



Stephen M. Howe

A MESSAGE FROM THE DISTRICT ATTORNEY:

As I start my fifteenth year as your District Attorney, 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 these pledges and continue to help 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 greatly increased. 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 the 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.

I continue to work with legislators in Topeka and Washington, D.C. to advocate for common sense approaches to public safety and public health.

My office has worked hard with our criminal justice partners and other government and nonprofit agencies to develop many innovative programs. They include:

- The Lethality Assessment, to reduce recidivism and protect domestic violence victims;
- FAST teams, to protect our elderly population;
- Veteran's Treatment Court, to assist Veterans;
- The Co-Responder Program, to avoid incarceration of the mentally ill;
- Mental Health Diversion, to assist seriously mentally ill involved in the criminal justice system;
- NICHE Records Management System, to standardize the police reports and their submission to our office; and
- Leading efforts to create a Family Justice Center.

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 fourteen 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 2022 case filings in several categories increased. Our office saw a 3.1% increase in domestic violence and a 5.4% increase in juvenile offender case filings. We saw our largest increase in Care and Treatment cases, a 32.5% increase.

WHAT WE DO

In 2022, the District Attorney's Office consisted of 123 full time employees; including one District Attorney, 43 Assistant District Attorneys, 9 Legal Interns, and 71 support staff. With these resources in place, the Johnson County District Attorney's Office:

- Reviewed 11,901 cases for filing;
- Filed 3,268 criminal cases;
- Filed 1,892 domestic violence cases;
- Filed 1,154 juvenile offender cases;
- Filed 200 Non-Truancy & 237 Truancy Child in Need of Care actions;
- Prosecuted 8,918 (non DUI) traffic citations;
- Diverted 666 domestic violence and criminal cases and 1,548 non-DUI traffic cases;
- Assisted 548 victims with protection orders and provided 17,409 referrals to community resources
- Filed 458 Care & Treatment cases;
- Provided 37,832 victim notifications;
- Filed 23 appellate briefs and petitions for review;
- Handled 300 consumer fraud complaints resulting in restitution ordered or mediated in the amount of \$257,620.48
- Helped facilitate the entry of numerous low-level juvenile offenders into a wide variety of diversion/immediate intervention programs;
- Reviewed Kansas open record and open meeting complaints.

ASSISTING LAW ENFORCEMENT

The Johnson County District Attorney's Office works very closely with our law enforcement agencies to assist them in their investigations. This includes assisting them with search warrants and inquisitional subpoenas. In 2022 our office handled 779 search warrants, a 21% increase from 2021. Our office handled 820 inquisitional subpoenas. Over the last two years we saw an 11% increase in these requests. Working together on these matters helps us protect our community and hold offenders accountable.



POLICE ACADEMY TRAINING

This office encourages staff and attorneys to engage with our larger professional community. To that end, our assistant district attorneys teach 17 courses to police recruits. This translates to 57 hours of teaching per academy session for a total of 171 hours per year. Some of our ADAs have been teaching their classes for decades, to generations of Johnson County law enforcement recruits.

Additionally, many of our attorneys are subject matter experts who teach stand alone classes or seminars in such subjects as ethics, domestic violence prosecution, economic crime prevention, and other areas of Kansas law such as KOMA/KORA.

COMMUNITY INVOLVEMENT

"I believe we can make a difference in the courtroom, but also out in our community. That is why Johnson County District Attorney's Office staff volunteer thousands of hours of time a year to various private/public, groups and non for profit agencies to make Johnson County a safe and vibrant community."

- Stephen M. Howe, Johnson County District Attorney



CRIMINAL JUSTICE ADVISORY COUNCIL (CJAC)

The District Attorney's Office is a member of the Criminal Justice Advisory Council. We also participate in several of their subcommittees including: pre-trial stakeholders; JCAB: Disproportionate Minority Contact and Justice and Mental Health Work Group. These groups are a partnership of criminal justice agencies, local government and members of the public.

The goal of these committees is to:

- Reduce the number of mentally ill in the court system;
- Maintain public safety;
- Reduce recidivism;
- Ensure there are not disproportionate minority contacts.

These efforts are some of the reason why Johnson County is an "innovator county" as declared by the Council of State Governments.

KSARAC

District Attorney Steve Howe has continued to work with the state-wide Sexual Assault response Advisory Committee (KSARAC) group. It is made up of members from numerous disciplines including prosecutors, law enforcement, crime labs, system and community based victim services and the medical community. This committee is working on establishing best practices for each of these professions who work on sexual assault cases.

VIRTUAL COURT HEARINGS

The Johnson County District Attorney's Office, Justice Information Management Systems (JIMS) and the District Courts have conducted tens of thousands of virtual court hearings throughout the COVID-19 pandemic. We continue to do so in a limited capacity even today. This has been vitally important to be able to keep as many cases as possible moving through the criminal justice system. This has benefited victims and defendants alike by reducing the amount of time needed to appear in court.



Lionheart Award

Sunflower House awarded the 2022 Lionheart award to District Attorney Stephen Howe with the assistance of Karla Schulte, Board Chair and Mark Dupree, Wyandotte County District Attorney at the annual gala held on February 11, 2023.

RISE OF FENTANYL

During 2022, we have seen a substantial increase in the illegal use of fentanyl in Johnson County. The Medical Examiner's Office reported 79 deaths related to fentanyl. The medical director has noted nearly 500 Naloxone (Narcan) deployments. These numbers are calculated by Med-Act, Overland Park Fire Department and Johnson County schools. This does not include the use by other first responder agencies, individuals and hospitals. Most concerning is that 52 Naloxone deployments occurred in Johnson County Schools.

District Attorney Stephen Howe has been working with Johnson County law enforcement on targeting dealers of fentanyl. This includes filing cases where dealers have sold fentanyl that resulted in deaths of our citizens. Under Kansas law, we can charge those individuals with a felony under K.S.A. 65-4107. A number of cases have been filed against these dealers of death.

VIOLENCE ASSOCIATED WITH MARIJUANA

Johnson County continues to see violence that is associated with the sale of marijuana. In 2022 we had four more incidents that resulted in 13 juveniles and young adults being charged with felony murder. These cases plus other compelling data, including from our medical community, is why Steve testified in opposition to the medical marijuana bill at the Kansas Legislature during the 2023 legislative session.

SPECIALTY COURTS

The Johnson County District Courts have received permission to begin the process of creating two "Specialty Courts". The goal of specialty courts is to create intense programs that aid in changing behavior and reducing recidivism. With the help of grant funding, the District Attorney and other criminal justice partners have begun working on developing the parameters for these courts. The goal is to bring two specialty courts on line by the end of 2023.

BEHAVIORAL HEALTH COURT

Johnson County has already been deemed an "Innovator County" by the National Association of Counties, for its work in keeping the mentally ill out of our jail. However, there are still individuals who suffer from serious mental illnesses that results in criminal charges being filed. The DA's office offers mental health diversion for some offenders who suffer from severe and persistent mental illness (SPMI). While this has been effective, there are individuals who do not meet the criteria for this diversion program. The behavioral health court will supplement the existing programs and provide additional opportunities for those criminal justice involved individuals who suffer from SPMI to obtain assistance and stabilize their behavior.

DRUG COURT

While Johnson County provides a number of programs to treat individuals who suffer from substance abuse, we all recognize that there are opportunities to develop a dedicated program for those most at risk. This Drug Court will focus on individuals who suffer from serious substance abuse issues which have resulted in criminal charges. Both criminal justice agencies and private providers are involved structuring the parameters of this court. The goal is to provide an intense program to reduce offenders involvement in the use of illegal drugs and recidivism in the criminal justice system.

WORKING ON THE CASE BACKLOG

During the pandemic we had several court shutdowns which impacted our ability to process the thousands of cases we handle each year. By early 2022, that backlog had grown to 2,000 cases. This resulted in staff carrying double the normal caseloads they handle. The office has worked diligently to eliminate this backlog. By the end of 2022 we had eliminated a third of this case backlog. We are confident that over the next year that the majority of this backlog will be eliminated.

EXPANSION OF JOHNSON COUNTY DISTRICT COURT

In 2022 the Kansas Supreme court authorized the expansion of the Johnson County District Courts by three additional judges, based on caseload studies conducted by the Office of Judicial Administration. This included one additional judge to handle criminal cases. The DA's Office requested and received from the county commission additional resources to handle this additional court.



ADULT DIVERSION COMMUNITY SERVICE REQUIREMENT

The Johnson County District Attorney's Office partners with the Kansas City Metropolitan Crime Commission's Metro Community Service Program (MCSP) to monitor defendants required to perform community service as part of their diversion contract. MCSP collaborates with area non-profits to secure worksites for defendants to perform their required community service hours. One of our main missions is to promote justice. At times that means implementing programs such as community service that not only benefits our community, but the offender as well. This allows those who have taken from our community in some way the opportunity to give back. This year was the largest increase in referrals and hours performed since we began our partnership in 2005, with over 4,700 hours.

CARE & TREATMENT FILINGS HIT RECORD HIGH

The Johnson County District Attorney's Office files civil mental commitment cases under K.S.A. 59-2945. Under this statute, all county and district attorneys have the responsibility to file cases, when appropriate, to ensure the safety of the community and the mentally ill person in crisis. The purpose of this statute allows our office to file petitions on behalf of a qualified mental health professional, when a resident is thought to be a danger to themselves and/or others and lacks capacity to make their own mental health treatment decisions. In 2022, Johnson County experienced the largest increase in filings in a single year and the highest number of filings in the state. Between 2019 and 2022 there was a 156% increase in filings for a total of 458. The District Attorney's Office has a dedicated Care and Treatment team responsible for the timely filings of petitions and handles court hearings for those cases.

ONLINE TRAFFIC DIVERSION

The District Attorney's Office began its online traffic diversion program on July 6, 2020. The creation of our online traffic diversion program was a collaborative effort with the JIMS department. The pandemic pushed this project to the forefront, as the courthouse was not accessible to the public for many months. The online diversion program allows defendants charged with certain traffic infractions issued by the Johnson County Sheriff, Kansas Highway Patrol and Johnson County Park Police, to complete the diversion process, without the need to come to the courthouse. Traffic diversion consists of a 6-month term and requires no new violations. Successful completion of the diversion allows the case to be dismissed. In August of 2022 our 2,000th traffic case was diverted through our online traffic diversion program. An estimated 60% of our traffic cases were processed online.

**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>.

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VOLUNTEERS

Volunteers for the District Attorney's Office continue to provide support through service in our Victim Assistance Unit and the Traffic Diversion Unit.

Volunteers provide a number of services to aid the public. They include:

Answering victims and witnesses questions and concerns,
Assisting victims with protection orders,
Referring victims to available resources,
Escorting victims and witnesses to court,
Notifying victims and witnesses of upcoming court hearings.

In 2022 volunteers provided over 2,200 hours to help support those efforts. Volunteers help create positive community connections which are not only an added bonus for us, but Johnson County at large.

If you have an interest in volunteering, please contact the Johnson County District Attorney Office's Volunteer Coordinator @ 913-715-3029, for further information.

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:

- Mike Kelly, Board of County Commissioners Chairman
- Becky Fast, 1st District County Commissioner
- Jeff Meyers, 2nd District County Commissioner
- Charlotte O'Hara, 3rd District County Commissioner
- Janee' Hanzlick, 4th District County Commissioner
- Michael Ashcraft, 5th District County Commissioner
- Shirley Allenbrand, 6th District County Commissioner
- Calvin Hayden, Johnson County Sheriff
- Penny Postoak Ferguson, County Manager
- Johnson County Chiefs of Police

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
Juvenile Diversion	913-715-7476