

Annual Report Fiscal Year 2009

October 1, 2008 – September 30, 2009

U.S. Probation and Pretrial Services

District of Kansas



Robert J. Dole U.S. Courthouse
500 State Avenue
Kansas City, Kansas



Frank Carlson Federal Building
and U.S. Courthouse
444 Southeast Quincy
Topeka, Kansas



U.S. Courthouse
401 North Market
Wichita, Kansas

**Honorable Kathryn H. Vratil, Chief Judge
U.S. District Court**

Ronald Schweer, Chief U.S. Probation Officer

January 2010

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

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Judiciary for the District of Kansas

<u>U.S. District Court Judges</u>	<u> Holds Court</u>
Honorable Kathryn H. Vratil, Chief Judge	Kansas City
Honorable John W. Lungstrum	Kansas City
Honorable J. Thomas Marten	Wichita
Honorable Carlos Murguia	Kansas City
Honorable Julie A. Robinson	Topeka
Honorable Eric F. Melgren	Wichita
Honorable Wesley E. Brown, Senior Judge	Wichita
Honorable Richard D. Rogers, Senior Judge	Topeka
Honorable Sam A. Crow, Senior Judge	Topeka
Honorable Monti L. Belot, Senior Judge	Wichita
<u>U.S. Magistrate Judges</u>	
Honorable Karen M. Humphreys, Chief Magistrate Judge	Wichita
Honorable Donald W. Bostwick	Wichita
Honorable David J. Waxse	Kansas City
Honorable James P. O'Hara	Kansas City
Honorable K. Gary Sebelius	Topeka
Honorable Gerald L. Rushfelt	Kansas City
Honorable Gerald B. Cohn	Wichita

Organizational Profile

The probation and pretrial departments are led by the Chief U.S. Probation Officer with assistance from the Deputy Chief, Assistant Deputy Chief and 4 Supervising U.S. Probation Officers (SUSPO). There are 3 divisions and 2 satellite offices:

- | | |
|--------------------------------------|-------------------------|
| ➤ Kansas City ~ Headquarters | 500 State Avenue |
| Leavenworth (reports to Kansas City) | 4715 Brewer Place |
| ➤ Wichita | 401 N. Market |
| ➤ Topeka | 444 S.E. Quincy |
| Fort Riley (reports to Topeka) | Building 200, Room 111A |

Staff Directory: MANAGEMENT



Ron Schweer, Chief
U.S. Probation Officer
Kansas City



Steve Kohman, Supervising
U.S. Probation Officer
Investigation Unit
Wichita



Phil Messer, Deputy Chief
U.S. Probation Officer
Wichita



William Martin, Supervising
U.S. Probation Officer
Supervision Unit
Wichita



Trey Burton, Assistant Deputy Chief
U.S. Probation Officer
Topeka



Linda Roberts
Office Manager
Topeka



Jim Dier, Supervising
U.S. Probation Officer
Investigation Unit
Kansas City/Topeka



Diane Schwartzman
Officer Manager
Kansas City



Mary Handley, Supervising
U.S. Probation Officer
Supervision Unit
Kansas City/Topeka



Barbara Wade
Operations Analyst
Wichita

Staff Directory

SENIOR U.S. PROBATION AND PRETRIAL SERVICES OFFICERS



Bryce Beckett
Guidelines Specialist
Investigation Unit
Wichita



Michele Madden
Pretrial Specialist
Investigation Unit
Wichita



Michelle Caples
Contract Specialist
Investigation Unit
Kansas City



Wade Reichmann
Contract Specialist
Supervision Unit
Wichita



Melissa Goldsmith
Defendant/Offender Specialist
Supervision Unit
Kansas City



Milton Ruble
Guidelines Specialist
Investigation Unit
Kansas City



J. Scott Jones
Firearms/Safety Specialist
Supervision Unit
Wichita



Kristine Thomas
Defendant/Offender Specialist
Supervision Unit
Topeka



Chris McNiel
Sex Offender Specialist
Supervision Unit
Wichita

Staff Directory

U.S. PROBATION AND PRETRIAL SERVICES OFFICERS



Jennifer Barton
Investigation Unit
Topeka



Marlin Carlson
Supervision Unit
Kansas City



Stacey Beilman
Investigation Unit
Topeka



Evelyn Chirinos
Investigation Unit
Wichita



Jeffrey Blessant
Investigation Unit
Wichita



Toni Corby
Supervision Unit
Wichita



Shawn Brewer
Investigation Unit
Kansas City



Roy Day
Supervision Unit
Wichita



Paul Buhl
Supervision Unit
Kansas City



John Derby
Investigation Unit
Kansas City

Staff Directory

U.S. PROBATION AND PRETRIAL SERVICES OFFICERS CONT'D



John Deters
Investigation Unit
Topeka



Lynn Harris
Supervision Unit
Wichita



Josefina Durham
Supervision Unit
Wichita



Lori Hase
Investigation Unit
Wichita



Jill Farias
Supervision Unit
Wichita



LaTonya Hayles-Davis
Investigation Unit
Wichita



Rod Freeman
Supervision Unit
Kansas City



Diana Kerns
Supervision Unit
Topeka



John Gabrielson
Supervision Unit
Kansas City



Chris Lewis
Supervision Unit
Kansas City

Staff Directory

U.S. PROBATION AND PRETRIAL SERVICES OFFICERS CONT'D



Brooke Paulson
Supervision Unit
Topeka



Krisha Wilbers
Supervision Unit
Kansas City



B. Scott Phillips
Supervision Unit
Topeka



Ruth Yorke
Supervision Unit
Kansas City



Cassidi Sporhase
Investigation Unit
Kansas City

Staff Directory

PROBATION TECHNICIANS / JOB SPECIALISTS



E. Chris Towner
Supervision Unit
Wichita



Cheryl Barrow
Probation Technician
Supervision Unit
Wichita



Sara Valdez
Supervision Unit
Kansas City



Melvin Marsh
Probation Technician
Supervision Unit
Kansas City

Staff Directory

PROBATION TECHNICIANS / JOB SPECIALISTS CONT'D



Sandee Munson
Job Specialist
Supervision Unit
Kansas City/Topeka



Mary Fischer
Administrative Assistant to USPO
Supervision Unit
Kansas City



Barbara Nuss
Probation Technician
Supervision Unit
Topeka



Tennille Gibbs
Administrative Assistant to USPO
Supervision Unit
Kansas City



Annelies Snook
Job Specialist
Supervision Unit
Wichita



Linda Grissom
Data Quality Analyst
Contract Contract Services
Kansas City

SUPPORT STAFF



Joni Cassity
Senior Administrative Assistant to
USPO
Investigation Unit
Wichita



Janice Johnson
Senior Administrative Assistant to
USPO
Investigation Unit
Kansas City



Connie Cooley
Administrative Assistant to USPO
Investigation Unit
Kansas City



Sherri Lagoski
Senior Administrative Assistant to
USPO
Investigation Unit
Kansas City

Staff Directory

SUPPORT STAFF CONT'D



Theresa Lundquist
Senior Administrative Assistant to
USPO
Investigation Unit
Topeka



Catherine Stanton
Senior Administrative Assistant to
USPO
Supervision Unit
Topeka



Peggy Mathews
Data Quality Analyst
Wichita



Cindy Stiverson
Senior Administrative Assistant to
USPO
Supervision Unit
Wichita



Carla Ray
Administrative Assistant to USPO
Investigation & Supervision Unit
Wichita



Robyn Swanson
Senior Administrative Assistant to
USPO
Supervision Unit
Wichita



Linda Stancliffe
Senior Administrative Assistant to
USPO
Investigation Unit
Topeka

Committees

- ✚ **Administrative/Management** to review policies, spending, questions from staff and other items as presented. The group consists of the Chief, Deputy & Assistant DCUSPO, SUSPOs, Operations Analyst and Office Managers.
- ✚ **IT Steering** started in FY2009 for the purpose of assisting IT with prioritizing probation related projects. Consists of the Assistant IT Manager, Pacts Administrator, 5 USPOs and 1 support staff.
- ✚ **Pacts IT/Assist** a policy/decision making group. Consists of the Assistant DCUSPO, 2 SUSPOs, 9 USPOs, 5 support staff, and the Pacts Administrator. In 2009 addressed noncompliance and closing summary chronos.
- ✚ **Pacts Forms** consist of 6 support staff and the Pacts Administrator. Developmental and testing phases of D/KS Adobe forms with 14 WordPerfect Pacts forms replaced with Adobe forms.

Staff Project: Food Pantry Donation in Kansas City & Clothing Closets

It started with a conversation involving a few friends of Sherri Lagoski, Sr. AAPO in the Kansas City division office. Sherri had wanted to get the Probation Food Pantry off the ground following a very generous donation from District Court staff in Kansas City earlier in the year. When asked by a friend for ideas relating to what she wanted for Christmas, Sherri made a very selfless request for a food donation to be distributed to our defendants and offenders. You can imagine her surprise, and ours, when Chris Miller (friend and retired businessman from Eudora) arrived at our Kansas City office with a delivery of food for our pantry. The picture speaks for itself, but as you



can see we again have a supply of non-perishable food items in our Kansas City office for distribution to defendants and offenders in need of assistance. A vacant office was converted into a quasi-food pantry and clothing room.



We also have a similar set-up in our Topeka and Wichita offices. Due to the work of Sr. AAPOs Cindy Stiverson / Robyn Swanson, and Job Specialist Annelies Snook (Wichita), they have obtained a nice variety of men's clothing items available to defendants and offenders in need. USPOs Brooke Paulson and Diana Kerns (Topeka), along with other Probation staff have coordinated the collection of these items in the Topeka office.



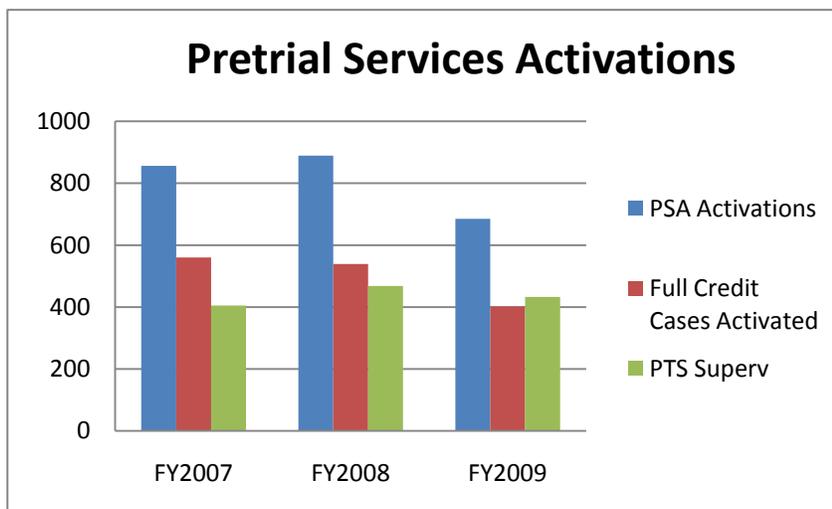
Officers are encouraged to distribute the food and clothing on an as needed basis to defendants and offenders who are without these basic essentials during these very tough economic times.

Pretrial

Described as the “First Face” of the federal criminal justice system, Pretrial Services has a unique opportunity to influence the success of defendants. The interview is often the first contact of a defendant with the court. The officer will gather personal information to assist the court in the release decision. The officer’s recommendation to the court takes into account risk factors and specific needs the defendant has and how to best address them in relation to non-appearance and danger to the community. A quality bail report facilitates the judicial process, helps reduce unnecessary detention, and promotes public safety.

When release is warranted, supervision is typically ordered along with the least restrictive conditions necessary to reasonably assure the appearance of the defendant and protect the community. Some of the conditions which can be considered as “alternatives to detention” include: Remote Location Monitoring (Electronic Monitoring or GPS), substance abuse testing and/or treatment, mental health evaluation and treatment, computer use monitoring, and halfway house placement. Officers are committed to monitoring compliance with the court-ordered conditions through personal and collateral contacts. Officers assist defendants with housing, education, employment, health, and other social service needs that may arise during supervision. Officers inform the court of the performance and compliance with the conditions of release, make recommendations to the court to address any noncompliance encountered and update the court of new risk factors that may arise.

In April 2009, Office of Probation and Pretrial Services (OPPS) released the newest edition of Monograph 110, the Judicial Officer’s Reference on Alternatives to Detention and Conditions of Release. The Pretrial Services Working Group, of which Assistant Deputy Chief Trey Burton was a member, helped revise this Monograph. As the foreword states, “The judicial officer is constantly challenged with striking a balance between honoring the rights of the accused and protecting the safety of the community.” Former Chief Justice William H. Rehnquist reminded us in *U.S. v. Salerno*, 481 U.S. 739 (1987), that, as it relates to pretrial defendants, “liberty is the norm, and detention prior to trial or without trial is the carefully limited exception.” Officers strive to assist judicial officers by identifying those defendants who can safely be released to the community with the least restrictive conditions necessary to assure court appearances and the safety of the community while pending trial. It is the hope of the Criminal Law Committee that this Monograph will be frequently referenced and that each alternative and/or combination of alternatives to detention will be carefully considered before any defendant is ordered detained. (Trey Burton, Assistant Deputy Chief)



Presentence

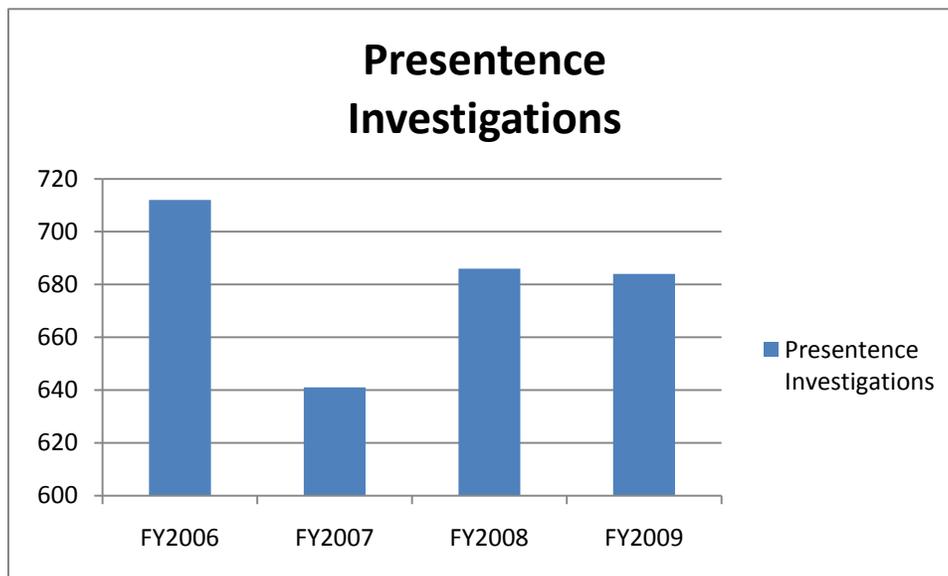
Highlights for presentence officers included the annual training seminar sponsored by the United States Sentencing Commission. This training seminar occurred during June in New Orleans, Louisiana. Six officers attended this valuable training. They returned to their respective divisional offices and shared the educational materials with staff. One of the panel presenters was Senior U. S. Probation Officer Bryce Beckett. Bryce serves as a member of the national Probation Officer Advisory Group.

Statistically, approximately 722 defendants were sentenced in Kansas this past fiscal year. Of those, 409 (56.6%) were sentenced within the guideline range. Approximately 142 (20%) cases received sentences through substantial assistance motions. Another 69 cases (9.6%) received sentences below the range pursuant to Booker and 21 defendants (3%) received sentences above the range pursuant to Booker.

During this past year, presentence writers participated in the telework program which was approved and newly implemented in our district. Reports from each of the program participants described the increased productivity noticed as a result of this program. Presentence writers appreciate the uninterrupted work environment provided by their home based office environment.

2009 was another year where officers worked steadfastly in their attempts to provide sentencing options in the form of “variances” in the advisory guideline system. Presentence reports frequently offer factors for the court’s consideration that remain consistent with 18 U.S.C. 3553.

The Presentence Unit worked in a manner to insure an equal distribution of workload assignments. As a result, 2009 introduced the sharing of presentence case assignments throughout the district. It was common to see the Wichita office volunteer to accept the heavy presentence assignments often seen in the Kansas City and Topeka divisions. Approximately 50 reports from Kansas City and Topeka were assigned to Wichita officers. (Jim Dier, Supervising USPO)



Post-Conviction Supervision



The District of Kansas commenced KAN-TRAC, the Kansas Treatment Re-Entry Assistance Court, on February 4, 2009. It is a supervised release resource program that provides a judicially supervised regimen of treatment and evidence based practices to substance abuse offenders with the goal being their successful re-entry to the community and thereby closing the “revolving door” to the criminal justice system. Research has indicated that this model of intensive supervision, treatment, and judicial supervision is effective in reducing recidivism.

The Court is overseen by Chief Magistrate Judge Karen Humphreys and involves a team of probation officers, treatment counselors, an Assistant U.S. Attorney and Assistant Federal Public Defender. USPOs Toni Corby and Lynn Harris; Senior USPOs Chris McNeil and Wade Reichmann; counselors Fran Lee from Mirror, Inc. and Maggie Madigan from DCCCA Options; Assistant US Attorney Mona Furst and Assistant Federal Public Defender Steve Gradert make up the team. The program is voluntary and started with ten participants. It consists of four phases. Phase I is a minimum of four weeks which includes weekly court sessions and two USPO contacts per week. Phase II is 12-24 weeks which consists of one PO contact per week and court every other week. Phase III is 16-20 weeks and reduces to two USPO contacts per month and one court appearance per month. Finally, Phase IV is 16-20 weeks with one USPO contact and one court

session per month. The participants are involved in treatment and random drug testing throughout the program based on their individual needs.

KAN-TRAC provides a supportive environment that encourages and helps the participants work toward becoming successful while holding them accountable. There has been a wide variety of experiences with the participants regarding their successes and failures. All have struggled at different levels with drug abuse, mental health, transportation, employment or other issues. Two participants have been arrested for violations of supervised release, one was revoked and the other is pending a revocation hearing. One person opted to discontinue participation with the program at this time and another person was terminated from the program. Various sanctions have been imposed to address issues of non-compliance, including jail time. Six participants remain in the program and three were recently promoted to Phase IV. Those participants are making progress and achieving success. Several participants have stated they do not think they would still be on supervision or doing as well as they are if they have not had the opportunity to participate in KAN-TRAC. (Wade Reichmann, Senior USPO)

THE WICHITA EAGLE posted the below article on January 2, 2010, is "Reprinted with permission of The Wichita Eagle."

Federal program Helps ex-cons stay out of jail

By Ron Sylvester

Tears welled up in the woman's eyes as she talked about life outside prison. "I got out in 2008, and I thought, there's nothing to do, just send me back," she said. But she and others found help in Wichita's federal courthouse.

The Kansas Treatment Re-Entry Assistance Court (KAN-TRAC) in Wichita is one of about two dozen federal programs across the United States designed to help people stay out of prison once their sentence ends.

The re-entry court supplements probation and helps federal convicts in Kansas reintegrate into society. The one year program is voluntary and subjects participants to intense supervision and strict rules.

The program was organized by the Department of Justice in 2006 under President Bush and continued under President Obama.

U.S. Magistrate Karen Humphreys stood in front of the judge's bench recently, listening to the woman speak about her fear of freedom.

"You don't have that structure, and I'm afraid of what will happen when I don't have that structure," said the woman, who spent six years in federal prison for possession with intent to distribute methamphetamine.

The Eagle is not naming the KAN-TRAC participants to protect their privacy as they work to find jobs and be accepted back into a community where they've previously run afoul of the law.

Probation and parole officers say those who have spent time in prison often have difficulties when they get out. They don't have jobs or



Courtesy photo
U.S. Magistrate Karen Humphreys speaks to participants in the Kansas Treatment Re-Entry Assistance Court (KAN-TRAC). The program in Wichita supplements probation and helps convicts reintegrate into society after release.

homes; some don't have family support. Many have drug and alcohol problems. "For some participants, maintaining sobriety and a crime-free life may be all that they can accomplish," wrote Melissa Alexander, an administrator of the U.S. District Court of Eastern Missouri. Alexander oversees a similar program and wrote an evaluation of Kansas' re-entry court.

Humphreys reassured the woman and the other four people in court for their monthly appearance that support and help will continue if they complete the program. "We're not just going to drop you on the cement to fend for yourselves," Humphreys said. "We're going to celebrate your graduation, but that's not the end of the story."

Program used before

The re-entry court is in its ninth month of operation. But its philosophy is not new. "We're going back to what we did 30 years ago," said Mona Furst, assistant U.S. attorney and the prosecutor on the re-entry court team. "We used to try to rehabilitate people. Then the focus became on punishment. Now, we're trying to rehabilitate them again."

The court is similar to drug courts run by state and city courts, and a mental health court recently started by the city of Wichita. A prosecutor, public defender, two drug and alcohol counselors, two U.S. probation officers and an employment specialist are on the team

Fiscal Year 2009

of people who regularly meet with and assess the clients' efforts between court sessions.

The team utilizes rewards for good behavior and tries to teach skills for maintaining a crime-free lifestyle. There is no parole from federal prison, and after serving their sentences, former inmates are subject to years of probation. Successful graduation from the program can take one year off their probation. At least one person has gone back to prison for not complying with the rules of the program.

"I see this as an opportunity to help people get through things that in the past would have resulted in them having to go back to prison," said Steve Gradert, the federal public defender in KAN-TRAC.

Getting a job

The program's policy said it's aimed at "high-risk" offenders who are under 40, have significant histories of drug abuse and criminal activity with little education or employment history. Getting a job is one of the most important factors in success coming out of prison, said Bill Martin, supervisor of the U.S. Probation Office in Wichita. It's also one of the most difficult tasks, with employers wary of hiring ex-convicts.

One man in the program said that he had undergone interviews and physicals with a local branch of a national shipping company. "Then they found out about my criminal history, and the job went away," the man said.

He had been initiated into a gang at age 14. Eight years later, he was arrested as part of a large cocaine and methamphetamine ring. Convicted of possessing a firearm while trafficking drugs, he was sentenced to five years in prison and three years probation. "Having a job has not been a part of my life," he told the judge. "The streets have been a part of my life." Now, he wants to help support his family as his wife goes to school. "I'm no good to them back in prison," he said.

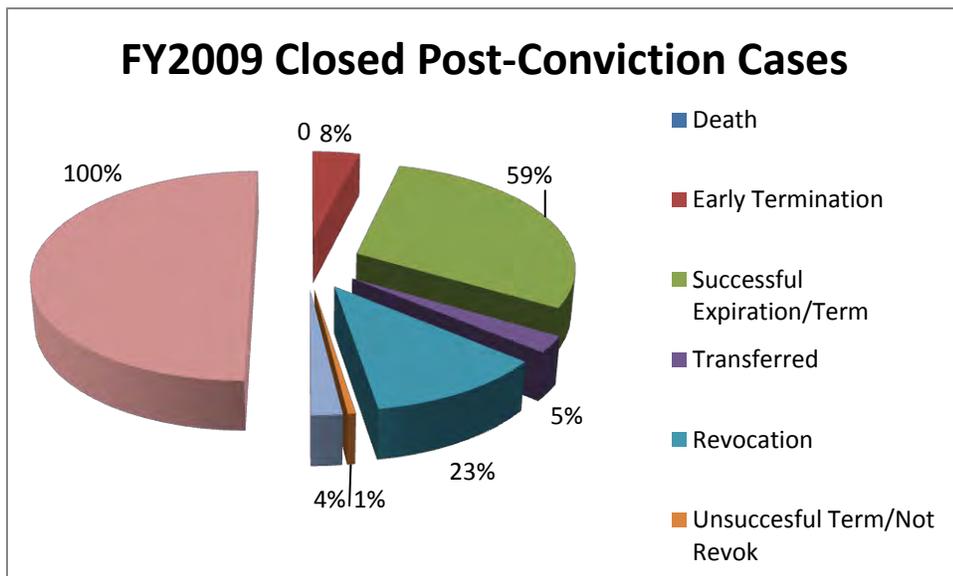
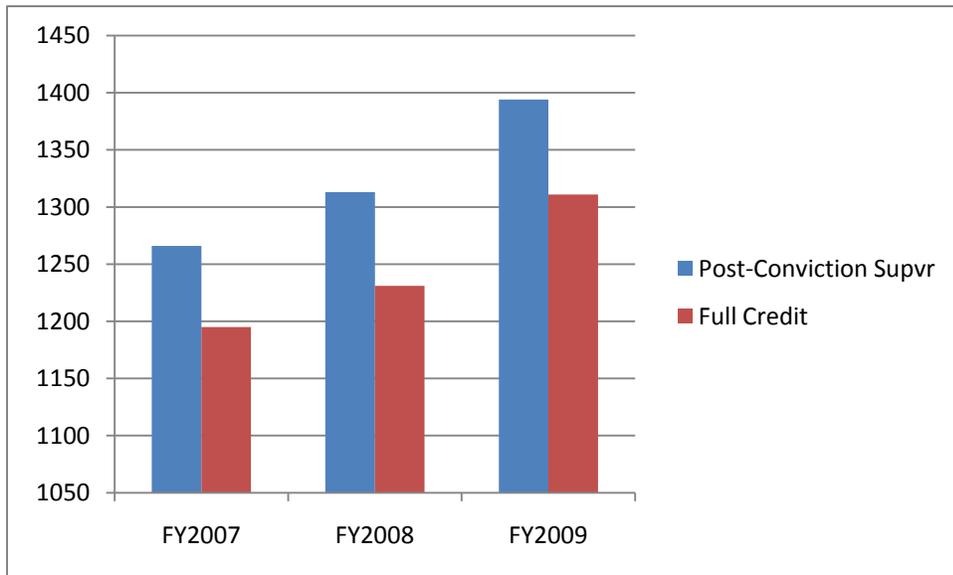
Annelies Snook, offender employment specialist with the federal probation office, pointed the man to a competing company that had been hiring people on probation. "Believe it or not, there are employers in Wichita willing to give offenders a second chance," she said later.

Employers can receive state tax credits for hiring convicted felons and qualify for free insurance to protect them against losses including by theft, forgery or embezzlement.

Snook helps the former inmates learn how to dress appropriately, develop resumes and conduct themselves in interviews. She's encouraged by what she sees from participants. Sometimes, it even brings tears to her eyes. "I get emotional once in a while," Snook said. "You see the impact it has on an offender who wants to succeed,"

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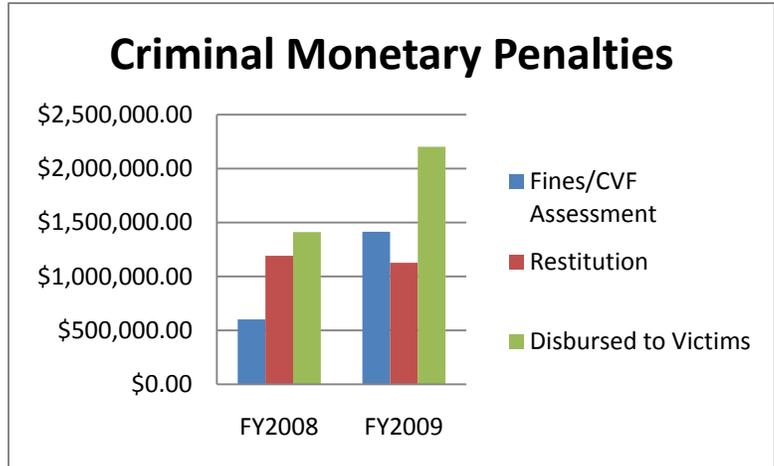
Post-Conviction Supervision (continued)



Post-Conviction Supervision (continued)

Criminal Monetary Penalties:

In Fiscal Year 2009 District Court disbursed \$1,411,989 of the restitution collected to victims.



Employment Statistics:

Offender/defendant employment continues to be a top priority in the District of Kansas. Sandee Munson was hired in July 2008 and serves both Kansas City and Topeka division officers. Two Senior Officer (Kris Thomas and Melissa Goldsmith) positions were created which allows the program to expand and become even more successful. The employment specialists provide a variety of services assisting clients on supervision with employment-related issues. Along with serving client’s needs, the employment specialists spend a great deal of time in the field making contacts with employers in order to network and build relationships. Partnerships have been formed in Kansas City with Connections to Success and Gracious Promise, two faith-based programs, offering job search/employment classes. In Topeka, Sandee assists state parole in providing similar classes. The HEART (Hospitality, Education, and Retail Training) Project offered through Kansas City, Kansas Community College has also been a great resource for our clients.

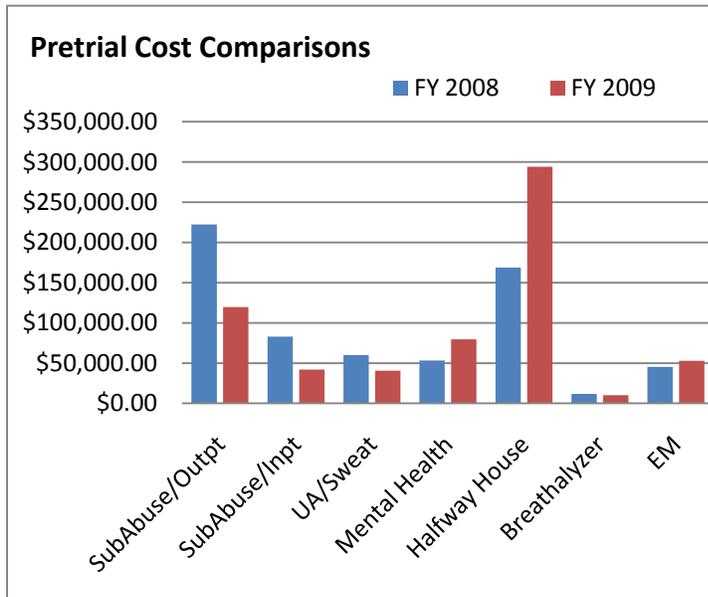
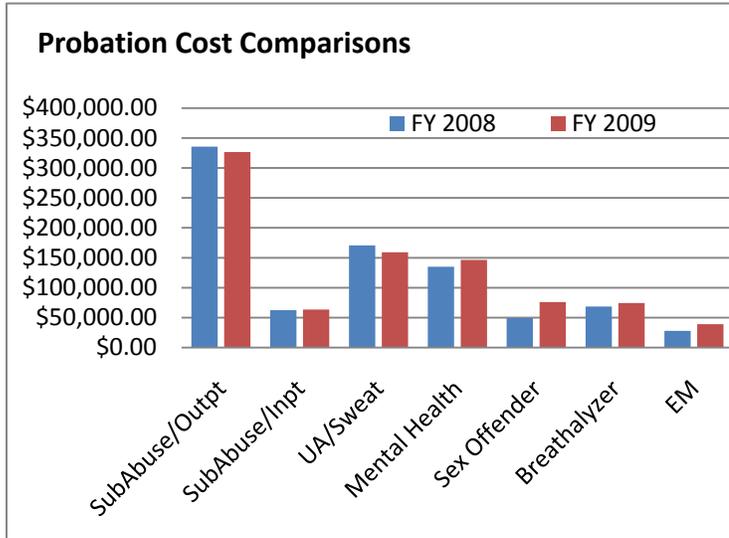
Each month the employment specialists provide a report that generates employment related statistics reflecting local, state, and national rates.

In March, Sandee partnered with Western Missouri Probation, the Kansas City Crime Commission, Workforce Development, and other agencies to provide an informational/appreciation breakfast for area employers. William H. Dunn of J. E. Dunn Construction moderated the program featuring employers who hire those with past convictions, and past offenders who had success stories to share. In May, Annelies Snook, who works in the Wichita division, partnered with the local halfway-house to provide an appreciation breakfast for several employers who have worked with our clients in the past. It was a great success and employers enjoyed hearing from our Chief Magistrate Judge as well as a successful federal client who is currently on supervision. (Annelies Snook and Sandee Munson, Job Specialists)

Drug Aftercare/Mental Health

During FY2009, the District of Kansas spent a total of \$1,606,577.71 on drug detection, substance abuse treatment, electronic monitoring, mental health counseling, and sex offender treatment. This represents a \$38,540.10 (2.46%) increase from FY 2008.

As indicated in the diagrams, the largest expenditure increases came in halfway house services for pretrial defendants (74.29% increase); the largest reduction was pretrial substance abuse outpatient treatment (46.16% reduction). Costs for probation and supervised release offenders remained relatively consistent with FY2008 costs.



In FY2009, the U.S. Probation and Pretrial Services Office collected \$78,069.04 in defendant and offender co-payments, a 1.33% increase over FY2008. The utilization of co-payments not only assists the agency in management of treatment funding, but it invests defendants and offenders in the treatment process.

When looking at treatment costs for defendants and offenders who were detained or revoked during FY2008 and FY2009, we found the following: the number of individuals under post-conviction supervision in FY2009

increased 4.08%. There were 5 more offenders revoked in 2009 than in 2008, a 3.65% increase. Spending increased on this group by 193.54% from 2008 to 2009.

	Total Post-Conviction	Revocations	Contract Services
FY 2008	2059	137	\$ 43,957
FY 2009	2143	142	\$129,032

Drug Aftercare/Mental Health (continued)

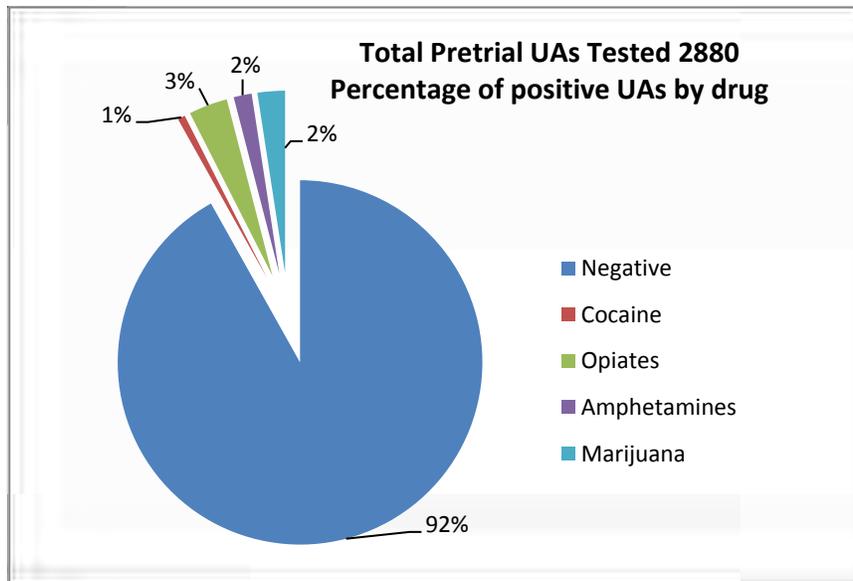
The District of Kansas supervised 641 pretrial defendants in FY2008 and 613 in FY2009, a decrease of 4.37%. For pretrial defendants detained after being released on bond, there were 23 fewer defendants revoked in FY2009 as compared to FY2008, a reduction of 62.16%. The money spent on this group decreased by 58.67% from 2008 to 2009.

	Total Pretrial Cases Under Supervision	Detained Due To Violation	Contract Services Expenditures
FY2008	641	37	\$48,090
FY2009	613	14	\$19,876

Obviously, there are numerous factors that contribute to revocations so this comparison is not meant to represent a direct correlation. However, we strive to determine outcomes of contract services expenditures by closely examining these cases in the future.

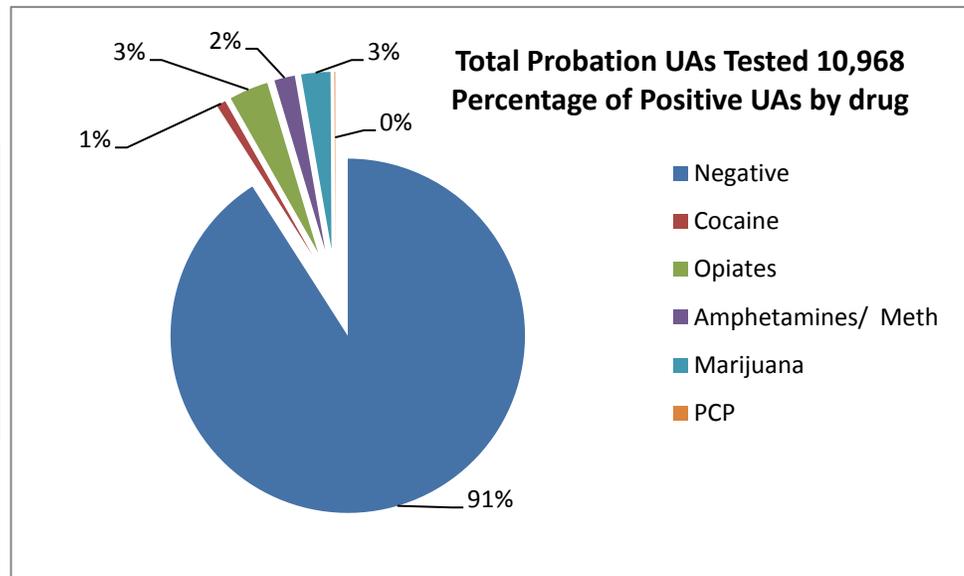
The District of Kansas continues to use the Albuquerque Regional Laboratory for the bulk of urine testing. All our contract treatment providers collect urine samples and forward them to this laboratory. Officers still utilize non-instrumented drug tests (NIDTs) in the field or in the office if an immediate result is needed.

Total Pretrial UAs 2880 Tested	
Negative	2646
Cocaine	19
Opiates	99
Amphetamines	46
Marijuana	70



Drug Aftercare/Mental Health (continued)

Total Probation UAs 10968 Tested	
Negative	9976
Cocaine	93
Opiates	392
Amphetamines	206
PCP	9



The presumptive positive drug tests at the New Mexico Lab are sent to Kroll, the National Laboratory, for confirmation testing. Of the presumptive positive tests in New Mexico, 82.8% of the FY2008 pretrial tests and 81.6% of the post-conviction tests were confirmed positive. In FY2009, 92.5% of the pretrial presumptive positive tests were confirmed, and 87.3% of the post-conviction tests confirmed.

On a final note to clarify the opiates results, the New Mexico lab holds presumptive positive opiate tests at the direction of the U.S. Probation Officer as many of the positives are due to legally prescribed medications. The U.S. Probation Officer then determines if and when an opiate positive should be sent for confirmation testing. Kroll laboratory can break down opiates into more specific drug types (e.g., hydrocodone, hydromorphone, oxycodone, and morphine). In doing so, the laboratory can confirm if the opiate positive is the result of the type of medication prescribed. (Michelle Caples, Senior USPO)

Sex Offender Services

Our district spent a total of \$76,070 on sex offender services, a significant increase from the FY2008 total of \$49,225. The increased costs are associated with an increase in the number of supervised release cases requiring sex offender treatment. In October 2008, 14 sex offenders were involved in treatment services. By September 2009, the number of referrals increased to 32. Group counseling was the largest expense at \$52,945 followed by the maintenance polygraph at a cost of \$14,000. (Chris McNiel, Senior USPO)

Electronic Monitoring

The District of Kansas Location Monitoring Program (LMP) continues to be a cost-effective alternative to incarceration that is judicially or administratively imposed as a condition of supervision, requiring the participant to remain in their residence for any portion of the day. Judicial officers may require defendants or offenders to participate in the program as a condition of their court-ordered release in lieu of pretrial detention or post-sentence incarceration.

In FY 2009, the average monthly cost of incarcerating a defendant is \$2,157.88. During this fiscal period, the District of Kansas serviced 89 different pretrial defendants in lieu of detention for an average of 144 days. The monitoring costs associated with these defendants were \$68,151.90. However, due to pretrial defendants paying \$15,338.41 in co-pays, the actual expense was \$52,813.49. If these same defendants were detained during this time the costs would have been \$921,726.72. This represents \$868,913.23 in savings (94% savings).

In addition to the cost savings benefits associated with electronic monitoring, there are substantial social benefits associated with electronic monitoring in lieu of incarceration. In the pretrial context, electronic monitoring provides the participant an opportunity to utilize his/her social network to deal with stressors associated with the pending criminal case, to maintain employment, and continue with educational activities.

In post conviction populations, electronic monitoring provides a structured setting that promotes accountability for the participant who has committed technical violations of supervision. It also strengthens family ties for the participant. An American study (Rubin B. 1990 Electronic jails: A new criminal justice concern, *Journal of Offender Monitoring*, 3, 8-11.) found that 86% of participants surveyed felt that their relationships with their families improved as a result of home confinement.

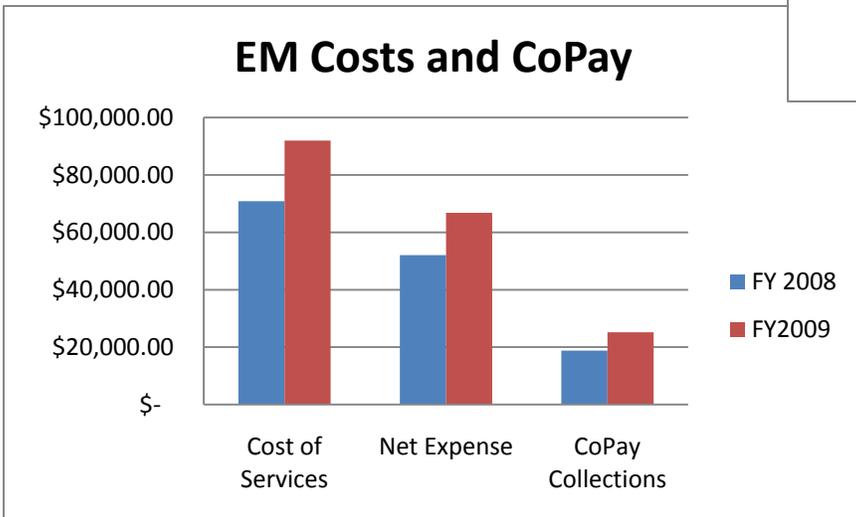
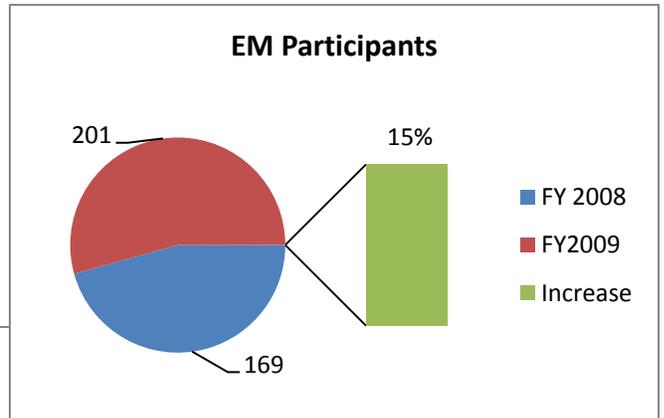
TYPES & COSTS OF ELECTRONIC MONITORING:

1. Radio Frequency (RF) Monitoring: consists of a non-removable ankle bracelet attached to the participant's wrist or ankle. The bracelet emits a radio signal to a receiver/dialer unit located inside the participant's home. When the participant's bracelet is within range of the receiver/dialer, he/she is considered "home". Likewise, when the participant's bracelet is too far away to be picked up by the receiver/dialer he/she is considered away from their residence. The equipment notifies the supervising officer of when the participant is home, leaves the residence, or tampers with the non-removable bracelet or the electronic equipment. Cost associated with RF Monitoring is \$3.18 per day.

Electronic Monitoring (continued)

2. **Passive Global Positioning Monitoring:** consists of the participant wearing a non-removable ankle bracelet, a receiver/dialer inside his/her residence and carrying a GPS tracker when he/she leave the residence. Upon the participant's return to the residence, the GPS tracker is docked to the receiver/dialer, which then reports where the participant has traveled. The District of Kansas has found that Passive GPS Monitoring provides a wealth of information regarding the participant's movement within the community. With this information, probation officers are able to know locations that the participant frequents when away from the residence. Subsequently the supervising officer can better enforce the restrictions associated with no contact orders and negative associations. Cost associated with Passive GPS Monitoring is \$5.75 per day.
3. **Sobriotor:** In addition to RF Monitoring and Passive GPS Monitoring, supervising officers can utilize a Sobriotor to randomly test the participant for alcohol consumption. Although the Sobriotor has been used sparingly, evidenced based practices suggest the tool is a valuable resource to monitor a participant's consumption of alcohol. We have found it especially useful when implemented in conjunction with substance abuse counseling. We expect this tool to be valuable with the implementation of drug courts and evidenced based programming. Cost associated with Sobriotor testing is \$2.98 per day.

EXPENSES: During FY2008, the District of Kansas provided electronic monitoring services to 169 participants. We spent \$70,873.10 for these services. For this fiscal period, the District of Kansas provided services to 201 participants (15% client increase) which increased costs to \$91,994.94 (\$21,121.84 increase in costs).



	FY 2008	FY 2009
Actual Net Expense	\$52,040.45	\$66,818.90*
Co-Pay	\$18,832.65	\$25,176.04

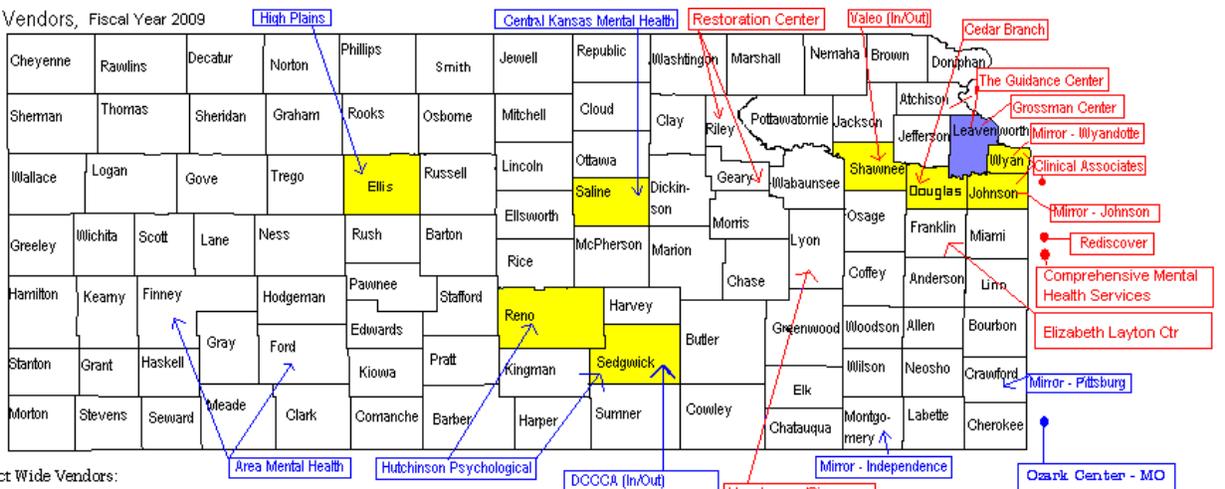
*A 22% increase.

Electronic Monitoring (continued)

During FY2008, the District of Kansas collected \$18,832.65 in participant copayments. In FY2009, the District of Kansas collected \$25,176.04 in co-payments from the participants. (Scott Phillips, USPO)

Vendor Map

DATS Vendors, Fiscal Year 2009



District Wide Vendors:

BI Electronic Monitoring
Internet Probation and Parole Control

- Reichmann Vendors
- Area Mental Health Center
- Central Kansas Mental Health
- DCCCA (Inpatient/Outpatient)
- High Plains Mental Health
- Hutchinson Psychological
- Hutchinson Psychological (Wichita Metro)

- Mirror - Halfway House
- Mirror - Independence
- Mirror - Pittsburg
- Mirror - Wichita
- Ozark Center

- Caples Vendors
- Cedar Branch
- Clinical Associates
- Comprehensive MH Svcs
- Elizabeth Layton Ctr

- Grossman Center
- Henderson/Simmons
- Mirror - Johnson
- Mirror - Wyandotte
- Rediscover
- Restoration Center

• Vendors located in Missouri

- The Guidance Center
- Valeo (Inpatient/Outpatient)
- Counties highlighted in yellow:
Sex Offender services provided by DCCCA (Chris McNeil)
- County highlighted in purple:
Sex Offender services provided by Clinical Associates (Chris McNeil)

Training

District of Kansas Probation staff was able to participate in 4,636 hours of training. Firearms and Defensive Tactics training saw an increase in training hours provided. Many hours of training were spent learning to navigate the newest version of Pacts 5.6. Another area of increased training centered on the Workforce Development programs.

As in years past, the District was able to send several officers and staff to various regional and national training opportunities such as APPA conference, Guideline training, and the 9th-10th Circuit Support Staff training which was held in San Francisco. Officers and staff continued to take advantage of training opportunities provided through Webex seminars, FJTN programming, books and DVDs.

Plans were started to change to a new training software program in 2010 through a training module under SIRS. Staff will be able to view a training calendar for up-coming training events and keep track of their individual training hours. (Barbara Nuss, Probation Technician)

Consolidated Administration

The following reflects administrative functions for the District of Kansas Probation Office and departments that are consolidated with the District Court Clerk's Office.

Human Resources: At the conclusion of FY2009, Probation employed a total of 66 individuals. We saw several major changes this fiscal year, specifically within the management team. Gary Howard retired as Chief U.S. Probation Officer and Terry Sisson retired as Deputy Chief U.S. Probation Officer. Gary was succeeded by Ron Schweer, who transferred from the Eastern District of Missouri where he served as the Deputy Chief U.S. Probation Officer. Terry was succeeded by Phil Messer, who worked as the Section Chief for the Federal Law Enforcement Training Center (FLETC) in Charleston, South Carolina. In addition, Supervising U.S. Probation Officer Kim Rieger transferred to the Western District of Oklahoma.

There were several notable promotions this fiscal year. Kris Thomas and Melissa Goldsmith were selected for Senior U.S. Probation Officer positions. In addition, Trey Burton was appointed as the Assistant Deputy Chief U.S. Probation Officer, which is a new position for the District of Kansas. (Skyler O'Hara, Deputy Director Administrative Services)

Student Interns

Our district reinstated the Student Intern program in FY2009. We had the pleasure of working with the following three interns during this past year.



Alexandra Stonestreet is a student at the University of Kansas, where she is pursuing a degree in Spanish/Political Science/Latin American Studies. She worked as an intern in the Topeka Probation Office for the summer of 2009, completing over 260 work hours of work during that time. Allie performed a variety of job duties for supervision, pretrial, and presentence investigations. She speaks Spanish fluently, which was very helpful to Topeka officers. Allie will graduate with a Bachelor's Degree at KU in May 2010. She intends to attend graduate school and was very thankful for the internship opportunity provided.



Lynsey Randolph is a student at Washburn University, pursuing a degree in Criminal Justice. She completed her internship at the Topeka Probation office in the fall of 2009, completing over 140 hours of work here. Lynsey performed a variety of job duties under the direction of officers in Topeka. She is to graduate from Washburn in December 2010 with honors and intends to pursue a graduate degree. Lynsey enlisted in the Air National Guard out of McConnell Air Force Base in Wichita and will train in Tennessee prior to returning to Topeka to finish her last semester at Washburn.



Jamie Hawkins graduated May 2009 with a Masters Degree from Wichita State University. She worked with the pretrial, presentence and supervision units while in the Wichita probation office. She also maintained a full time job with State Parole in Wichita, working as Parole Officer II, primarily with high risk sex offenders. Jamie earned 3 credit hours while working with our agency.



Lacey Howbert interned in the Kansas City division during the spring and summer 2009 semesters. She is a student at Washburn University working towards her Bachelor of Science in Criminal Justice with an emphasis in Corrections and a minor in Sociology. She gained experience working with all three units: pretrial, presentence and supervision, and attended available training during her internship including officer response tactics.