



# Stephen M. Howe

## A MESSAGE FROM THE DISTRICT ATTORNEY:

As I complete my second term in office, I would like to thank the people of Johnson County for their support and trust they placed in me. I pledge that under my leadership the office will 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. But safety concerns can be kept to a minimum by working as a team with law enforcement agencies, community partners and the diverse communities 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 seven 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 enforce-

ment 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 2016 case filings in many categories were again on the rise. Criminal case filings increased by more than 4% in 2016 compared to 2015, while juvenile offender cases increased by 10% and domestic violence cases increased by 5%, Truancy cases increased by 27% and traffic cases increased by 5% over the same period of time. One area we did see a decrease was with Child in Need of Care (CINC) filings, they continued to decrease by nearly 17% after seeing a 9% decrease in 2015.

## WHAT WE DO

In 2016 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 11,899 cases for filing,
- Filed 2,937 criminal cases,
- Filed 1,732 domestic violence cases,
- Filed 1,818 juvenile offender cases,
- Filed 438 Child in Need of Care actions,
- Prosecuted 11,495 traffic citations,
- Diverted 424 criminal and 2,719 non-DUI traffic cases,
- Presented 36 jury trials,
- Served 4,165 new victims entering the justice system,
- Provided 27,646 victim notifications,
- Scanned 239,321 documents into the JIMSWeb document imaging program,
- Filed 82 appellate briefs and petitions for review,
- Handled 446 consumer fraud complaints,
- Juvenile participation in pre-filed diversion programs: Youth Court—211; MIP Program—142, and
- Assisted with 1,253 protection orders.

## MENTAL HEALTH DIVERSION PROGRAM

The Johnson County District Attorney's office offers the only mental health diversion program in the State of Kansas. The objective of Mental Health Diversion is to direct the defendant into treatment with Johnson County Mental Health (JCMH). Mental Health Diversion is available to defendants suffering from Severe and Persistent Mental Illness (SPMI) as well as defendants who meet the Adult Psychiatric Rehabilitation Eligible (PRE) criteria as established by JCMH. In 2016, 24 defendants made application for the mental health diversion program. Of those applicants, 10 were granted diversion. On average, there are 11 defendants in the mental health diversion program at any given time.



## TEEN DATING VIOLENCE PRESENTATION

October is Domestic Violence Awareness Month. In honor of that, each October the attorneys in the domestic violence unit of the Johnson County District Attorney's Office plan and engage in some type of public presentation. In years past the unit has had a domestic violence information table in the vestibule of the county courthouse, Oak Park Mall, and Wal-Mart. The unit also hosted a conference on domestic violence that was held at the Johnson County Community College. In 2015 and 2016 the attorneys decided to do a presentation to area high school students regarding Teen Dating Violence. All four attorneys in the unit, as well as representatives from SAFEHOME and local law enforcement, participated in the presentation. In 2015 the unit presented to students at Olathe Northwest High School. In 2016 the unit expanded its presentation and presented to junior and senior classes at Olathe Northwest High School, Olathe South High School, and Olathe North High School. The attorneys hope that the presentation will empower teenagers to stake steps to avoid and put an end to teen dating violence.

## 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 2016 Victim Assistance staff and volunteers spoke to almost 2,300 victims about filing civil protection orders and provided over 6,200 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.

#### CONSUMER FRAUD UNIT

The consumer fraud unit has handled 446 complaints.

This has resulted in:

- In 2016, we surpassed all previous years in recovered restitution recovering an amount of \$528,074.06.
- Fines and fees ordered from businesses who violate the act in the amount of \$141,333.

#### 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 Senior Fest. Over 540 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.

## 2016 KANSAS PROSECUTOR OF THE YEAR

Vanessa Riebli, Johnson County Assistant District Attorney, received the 2016 Kansas Prosecutor of the Year Award.



## 2016 NAACP LEGACY AWARD

The Olathe NAACP branch recognized District Attorney Steve Howe with its Legacy Award for his fair and just implementation of the laws.



## 2016 CRIME VICTIMS' SERVICE AWARD

SAFEHOME along with the Johnson County Domestic Violence Court Program received the 2016 Crime Victims' Service Award



## JUVENILE PRE-FILE PROGRAMS

The juvenile division of the District Attorney's Office works in collaboration with Johnson County Juvenile Court Services and the Olathe School District to offer voluntary alternatives to the formal juvenile justice system. The DA's office makes referrals to pre-file programming with the goal of reducing the number of youth entering the Courts. The programs are a way to provide accountability and education through early intervention for youth who are referred by law enforcement with certain (first time) offenses.

The Johnson County and Olathe School District youth court programs, for offenders with low level misdemeanors, require that a juvenile participate in, and be sentenced by, a mock Court in which peer volunteers participate in the roles of members of the legal system. The Minor in Possession program, also implemented by Juvenile Court Services, is provided for first time offenders who were referred for possessing or consuming alcoholic beverages. The youth are required to obtain a drug and alcohol evaluation, complete all recommendations from that evaluation, and attend an educational class with a parent. In both Youth Court and MIP programs the juvenile is required to complete community service hours. Successful completion of the pre-file programs results in the juvenile's referral being declined by our office.

In 2016, the District Attorney's Office referred 122 juveniles to the Johnson County Youth Court program. Of these referrals, 119 were accepted and entered the program; one hundred sixteen (116) of these participants (97%) completed the program successfully. In the previous four years (2012 to 2015) there were an average of 105 referrals made, and of the juveniles who were taken in the program, the average rate of success was over 95%. There were eighty-two juveniles referred to the Minor in Possession program in the 2016 calendar year. Seventy-nine of these individuals completed the program successfully.

Our office created and began implementing an additional option to our pre-file programming, the family-focused Immediate Intervention Program, in the final quarter of 2016. The expectation for juveniles referred to this Court Services program is that the youth and their parent/s participate in certain family counseling interventions. This program is designed to meet the needs of younger children when law enforcement referrals demonstrate the offense may be related to challenges in the home.

## JOHNSON COUNTY VETERANS TREATMENT COURT PROGRAM

For the first time in the State of Kansas, the 10<sup>th</sup> Judicial District Court of Johnson County has created a treatment court program designed specifically for veterans of our Armed Forces, who suffer from mental health and substance abuse issues related to their military service. The purpose of the Johnson County Veterans Treatment Court Program (VTC) is to provide a treatment based alternative for veterans from incarceration into supervised treatment and supportive services; in turn amplifying public safety and reducing the reentry of offenders to the criminal justice system. It is important to assist those who have given so much in service to this country.

VTC held its first court session on January 13, 2016. The District Attorney's Office is responsible for screening the majority of the applicants through their diversion program. The District Attorney makes all decisions regarding the VTC diversion policy. The District Attorney has appointed two Assistant District Attorney's to enforce the



polices and represent the office on the VTC team. The first VTC defendant will graduate from the<sup>5</sup> program on February 15, 2017.

# CELEBRATING 20 YEARS OF DELIVERING MEALS ON WHEELS

The District Attorney's Office is celebrating their 20th year of delivering Meals on Wheels to residents of Johnson County. The District Attorney's Office initially became involved in delivering Meals on Wheels in February 1997, two of the initial volunteers are still volunteering today, Sharman Morris & Shirley Weems.



## JOHNSON COUNTY, KS DISTRICT ATTORNEY'S OFFICE

In working toward safer communities for us all, there are innumerable partners our office engages. These include internal partners, such as the programmers and network managers of the Justice Information Management System, who help our processes effectively move forward. This also includes community partners such as Safelink, MOCSA, Sunflower House, CASA, TLC, and many more. To learn more, visit our website at <http://da.jocgov.org>.

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## 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
- Hannes Zacharias, Johnson 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