



# Stephen M. Howe

## A MESSAGE FROM THE DISTRICT ATTORNEY:

As I start my 10th year 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 reduce recidivism and 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 violent crime directly associated with the sale of illegal narcotics.

It has been an honor to serve as your District Attorney. Our work over the past nine 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.

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*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."*

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## CASE TRENDS

In 2018 case filings in many categories were again on the rise. We saw the largest increase in the area of traffic cases. Traffic case filings handled by our office increased by 21.4% compared to 2017. Additionally, criminal and domestic violence case filings increased by more than 7.5% and criminal, domestic violence and juvenile cases submitted to our office by law enforcement for review increased by 8.4%.

## WHAT WE DO

In 2018 the District Attorney's Office consisted of 99 employees, including one District Attorney, 35 Assistant District Attorneys, 9 Legal Interns, and 55 support staff. With these resources in place, the Johnson County District Attorney's Office:

- Reviewed 11,776 cases for filing,
- Filed 3,386 criminal cases,
- Filed 1,717 domestic violence cases,
- Filed 1,439 juvenile offender cases,
- Filed 767 Child in Need of Care actions,
- Prosecuted 14,189 traffic citations,
- Diverted 483 criminal and 2,868 non-DUI traffic cases,
- Presented 53 jury trials,
- Served 11,180 new victims entering the justice system,
- Provided 32,324 victim notifications,
- Scanned 253,741 documents into the JIMS-Web document imaging program,
- Filed 55 appellate briefs and petitions for review,
- Handled 461 consumer fraud complaints,
- Juveniles who commit low level offenses participated in a wide variety of diversion/ immediate intervention programs.
- Assisted with 1,241 protection orders, a 7.5% increase from 2017.

## COMMUNITY SERVICE

The Johnson County District Attorney's Office Adult Diversion Program has partnered with the Kansas City Metropolitan Crime Commission's - Metropolitan Community Service Program (MCSP) to administer the supervision of community service hours since 2005. Defendants who are required to complete community service as part of their diversion, contacts the MCSP who will assign them a worksite in Johnson, Jackson and Wyandotte counties and monitor the completion of those hours.

The Metropolitan Community Service Program (MCSP) utilizes select non-profit organizations which are referred to as worksites to fulfill court-ordered community service hours. The cost-free labor provided by community service workers to nonprofit organizations reduces expenses while also allowing them to provide additional assistance to Kansas City metropolitan communities.

In 2018, defendants in the Johnson County Diversion Program completed over 2,300 community service hours. This was the highest number of hours completed since the inception of the program and was more than a 100% increase over the hours completed in 2017. This partnership has allowed defendants on diversion to give back to our community in a positive way.

## MOBILE DEVICE FORENSIC LAB

In order to provide additional service to law enforcement partners and the Johnson County community, the DA's Office established a Mobile Device Forensic lab. The primary mission of the Mobile Device Forensic lab is to examine and analyze electronic evidence in coordination with area Federal, State and Local law enforcement agencies for investigative use.

This was accomplished through a partnership with the United States Secret Service, with no cost to the county for the training and equipment used by the Certified Mobile Device Examiner. All training and equipment is provided by the National Computer Forensics Institute. The examiner has completed several extractions on devices and has already testified about his efforts in trial.

## COLLABORATION EFFORTS

In May & September of 2018 Assistant District Attorney, Don Hymer, joined other panelists at the Olathe East, South & North High Schools to discuss current trends in teenage substance abuse & legal considerations. Each of these presentations were open to the general public.

In October of 2018 the Johnson County District Attorney's Office hosted School Resource Officers, School Administrators, Designated Reporters, School Social Workers, School Nurses & many other professionals to discuss issues and trends related to juvenile offender laws, truancy policies, referral procedures & available resources.

In November of 2018 the Johnson County DA's office teamed up with the Shawnee Fire Department in order to conduct fire investigation training.



## SERVING CRIME VICTIMS

In 2018 Victim Assistance staff and volunteers spoke to 2,523 victims about filing civil protection orders, a 7.5% increase compared to 2017, and provided over 9,881 referrals to community resources available to them. 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. Many individuals seeking a protection from abuse order involving intimate partners do not call the police. This is why we administer the lethality assessment to them during this process. Over the past 12 months 304 victims completed the lethality assessment with 269 or 88% of them scoring high lethality. Though the 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 one Safehome Court Advocate imbedded in our office to provide support to plaintiffs seeking protection orders and victims of domestic violence. This collaboration has been in place over 23 years.



## 2018 KANSAS PROSECUTOR FOUNDATION (KPF) COMMUNITY SERVICE AWARD

### CONSUMER FRAUD UNIT

In 2018 the consumer fraud unit handled 461 consumer complaints. This resulted in:

- Our office collected a total of \$2,666 in Penalties &/or Fees.
- Fines and fees ordered from businesses who violated the act in the amount of \$60,000.
- Restitution ordered or mediated in the amount of \$398,028.29.

### 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 450 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.

Assistant District Attorney, Samantha Shannon, received the 2018 KPF Community Service Award at the 2018 KCDA Fall Conference. This award recognizes a Kansas prosecutor who has rendered outstanding service to his or her community in addition to the performance of the duties required by the position of a prosecutor.



## PATRIOTIC EMPLOYER

In June of 2018 the Office of the Secretary of Defense recognized District Attorney, Steve Howe & Johnson County Government as a Patriotic Employer for being a military friendly employer. One of our trial assistants, 2nd Lt. Tim Randolph, recently completed a year long military deployment.



## CONGRESSIONAL DELEGATION MEETING

In January of 2018, District Attorney Steve Howe and elected prosecutors from Douglas, Leavenworth, Osage, Shawnee, Sedgwick & Wyandotte County met with the congressional delegation in Washington D.C. During those meetings Steve and the rest of delegates expressed their concerns about the growing mental health crisis in Kansas and the need for more resources at the state and local level.

## CAPITAL IMPROVEMENT PROJECTS

In July of 2018, District Attorney Steve Howe joined other Johnson County officials for the ground-breaking ceremony for the new courthouse. In December of 2018, District Attorney Steve Howe & Chief Deputy DA Chris McMullin joined other Johnson County officials for the groundbreaking ceremony for the new JOCO Medical Examiner Facility. The DA, Chief Deputy DA & other members from the DA's office have been heavily involved with both major capital improvement projects.



## KANSAS LAW ENFORCEMENT CRISIS INTERVENTION TEAM TRAINING

The Johnson County District Attorney's Office hosted the Crisis Intervention Team 40 hour training April 2-6, 2018. The District Attorney, Steve Howe, gave the opening remarks to 46 individuals from the Kansas Highway Patrol, Johnson County Sheriff's Office, Johnson County Mental Health and the following police departments: Eudora, Leawood, Lenexa, Overland Park, Olathe, Shawnee, Mission and Prairie Village who attended the training. This training is conducted twice a year by the Kansas Law Enforcement Crisis Intervention Council of Johnson County which was established in Johnson County Kansas in 2004. It was created for the purpose of forming a partnership between law enforcement, the mental health system, the District Attorney, the mentally ill, and their families. District Attorney employees Letitia Ferwalt and Carrol Garrett serve on the CIT council's board. The council's primary mission is to provide training and CIT certification for law enforcement officers to promote education, advocacy, problem solving in our communities and to reduce dangerous confrontations between citizens in crisis and law enforcement officers. This training has shown to reduce recidivism and arrests by diverting individuals with mental illness to appropriate community mental health providers.



# TRAFFIC UNIT CASE INCREASES & HIGHLIGHTS

Traffic ticket/infraction cases hit a nine year high in 2018 – 14,189. This was 2,504 more cases than in 2017. Total number of DUI’s ( misdemeanor and felony) hit a 4 year high as well, 674.

To enhance our prosecution of DUI offenders the traffic unit provided extensive training to law enforcement throughout the county. It included training on:

- ◇ DUI Search Warrants
- ◇ DUI Investigation Involving Injury
- ◇ Accident Reconstruction

These efforts have resulted in a substantial increase in the number of felony cases filed involving injury accidents.

Prosecutors also presented at the Herb Walton Bench Bar conference, DUI boot camp sponsored by the Attorney General’s office, the Regional Police Academy and the Blue Valley CAPS program.

Additionally, Ann Henderson, Traffic Unit Section Chief, was an integral part of the KCDAA DUI Legislative work group that studied, wrote, proposed, and testified before the legislative regarding DUI statutory changes during the 2018 session.

## 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
- Becky Fast, 1st District County Commissioner
- Jim Allen, 2nd District County Commissioner
- Steven Klika, 3rd District County Commissioner
- Janee’ Hanzlick, 4th District County Commissioner
- Michael Ashcraft, 5th District County Commissioner
- Mike Brown, 6th District County Commissioner
- Calvin Hayden, Johnson County Sheriff
- Penny Postoak Ferguson, 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

