

**Annual Report  
Fiscal Year 2003  
October 1, 2002—September 30, 2003**



**U.S. Probation and Pretrial Services  
District of Kansas**

**Honorable John W. Lungstrum, Chief Judge**

**Gary Howard, Chief U.S. Probation Officer**

**January 2004**

Prepared for the Administrative Office of the U.S. Courts

## CONTENTS

Message From the Chief .....	1
Charter for Excellence.....	2
Judiciary for the District of Kansas .....	3

### OUR ORGANIZATION

Organizational Profile .....	3
Committees .....	3
Staff Directory .....	4

### UNIT REPORTS / STATISTICS

Pretrial Unit.....	6
Presentence Unit.....	8
Supervision Unit.....	8
Drug Aftercare / Mental Health / Electronic Monitoring.....	9

### CONSOLIDATED ADMINISTRATION ~ OPERATIONS

Budget and Facilities.....	11
Human Resources .....	11
Information Technology.....	11

### TRAINING

Staff Training.....	12
Safety Training.....	12
Firearms Training .....	12

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**Message From The Chief**

*by Gary Howard, Chief U.S. Probation Officer*



With both pleasure and pride, I present the Annual Report for 2003 from the District of Kansas. This report highlights our work with pretrial services, presentence investigations and post-conviction supervision of offenders during the past year. I want to first thank the judges here in this district who entrust us with this very important work. I also thank the very talented staff we enjoy here in Kansas for their unselfish dedication to achieving our mission. We play a critical role in helping the court make important decisions that promote the fair administration of justice and public safety.

As with past years, our agency experienced a record level of work activity in fiscal year 2003. One very important aspect of our work includes the area of pretrial services. While maintaining the presumption of innocence and working under the guidance of the court, the staff works very hard to effectively supervise persons released on bail and thereby promote public safety, facilitate the judicial process and reduce unnecessary detention. Our attention to helping the court reduce unnecessary detention of pretrial defendants has resulted in a variety of successful outcomes that have brought praise from the Office of Probation and Pretrial Services at the Administrative Office in Washington, D.C.

Probation officers also prepare presentence reports of the highest quality for the court that will assist in sentencing a defendant. The aim of the presentence investigation is to provide a report to the court with relevant, objective, and verifiable information that will assist the court in the selection of a proper sentence.

As a component of the federal judiciary for community corrections, probation officers are also responsible for the supervision of persons conditionally released to the community by the courts, the Parole Commission, the Federal Bureau of Prisons, and military authorities. Officers also work with offenders to facilitate their reintegration into the community as law-abiding and productive members of society.

As you will see from reading this report, all of us are committed to working together to achieve our mission. As a system, we face many challenges in the year ahead. We are highly regarded by the judges, other members of the court family and the law enforcement community because we have a reputation for doing our work right and well. I hope you enjoy reading this report, and I invite you to contact any person on our staff to learn more about what we do for the court and community.

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United States Probation and Pretrial Services

## Introducing the Charter for Excellence

*We, the members of Probation and Pretrial Services of the United States Courts, are a national system with shared professional identity, goals, and values. We facilitate the fair administration of justice and provide continuity of services throughout the judicial process. We are outcome driven and strive to make our communities safer and to make a positive difference in the lives of those we serve. We achieve success through interdependence, collaboration, and local innovation. We are committed to excellence as a system and to the principles embodied in this Charter.*

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*We are a unique profession*

**Our profession is distinguished by the unique combination of:**

- A multidimensional knowledge base in law and human behavior;
- A mix of skills in investigation, communication, and analysis;
- A capacity to provide services and interventions from pretrial release through post-conviction supervision;
- A position of impartiality within the criminal justice system; and
- A responsibility to positively impact the community and the lives of victims, defendants, and offenders.

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*These goals matter most.*

**Our system strives to achieve the organizational goals of:**

- Upholding the constitutional principles of the presumption of innocence and the right against excessive bail for pretrial defendants by appropriately balancing community safety and risk of nonappearance with protection of individual liberties;
- Providing objective investigations and reports with verified information and recommendations to assist the court in making fair pretrial release, sentencing, and supervision decisions;
- Ensuring defendant and offender compliance with court-ordered conditions through community-based supervision and partnerships;
- Protecting the community through the use of controlling and correctional strategies designed to assess and manage risk;
- Facilitating long-term, positive changes in defendants and offenders through proactive interventions; and
- Promoting the fair, impartial, and just treatment of defendants and offenders throughout all phases of the system.

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*We stand by these values.*

**Our values are mission-critical:**

- Act with integrity.
- Demonstrate commitment to and passion for our mission.
- Be effective stewards of public resources.
- Treat everyone with dignity and respect.
- Promote fairness in process and excellence in service to the courts and the community.
- Work together to foster a collegial environment.
- Be responsible and accountable.

*Conceived at the Federal Judicial Center's 2000 and 2002 National Chiefs' Conferences.*

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## Judiciary for the District of Kansas

### U.S. District Court Judges

#### Kansas City

Honorable John W. Lungstrum, Chief Judge  
 Honorable Carlos Murgia  
 Honorable G. Thomas VanBebber, Senior Judge  
 Honorable Kathryn H. Vratil

#### Topeka

Honorable Sam A. Crow, Senior Judge  
 Honorable Julie A. Robinson  
 Honorable Richard D. Rogers, Senior Judge

#### Wichita

Honorable Monti L. Belot  
 Honorable Wesley E. Brown, Senior Judge  
 Honorable J. Thomas Marten

### U.S. Magistrate Judges

#### Kansas City

Honorable James P. O'Hara  
 Honorable Gerald L. Rushfelt  
 Honorable David J. Waxse

#### Topeka

Honorable K. Gary Sebelius

#### Wichita

Honorable Donald W. Bostwick  
 Honorable Karen M. Humphreys, Chief Magistrate Judge  
 Honorable John Thomas Reid

**Organizational Profile:** The Probation and Pretrial Departments are led by the Chief U.S. Probation Officer with one Deputy Chief and five supervising officers. The District of Kansas is comprised of three divisions with 5 offices:

★ Kansas City (headquarters):	500 State Avenue, M35
Leavenworth (reports to KC):	4715 Brewer Place
★ Topeka:	444 S. E. Quincy
Fort Riley (reports to Topeka):	Building 200, Room 111A
★ Wichita:	401 N. Market

### Committees:

We believe committees are an important way to maximize productivity and give staff the opportunity to work in teams. In the District of Kansas we utilize both standing and special purpose committees who make recommendations for process improvement or help develop a particular work product or function. Membership is voluntary and committees are led by various staff members with oversight by the Deputy Chief. Implementing the Monograph 109, preparing for Monograph 111 and converting to PACTS-ECM brought more activity to some of our committees. The introduction of the Charter for Excellence also provided an opportunity for this new committee to assist staff with becoming familiar and using this important concept across the district.

### Committees in FY2003:

Charter for Excellence  
 EXCEL—Awards  
 HACC—Computer Crime  
 Operations—Management  
 PACTS-ECM and Subcommittees:  
     Chronos  
     Data Entry  
     Reports  
 Presentence Unit  
 Pretrial Unit  
 Supervision Unit  
 Safety  
 Training Workgroup

## Staff Directory



### Management

<u>Contact</u>	<u>Title</u>	<u>Duty Station</u>	<u>Direct Phone</u>
Gary Howard	Chief, U.S. Probation Officer	Kansas City	913/551-6622
Terry Sisson	Deputy Chief, U.S. Probation Officer	Wichita	316/269-6390
Trey Burton	Supervising U.S. Probation Officer	Topeka/Ft. Riley	785/295-2792
Jim Dier	Supervising U.S. Probation Officer	Kansas City	913/551-6718
Mary Handley	Supervising U.S. Probation Officer	KC-Leavenworth Topeka	913/551-6623 785/295-2793
Steve Kohman	Supervising U.S. Probation Officer	Wichita	316/269-6379
William Martin	Supervising U.S. Probation Officer	Wichita	316/269-6391
Barbara Wade	Operations Analyst	Wichita	316/269-6240
Diane Schwartzman	Chief Office Manager	Kansas City	913/551-6725
Linda Roberts	Office Manager	Topeka	785/259-2794
Mary Smith	Office Manager	Kansas City	913/551-6639
Connie Stroot	Office Manager	Wichita	316/269-6359

### Administrative Services and Automation Support

<u>Contact</u>	<u>Title</u>	<u>Duty Station</u>	<u>Direct Phone</u>
Kirk Alford	Manager of Administrative Services	Kansas City	913/551-5744
Wayne Correll	Procurement Manager	Kansas City	913/551-5763
Jeff Breon	Financial Manager	Kansas City	913/551-1429
Kim Leininger	Human Resources Manager	Kansas City	913/551-1430
Brent DeShazer	Systems Engineering Manager	Topeka	785/295-2574
Ben Krehbiel	User Support Manager	Kansas City	913/551-6631

### Senior U.S. Probation and Pretrial Services Officers

<u>Contact</u>	<u>Title</u>	<u>Duty Station</u>	<u>Direct Phone</u>
Michael Barber	Presentence Specialist	Kansas City	913/551-6621
James Fritz	Presentence Specialist	Wichita	316/269-6369
Michele Madden	Pretrial Specialist	Wichita	316/269-6174
Salvador Ortega	Pretrial Specialist	Kansas City	913/551-6629
R. Jed Blankenship	Safety & Defensive Tactics Specialist	Topeka	785/295-2795
Phil Messer	Firearms Specialist	Wichita	316/269-6368
Janice Dyer	Electronic Monitoring Specialist	Kansas City	913/551-6628

**Staff Directory continued**

Kansas City  
and  
Leavenworth\*  
Staff



<u>Contact/Title</u>	<u>Direct Phone</u>
Lorraine Bolle, USPO	913/551-6626
Paul Buhl, USPO	913/551-6627
Michelle Caples, USPO	913/551-6559
Marlin Carlson, USPO	913/551-6625
Rod Freeman, USPO	913/551-5762
Melissa Goldsmith, USPO	913/551-6620
Milton Ruble, USPO	913/551-6652
Michael Smith, USPO	913/551-6624
Kris Thomas, USPO*	913/351-3076
Kelly Anglewicz, POA	913/551-6753
Melanie Fenske, Training Coord.	913/551-6616
Sherri Lajoski, Sr. AAPO	913/551-6638
Deanne Smith, Sr. AAPO	913/551-6636
Linda Grissom, Sr. AAPO P/T	913/551-6634
Connie Cooley, AAPO	913/551-6637
Nadeen Dawson, Prob. Clerk P/T	913/551-6615

Topeka  
and  
Ft. Riley+  
Staff



<u>Contact/Title</u>	<u>Direct Phone</u>
Lynn Berry, USPO+	785/295-2688
Shawn Brewer, USPO	785/295-2796
John Deters, USPO	785/295-2629
Brooke Paulson, USPO	785/295-2629
B. Scott Phillips, USPO	785/295-2653
Kimberly Rieger, USPO	785/295-2593
Theresa Lundquist, Sr. AAPO	785/295-2864
Catherine Stanton, Sr. AAPO	785/295-2687
Linda Stancliffe, AAPO	785/295-2863

POA—Probation Officer Assistant  
AAPO—Administrative Assistant to USPO

**Staff Directory continued**

Wichita Staff



<u>Contact/Title</u>	<u>Direct Phone</u>
Bryce Beckett, USPO	316/269-6396
Jeffrey Blessant, USPO	316/269-6372
Toni Corby, USPO	316/269-6221
John Gabrielson, USPO	316/269-6374
Lynn Harris, USPO	316/269-6371
Lori Hase, USPO	316/269-6286
LaTonya Hayles-Davis, USPO	316/269-6397
J. Scott Jones, USPO	316/269-6287
Chris McNiel, USPO	316/269-6367
Jamie Haig, POA+	316/269-6242
Joni Cassity, Sr. AAPO	316/269-6394
Cindy Stiverson, Sr. AAPO	316/269-6375
Robyn Swanson, Sr. AAPO	316/269-6365
Mary Lacey, DQA	316/269-6395
Peggy Mathews, AAPO	316/269-6358
Carla Ray, AAPO P/T	316/269-6373



**UNIT REPORTS / STATISTICS**  
**Pretrial Services**

*by Trey Burton, Supervising U.S. Probation Officer/Topeka Division*



On July 1, 2003, the Topeka division implemented a new work model consisting of an investigation unit and a supervision unit. This replaced the prior model of having officers assigned to the PSI unit, supervision unit, or pretrial unit.

Several factors led us to this groundbreaking division of work. The federal court system is entering an era and mind set of scaling back. Now more than ever, it is important for us to look at ways for process improvement and the most efficient use of staff and resources. It is also important to have a staff that is cross-trained in all areas of our work, and to have an equitable distribution of work.

Work for the three officers assigned to the supervision unit consists of a pretrial bond supervision caseload, and a caseload of supervised release, parole, and probation cases. The three officers in the investigation unit complete bond investigation reports and PSI reports.

Early indications reveal we have already realized several of our goals by implementing this new model. The workload statistics show the work is more evenly distributed among all officers. Further, officers are becoming cross-trained in new areas of the work, which we feel will enhance the overall service we can provide the court and all stakeholders.

With respect to pretrial services, a statistical review of the past fiscal year reflects the District of Kansas had 221 pretrial defendants on supervision receiving alternatives to detention ser-

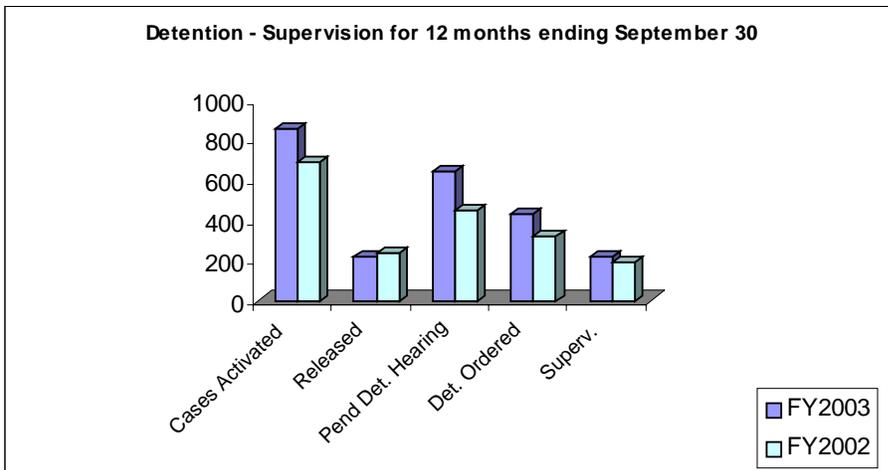
vices. Had these 221 defendants been detained, the cost to the US Marshal Service would have been \$2,338,036.25, at an average per defendant cost of \$10,579.35. Actual expenditures for all alternatives to detention by the District of Kansas Probation and Pretrial Services Office for these 221 defendants in FY2003 was \$132,292.75, an average of \$598.61 per defendant.

A review of data for the 12 month period ending September 30, 2003, when compared to the same time frame for the previous year, reflects more than a 20% increase in the number pretrial cases activated in the District of Kansas. There was a slight increase in the overall detention rate, which perhaps correlates to a resulting decrease in the number of technical violations reported, a decrease in the failure to appear rate, and a decrease in the number of defendants being arrested on new criminal charges while on bond.

This past year saw the passage of the new Pretrial Services Supervision Monograph 111 which replaced the first PTS Monograph published in 1993. Monograph 111 incorporates best practice findings from research, on-site program reviews by the AO, and various other strategic planning and supervision-related work groups.

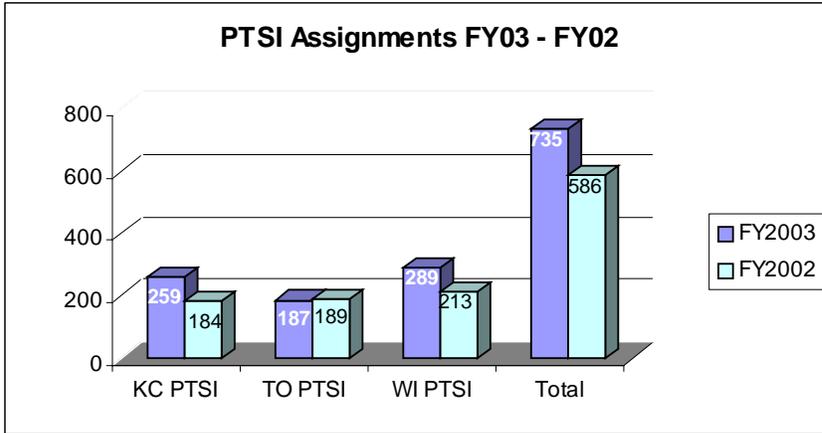
The revisions to the Monograph 111 define desired outcomes in terms of the successful completion of the supervision term and set forth principles of effective supervision. The monograph describes a three-tiered risk assessment process that incorporates use of the Risk Prediction Instrument (RPI). The revisions also provide for a collaborative supervision planning process combining the expertise of officers, supervisors and specialists. It sets forth an advisory framework for responding to a defendant's noncompliance with release conditions with graduated interventions designed to hold the defendant accountable for the behavior and to address the underlying circumstances.

We are excited about the new Monograph 111 in the District of Kansas and are working towards its complete implementation as we start the new fiscal year.



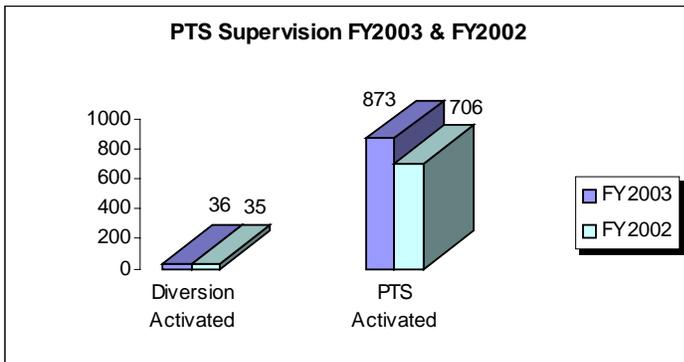
UNIT REPORTS / STATISTICS

Pretrial Services

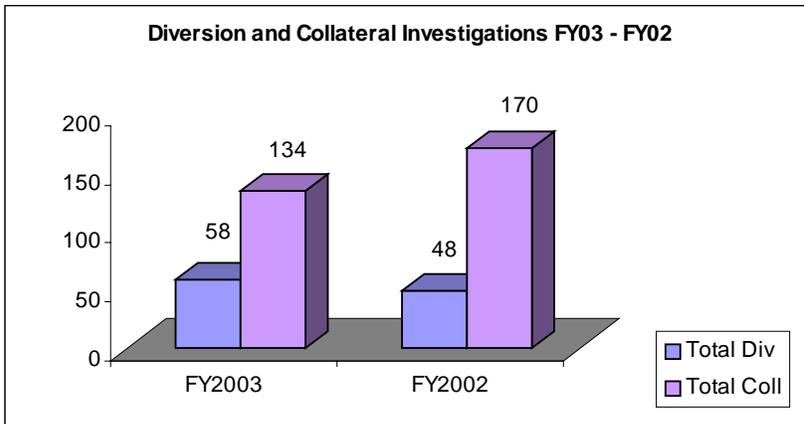


**PTSI Assignments:** From October 1, 2002 through September 30, 2003, our officers were assigned and completed 735 bond investigations. This was a 26 percent increase from the number of bond reports assigned in fiscal year 2002.

Pretrial Services and Diversion Supervision



Pretrial Services and Diversion Supervision Cases Activated

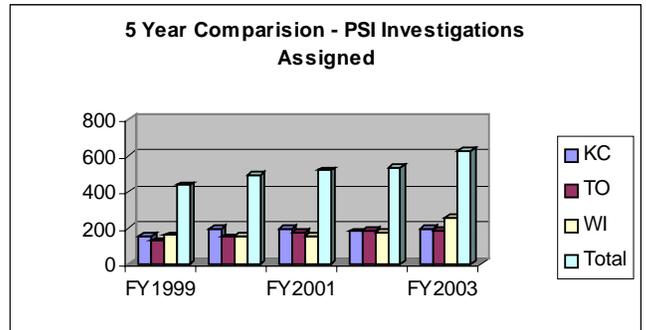
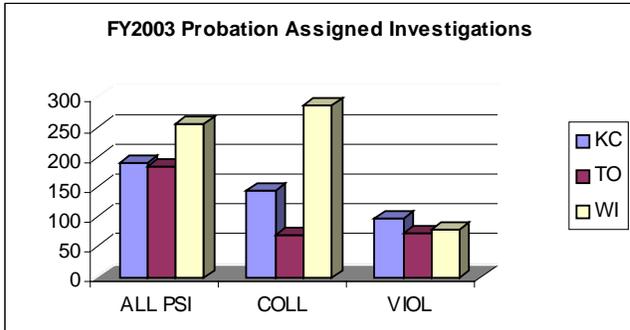


Diversion and Collateral Investigations:

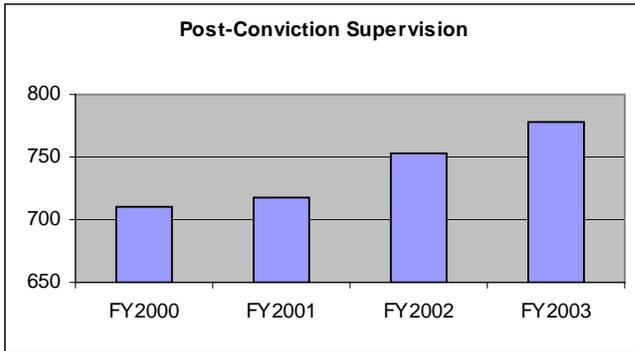
Overall the diversion activity increased in fiscal year 2003 with collateral activity decreasing from fiscal year 2002.

**UNIT REPORTS / STATISTICS**

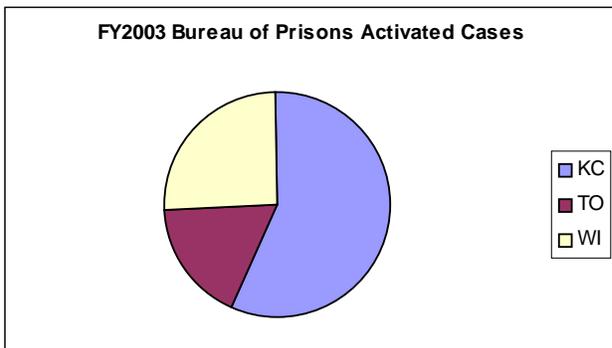
**Presentence**



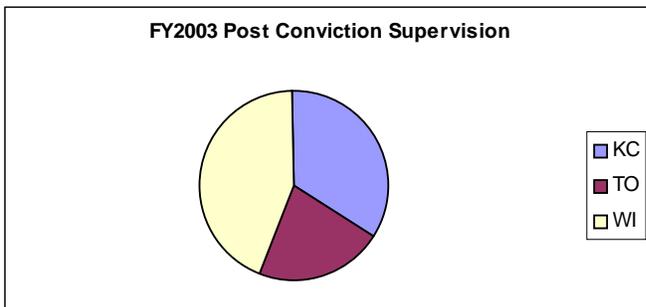
**Post-Conviction Supervision**



Steady increases are reflected in the probation supervision caseload numbers over the past four years in the District of Kansas.



Kansas City 13 cases  
Topeka 4 cases  
Wichita 6 cases



Activated in FY 2003:

Kansas City 106 cases  
Topeka 67 cases  
Wichita 138 cases

UNIT REPORTS / STATISTICS

Drug Aftercare / Mental Health Unit

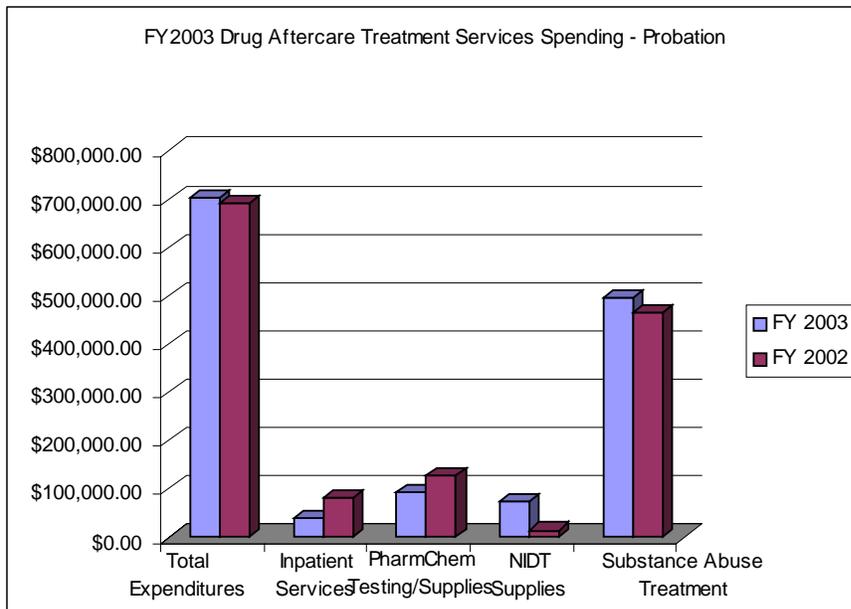
by Wade Reichmann, Sr. U.S. Probation Officer



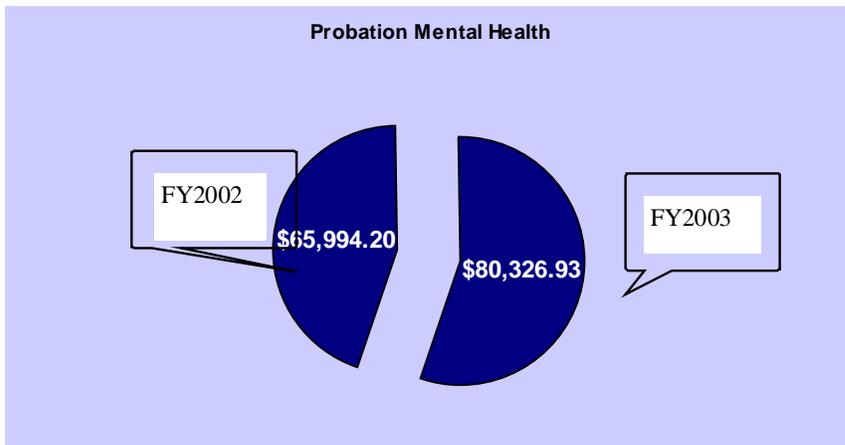
FY2003 Drug Aftercare / Mental Health Treatment Services

	Probation/TSR/Parole	Pretrial
Supervision Totals as of 9/30/03	787	265
No. of Clients in DATS Treatment as of 9/30/03	324	84
% of Total Caseload in DATS	41%	32%

Probation



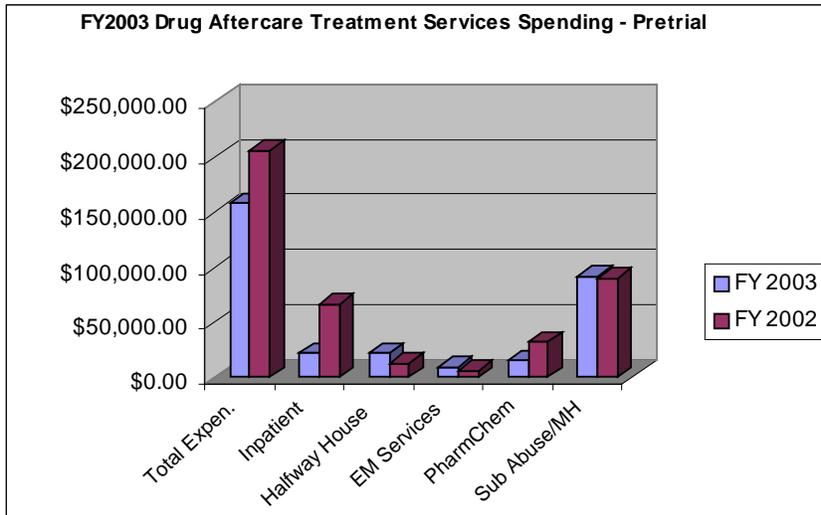
- Total expenditures reflect a 2% increase.
- Inpatient services reflect a 52% decrease.
- PharmChem (testing of all urine specimens/sweat patches going to the national lab & related supplies) reflects a 26% decrease.
- Non-Instrument Drug Test (NIDT)—Most vendors in the district were switched to NIDT devices in early 2003, and a six month supply of NIDT devices (test cups not purchased through PharmChem) was purchased in 9/03, resulting in this 410% increase.
- Substance abuse treatment reflects a 6% increase.



Mental Health services are provided for individuals who have a history of mental illness, depression, or develop a need for such services while under supervision. These services include individual/group counseling, intake assessments, psychological/psychiatric evaluations (to determine if psychotropic medication is needed), medication monitoring (sessions w/psychiatrist to manage medications) and our district wide sex-offender treatment program w/ DCCCA. Mental Health spending reflects a 22 percent increase over FY2002.

UNIT REPORTS / STATISTICS: Drug Aftercare / Mental Health Unit (Continued)

**Pretrial**



Total Expenditures reflected a 24% drop from FY2002.

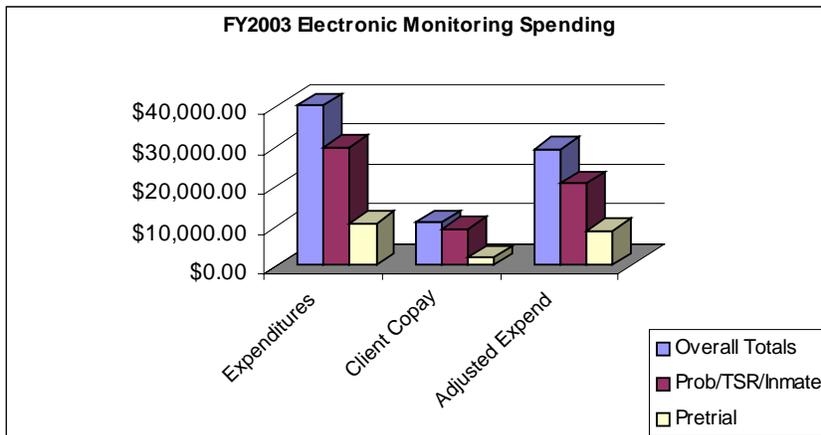
Inpatient Services reduced 67% .

Halfway House increased 69%.

Electronic Monitoring increased 49%.

PharmChem expenditures (urine/ sweat patch testing, supplies) decreased 55% which is due to the introduction of the test cup in late 2002.

Substance Abuse/Mental Health increased 2% .



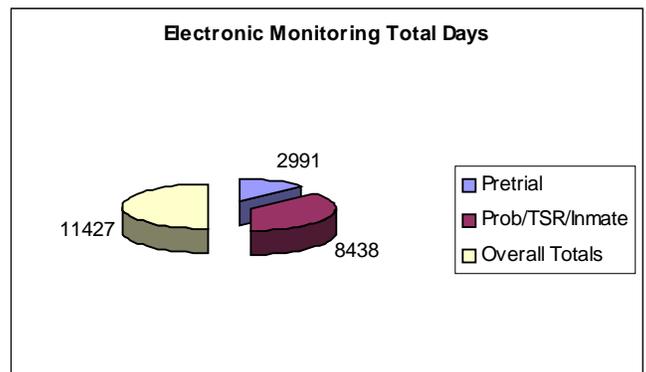
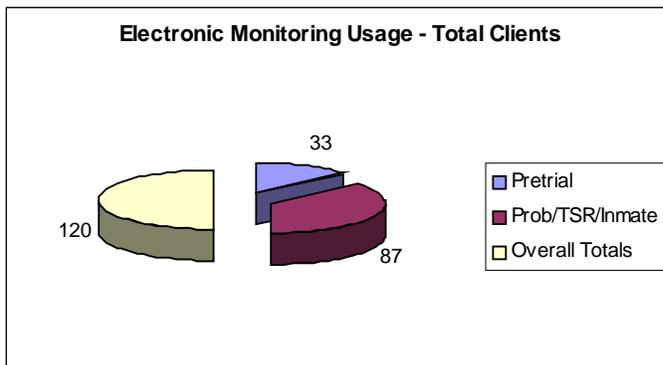
**Electronic Monitoring:**

Average number of days per client:

- Pretrial = 91
- Probation/TSR = 97
- Overall = 95

By utilizing copay, our district collected/saved \$9,055.97 in probation EM expenditures and \$1,758.61 in pretrial EM expenditures.

The charts referenced below compare percentage figures of pretrial vs. probation clients utilizing electronic monitoring and the number of days electronic monitoring was used.



## Consolidated Administration ~ Operations

### Budget and Facilities

One of the biggest challenges in 2003 was dealing with the uncertain budget situation. Congress did not pass an appropriation bill until four months into the fiscal year, putting courts in financial limbo and making planning very difficult. And in the end, we did not get full funding. Many courts were forced to delay or forgo expansion projects, postpone hiring, and limit promotional and training opportunities.

However, we were able to accomplish a small expansion project in Wichita. The expansion provided Wichita officers who specialize in presentence report writing and pretrial services to be in the same area.

### Human Resources

At the conclusion of fiscal year 2003, probation and pretrial services employed a total of 62 individuals. Our staffing numbers have held pretty close to those of fiscal year 2002 with some individual changes. We received and welcomed one new appointment—USPO Lynn Berry; and said good-bye to USPOs Jo Cooper and Brock Johns who transferred to other districts, and to POA Lana Benoit who resigned. There were no retirements, promotions or new positions created.

### Information Technology

Fiscal year 2003 brought the implementation of *PACTS<sup>ECM</sup>* to the District of Kansas. Officers and support staff worked as a team to learn the new system and divided into subcommittees for the different modules. This allowed a few players to concentrate on the details of the chronos, reports, forms and other functions in order to assist the district at large. With a relatively smooth transition, Unify is but a distant memory.

CM/ECF also was implemented in the District of Kansas during Fiscal Year 2003. While this project was overseen by District Court personnel, it also changed the way probation/pretrial staff received notices of hearing dates and court filed documents. For example, originating and processing *Judgment in a Criminal Case* from the probation office through chambers changed from hand-delivered, hard-copy WordPerfect documents, to pdf documents sent via email attachment to chambers staff, approved electronically with probation receiving email notification of the filed document from District Court.

*Systems staff who support both probation/pretrial services and district court.*



## Training

### Staff Training

by Melanie Fenske, Training Coordinator

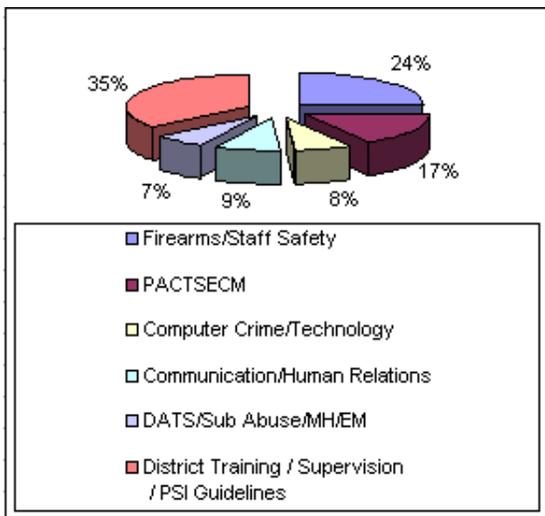


District of Kansas Probation and Pretrial staff participated in over 4000 hours of a variety of training topics in fiscal year 2003. Training sessions were offered through district training events, various seminars and FJTN programs.

Staff safety along with firearms training was the single subject commanding most of the staff's training time during this fiscal year. Over 1000 combined hours were devoted to honing these skills.

*PACTS<sup>ECM</sup>* compelled staff to devote a lions' share of their training hours on this subject. Across the spectrum, staff spent 722 combined hours receiving and/or presenting training for the implementation and added functions available with *PACTS<sup>ECM</sup>*.

Supervision/Monograph 109, communication and human relations, computer crime/technical skills, contract issues and presentence guidelines were important training topics provided to assist staff with learning new techniques and brushing up on existing skills.



### Safety Training

by R. Jed Blankenship, Senior U.S. Probation Officer



During this past year, the District has offered safety simulation training for all officers and support staff. The officers were given the opportunity to apply learned safety skills in two separate scenarios. These scenarios were video taped and debriefed individually and as a group. This is a very dynamic learning tool. Time was also spent working on safe and effective use of OC spray. Each officer spent one to two days participating in this training.

Support staff participated in a two hour block of safety training involving a review of behavioral characteristics that can be identified to alert staff to potential safety concerns. In addition, two scenarios were conducted and constructive feedback was provided by the entire group.

### Firearms Training

by Phil Messer, Senior U.S. Probation Officer



In 2003, the District of Kansas successfully completed the sixth and final "semi-automatic pistol transition class". The transition by the District to the Glock .40 caliber weapon was safely accomplished and appreciation goes out to all those involved. In addition, the accomplishments of the past year included ongoing training sessions and the transition to a national "web" based weapons inventory system. All weapons in the District of Kansas are now entered into the National Firearms Inventory System. The system is maintained by OPPS and assists Districts in tracking weapon maintenance and inventory.