

EMPOWERING YOU

OUR MISSION

Advocating for the
wellbeing of all
Missourians through
civic leadership,
education, &
research.



EMPOWER MISSOURI

APRIL 2019 NEWSLETTER

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Empower Missouri's Saint Louis Chapter Annual Dinner

Keynote Address by
St. Louis County Prosecutor Wesley Bell

May 23, 2019
11 Monastero



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Empower Missouri's Saint Louis Chapter Annual Dinner

MAY 23, 2019 | 5:30-8:30pm

11 Monastero

Saint Louis University
3050 Olive St.

KEYNOTE SPEAKER:

PROSECUTOR WESLEY BELL

Awardees include:

*Representative Bruce Franks Jr.,
Reporter Jo Mannies,
Cathy "Mama Cat" Daniels, and
Christ Church UCC*

EmpowerMissouri.org/STLdinner2019

Tickets \$35 each

Table of 8 for \$280

SEVEN WEEKS REMAIN IN 2019 LEGISLATIVE SESSION; TAKE ACTION WITH US TO CONTINUE PROGRESS TOWARD JUSTICE



By Jeanette Mott Oxford (JMO), Executive Director

As we head into April, Missouri lawmakers will have completed more than half of the 2019 Legislative Session which began in January. The constitutionally mandated end time is 6 p.m. on May 17 this year.

The General Assembly took their Legislative Spring Break from March 15-25, and, unlike most years when a handful of bills make it through the entire lawmaking process before break, only sent one bill to the Governor's desk. That bill was HB 448 which designated a section of highway in St. Louis County as the **Cloria Brown Memorial Highway** in memory of a House of Representatives member who died of cancer in 2018. Gov. Mike Parson signed that bill into law on March 25. While Rep. Brown did not always vote the way we desired, she was charitable and kind, helping to prepare breakfast for persons with low incomes served by a local church, and we are glad to see her memory honored in this way.

During their first week back from break, the House debated and passed a nearly \$30 billion state operating budget for the 2020 fiscal year. The budget debate now moves to the Senate side of the building. Revenue worries continue to be a consuming topic, with revenue still \$339 million behind 2018 receipts as of March 22. The end of April numbers, following the April 15 tax deadline, should give us a good sense of whether the decline in revenue is about a mistake regarding withholding that was printed on tax

forms and has since been corrected or whether the "chickens are coming home to roost." With two decades of constant tax cuts and changes to the federal tax code, Missouri's Hancock amendments on taxation give us very slim options for raising revenue. We may be balancing on a very small life raft indeed if a national economic recession does occur soon – as various economists have been forecasting. We will have a speaker from the Missouri Budget Project unpack this for us more fully on a future ***Under the Dome and Across the State*** briefing call for advocates.

Empower Missouri had much success in the weeks between opening day (January 9) and Legislative Spring Break. Here are some of the highlights:

Criminal Justice Agenda Moves Forward

We read the signs of the times well and knew that this could be a very productive year for criminal justice reform, so we convened a Smart Sentencing Coalition last fall and began to have weekly telephone conferences in January to keep our efforts coordinated. We met with the governor's staff and with Speaker of the House Elijah Haahr's Chief of Staff to share our priorities around criminal justice reform and were very pleased to hear Gov. Parson pledge to build no new prisons in his State of the State Address. Speaker Haahr (R-Springfield) set up a House Special Committee on Criminal Justice with Rep. Shamed Dogan (R-Ballwin) as

chair, and he has been a sponsor of several criminal justice reform bills that we have supported previously.

We also convened two Criminal Justice Advocacy Days (January 30 and March 6) and have another planned for April 30. Our main criminal justice goals have been 1) to address mandatory minimum sentencing through thorough risk assessment by judges at the beginning of the sentencing process and by the parole board, following incarceration; and 2) to offer older prisoners (we prefer 50 or 55 as the beginning of the range) an opportunity for a parole hearing.

House Bill (HB) 113 (Rep. Cody Smith, R-Carthage), a "safety valve bill" to allow judges more discretion in sentencing instead of imposing mandatory minimums, received final passage in the House of Representatives 140-17 on February 21. We anticipate a Senate Hearing in the Senate Committee on Judiciary and Civil and Criminal Jurisprudence soon.

A Senate version of this bill is also moving. **Senate Bill (SB) 8** from Sen. Ed Emery (R-Lamar) and **SB 74** from Sen. Karla May (D-St. Louis) have been combined into a Senate Committee Substitute (SCS). The crimes that qualify have been narrowed from the language of HB 113, and there's more focus on risk assessment in the parole process and

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less on judicial discretion. It appears this language would still mean that at least 800 prisoners have the opportunity for parole in a first year of implementation, and, although it is not as much as we hoped to secure, it is an important beginning that can lead to further improvements later. Signs are positive for passage.

The elder parole bill that is moving is **HB 352** from Rep. Tom Hannegan (R-St. Charles County). It is now on the House Perfection Calendar for a second time, having been sent back to committee for a clarifying amendment. It also is contained in House Committee Bill 2 (**HCB 2**) from Rep. Dogan. We also support **HB 195** from Rep. Jim Neely (R-Cameron) because it would include a larger number of older prisoners than HB 352, but the Missouri Association of Prosecuting Attorneys has opposed this bill, so more public education and advocacy will be needed on this topic.

The mandatory minimum legislation received a big boost on March 25 and 26 when [Matthew Charles](#) visited our State Capitol Building. Charles was incarcerated for more than 20 years on a non-violent drug charge because of the disparity in sentencing between crack cocaine and powder cocaine and because of mandatory minimum sentences imposed for persons with prior violent convictions. After a change in the cocaine sentencing disparity, he was released for two years before the state of Tennessee successfully appealed his release, claiming the new law was not meant to be applied retroactively. Having had a spiritual awakening and serving his time with no infractions, Charles spent his two years of freedom employed, engaged with a community of faith, and volunteering, a model citizen. A significant [media outcry](#)

followed his re-incarceration. Charles was fortunately released again when the [First Step Act](#) was signed in December, 2018.

Empower Missouri was honored to co-host a press conference featuring Charles on March 25 along with Americans for Prosperity-Missouri, FAMM (originally Families Against Mandatory Minimums), the Missouri Century Foundation, and the Prison Fellowship. Empower Missouri staff also joined Charles in visits with Gov. Parson's staff (Parson was away touring flooded counties), Attorney General Eric Schmitt, Senate President Pro Tem Dave Schatz, and several other key House and Senate leaders. While visiting AG Schmitt, we conveyed our thanks for the amicus brief Schmitt submitted on January 7 in the ["Debtors' Prison" case](#) recently decided favorably by the Missouri Supreme Court and for his work on Senate Bill 5 following the Ferguson Uprising.



From left: Brad Stevens, Americans for Prosperity; Attorney General Eric Schmitt; JMO and Nicole Lynch, Empower Missouri; Matthew Charles and Molly Gill, FAMM; Jeremy Cady, Americans for Prosperity; and Cris Stevens, Attorney General's Office.

Thanks to the creation of the House Special Committee on Criminal Justice and bi-partisan enthusiasm for criminal justice reform in numerous additional committees this Session, we have a bountiful crop of positive criminal justice reform bills to tend, with approximately twenty bills on our [support list](#) currently. These range from bills that restrict the shackling of pregnant prisoners to asset forfeiture protections to regulation of private probation services to expanding

expungement. Several have passed or are nearing passage in one chamber, so we'll do our best to get a large number of them the rest of the way through the process.

Prosecuting Attorneys Host MO HIV Justice Coalition

Another priority for this year has been HIV policy modernization. Missouri has outdated and medically inaccurate criminal-codes that increase stigma about HIV and that have caused persons to be incarcerated for inability to prove they disclosed their HIV-positive status. In the March **Empowering You** newsletter, we detailed the powerful Feb. 4 hearing on **HB 166** (McCreery, D-Olivette) and **HB 167** (Rehder, R-Sikeston), with more than a dozen witnesses supporting reform of Missouri's HIV-specific criminal codes. We have not yet been able to secure a positive vote in committee, so, April 9, we're holding another [HIV Advocacy Day](#).

We were, however, invited to be presenters at the annual conference of the Missouri Association of Prosecuting Attorneys on March 13. Approximately 70 prosecutors heard the medical case for modernization from Dr. Fred Rottnek, Director of Community Medicine at St. Louis University, and I added information about the legislation currently being

considered.

The Safety Net Holds – Thanks to You

So far your advocacy has kept **Senate Bill 4** (Sater, R-Cassville) from being moved from the Senate Informal Calendar for debate. This is the bill that would impose a massive work-hour tracking program onto parents with children who receive food assistance from the Supplemental Nutrition Assistance Program (SNAP).

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DEFENSE STILL NEEDED TO PROTECT AMENDMENT 1, DIRECT DEMOCRACY

By Jeanette Mott Oxford (JMO)

In our March newsletter, we described how some lawmakers are trying to overturn portions of Amendment 1, the CLEAN Initiative that we added to the state Constitution with more than 62% voting yes on November 6, 2018. The non-partisan redistricting and stronger Sunshine Law portions are especially named as targets by elected officials.

On March 25, House Joint Resolution 48 was heard in the House Committee on General Laws. Although on the surface, the resolution calls for all gifts from lobbyists to lawmakers to be banned, many suspected that HJR 48 might be used as a “Trojan Horse” – a vehicle for harmful amendments at a later stage. We thank our Legislative Intern Nicole Lynch for presenting testimony on HJR 48 and members of our Central-Lincoln Chapter for attending the standing room only hearing. It is important that lawmakers know they are being watched carefully whenever they try to overturn the will of the people.

Bills to make it harder to practice direct democracy through petition initiatives are also alive in both chambers. [Senate Bill 5](#) is on the Senate Formal Calendar for Perfection, and HB 1055, HB 290, HJR 45, HJR 25, HJR 6, HJR 7, HJR 10, HJR 11, and HR 50 were heard by the House Committee on Elections and Elected Officials on March 27. One or more of these bills and resolutions would add fees for filing petition initiatives, increase the difficulty of getting the required number of signatures, and even establish a two-thirds supermajority threshold for amending the Constitution.

Volunteers are needed to defend our CLEAN victory. Contact Karissa Anderson at karissalanderson@gmail.com or 314-243-6439. Here are locations and activities currently available:

Kansas City

- Canvasses every Saturday from 10:30am-2:30pm
- Phone Banks every Monday from 5:30pm - 8:30pm

St. Louis

- Canvasses every Sunday from 2pm-5pm
- Phone Banks every Monday from 6pm - 8pm

Columbia

- Canvasses every Saturday
- Phone Banks every Monday

Springfield

- Phone Banks every Monday from 5pm - 8pm
- Canvasses on a varying schedule April 4-May 14

DEFEND



YES ON 1

To clean up Missouri politics

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The fiscal note for the bill projects that tens of thousands would lose SNAP, including children. **HB 474** (Eggleston, R-Maysville), the bill to block access to cash from Electronic Benefits Transfer cards, for persons on Temporary Assistance for Needy Families, advanced from the House Children and Families Committee on a very narrow vote, but has not yet been taken up by Rules-Administrative Oversight, for which we are thankful. Thanks to the many organizations that have joined us in opposing these bills.

A new danger comes in the form of **HB 899** (Billington, R-Poplar Bluff), which would reduce the time that a person

has to appeal an eviction judgment, from ten days down to five. We were able to secure a 5-5 tie on this bill in Rules-Legislative Oversight on March 11, a rare occurrence as bills are seldom voted down in Rules. That stopped it until after break, and all delay help. Then a motion for reconsideration was made on March 26, and the bill advanced on a 6-2 vote in this second try. It is likely that we will call on our new Housing Coalition to ask their House members to vote no in coming weeks. If you want to be part of this coalition, demanding safe, affordable and accessible housing for all, please contact Sarah Owsley Townsend, our housing lead, at SarahOH@EmpowerMissouri.org.

Be Prepared!

Don't forget to mark your calendar for the remaining ***Under the Dome and Across the State*** briefing calls for justice advocates of the 2019 Legislative Session. We'll make sure you know about the bills that have the greatest potential to help or harm and what actions you can take that will make a difference. Those dates are:

April 12, 8 a.m.
April 25, 4:30 p.m.
May 10, 8 a.m.

To join the call, dial 515-603-3103. The passcode is 167856#.

The background of the central section of the flyer is a photograph of the Missouri State Capitol building in Jefferson City. The building is a large, white, classical-style structure with a prominent dome. It is surrounded by green trees and a clear blue sky. A dark blue horizontal banner is overlaid on the bottom half of the image, containing the text 'STUDENT ADVOCACY DAY' in white, bold, sans-serif capital letters.

STUDENT ADVOCACY DAY

WEDNESDAY, APRIL 3, 2019
9:15 AM TO 2:15 PM

Missouri State Capitol | Jefferson City, MO

Join students from across the state of Missouri to learn about our General Assembly and the lawmaking process while advocating on key issues for the wellbeing of all Missourians. This is a great opportunity for college students to understand macro level opportunities.

empowermissouri.org/student-advocacy-day/

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NATIONAL REPORT SHINES LIGHT ON THE GIANT GAP IN AVAILABLE AFFORDABLE HOUSING



By Sarah Owsley Townsend, Kansas City Regional Organiz-

The National Low Income Housing Coalition's newly released report, [The Gap: A Shortage of Affordable Homes 2019](#), finds a housing shortage of nearly seven million affordable and available rental homes for our nation's extremely low-income renter households. In the state of Missouri, we are about 199,000 units short of meeting the need for affordable and accessible rental homes for families making below 50% of our Area Median Income.

under \$500 a month will be unable to find it. This severe shortage forces 70% of our poorest families – seniors, people with disabilities, and low-wage families - to be severely housing cost burdened, spending more than half of their incomes on their rent and utilities and leaving them insufficient resources for food, medicines, and other basic necessities. This sets Missouri families up for a cycle of housing instability, evictions, and in the worst cases homelessness.

The greatest need for affordable housing is concentrated among

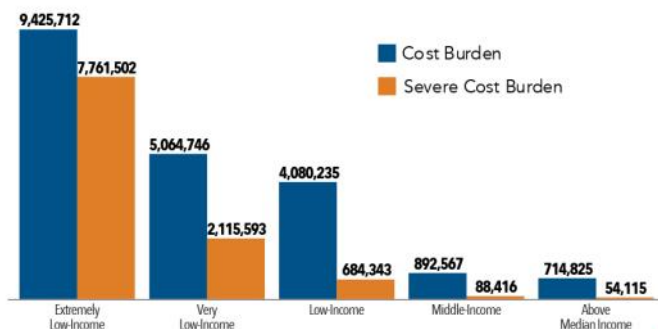
exist for every 100 extremely low-income renter households in our state, slightly better than the national average, but still a real crisis for Missourians. Our situation is not unique; no state has an adequate supply of rental homes affordable and available for extremely low-income households.

Empower Missouri has been working for the last several months to develop an Affordable Housing Coalition to address this critical shortage of affordable housing. We're organizing this multi-discipline coalition with intentionality, building deep roots and a full understanding of the policy and practical needs of our community. **Please join us the Second Monday of each month at 2pm CST, at (515) 603-3103; passcode 167856#.**

We must build the political will to make significant and sustained federal and state investments in affordable homes for people with the lowest incomes, those the private market cannot and will not serve. Greater investments are needed in the national Housing Trust Fund (HTF), the first program in a generation dedicated to building and preserving housing for people with the lowest incomes; Housing Choice Vouchers, which

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THE GAP
RENTER HOUSEHOLDS WITH COST BURDEN BY INCOME GROUP, 2017



Source: NLIHC tabulations of 2017 ACS PUMS data.
©2019 National Low Income Housing Coalition

<https://nlihc.org/gap>



For our extremely low income neighbors, the numbers are bleak. **113,000 Missouri families who need a home to rent for**

extremely low-income renter households earning no more than the federal poverty rate or 30% of their area median income. **Only 42 affordable and available homes**

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provide assistance to renters with low incomes seeking homes in the private market; and public housing, which provides homes to more than one million vulnerable families.

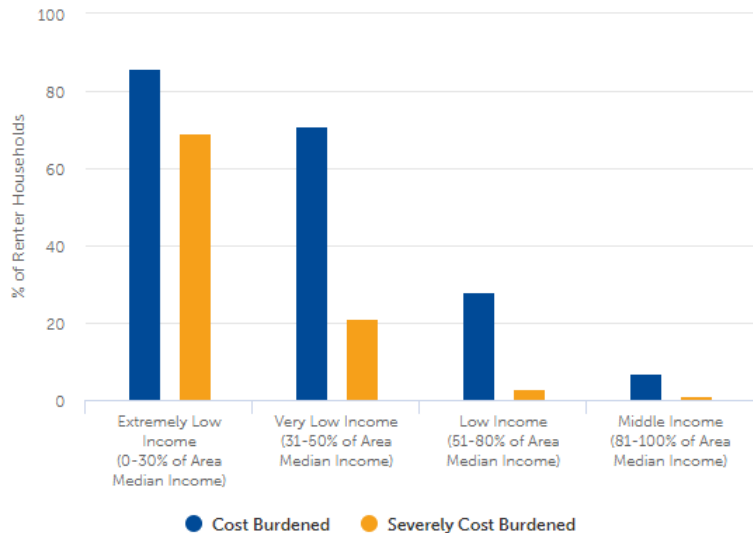
We need to expand and reform the Low Income Housing Tax Credit at the state and federal level to better serve renters with the greatest need for assistance. And we need creative new solutions like deeply income-targeted renters' tax credits and a stabilization fund to provide families short-term assistance when they are at risk of housing instability and homelessness.

A safe and stable place to call home is the foundation that every family needs to achieve better health, educational advancement, and economic mobility and that our

seniors and people with disabilities need to live with dignity. Our policy makers must act to address the critical shortage affordable housing for those with the lowest incomes

in America laid out in **The Gap**. Together we can — and must — act to end homelessness and housing poverty in Missouri and in America.

Housing Cost Burden by Income Group



Renter households spending more than 30% of their income on housing costs and utilities are cost burdened; those spending more than half of their income are severely cost burdened.

MOVEMENT GROWING TO FREE BOBBY BOSTIC; 16-YEAR-OLD RECEIVED 241 YEAR SENTENCE

By Jeanette Mott Oxford (JMO)

The movement to free [Bobby Bostic](#) is growing. Bostic, an inmate at Jefferson City Correctional Center, was 16 when he and an 18-year-old friend were each found guilty of robbing six people in St. Louis. Bostic is remorseful for the crimes that he committed and has written letters of apology to the victims. He has earned a GED, taken college courses, and attended more than 30 rehabilitation classes and programs.

Much has happened since 1996 when the crime was committed. In 2010, the U.S. Supreme

Court held that the Eighth Amendment forbids states from sentencing juveniles to life without parole for crimes excluding murder in *Graham v Florida*. In 2012, in *Miller v Alabama*, the Supreme Court ruled that juveniles could not be given mandatory life without parole for homicide convictions. There is much about brain development that is known now that was not known in 1996.

Here are two ways you can help win an opportunity for parole for Bobby -

1) Sign a petition at <https://freebobbybostic.wixsite.com/freebobbybosticnow>

2) Send letters of support to:

Anthony E. Rothert (Attorney)
American Civil Liberties Union
906 Olive Street Suite 1130
St. Louis, MO 63101
314-669-3420

Gillian Wilcox (Attorney)
ACLU of Missouri
406 West 34th Street Suite 420
Kansas City, MO 64111
816-470-9938

MO HIV JUSTICE COALITION



*Change the **Law**. End the **Stigma**.*

LEGISLATIVE ADVOCACY DAY

**TUESDAY, APRIL 9, 2019
11:00 AM TO 4:00 PM**

Missouri State Capitol | Jefferson City, MO

PLHIV and allies will educate lawmakers on the harms of our current HIV criminal laws and introduce them to new proposed legislation to change the law and end the stigma associated with HIV. Join Us.

REGISTER: bit.ly/MOHIV0409

mohivjustice@empowermissouri.org

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CALENDAR

April 2 - General Municipal Election Day [Go VOTE!](#) 6:00 AM-7:00 PM

April 3 - [Student Advocacy Day](#) Jefferson City 9:15 AM - 2:15 PM

April 5 - [KC Chapter First Friday Forum Energy Efficiency as Social Justice](#) KC Public Central Library 11:30-1:00 PM

April 8 - [Affordable Housing Coalition Conference Call](#) 2:00 PM

April 9 - [MO HIV Justice Coalition Legislative Advocacy Day](#) Jefferson City 11:00 AM-4:00 PM

April 11 - [Missourian to End Poverty Call](#) 10:30 AM - 3:00PM (contact jeanette@empowermissouri.org)

April 12 - [Under the Dome & Across the State Briefing Call](#) 8:00-9:00 AM

April 12 - [MO HIV Justice Coalition Conference Call](#) 1:00 PM

April 19 - [STL Friday Forum Attacks On The Will of the People: Update on Ballot Measures](#), Paraquad, 12:00-1:30 PM

April 25 - [Under the Dome & Across the State Briefing](#) Call 4:30-5:30 PM

April 26 - [MO HIV Justice Coalition Conference Call](#) 1:00 PM

April 30 - [Criminal Justice Advocacy Day](#) 10:30 AM - 2:30 PM (contact christine@empowermissouri.org)

Save the Date for May Events:

KC Chapter First Friday Forum May 3, 2019 11:30 AM-1:30PM

[STL Chapter Annual Dinner](#) May 23, 2019 5:30-8:30 PM

ADVOCATING FOR JUSTICE | EMPOWERING CHANGE

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