

Summary**Board Bill Number 19****Sponsored by: Alderman Joseph Vaccaro****May 7, 2021**

The proposed bill establishes a Detention Facility Oversight Board (DFOB) authorized to receive and investigate complaints of misconduct and certain incidents occurring in the City's detention facilities, investigate patterns of misconduct and systemic problems. The DFOB would have the power of subpoena. It is to function as an advisory board to the Mayor and Board and may make recommendations regarding detention facility operations and conditions, training and disciplinary action for Division of corrections' employees, and Division policy directives. The DFOB would report directly to the Mayor.

BOARD BILL NUMBER 19 INTRODUCED BY: ALDERMAN JOSEPH VACCARO

1 An ordinance establishing a Detention Facility Oversight Board comprised of St. Louis residents
2 that shall receive and review complaints of misconduct in the City’s detention facilities and, at its
3 discretion, investigate complaints of misconduct, specified types incidents, and patterns of
4 misconduct and systemic problems and practices, and may review Division of Corrections policy
5 directives and detention facility operations and conditions, and monitor Division of Corrections
6 investigations, and may make findings and recommendations to the Mayor and Board of Aldermen
7 based thereon.

8 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

9 **SECTION ONE. Definitions.**

10 - *Complainant* means detainees, Division of Corrections employees, and members of the public
11 who submit a complaint to the Criminal Justice Oversight Board or the City of St. Louis Division
12 of Corrections.

13 - *Complaint* means any written request directed to Criminal Justice Oversight Board or Division
14 of Corrections to review and investigate allegations of, among other matters of interest to the
15 Criminal Justice Oversight Board:

- 16 1) Misconduct as defined herein;
- 17 2) Access to medical evaluations and treatment;
- 18 3) Denial of medical treatment for physical injuries or acute, chronic medical conditions;
- 19 4) Injuries and deaths directly arising from conditions or circumstances of custody;
- 20 5) Suicide and suicide attempts made while in custody;

- 6) Need assessments for and the provision of appropriate accommodations for detainees that have a disability;
- 7) Compliance with Division policy directives and procedures;
- 8) Truthfulness in reporting;
- 9) Use of excessive force;
- 10) Application of excessive penalties including, but not limited to, the placement or extension of any placement in a segregated housing unit or lockdown status for more than ten (10) days;
- 11) Unsanitary or unsafe conditions in Division of Corrections' facilities;
- 12) Statements and actions of Division employees alleged to be motivated by bias against an individual's race, ethnicity, religion, gender, sexual orientation, gender, gender identity, nationality, immigration status or disability;
- 13) Improper or unsafe practices in Division of Corrections' facilities;
- 14) Arbitrary or willful denial or destruction of permitted personal property; and
- 15) Acts of retaliation against complainants, witnesses to actions giving rise to a complaint, persons cooperating in the investigation of a complainant or the monitoring of an ongoing Division investigation.

- DFOB means the Definition Facility Oversight Board.

- Detainee means an individual who is housed in a detention facility as defined in this Section.

- Detention facility means City owned facilities where individuals are held in custody while awaiting trial or sentencing and individuals or have been convicted of a crime and serving sentences are housed by the City.

1 - Division means the City of St. Louis Corrections Division.

2 - Division employee means the employees of the City's Division of Corrections

3 - Excessive force means physical force used against a detainee beyond what is reasonably
4 necessary to control, subdue, or restrain a detainee, or physical force against a detainee beyond
5 what is reasonably necessary to control a detainee after they have been placed in restraints.

6 - Incident as defined herein includes, but is not limited to, the following:

- 7 1) Assault as defined in the Reportable Incident Manual of the Department of Corrections;
8 Sexual offense as defined in the Reportable Incident Manual of the Department of
9 Corrections;
- 10 2) Death or serious injury of a person in custody;
- 11 3) Death or serious injury of a Division employee occurring in the course of their duties;
- 12 4) Detainee accidental injury requiring medical treatment;
- 13 5) Arson or the occurrence of a fire within a facility;
- 14 6) Hostage situation;
- 15 7) Use of force by a Division employee;
- 16 8) Use of force by a Sheriff Emergency Response Team member;
- 17 9) Medical emergency requiring a response from the detention facility's medical personnel,
18 an outside medical professional or emergency responder, or requiring emergency transport
19 to an outside medical facility.

20 - Misconduct means inappropriately aggressive, abusive, injurious or intrusive behavior, ranging
21 excessive use of physical force to verbal harassment and insults, failure to appropriately and timely
22 intervene in or respond to an incident, refusal to provide a detainee with information about how to

1 file a complaint, failure to timely submit a detainee complaint as provided in this ordinance or
2 obstruct or interfering in their making a complaint, refusal to provide information to a detainee
3 about how to seek medical attention or obstruct or interfering in detainee attempts to seek medical
4 attention, among other types of misconduct.

5 - Policy directive means statements of Division policy and instructions for their implementation.

6 - Public Safety Committee means the Board of Aldermen's Public Safety Committee

7 - Serious injury means a physical injury that results in death, or dismemberment, disfigurement
8 that is more than superficial, bone fracture, loss of or injury to a fetus, temporary or permanent
9 loss or impairment of an organ or bodily system function, an injury that prevents or impairs the
10 injured performance of activities that are customarily part of an individual's daily activities or
11 routine, or a medically determined temporary or permanent injury that requires medical treatment
12 by a medical professional outside of a facility.

13 - Staff means persons employed by the City as administrative, investigative and executive staff for
14 the DFOB.

15 **SECTION TWO. Detention Facility Oversight Board Established.**

16 A. DFOB Established. Persons confined to the City of St. Louis' detention facilities are to be
17 treated in a manner that is consistent with the United States Constitution, applicable laws and
18 regulations, and the highest standard of professional conduct. To this end an independent civilian
19 review board comprised of nine residents of the City of St. Louis, to be called the Detention
20 Facility Oversight Board is hereby established with the duties and authorities specified herein,
21 which shall serve as an advisory body to the Mayor and Board of Aldermen. Members of the
22 DFOB shall serve without compensation.

1 B. Purpose. The DFOB shall act and exercise its authorities as provided in this Ordinance
2 with the purpose of assisting the Mayor, Board of Aldermen, Director of Public Safety and the
3 Commissioner of Corrections to effectively direct Division resources, and develop policy
4 directives that will address systemic problems and practices, ensure conditions of confinement are
5 safe, sanitary and respectful of detainees' rights and dignity, and protect the health and safety of
6 detainees and Division employees. The DFCB shall work in cooperation with members of the
7 community to advance these goals.

8 C. The DFOB shall report directly to the Mayor.

9 **SECTION THREE. DFOB Authorities.**

10 A. Except as otherwise provided in this Section and by law the DFOB shall have the authority
11 to:

- 12 1. Receive complaints;
- 13 2. Independently review and investigate complaints, incidents, patterns or practices of
14 misconduct, and other matters including, but not limited to, Division policy directives, and
15 detention facility conditions, operations and maintenance;
- 16 3. Monitor ongoing Division investigations of incidents and misconduct, and other matters
17 that give rise to investigation or review by the Division including, but not limited to, being
18 present at interviews with complainants and witnesses and access to all related evidence
19 and information;
- 20 4. Interview complainants, witnesses, Division employees, and detainees in relation to its
21 investigation and monitoring activities;

- 1 5. Request the presence of complainants, witnesses, Division employees and detainees at
- 2 interviews;
- 3 6. Review and assess policy directives including, but not limited to, those relating to
- 4 detainees, detention facility operations and maintenance, and Division employees;
- 5 7. Review prior Division investigations;
- 6 8. Access to the books, papers and records of the Division, its officers and administrators,
- 7 including those related to individual detainees;
- 8 9. Access to the Regional Justice Information System files and data;
- 9 10. Access to detention facilities as may be reasonable in light of the then current
- 10 circumstances and conditions; and
11. Make findings and recommendations based upon their investigations and monitoring
- activities including disciplinary recommendations for Division employees.

11 B. The DFOB shall not initiate an investigation of a Division employee unless the Division
12 employee is the subject of a complaint or directly involved in an incident, and shall not make
13 recommendations concerning the disciplining of Division employees unless they are the subject of
14 a complaint or directly involved in an incident.

15 C. The DFOB shall have the power to issue both subpoenas ad testificandum to compel the
16 appearance of witness, and subpoenas duces tecum to compel the production of documents,
17 recordings, materials and other physical evidence that the DFOB determines in its reasonable
18 judgement are relevant and necessary for its thorough review and investigation of complaints and
19 incidents, and for its monitoring of ongoing Division investigations. Such writs of subpoena shall
20 be signed by the presiding officer of the DFOB or in case of their absence or disability the acting

1 presiding officer and shall be attested to by the DFOB Director. All such writs of subpoena shall
2 be served and the return thereof made by the City Marshall to the presiding officer or acting
3 presiding officer in like manner and with like effect as such writs issued from the Circuit Court
4 are served and returned by the Sheriff.

5 **SECTION FOUR. Member Qualifications.**

6 A. DFOB members must be at least eighteen years of age and must reside in the City of St. Louis
7 at the time of their appointment and at all times during their service on the DFOB.

8 B. No DFOB member shall have been incarcerated in a state or federal correctional institution
9 or penitentiary, or in a county or municipal detention facility following a criminal conviction in
10 the two years immediately prior to being nominated for appointment to the DFOB, or serving on
11 parole or probation for a criminal conviction at the time of their appointment or at any time during
12 their service on the DFOB.

13 C. No DFOB member or member of their immediate family shall:

- 14 1. Be employed by the City of St. Louis,
- 15 2. Be employed by any local, state or federal law enforcement or corrections agency or by
16 any entity working in the corrections services field; or
- 17 3. Hold or be a candidate for elected public office.

18 D. Upon the occurrence of any of the circumstances set forth in this Section the affected
19 member's service on the DFOB shall immediately terminate and cease without further action by
20 the DFOB, Board of Aldermen or Mayor.

20 **SECTION FIVE. DFOB Appointment and Members.**

1 A. Appointment to the DFOB. DFOB members shall be appointed by a majority vote of the
2 Board of Aldermen upon their recommendation by the Mayor or Chairperson of the Board of
3 Aldermen Public Safety Committee as provided in this section. Six DFOB members shall be
4 nominated for appointment by the Mayor and three shall be nominated for appointment by the
5 Chairperson of the Public Safety Committee. Each member of the DFOB shall have demonstrable
6 experience or particular knowledge or expertise in one of more of the following fields: corrections,
7 law enforcement, financial management, law, medicine, public health, mental or behavioral health,
8 social work, civil liberties advocacy, education, or other field equally relevant to the DFOB's
9 purpose and duties.

10 B. Attorney Member. At least one member of the DFOB who is to be appointed upon the
11 recommendation of the Mayor, shall be a retired or no longer practicing attorney who formerly
12 practiced criminal law in the state of Missouri, or a judge who has retired from a Missouri state or
13 municipal court, or federal court.

14 C. Corrections Member. At least one member of the DFOB who shall be appointed upon the
15 recommendation of the Mayor, shall have experience in the management, operations, or oversight
16 of detention facilities, or possess particular knowledge or expertise in the field of corrections or
17 criminal justice, provided, however; experience or particular knowledge or expertise in law
18 enforcement shall not constitute corrections experience.

19 D. Law Enforcement Member. At least one member of the DFOB who shall be appointed
20 upon the recommendation of the Mayor shall have professional experience in the field of law
21 enforcement, or possess particular knowledge or expertise in the field of law enforcement
22 provided, however military experience including military police experience, or particular

1 knowledge or expertise in military law enforcement shall not constitute law enforcement
2 experience.

3 E. Previously Incarcerated Member. At least one member of the DFOB who is to be appointed
4 upon the recommendation of the Mayor, shall have served a period of incarceration in a state or
5 federal correctional institution or penitentiary, or in a county or municipal detention facility
6 following a criminal conviction provided, however; such member shall not have been incarcerated
7 in a state or federal correctional institution or penitentiary, or in a county or municipal detention
8 facility following a criminal conviction in the two years immediately prior to being nominated for
9 appointment to the DFOB and shall not be serving on parole or probation at the time of their
10 appointment or at any time during their service on the DFOB.

11 F. Medical Professional Member. At least one member of the DFOB who shall be appointed
12 upon the recommendation of the Mayor shall be a physician, physician's assistant, licensed
13 practical nurse, registered nurse, or equally qualified medical professional licensed to practice in
14 the State of Missouri, and preferably with experience working as a health care professional in a
15 detention or corrections facility or similar institutional setting.

16 G. Civil Liberties Advocate Member. At least one member of the DFOB who shall be
17 appointed upon the recommendation of the Mayor, shall be an employee or representative of a
18 recognized civil liberties advocacy organization with a focus or significant experience in
19 advocating for inmates' Constitutional and human rights.

1 **SECTION SIX.** DFOB Member Terms.

2 A. Member Terms. Except as provided in this Section for initial members all DFOB members
3 shall be appointed for three-year terms. No member shall serve on the DFOB for more than two
4 consecutive three-year terms provided, however; an initial member appointed for a term of less
5 than three years and members appointed to finish the unexpired term of a member shall be eligible
6 to serve two consecutive, full three-year terms.

7 B. Initial Members' Terms. The initial members of the DFOB shall have staggered terms as
8 follows: two members shall be appointed upon the recommendation of the Mayor and one member
9 appointed upon the recommendation of the Chairperson of the Public Safety Committee shall serve
10 three-year terms; two members shall be appointed upon the recommendation of the Mayor and one
11 member appointed upon the recommendation of the Chairperson of the Public Safety Committee
12 shall serve two-year terms; and two members shall be appointed upon the recommendation of the
13 Mayor and one member appointed upon the recommendation of the Chairperson of the Public
14 Safety Committee shall serve one-year terms.

15 **SECTION SEVEN.** Member removals. Upon good cause the DFOB may vote to request the
16 Board of Aldermen to act to remove a member. Within five days following the vote the DFOB
17 shall send their request in writing to the Board of Aldermen, and shall send a copy of the request
18 to the Mayor and Chairperson of the Public Safety Committee. Within sixty days following their
19 receipt of the request the Board of Alderman shall vote whether to approve the request with a
20 majority of the members of the Board of Aldermen voting in favor of the request needed for
21 approval. If the Board of Aldermen does not act within this sixty-day time period the request shall
22 be deemed denied.

1 **SECTION EIGHT.** Vacancies. Vacancies on the DFOB occasioned by a member's
2 resignation, removal, termination under the provisions of Section Four of this Ordinance, death,
3 inability to serve, or expiration of their term shall be filled in accordance with the provisions of
4 Section Five of this Ordinance. Appointments to fill a vacancy occasioned by a member's
5 resignation, removal, death or inability to serve shall be for the unexpired portion of the vacating
6 member's term. Within five days of the occurrence of a vacancy the Executive Director shall send
7 written notice thereof to the Board of Aldermen, Chairperson of the Public Safety Committee, and
8 Mayor. Within thirty days of the receipt of the notice the Mayor or Chairperson of the Public
9 Safety Committee, as the case may be, shall send a written recommendation for a new appointee
10 to the DFOB. Within thirty days following the Board of Aldermen's receipt of a recommendation
11 the Chairperson of the Public Safety Committee shall convene a meeting or meetings of the
12 committee to consider the recommendation, and public testimony shall be heard at the committee
13 meeting or meetings.

14 **SECTION NINE.** DFOB Proceedings and Officers.

15 A. Rules. At its initial meeting the DFOB shall adopt rules to govern its proceedings, and
16 may thereafter amend, revise, or otherwise modify its rules, as it deems appropriate. The DFOB
17 shall, with the advice of the City Counselor, prepare and adopt necessary rules, policies and
18 procedures for the conduct of its business and shall conduct itself in accordance therewith. Copies
19 of said rules shall be available to the public and included in the DFOB's annual report.

1 B. Meetings. The DFOB shall meet as it deems necessary, but in no event shall the DFOB
2 meet less than six-times per year with at least one meeting held in each quarter. The DFOB may
3 vote to close a meeting as may be permitted by law, including section 610.021 of Missouri's
4 Sunshine law provided, however; where the matters taken up by the DFOB concern the
5 disciplining of an identified or identifiable Division employee, personally identifiable healthcare
6 records, a juvenile detainee, or where an individual detainee is personally identified or identifiable
7 the DFOB shall, as may be permitted by law, close the meeting or the portion of the meeting that
8 the matter is before it. The DFOB shall comply with the requirements for closed meetings in
9 section 610.021 of Missouri's Sunshine law.

10 C. DFOB Officers. The DFOB shall elect a chairperson, vice chairperson, and secretary at
11 the DFOB's initial meeting and annually thereafter except when otherwise required. DFOB
12 officers shall serve one-year terms and shall not serve for more than two consecutive one-year
13 terms, but may be reelected a position after a break in service of not less than twelve months,
14 provided, however; officers elected to fill a vacancy for the remainder of an unexpired term shall
15 be allowed complete two consecutive one-year terms.

16 D. DFOB Records and Record Maintenance. The DFOB shall maintain records of its
17 proceedings, its investigations and monitoring of investigations, and all DFOB reports. The
18 Executive Director is designated as the DFOB custodian of records for purposes of Missouri's
19 Sunshine law.

20 E. Member Orientation. The Division, in cooperation with the City Counselor's Office,
21 shall develop an orientation program for new DCOB members which shall cover Division policy
22 directives and detention facility operations. The program shall also cover DFOB member

1 responsibilities with respect to confidentiality, Missouri’s Sunshine Law, Division employees’
2 and detainees’ rights under the Constitution and state and federal laws, and state and federal laws
3 governing detention facility operations, conditions and treatment of detainees. The presentation
4 of the entire orientation program shall not take longer than eight hours. The Executive Director
5 and Commissioner of Corrections shall coordinate the timing and location of the orientation
6 program for new members.

7 **SECTION TEN. DFOB Case Management.**

8 A. Case Management System. The DFOB shall, in consultation with the City Counselor, adopt
9 or develop a case management system for investigating complaints and incidents and monitoring
10 investigations, which shall include a system for classifying different types of complaints, protocols
11 for investigating complaints and incidents and monitoring investigations.

12 B. Investigations. The DFOB shall receive and may, at its discretion, investigate complaints,
13 and may investigate patterns of issues and systemic concerns it has identified in the detention
14 facilities, and the DFOB may make findings and recommendations based thereon which shall be
15 reported to the Mayor, Board of Aldermen and the Chairperson of the Public Safety Committee.

16 C. Suspension of Investigations. If grand jury or litigation proceedings are initiated
17 against the subject of a complaint or a complainant, or in relation to an incident being
18 investigated or monitored by the DFOB the DFOB shall suspend its investigation or
19 monitoring.

20 E. Monitoring Division Investigations. The DFOB may monitor Division investigations by
21 attending Division interviews of witnesses including Division employees, and obtaining copies
22 of all recordings, documents and other evidence related to investigation as the investigation

1 proceeds subject to the City’s Charter, Department of Personnel regulations, and applicable laws.
2 DFOB members shall not interfere in Division investigations or delay an investigation beyond
3 what is necessary for scheduling purposes. DFOB members who are present for an interview
4 may not ask questions or interfere in the interview in anyway. The DFOB member may provide
5 the Division with suggested questions for an interview before it begins or during a break in the
6 interview. DFOB members may make reasonable requests for breaks during interviews so long
7 as it will not unnecessarily delay the interview. The Division shall coordinate scheduling of
8 interviews and access to related evidence with the Executive Director when notified that a
9 member will be present at an interview.

10 F. Interviews. The DFOB and the Division shall make audio and video recordings of all
11 interviews.

12 G. Legal Counsel. The DFOB and its individual members and staff when acting in their
13 official capacity shall obtain legal counsel through the City Counselor’s Office. The City
14 Counselor’s Office shall assist the DFOB in accordance with the City’s Charter and the rules of
15 professional conduct including those concerning conflicts of interest. The forgoing shall not be
16 interpreted as a promise to indemnify or to confer any right of indemnity to the DFOB members
17 and staff.

18 **SECTION ELEVEN. Complaint System and Standard Form.**

19 A. Complaint System. The DFOB in consultation with the Division and the City Counselor’s
20 Office shall develop a system for receiving complaints including the creation of a single,
21 standardized complaint form, and will coordinate with the Division to implement the system.

1 B. Standard Complaint Form. The complaint form shall be written in clear language and with
2 the intention of aiding readers' comprehension and understanding of the complaint form and
3 complaint process. The DFOB and the Division shall use the same complaint form and processes
4 for receiving complaints.

5 C. Receipt of Complaints. The DFOB and the Division shall receive complaints submitted by
6 mail, email and in person.

7 **SECTION TWELVE. Reports.**

8 A. Investigation Reports. The DFOB shall compile a report for all of its investigations of
9 complaints and incidents and the Division investigations it has monitored regardless of whether
10 any findings or recommendations are made as a result. The DFOB shall submit copies of its reports
11 to the Mayor, Board of Aldermen and the Chairperson of the Public Safety Committee within sixty
12 days following the conclusion of its investigation or monitoring of a Division investigation.

13 B. Findings and Recommendations. The DFOB's investigation report shall contain an analysis
14 of the basis for their findings and the reasons for their recommendations or why no
15 recommendations are made.

16 C. Annual Report. The DFOB shall prepare an annual report and submit it to the Mayor,
17 Board of Aldermen and the Chairperson of the Public Safety Committee at least thirty, but no more
18 than sixty days prior to the end of each fiscal year. The annual report shall be published on the
19 Corrections Division website within ten days after its submission. The annual report shall contain
20 the following:

- 1 1. A detailed summary of the status of measures implemented, or then in process of being by
- 2 the Division in response to findings and recommendation made by the DFOB and reported
- 3 in its last annual report.
- 4 2. A detailed summary of the complaints and incidents investigated and any findings and
- 5 recommendations made by the DFOB since its last annual report;
- 6 3. Reports on any matter properly within the scope of the DFOB's purpose and duties that
- 7 may be requested by the Mayor, Board of Aldermen and Chairperson of the Public Safety
- 8 Committee;
- 9 4. Reports regarding any matter properly within in the scope of the DFOB's purpose and
- 10 duties that the DFOB may deem appropriate
- 11 5. The DFOB's rules, policies and procedures for its investigating and monitoring activities.

11 D. Quarterly Reports. The DFOB shall compile a summary report for each quarter and shall

12 submit copies of the report to the Mayor, Board of Aldermen and Chairperson of the Public Safety

13 Committee. Quarterly reports shall cover the preceding quarter and must be submitted to the

14 Mayor, Board of Aldermen and the Chairperson of the Public Safety Committee within tens of the

15 end of the quarter. Quarter reports shall contain the following:

- 16 1. A list of all investigations and monitoring activities that were initiated during the quarter
- 17 and a summary of the reasons for the investigations and monitoring activities;
- 18 2. A list of all investigations and monitoring of investigations that were concluded during
- 19 quarter and summaries of the related investigative reports submitted to the Mayor, Board
- 20 of Aldermen and Chairperson of the Public Safety during the quarter;

- 1 3. Reports of the investigations and monitoring of investigations that were concluded during
2 the previous reporting period but were not yet submitted; and
4. A list of the recommendations that were implemented or for which implantation was begun
 during the quarter.

3 **SECTION THIRTEEN. DFOB Budget, Executive Director, Staff and Volunteers.**

4 A. DFOB Budget. The Office of the Mayor shall include the DFOB as part of its annual budget
5 requests. The CFOB shall comply with the budget and other financial processes in the City's
6 Charter.

7 B. Executive Director. The DFOB shall have an Executive Director who shall be assigned by
8 the Mayor with the approval of the DFOB. The Executive Director shall oversee the administrative
9 and investigative staff.

10 C. Administrative and Investigative Staff. The DFOB shall have at least one fulltime
11 administrative employee and at least two fulltime investigative employees. Investigative
12 employees shall have the title corrections investigator, and shall not be or have been an employee
13 of the City of St. Louis Division of Police or Division of Corrections, or the St. Louis Sheriff
14 Department. Corrections investigators shall not have any immediate family members employed by
15 the City of St. Louis Division of Police or Division of Corrections, or the St. Louis Sheriff
16 Department.

17 D. Delegation to Staff. The DFOB may delegate staff to perform any of its duties except the
18 where a vote of the DFOB is required to act or an action is required to be performed by the DFOB
19 or its members.

1 E. Volunteers. The DFOB shall the authority to create volunteer committees to assist with
2 compiling data, research general matters of policy, protocols and operations. Volunteer
3 committees and individual volunteers are strictly prohibited in directly participating in any
4 investigative, review, or monitoring activities, nor shall they have access to any records or
5 information that is not available to the general public under the Sunshine Law. Volunteers shall
6 be subject to qualification requirements for members of CFOB in Section Four of this Ordinance.

7 F. Office and Meeting Space. The Mayor shall ensure that the CFOB is provided adequate
8 office space for its staff and all supplies and equipment reasonably necessary for the conduct of its
9 business and performance of its duties. The Mayor shall also ensure that the DFOB is provided
10 with appropriate meeting space.

11 **SECTION FOURTEEN.** Service Provider Agreements. All agreements for the provision of
12 services at detention facilities, the transport of detainees, outside healthcare services or other
13 outside care services for detainees, or for the housing of detainees at outside facilities shall contain
14 a provision which requires the service provider to abide by the terms of this ordinance to the extent
15 applicable, and shall contain a provision which requires the service provider to cooperate with
16 DFOB investigations of complaints and incidents which have a direct relationship to the services
17 provided including interviewing service providers' employees.

18 **SECTION FIFTEEN.** Severability. It is hereby declared to be the intention of the Board of
19 Aldermen that each and every part, section and subsection of this Ordinance shall be separate and
20 severable from each and every other part, section and subsection hereof and that the Board of
21 Aldermen intends to adopt each said part, section and subsection separately and independently of
22 any other part, section and subsection. In the event that any part, section or subsection of this

1 Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining
2 parts, sections and subsections shall be and remain in full force and effect, unless the court making
3 such finding shall determine that the valid portions standing alone are incomplete and are incapable
4 of being executed in accord with the legislative intent.