



Stephen M. Howe

A MESSAGE FROM THE DISTRICT ATTORNEY:

As I start my third term in office, I would like to thank the people of Johnson County for the support and trust they have placed in me. I pledge that under my leadership the office will continue to focus on:

1. Pursuing public safety, not politics;
2. Running a professional office both inside and outside the courtroom;
3. Ensuring transparency in decisions made by government.

I have fulfilled those pledges and continue to make Johnson County a safer place. The job is not over. New challenges are on the horizon. Our office will continue to focus on public safety.

The population of Johnson County has increased greatly. We are the largest jurisdiction in Kansas. The challenges faced by law enforcement and my office have increased accordingly. Safety concerns can be kept to a minimum by working as a team with law enforcement agencies, community partners and many diverse groups within our county. This has been a major initiative of my office. We have made strides in reaching out to our partners and to the community at large, and it is my intention to continue to build upon this success.

The laws we enforce do not just happen. It would be easy to sit back and wait for the new statute books to arrive every July from Topeka. That's just not my nature. If I see that we have a problem, I strive to be part of the solution. Toward that end, I have advocated for a number of changes to the law which promote public safety and help victims of crime.

My office has initiated local innovative programs to protect victims, including the domestic violence lethality assessment, the F.A.S.T. team to protect our elderly, and a Veterans Treatment Court.

While we have placed great emphasis on protecting the most vulnerable of our community, we have also made it a priority to expand our efforts to combat two growing areas of criminal activity - white collar crime and consumer fraud.

It has been an honor to serve as your District Attorney. Our work over the past eight and a half years has resulted in a professional office with a renewed focus on achieving justice through the fair and open application of the law and evidence.



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WHO WE ARE

The District Attorney is both a state constitutional officer and a locally elected official. The DA's Office represents the "People of the State of Kansas" in the prosecution of criminal cases and in various civil actions. We work closely with the police agencies of Johnson County, providing and gaining support toward public safety. In addition to these services, the DA's Office provides a number of programs and services toward community education, law

enforcement training, and victim services.

The District Attorney's Office seeks to protect the safety of the public through a fair application of the law. The office seeks to achieve this by implementing the following values:

- Earn and maintain public trust by exhibiting personal integrity and professionalism,
- Advocate for victims' rights,
- Cooperate with partner agencies,
- Responsibly manage public funds, and
- Treat all individuals with fairness and sensitivity.

K.S.A. 22a-101 establishes the District Attorney of the 10th Judicial District. K.S.A. 22a-104 requires the District Attorney "to prosecute or defend, on behalf of the people... all matters arising under the laws of this state, and such civil matters... in which the state or any county in such judicial district is a party or has an interest."

CASE TRENDS

In 2017, case filings in many categories were consistent with 2016. We did see a large increase—42.5%—in our Child in Need of Care filings after experiencing a decrease from 2015—2016. We diverted over 400 felony and misdemeanor cases in 2017 which is comparable to 2016. As part of the conditions of a diversion agreement, some defendants are required to perform community service hours. In 2017, over 1,100 community service hours were completed, an over 100% increase compared to 2016.

WHAT WE DO

In 2017 the District Attorney's Office consisted of 97 employees, including one District Attorney, 32 Assistant District Attorneys, 9 Legal Interns, and 55 support staff. With these resources in place, the Johnson County District Attorney's Office:

- Reviewed 11,790 cases for filing,
- Filed 3,165 criminal cases,
- Filed 1,572 domestic violence cases,
- Filed 1,819 juvenile offender cases,
- Filed 762 Child in Need of Care actions,
- Prosecuted 9,071 traffic citations,
- Diverted 415 criminal and 2,873 non-DUI traffic cases,
- Presented 58 jury trials,
- Served 10,081 new victims entering the justice system,
- Provided 33,632 victim notifications,
- Scanned 239,709 documents into the JIMSWeb document imaging program,
- Filed 59 appellate briefs and petitions for review,
- Handled 455 consumer fraud complaints,
- Juvenile participation in pre-filed diversion programs: Youth Court—228; MIP Program—160, and
- Assisted with 1,154 protection orders.

NO REFUSAL WEEKEND

In August of 2017, the Johnson County District Attorney's Office, the Kansas Attorney General's Office, Kansas Department of Transportation, and other state and local law enforcement announced enhanced impaired driving enforcement. This included an initiative called No Refusal Weekend, when all suspected impaired drivers who refused breath testing were subject to blood testing for alcohol and drugs. Speakers highlighted how DUIs greatly impacted the Johnson County community and the State. Last year, Kansas saw more than 1,100 impaired driving crashes. On average in Kansas, impaired drivers cause 25-30% of traffic fatalities.

During No Refusal Weekend, law enforcement and prosecutors coordinated to obtain search warrants for blood when a suspected impaired driver refused a breath test. This initiative helped ensure that prosecutors obtained the scientific evidence necessary to effectively pursue cases involving impaired drivers.



CONGRESSIONAL DELEGATION MEETING

In February of 2017, District Attorney Steve Howe and elected prosecutors from Douglas, Leavenworth, Shawnee & Sedgwick County met with the congressional delegation in Washington D.C. regarding public safety issues facing Kansas.



SERVING CRIME VICTIMS

The United States Department of Justice, Bureau of Justice Statistics reports in its annual Crime Victimization study that only about 50% of violent crimes and 40% of property crimes are reported to law enforcement. This means many crime victims live and work in our community who may not be receiving sorely needed assistance to recover from their victimization or to break a cycle of violence. This is why the District Attorney's Victim Assistance Unit remains committed to serving crime victims regardless of whether or not they are involved in a criminal prosecution. To that end, in 2017 Victim Assistance staff and volunteers spoke to almost 2,300 victims about filing civil protection orders and provided over 7,500 referrals to community resources available to them. Though these advocates do not provide legal advice, letting victims know what resources are available and how to access them ensures all members of the community have the opportunity to be safe. Additionally, our office has two Safehome Court Advocates imbedded in our office to provide support to plaintiffs seeking protection orders and victims of domestic violence. This collaboration has been in place over 22 years.

CONSUMER FRAUD UNIT

In 2017 the consumer fraud unit handled 455 consumer complaints. This resulted in:

- Our office collected a total of \$4,000 in Penalties &/or Fees.
- Fines and fees ordered from businesses who violated the act in the amount of \$74,000.
- Restitution ordered or mediated in the amount of \$251,356.83.

COMMUNITY OUTREACH

The District Attorney's Office is a firm believer and is actively involved in community outreach. The District Attorney's office has provided information and services to the community through many different avenues. In October, the Consumer Protection Division again hosted a booth at the Live Well Age Well Expo, formerly known as Senior Fest. Over 700 Johnson County residents over the age of 60 stopped by the booth to learn tips on being safe a safe and cautious consumer, including how to spot the latest scams.

2017 OUTSTANDING CRIMINAL JUSTICE VICTIM SERVICE AWARD

On May 11th, 2017, Dana Gouge, Chief Investigator with the Johnson County District Attorney's Office, was recognized for his service to crime victims during the Crime Victim's Rights Conference in Wichita. Dana was presented the Outstanding Criminal Justice Victim Service Award by Kansas Attorney General, Derek Schmidt.



2017 LAW ENFORCEMENT COMMENDATION MEDAL

In February 2017, District Attorney Steve Howe was awarded the Law Enforcement Commendation Medal during the 31st Annual George Washington birthday celebration presented by the National Society—Sons of the American Revolution—KC Area Chapters.

2017 KANSAS ADVOCATES FOR BETTER CARE

On September 15th, 2017, District Attorney Steve Howe received an award from the Kansas Advocates for Better Care (KABC) honoring him for his leadership in addressing elder abuse in the criminal justice system, including implementation of the multidisciplinary investigative model, and for his strong advocacy for new state laws which better protect other adults and more appropriately penalize those who commit crimes against them.

SEXUAL ASSAULT KIT INITIATIVE WORKING GROUP (SAKI)

District Attorney Steve Howe continues to serve on the Kansas Sexual Assault Kit Initiative (SAKI) working group. This group is charged with finding ways to: 1. Eliminate the backlog of untested sexual assault kits; 2. Develop best practices in the handling and testing of kits moving forward; 3. Develop best practices in the evidence collection, investigation, testing and prosecution of cases; and 4. Develop evidence based methods of victim support throughout the process.

CHANGING LIVES THROUGH LITERATURE PROGRAM

The Changing Lives Through Literature program is a grant based literature program under the supervision of the District Attorney's Office for defendants on diversion and probation. This 7 week program uses literature to affect the lives of individuals through reading and group discussions. CLTL brings carefully selected works of literature to criminal offenders to help that population gain insight into their lives and behavior, learn they are not alone in their problems and develop cognitive skills. In 2017, the program saw an increase in demand resulting in adding a 5th session to accommodate the need, with 54 defendants participating in 2017.

KANSAS LAW ENFORCEMENT CRISIS INTERVENTION TRAINING COUNCIL

In 2017, Letitia Ferwalt, Diversion Coordinator for the Johnson County District Attorney's Office, was elected Vice-Chairman of the Kansas Law Enforcement Crisis Intervention Training Council. This was the first time a non-law enforcement officer was elected to this board position. The Kansas Law Enforcement Crisis Intervention Council was established in Johnson County Kansas in 2004 and the District Attorney's Office has been a supporter since its inception. The goal is to reduce dangerous confrontations between citizens in crisis and law enforcement officers, and reduce recidivism and arrests by diverting individuals with mental illness to appropriate community mental health providers. In addition, it increases collaboration and cooperation between criminal justice and mental health systems.



DOMESTIC VIOLENCE LEGISLATIVE CHANGE

In 2017, the strangulation legislation was passed. K.S.A. 21-5414 was amended adding the felony crime of Aggravated Domestic Battery, level 7 person felony.

This was big for our office, not only because Kansas joins almost every other state by treating strangulation as its own felony crime, but because Assistant District Attorneys Michael McElhinney and Megan Ahsens worked with Jessica Domme in drafting the language of the legislation. ADA Ahsens provided verbal testimony in Topeka before the legislature.

After passage of the legislation, ADA Ahsens found a strangulation reference guide for law enforcement officers and continues to include specific training on strangulation for the Police Academy and local Law Enforcement Agencies.

TRAFFIC DIVERSION FEES

In July 2017, the Traffic Unit of the Johnson County District Attorney's Office raised fees for all traffic diversion cases. The modest increase of \$10 per charge was the first time since 2008 that fees have been increased. In comparing all Kansas Counties, Johnson County has a wide range of divertible offenses and the diversion fees remain lower than many Kansas Counties.

DISTRICT ATTORNEY'S OFFICE VOLUNTEERS' SERVICE RECOGNITION



**Norma Hultgren - 20 years of dedicated
volunteer service to the Johnson County
District Attorney's Office.**



**John Teate - 15 years of dedicated volunteer
service to the Johnson County District
Attorney's Office.**

JOHNSON COUNTY, KS DISTRICT ATTORNEY'S OFFICE

We are grateful to our many community partners, who include, the programmers and network managers of the Justice Information Management System (JIMS), Safehome, MOCSA, Sunflower House, CASA, TLC, and many more.

To learn more, visit our website at <http://da.jocogov.org>.

THANK YOU

None of the work accomplished in the District Attorney's Office is done without the support, collaboration, and assistance of our many community partners. With that in mind, we would like to offer this special note of thanks to the following:

- Ed Eilert, Board of County Commissioners Chairman
- Ron Shaffer, 1st District County Commissioner
- Jim Allen, 2nd District County Commissioner
- Steven Klika, 3rd District County Commissioner
- Jason Osterhaus, 4th District County Commissioner
- Michael Ashcraft, 5th District County Commissioner
- Mike Brown, 6th District County Commissioner
- Calvin Hayden, Johnson County Sheriff
- Penny Postoak Ferguson, Interim Johnson County Manager
- Johnson County Chiefs of Police

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District Attorney's Office Units and Divisions:

Main Line	913-715-3000
Victim Assistance	913-715-3004
Diversion	913-715-3114
Traffic	913-715-3011
Juvenile	913-715-3149
Consumer Fraud Hotline	913-715-3003

