaving the Zoom call, Judge Hogan encouraged everyone who receives a jury summons to please show up to court.
- Before leaving the Zoom call, Judge Perkins noted that anyone who wants to witness his courtroom are welcome to watch via WebEx.
- **Minutes Approved**
 - Ashley moved to approve the previous month’s minutes. The motion was seconded by Jim D. Motion passed unanimously.
- **Financial Report Approved**
 - Gina moved to approve the financial report. The motion was seconded by Ashley. The motion passed unanimously.
- **NSI Executive Director Report**
 - The NSI paid out \$5,000 for the reward for the information leading to the arrest of the person who murdered the young man and his 7 year old daughter off Laclede.
 - It appears the Real Time Crime Center (RTCC) will close under the new administration, given pressure from the ACLU. Brian asked if the alders have discussed this and whether such a decision would have to go through the Public Safety Committee. Jim explained that the RTCC was built using privately donated funds and the city pays for the year-to-year expenses. Given the Mayor can eliminate police positions, it’s likely the office can eliminate RTCC positions.
 - Police Department Staffing:
 - 100 out of 150 open SLMPD positions will be eliminated. 50 will be filled.
 - CAO exclusion list: 59, then 75 as of September 2020. The current number could be as high as 10% of the current department. The NSI would love to have a neutral party mediate the situation between the CAO and SLMPD, as there is little to no information about how an officer could be removed from the list once added. Once on the list, an officer cannot effectively work on cases, they cannot be promoted, and they cannot transfer. Bill asked if a civil suit could change this. Jim responded that a civil suit has been looked into but does not appear to be a solution.
- **Organizational Analysis Update**
 - Skipped due to time constraints.
- **Guest Comments**
 - None

5 MEETING END – 5:36 PM

6 POST MEETING ACTION ITEMS

Action	Assigned To	Deadline
None	N/A	N/A

7 DECISIONS MADE

- Meeting Minutes were edited and then approved.
- Financial Report was approved.

8 NEXT MEETING

Next Meeting: June 21, 2021 < Online via Zoom > < > < >