

RESOLUTION
(LYING OVER)
NO. R-20-192

CITY HALL: July 2, 2020

BY: COUNCILMEMBERS GISLESON PALMER AND BANKS

A **RESOLUTION** to unburden New Orleanians from Criminal District Court conviction fees and bail bond fees historically used to fund the court, in order to keep money where it belongs, in the pockets of some of our City's poorest families and within the communities that need the money most.

WHEREAS, ever since the federal courts ruled the fines and fees practices of New Orleans Criminal District Court unconstitutional in August 2018, the City has consistently replaced the funds the court would lose from collection of these fines and fees, and thus has demonstrated a commitment to sustained funding of our court system that does not depend on fines and fees; and

WHEREAS, the practice of funding government operations through collecting bail bond fees and conviction fees exacerbates racial and economic disparities; and

WHEREAS, historically \$1.95 million dollars has been extracted annually from mostly poor and black families to fund the Criminal District Court operations, according to the Vera Institute; and

WHEREAS, the state legislature recently passed House Bill 842, directing money collected from conviction fees and bail bond fees to be disbursed to the City of New Orleans in an attempt to resolve the Criminal District Court's unconstitutional conflict of interest in imposing and collecting this money to fund itself; and

WHEREAS, the City of New Orleans does not wish to continue extracting this money out of the community and wishes families to keep every dollar possible, particularly in light of a potentially declining economy in the wake of COVID-19; **NOW, THEREFORE**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That The City Council will decline to accept the money disbursed to the City of New Orleans from the special escrow account established by HB 842 and will reject funding from bail bond fees; and

BE IT FURTHER RESOLVED, That the City Council will encourage the Criminal District Court judges to decline to assess conviction fees and decline to collect said fees for deposit into the special escrow account established by HB 842; and

BE IT FURTHER RESOLVED, to incentivize the Criminal District Court to exercise their discretion to refrain from assessing conviction fees, the City Council will deduct \$2 for every \$1 collected in the special escrow account from the Criminal District Court's annual disbursement of City funding; and

BE IT FURTHER RESOLVED, That for any funds collected in the special escrow account, the City Council will direct the Criminal District Court to return the funds to the individuals from whom the money was collected.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:

YEAS:

NAYS:

ABSENT:

AND THE RESOLUTION WAS ADOPTED.