

Annual Report Fiscal Year 2010

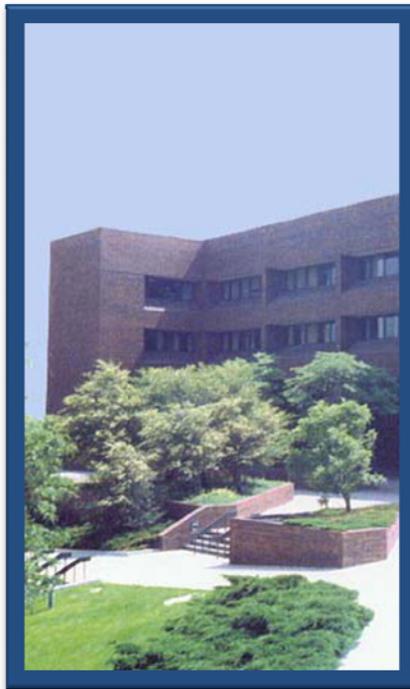
October 1, 2009 – September 30, 2010

U.S. Probation and Pretrial Services

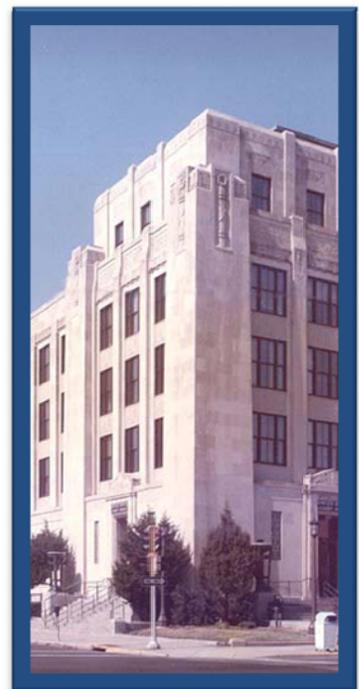
District of Kansas



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 2011

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 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
Honorable John W. Lungstrum, Senior Judge	Kansas City

<u>U.S. Magistrate Judges</u>	
Honorable Karen M. Humphreys, Chief Magistrate Judge	Wichita
Honorable David J. Waxse	Kansas City
Honorable James P. O'Hara	Kansas City
Honorable K. Gary Sebelius	Topeka
Honorable Kenneth G. Gale	Wichita
Honorable Gerald L. Rushfelt	Kansas City
Honorable Donald W. Bostwick	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 OFFICERS



Bryce Beckett
Search & Seizure Specialist
Supervision 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 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
Investigation Unit
Wichita



Paul Buhl
Supervision Unit
Kansas City



John Derby
Investigation Unit
Kansas City

Staff Directory

U.S. PROBATION OFFICERS CONTINUED



John Deters
Investigation Unit
Topeka



Lynn Harris
Supervision Unit
Wichita



Josefina Durham
Supervision Unit
Wichita



Lori Hase
Investigation Unit
Wichita



Jill Farias
Investigation Unit
Wichita



Jamie Hawkins
Supervision Unit
Wichita



Rod Freeman
Supervision Unit
Kansas City



LaTonya Hayles-Davis
Investigation Unit
Wichita



John Gabrielson
Supervision Unit
Kansas City



Sara Valdez Hoffer
Supervision Unit
Kansas City

Staff Directory:

U.S. PROBATION OFFICERS CONTINUED



Jason Jordan
Supervision Unit
Topeka



B. Scott Phillips
Supervision Unit
Topeka



Diana Kerns
Supervision Unit
Topeka



E. Chris Towner
Supervision Unit
Wichita



Chris Lewis
Supervision Unit
Kansas City



Krisha Wilbers
Supervision Unit
Kansas City



Cassidi Lundell
Investigation Unit
Kansas City



Ruth Yorke
Supervision Unit
Kansas City



Brooke Paulson
Supervision Unit
Topeka

Staff Directory:

PROBATION TECHNICIANS / JOB SPECIALISTS



Cheryl Barrow
Probation Technician
Supervision Unit
Wichita



Melvin Marsh
Probation Technician
Supervision Unit
Kansas City



Sandee Munson
Job Specialist
Supervision Unit
Kansas City/Topeka



Annelies Snook
Job Specialist
Supervision Unit
Wichita



Joni Cassity
Senior Administrative Assistant to
USPO
Investigation Unit
Wichita



Connie Cooley
Administrative Assistant to USPO
Investigation Unit
Kansas City



Mary Fischer
Administrative Assistant to USPO
Supervision Unit
Kansas City



Tennille Gibbs
Administrative Assistant to USPO
Supervision Unit
Kansas City



Linda Grissom
Data Quality Analyst
Contract Services
Kansas City

Staff Directory:

SUPPORT STAFF CONTINUED



Janice Johnson
Senior Administrative Assistant to
USPO
Investigation & Supervision Unit
Kansas City



Linda Stancliffe
Senior Administrative Assistant to
USPO
Investigation & Supervision Unit
Topeka



Sherri Lagoski
Senior Administrative Assistant to
USPO
Investigation & Supervision Unit
Kansas City



Catherine Stanton
Senior Administrative Assistant to
USPO
Supervision Unit
Topeka



Theresa Lundquist
Senior Administrative Assistant to
USPO
Investigation Unit
Topeka



Cindy Stiverson
Senior Administrative Assistant to
USPO
Supervision Unit
Wichita



Peggy Mathews
Data Quality Analyst
Wichita



Robyn Swanson
Senior Administrative Assistant to
USPO
Supervision Unit
Administrative Caseload
Wichita



Carla Ray
Senior Administrative Assistant to
USPO
Investigation & Supervision Unit
Wichita

Committees

- ✚ **ADMINISTRATIVE/MANAGEMENT:** review policies, spending, questions from staff and other items as presented. Chief, Deputy & Assistant DCUSPO, SUSPOs, Office Managers & Operations Analyst.
- ✚ **DATA QUALITY WORKING GROUP:** develop data quality program; ensure accurate data entry. Deputy Chief is facilitator with 12 additional staff members.
- ✚ **IT STEERING:** assist IT with prioritizing probation related projects. Assistant IT Manager, PACTS Administrator, 5 USPOs and 1 support staff.
- ✚ **FORMS:** Creates and updates Adobe/WordPerfect forms. Support staff & PACTS IT Administrator.

Staff Project: Food Pantry Donations & Clothing Closets

Kansas City Update: The food pantry committee met following our AWESOME enchilada luncheon (thanks Diane, Sherri, and everyone who contributed)! Some decisions we made regarding food pantry management:

We will move the clothing items to the hall closet across the hall from Grand Jury. This closet is locked and can be accessed with an office key. Moving the clothing will make room for a large storage cabinet that will provide easier access to food items. Committee members will team up to keep the pantry organized.

Look for a "FOOD PANTRY WISH LIST" next to the client name/date list. Should you notice or hear of a need for particular items, please write it on the list or email one of the committee members.

Topeka Update: The Topeka Probation Office also has a food pantry which received a generous donation from the annual District Court Christmas luncheon. It was recommended in the luncheon invitation that participants bring canned goods and nonperishable items, and the Court family did not disappoint. The pantry was filled and during the time before Christmas, defendants/offenders in need received food and household items.

In addition, the clothes closet remains stocked with suits, shirts, slacks and even



shoes for defendants/offenders who need clothing for job interviews or who have recently released from jail with few personal belongings. Through the generosity of the Probation staff as well as extended Court family, these items have assisted clients in need. (Mary Handley, SUSPO)

Wichita Update: At our district meeting on November 18, Chief Ron Schweer discussed the need for volunteers for a district food drive and talked about the food pantry in Kansas City. Deputy Chief Phil Messer, Annelies Snook (Job Specialist) and Lori Hase (USPO) decided after the meeting that we would establish a food pantry in the Wichita Division for clients in



need. A spare office is being utilized to store the food.

Each year, Phil and his family make a substantial donation to a charity of their choice, which this year they decided would be our food pantry. Phil and his family purchased an incredible amount of food and brought it in to the office (see photo). We are grateful for their very generous donation. This resource is available for clients in need. (Lori Hase, USPO)

We continue to provide clothing to our clients who are in need of appropriate clothing for job search or interviews. Several officers, court family members and community providers have donated clothing to our Clothing Closet. (Annelies Snook, Job Specialist)

Pretrial

One of the most significant changes to Pretrial investigations in the last 20 years occurred this past year. In February 2010 the Office of Probation and Pretrial Services (OPPS) advised districts could begin using a pretrial risk assessment tool as part of their bond investigation process. The Pretrial Risk Assessment (PTRA) was developed by OPPS after extensive research of over 565,000 federal pretrial cases. The instrument is a tool to help in the release decision and imposition of conditions that are appropriate and the least restrictive to address risk of nonappearance and risk of danger. The quantifiable instrument is objective and provides a consistent and valid method of helping predict a defendant's risk of failure to appear, new criminal arrests, and technical violations while on pretrial release.

On June 24, 2010, initial training on using PTRA was completed in Kansas City, KS. The district hosted officers from the Western District of Missouri, Northern District of Oklahoma, Western District of Oklahoma, and the Eastern District of Oklahoma for this training. All Kansas officers assigned to pretrial duties attended the training and later completed the on-line certification process.

After the training, the Pretrial Committee developed an implementation plan. The plan included a presentation at the October 1, 2010, Magistrate Judges Meeting and sharing information with the U.S. Attorney and Federal Public Defender Offices.

The District of Kansas began using PTRA on October 4, 2010. The instrument is completed for all cases where a pretrial interview is conducted. However, it should be noted that this instrument does not capture or take into account the risk associated with sex offender cases. PTRA is completed for internal purposes only. The score is not listed in or used as a justification for the officer's recommendations contained in the bond report.

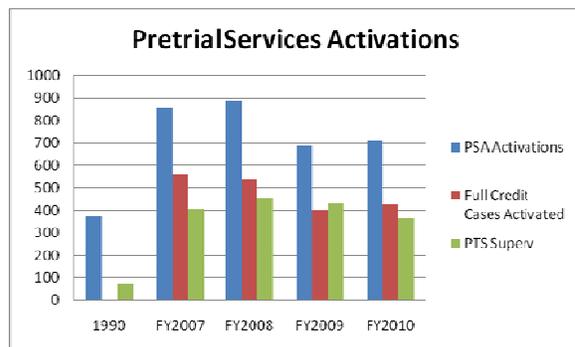
The Pretrial Risk Assessment instrument is comprised of 11 scored and 9 non-scored items that are divided into two domains or

categories: criminal history and other. Criminal history items are static and will not likely change during the pretrial period. Other items are changeable and might show some movement based on pretrial supervision services. The scored items are given a number of points (either 0, 1, or 2). The points from the items are then added up to give an overall Risk Category. The categories are:

- 0- 4 points = Category 1
- 5- 6 points = Category 2
- 7- 8 points = Category 3
- 9-10 points = Category 4
- 11+ points = Category 5.

Those risk categories are then associated with rates of Failure to Appear (FTA), New Criminal Arrest (NCA), and Technical Violations (TVs). Category 1 is the lowest risk level with Category 5 being the highest. The District of Kansas submits PTRA data to OPPS and locally tracks PTRA data through PACTS for our own future use.

The chart below provides data related to Pretrial Case Activations for this past year and several prior years. For comparison, this year's chart also includes the data for 1990.



Pretrial Orientation Program

On April 29, 2010, the very first Pretrial Orientation Program was held at the U.S. Courthouse in Kansas City, MO. This program is a joint effort with the District of Kansas, the Western District of Missouri, and the Bureau of Prisons. The goal of this program is to help defendants and their family members reduce the fear, stress, and anxiety associated with the criminal justice process and Bureau of Prisons (BOP) designation. Defendants typically have a lot of questions about the pretrial process and issues related to a prison sentence. By bringing them together for one presentation and providing written material, it helps the Probation and Pretrial Services Office be more efficient and allows for the sharing of more information from a variety of sources.

The program is only for those defendants who have been convicted, and are either pending sentencing or voluntary surrender. It is our hope that the presentation and written material will ultimately allow defendants to receive the maximum benefit from their incarceration and lead to their successful reintegration into the community following their release from custody.

The classes are held quarterly. Sessions this past year were on April 29, August 19 and November 17. The site alternates between federal courthouses in Kansas City, MO, and Kansas City, KS. Individuals from other division courthouses in both districts are able to participate through video-conference technology. The program addresses a variety of topics that include: the sentencing process, self-surrender, the Bureau of Prisons, and family issues. The agenda includes presentations by a U.S. Probation Officer, a staff member from the BOP, and an ex-offender talking about his/her experience in BOP custody and supervised release.

A Pretrial Orientation Program handbook is given to each participant. The program information is also available on the Probation website and the Court's public internet site. In addition to the handbook,

depending on what state the defendant lives in, we also provide Kansas Social and Rehabilitation Services (SRS) or Missouri Department of Family Services (DFS) information that may assist defendants and family members while they are incarcerated.

Early reviews have been extremely positive. We average 50 to 70 participants at each session. We are very thankful for the opportunity to work on this program in partnership with our colleagues in the Western District of Missouri and the Bureau of Prisons. This program was developed by Assistant Deputy Chief Trey Burton and Senior U.S. Probation Officer Melissa Goldsmith.

Presentence

Highlights for the Presentence officers included the annual training seminar sponsored by the United States Sentencing Commission. This training seminar occurred in New Orleans during June. Eleven officers attended this valuable training. They returned to their respective divisional offices and shared the educational materials with staff.

The significant changes regarding the new guideline amendments included:

- * Increased alternatives to imprisonment by expanding Zones B and C of the Sentencing Table by one level.

- * Relaxed the standards for departures based on age, mental and physical condition and military service in guideline chapter 5H.

- * Authorized downward departures in immigration cases for cultural assimilation, by adding a new Application Note 8 to §2L1.2.

- * Required Judges to calculate the guidelines and consider departing before granting a Booker variance, by amending §1B1.1.

- * Eliminated the two criminal history points in §4A1.1(e) that were originally added if the defendant committed the instant offense less than two years after release from imprisonment or while in imprisonment or escape status.

Presentence (continued)

* Added hate crimes based on gender and military service to the civil rights guideline, § 2H1.1 and the vulnerable victim guideline, § 3A1.1.

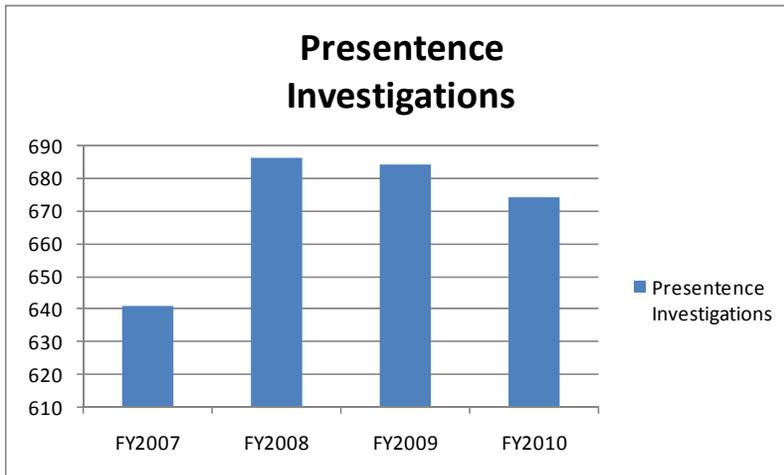
* Also, in response to the Fair Sentencing Act of 2010, the Sentencing Commission promulgated an emergency amendment that brought the guidelines for crack cocaine into line with the new ratio provided by law.

Statistically, 703 defendants were sentenced in Kansas this past fiscal year. 387 of this number (55%) were sentenced within the guideline range. Nationwide, the total

defendants sentenced amounted to 78,982 with 54.6% sentenced within the guideline range.

Only 6 cases were reported in Kansas to have an upward departure. In addition, 122 (17.4%) received a sentence as a result of Substantial Assistance, and 72 defendants (10.2%) received a below range sentence with Booker. The leading types of criminal offenses committed in Kansas remain drug, firearm and immigration cases.

As an example of the various duties performed by officers, several presentence writers volunteered for the Search Enforcement Team that was implemented by the district this past year. (Jim Dier, SUSPO)



Post-Conviction Supervision



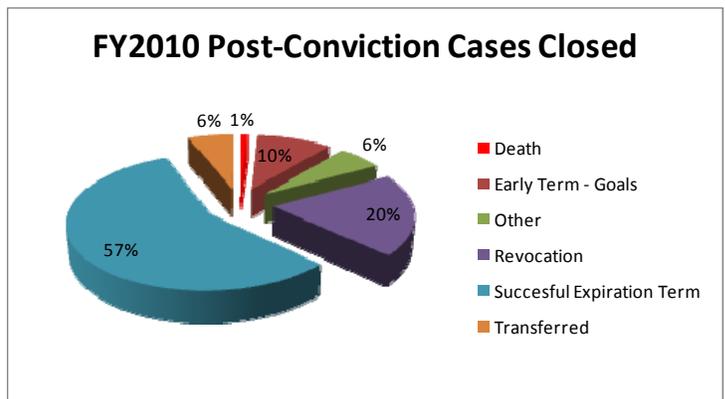
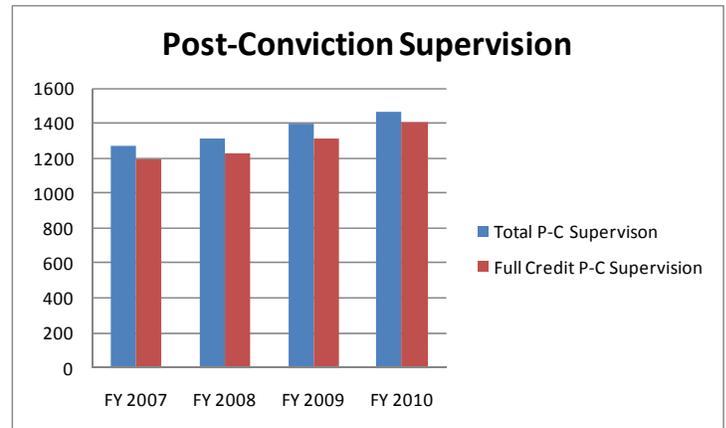
The Kansas Treatment Re-Entry Assistance Court, also known as KAN-TRAC, remains active and overseen by Chief U.S. Magistrate Judge Karen Humphreys. In its second year, a few changes occurred in 2010. Probation reduced the number of participating officers to two while the U.S. Attorney and Federal Public Defender Offices each added a team member. The current team consists of Senior U.S. Probation Officers Chris McNiel and Wade Reichmann; counselors Fran Lee from Mirror, Inc. and Krista Casmaer from DCCCA Options; Assistant US Attorneys Mona Furst and Chad Sublet; and Assistant Federal Public Defenders Steve Gradert and Dave Freund.

The faces of the client participants involved with KAN-TRAC have changed as the original ten were cycled through the program. Four completed successfully and participated in separate graduation ceremonies. Currently, eight clients are progressing at different phase levels of the program.

Attention has been drawn to the court as evidenced by the number of visitors from local, state and federal agencies. Family members, employers and representatives from the halfway house attend on a regular basis to provide support for the program participants. The District of Kansas recently hosted management team members from the Northern District of Alabama U. S. Probation Office. Meetings were held to share information and experiences regarding the development of the reentry court culminating with the KAN-TRAC experience on November 10, 2010.

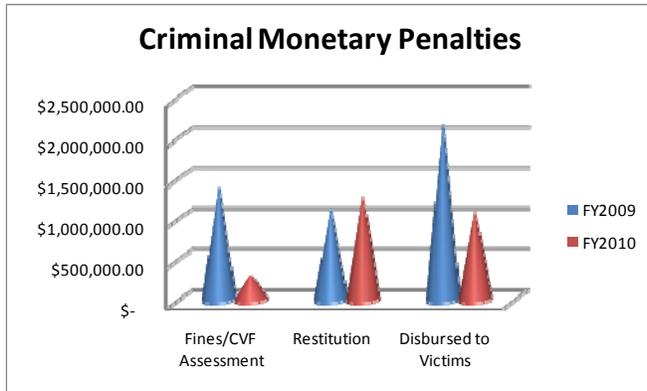
KAN-TRAC provides a supportive environment which encourages and helps the participants work toward becoming successful

while holding them accountable. Benefits of the program are being studied as contrasted with a localized control group. Kansas Team members are cautiously optimistic about the benefits of the Kansas program, many of which are intangible and significant. Additionally, at the request of the Criminal Law Committee, the Federal Judicial Center is conducting a study related to re-entry courts at the federal level. The first piece of this process was a study of existing federal programs involving an in-depth survey, which the District of Kansas completed. Other districts are developing re-entry courts that will be involved in the next piece of this study. (Chris McNiel, Sr. U.S. Probation Office)



Closing Codes remain fairly consistent. Since FY2008 there has been a 3% drop in cases closing due to revocation and a 2% increase in cases closing due to early termination.

Post-Conviction Continued: Criminal Monetary Penalties



Data provided by Jeff Breon, Financial Manager / U.S. District Court.

Employment Statistics

In August, the Wichita Division of the United States Probation Office joined with Mirror, our Federal Halfway House, to host an Employer Appreciation Breakfast in recognition of local employers who have hired and supported our clients this past year. Over 50 people attended the breakfast and many commented that they would love to come back next year. Chief Magistrate Judge Karen Humphreys presented a video of KANTRAC (Kansas Treatment Re-entry Assistance Court). An offender who has been very successful in his career spoke about the positive changes he has made while on Federal Supervision. The Probation office continues to keep our unemployment below the National Unemployment rate. (Annelies Snook, Job Specialist)

Offender Workforce Development

The district added three more names to the list of certified workforce development specialists this fiscal year: Senior U.S. Probation Officer Chris McNiel, and U.S. Probation Officers Josephina Durham and Rod Freeman. These three additions bring a total of seven certified staff, including: Senior U.S. Probation Officers Melissa Goldsmith and Kristine Thomas; Job Specialists Annelies Snook and Sandee Munson.

The district will continue emphasizing employment as an essential element for defendant pretrial condition compliance and successful re-entry into the community by offenders.

Search and Seizure

Pursuant to an order signed by Chief Judge Vratil on June 1, 2010, the U.S. Probation Office in the District of Kansas established a formal search and seizure program. Implementation of this program included policy development and initial training of all staff at a district meeting. Following the initial training, staff was identified who expressed interested in serving on a district search and seizure team.

Team members completed additional training specific to the execution of searches and seizure of contraband. Many will continue on a regular, monthly basis. Sr. U.S. Probation Officer Bryce Beckett serves as the Coordinator of the program. Equipment necessary for the execution of searches has been purchased, with additional equipment acquisition expected in the future. Equipment allowing for the storage of seized property is available and arrangements were made to locate this equipment throughout the division offices.

The District Search and Seizure Policy sets forth criteria to be considered by staff who write presentence investigation reports as guidance for recommending a search condition in limited situations in which a search is necessary to meet the objectives of supervision. Imposition of a special condition requiring an offender to submit to a search without a warrant is recommended only when the condition is necessary to enforce the conditions of release or to protect the public. In addition, supervision officers are evaluating offenders currently under supervision and using a modification allowing for the addition of a search condition as an intermediate sanction to address noncompliance. To date, no searches pursuant to a special condition have been completed. (Bryce Beckett, Senior U.S. Probation Officer)

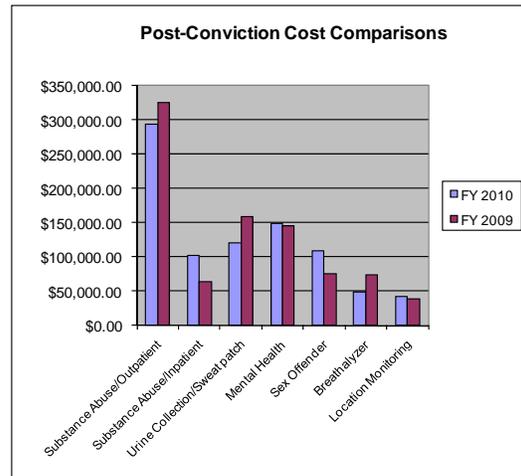
Contract Services: Drug Aftercare/Mental Health

During Fiscal Year 2010 the District of Kansas spent a total of \$1,227,301 on drug detection, substance abuse treatment, electronic monitoring, mental health counseling, sex offender treatment, and DNA collection. This represents a 23.61% decrease

from Fiscal Year 2009. As indicated in the diagrams, the largest cost increase was in inpatient substance abuse treatment and followed by sex offender treatment. All pretrial services costs decreased, with the exception of inpatient substance abuse treatment.

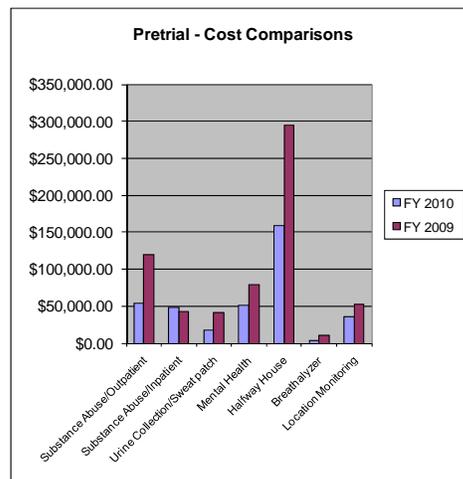
Post-Conviction

- Substance abuse/outpatient: 9.9% reduction
- Substance abuse/inpatient: 61.9% increase
- Urine collection/sweat patch: 24.4% reduction
- Mental health: 2.5% increase
- Sex offender treatment: 44% increase
- Breathalyzer: 33.8% reduction
- Location monitoring: 8.8% increase



Pretrial

- Substance abuse/outpatient: 55% reduction
- Substance abuse/inpatient: 13.7% increase
- Urine collection/sweat patch: 57% reduction
- Mental health: 36.6% reduction
- Halfway House: 45.74% reduction
- Breathalyzer: 71.1% reduction
- Location monitoring: 33.6% reduction

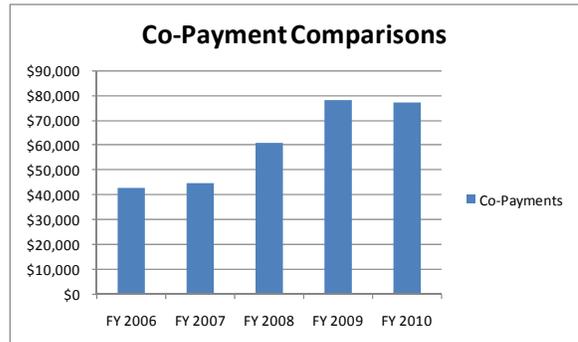


Treatment Services Co-Payments

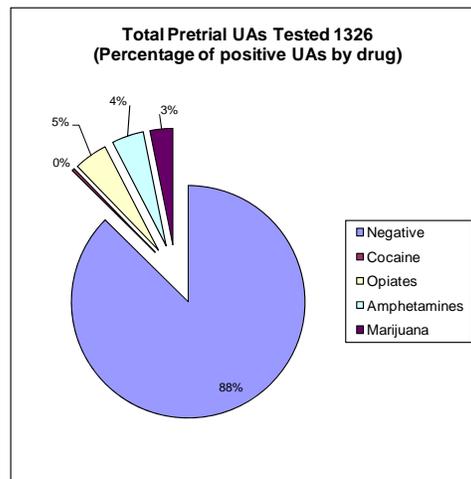
One of the many goals for FY 2010 was to increase client’s co-payments for treatment services. The referenced chart reflects the amount of co-payments collected for the past five fiscal years. The collection of copayments benefits the Treatment Services budget by allowing funds to be extended to other probation clients and treatment options. The district will continue to emphasize the collection of co-payments, especially when funding is being reduced due to budget cuts in the federal system.

In FY 2010, the District of Kansas U.S. Probation and Pretrial Services Office collected \$77,276 in defendant and offender co-payments, a 1% reduction from FY 2009. However, compared to total expenditures, we collected 6.3% of total costs in FY 2010 as

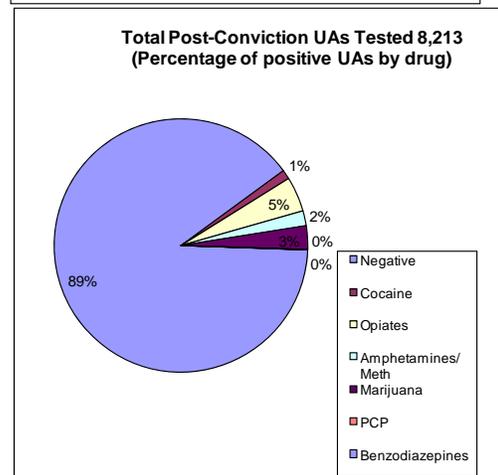
compared to 4.8% of total costs in FY 2009. We continue to use the Albuquerque Regional Laboratory, non-instrumented drug tests (NIDTs), and Alere Toxicology for drug testing, depending on the testing location and need.



Total Pretrial UAs Tested 1326 (Percentage of positive UAs by drug)	
Negative	1168
Cocaine	5
Opiates	62
Amphetamines	59
Marijuana	42



Total Post-Conviction UAs Tested 8213 (Percentage of positive UAs by drug)	
Negative	7376
Cocaine	97
Opiates	368
Amphetamines/ Meth	158
Marijuana	248
PCP	2
Benzodiazepines	2



Post-Treatment Surveys

In January 2010 the District began providing post-treatment surveys to defendants and offenders in order to obtain feedback regarding treatment services. Overall, our clients appear to be satisfied with the quality of treatment services. On a scale of 1 to 10, the average rating was 8.7, with a low of 5 and a high of 10. Responses reflected counseling sessions are being conducted for the required session length. This confirms documentation that is required each time a client reports for services, as they must sign in and out with the times reflected on the treatment logs.

Comments offered were overwhelmingly positive. Many remarked that counselors really listen, help them understand thoughts and reactions, and care about their success. Some said they enjoyed being able to discuss issues in a supportive group and not feel they were judged or the main focus. One person in sex offender treatment commented that "real treatment" was going on, and he did not feel that the environment was an "immediate gateway back to prison."

Some criticism revolved around the length of time it took to complete the program and differences in how long each individual was required to participate. A couple of people mentioned that the program was not individualized enough. Child care was mentioned as a barrier, as was travel time.

With respect to urinalysis conducted by vendors, 19% reported they had to wait more than 15 minutes to submit to urinalysis. Most (96%) felt that the testing was random and the responses reflect that correct procedures are being followed.

Based on results received, we will evaluate the survey format and may revise it in order to improve feedback. We are also working to improve survey distribution and response tracking. We will continue distributing the surveys and use the information gathered to assist in making our treatment programs as effective as possible. (Michelle Caples, Senior U.S. Probation Officer)

Sex Offender Services

The sex offender population is a difficult population to treat. Many are socially isolated with ingrained thinking patterns that are often unresponsive to treatment measures. Successful management is a learned process which requires motivation and continued practice over time. Treatment focuses on a cognitive approach and offenders learn the importance of managing thought before acting out. The polygraph is a valuable tool which supports or challenges the expressions presented by the offender. Increased monitoring occurs through these aggregate services.

During FY2010, the District of Kansas spent a total of \$97,145 on sex offender services. This marks the third year of a significant increase in spending for this population (FY2008 total of \$49,225; FY2009 total of \$76,070). The increased costs continue to be associated with the growth in numbers of supervised release cases requiring sex offender treatment. In October 2008, 14 sex offenders were involved in treatment services. By September 2010, the number of referrals increased to 43. Additionally, officers diversified traditional services to include individual counseling, utilized by nine clients and family counseling, utilized by three clients. These services enhance the treatment process and allow for individualized approaches to address specific needs. (Chris McNeil, Senior USPO).

FY 2011 Pre-Offender Conference

The Probation Office contracts with treatment providers around the state to provide substance abuse and mental health treatment to defendants and offenders being supervised in the community. The contracts, called Blanket Purchase Agreements (BPAs) are typically on a three year cycle and must be renewed or resolicited every year. The process of renewing and/or soliciting vendors for the upcoming fiscal year begins in earnest every summer. The procedure includes the accurate completion of a Request for Proposal (RFP) and

Pre-Offeror Conference continued

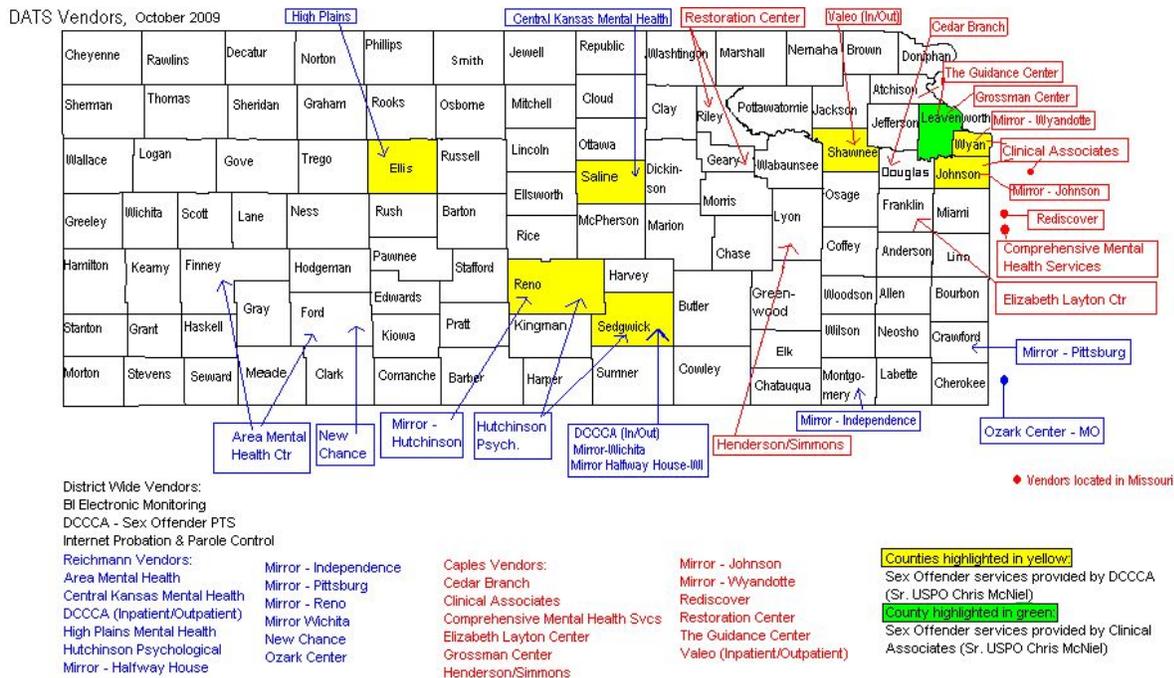
is often a daunting and sometimes overwhelming process for vendors, especially those who have never previously contracted with the Probation Office. In an effort to assist interested vendors, as well as incumbents, in the solicitation process and encourage competition, the District of Kansas conducted its first ever pre-offeror conference on July 21, 2010.

The conference was held at the U.S. Courthouse in Kansas City since most of the catchment areas up for solicitation were in the northeast and north-central parts of the state. Twenty-one participants attended the training which was presented by Senior USPOs Michelle Caples and Wade Reichmann, and Data Quality Analyst Linda Grissom. The training began with an overview of the Federal Probation system and the Probation Office in the District of Kansas, which included a history of federal treatment services and information about the process for referring clients into services. The focus of the training was on the solicitation process which included how BPAs work and specifically covered how to complete the RFP. The conference concluded with information on managing federal purchase agreements.

The presenters said they believed the conference was successful and worthwhile, citing 21 attendees exceeded expectations and the information provided appeared helpful to the participants. They further noted that the

time spent meeting and interacting with interested vendors helped build rapport as well as strengthened relationships with current vendors. The training gave attendees, who were not familiar with the Federal Court system and the U.S. Probation Office in particular, a better sense of how the system operates and works collaboratively with community agencies to assist defendants and offenders in their efforts toward recovery from addiction and improving their lives. A participant who has not previously worked with the Probation Office commented on how impressed she was with the supportive and collaborative approach the U.S. Probation Office takes in working with clients and vendors. Additionally, current vendors who attended appeared to benefit as well. The following email was received from a vendor who has contracted with the Probation Office for several years: "Thank you all for your hospitality at the Pre-Offeror's Conference. As an incumbent I appreciated the opportunity to go over the process and I did come away with new information and information I would not have received without being at the meeting and there were really good questions from those who don't currently serve USPO who were seeking information on the USPO processes... Once again... thank you for taking the time and effort for the meeting." (Wade Reichmann, Senior U.S. Probation Officer)

Vendor Map



Location Monitoring

The development of an electronic monitoring device was inspired by a Spiderman comic strip read by New Mexico U.S. District Judge Jack Love in 1977. The story line of the comic strip had Spiderman wearing an electronic tracking device that informed the villain the location of the crime fighter. Judge Love persuaded Michael Goss, a computer salesman, to develop a device similar to the one in the comic strip.

In 1983, Goss developed the first electronic monitor which was used to monitor five offenders in Albuquerque, New Mexico. The National Institute of Justice (NIJ) concluded the equipment operated successfully and it was a cost-effective alternative to incarceration¹. Since this time the technology associated with

electronic monitoring has advanced. The equipment is now capable of providing a variety of information including the participant's location and alcohol consumption.

The District of Kansas' Location Monitoring Program (LMP) primarily utilizes three types of monitoring equipment:

1. **Radio Frequency (RF) Monitoring:** non-removable bracelet attached to the wrist or ankle which emits a signal to a receiver unit located inside the home. When the bracelet is within range of the receiver, client is considered "home". Likewise, when the participant's bracelet is too far away to be picked up by the receiver client is considered away from their residence. The equipment sends a notification to the supervising officer 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.

¹ Jody Klein-Saffran: Electronic Monitoring vs Halfway Houses, A Study of Federal Offenders Fall 1995, 24-28

Location Monitoring continued

2. **Passive Global Positioning Monitoring:** a non-removable ankle bracelet with a receiver/dialer located inside the residence along with carrying a Global Positioning System (GPS) tracker when he/she leaves the residence. Upon return to the residence, the GPS tracker is docked to the receiver/dialer which then sends a report indicating 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. Having this information allows probation officers to know locations the participant frequents when away from the residence. Subsequently the supervising officer can better enforce restrictions associated with no contact orders and negative associations. Cost associated with Passive GPS Monitoring is \$5.75 per day.

3. **Sobriety:** to randomly test participant for alcohol consumption. Cost associated with this testing is \$2.98 per day.

In addition to the information that the monitoring equipment provides the supervision officer, we believe it is a cost-effective alternative to incarceration. In FY 2010, the average monthly cost to incarcerate a defendant was \$2,271. During this fiscal

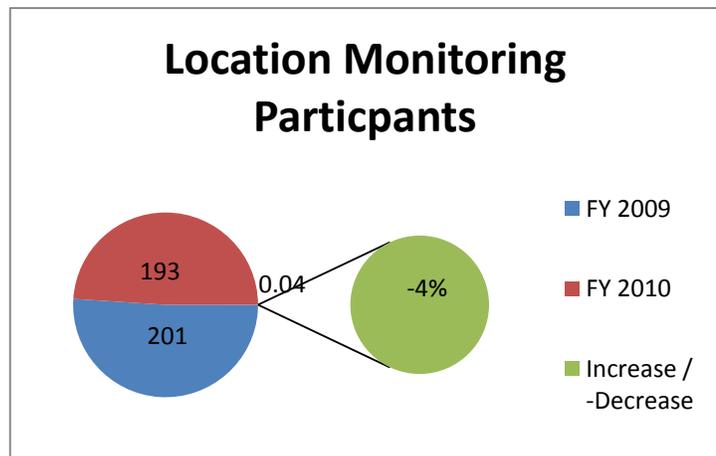
period, the District of Kansas provided location monitoring services to 67 different pretrial defendants in lieu of detention for an average of 115 days. The monitoring costs associated with these defendants were \$32,818. If these same defendants were detained during this time the costs would have been \$729,209. This represents \$696,391.41 in savings (96% 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.

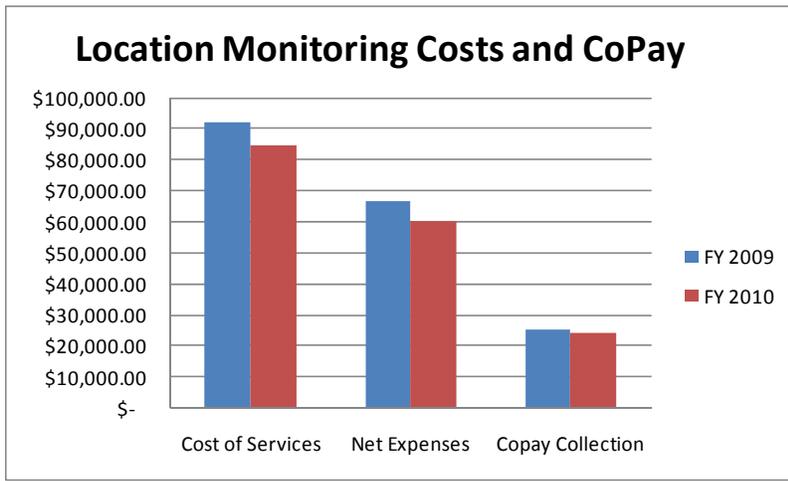
In post conviction populations, electronic monitoring provides a structured setting that promotes accountability for the participant who has committed technical violations of supervision. It also strengthens family ties for the participant. During FY 2010, the District of Kansas provided location monitoring services to 121 post conviction participants for an average of 105 days. We spent \$37,907 for these services. (Scott Phillips, U.S. Probation Officer)

EXPENSES

During FY2009, the District of Kansas provided location monitoring services to 201 clients, spending \$91,995 for these services. For the reporting fiscal period, we provided services to 193 clients, a 4% decrease, which also decreased costs by 9% to \$84,637.



Location Monitoring continued



	FY 2009	FY 2010	Increase / -Decrease
Cost of Services	\$ 91,994.94	\$ 84,536.70	-9%
Net Expenses	\$ 66,818.90	\$ 60,270.17	-10%
Copay Collection	\$ 25,176.04	\$ 24,266.53	
% of collected	27%	28%	1%

Training

District of Kansas Probation staff participated in 5,717 hours of training during the fiscal year. As always, safety issues were a top priority. The Firearms and Safety Team held regular training sessions for firearms, officer response tactics, and scenarios as well as sessions regarding topics such as canine threats, after contact and critical incidents, handcuff use, and using the Safety and Information Reporting System (SIRS). As the district is in the process of implementing a Search Team, we expect to see more training in this area in the near future.

Training sessions regarding offender employment have also kept officers busy. Six officers in the district are currently certified through the National Institute of Corrections as Offender Workforce Development Specialists. These officers have been able to implement new programs throughout the district and pass on valuable information to all officers.

Support staff attended a district-wide retreat at the beautiful Oread Hotel in Lawrence, Kansas. Joe Barton, retired SUSPO, was the guest speaker and covered topics such as the Courage to Care and Professionalism and Ethics in the Workplace. U.S. Magistrate Judge K. Gary Sebelius spoke to the group about his experience as "First Dude" when his wife served as Governor for the State of Kansas. Support staff also received hands-on training in basic defensive tactics from Firearms and Safety Team members.

Many officers were afforded the opportunity to attend training programs and conferences throughout the country. Some of the training programs attended were the U. S. Sentencing Commission Guidelines Training in New Orleans, LA; American Probation and Parole Association Training in Washington DC; National Association of Pretrial Services Agencies in San Diego, CA; and numerous training programs through the Federal Law Enforcement Training Centers in Charleston, SC, and Glynco, GA. (Cassidi Lundell, U.S. Probation Officer)

Support Staff TDY –Hawaii

Could it really be considered *work* to travel to Hawaii for two weeks? When the District of Hawaii Probation Office sent out



a request to fill temporary duty assignments, two support staff members from the District of Kansas were very fortunate to be chosen to travel to Honolulu to assist with their document imaging project. Senior AAPOs Janice Johnson and Cindy Stiverson were joined by three support staff members from other districts to also assist with the requested task of converting the District of Hawaii's paper supervision files to electronic files, which consisted of scanning and uploading documents to PACTS.



Upon arriving in Honolulu, Cindy and Janice were warmly greeted by the staff, and began to tackle stacks of files. While it seemed a bit overwhelming at first, everyone worked diligently to get as much accomplished as possible. Each day staff members brought gifts, delicious snacks, and often accompanied the group to lunch at various eateries around downtown Honolulu. (Janice Johnson and Cindy Stiverson, Sr. Administrative Assistants to U.S. Probation Officers)

Consolidated Administration: Information Technology

The most significant IT project for 2010 was installing and implementing the new Cisco phone system, which enhanced the capabilities for Probation, District Court and Bankruptcy. Numerous features include: integrated instant messaging; searchable directory; enhanced conference call capability; single-number reach and soft-phone capability. The initiative, funded by the Administrative Office, yielded immediate cost savings and product flexibility for the entire District. I.T. support hotline numbers have improved access to technicians for resolving issues.

High-definition video conference equipment was purchased and installed in each division's conference room. The IT infrastructure was improved with greater network system storage capacity, new core switches were installed in each division, along with new servers for our virtual server environment. An investment in virtual desktop infrastructure will provide superior remote access experiences in years to come and deployment is scheduled for FY2011.

The Probation I.T. Steering Committee, chaired by Michael Keyes (Assistant I.T. Manager), successfully addressed MSR barcode scanner process, Topaz signature pads, network data drops in courtrooms and remote access. (Ben Krehbiel, IT Manager)

Human Resources

The Human Resources Department is consolidated with the District of Kansas Probation Office and District Court Clerk's Offices. At the conclusion of Fiscal Year 2010, probation and pretrial services employed a total of 66 staff members. During this time period, the probation office gained two employees and one retired. Probation Technician Barbara Nuss retired on February 12, 2010. She had served our District for 3-1/2 years.

We were very fortunate to add two U.S. Probation Officers to our staff. Jamie Hawkins was appointed on June 18, 2010, and joined the Wichita division. Jason Jordan transferred from the Eastern District of Arkansas to join our Topeka division on July 12, 2010. (Jennifer Brake, Human Resources Generalist)

Student Interns



Alexandra Brown completed her internship at the Topeka division office from March through May 2010. Ms. Brown worked with pretrial, presentence, and supervision officers performing various duties. She reported especially enjoying assisting with mock job interviews with offenders, which she volunteered to do at the Kansas Parole Office in Topeka. She also enjoyed meeting with defendants and offenders in correctional facilities. Ms. Brown graduated from Washburn University in May with a Bachelor of Science degree in Criminal Justice.

Student Interns Continued



David Hamman interned in the Wichita Division from February through April 2010. During this time he worked with supervision officers and presentence writers in various capacities. He reported especially enjoying learning about the interaction between the courts and the probation office, an area of the criminal justice system that he had little exposure to prior to his internship. David graduated from Emporia State University in May 2010 with a Bachelors degree in Sociology with a Minor in Crime and Delinquency. His career goal is in federal law enforcement.



David "Matt" Pike interned in the Kansas City Division from August through December 2010. Matt is pursuing his Master's degree in Public Affairs with an emphasis in Public Management from Park University. He also has been employed since 2006 as an investigator of the Office of Personnel Management. USPO Sara Valdez-Hoffer served as Matt's mentor during his internship in which he learned all aspects of the job as a U.S. Probation Officer. He was trained on the pretrial and presentence stages from the point of arrest to sentencing, and he learned the functions of a supervision officer.

A TRIBUTE

Clarence "Clancy" Joseph Wiedel October 5, 1941 – September 22, 2010



Clarence "Clancy" Wiedel passed away September 22, 2010, at age 68 surrounded by his family. He was born October 5, 1941, in Orleans NE, the son of the late Albert and Clara Wiedel. A devoted husband of 40 years to Ida Wiedel; loving father of daughters Lisa Wiedel (Alan Cameron) and Heidi Wiedel Hebert (Joseph Hebert); proud grandfather of Makayla and Mia Hebert. Clancy was a devout Catholic and loving humanitarian who dedicated his life in service to others. He attended Kearney State College, the Immaculate Conception Seminary in Missouri, and received his Masters Degree in Guidance and Counseling at University of Missouri Kansas City. He worked as a Counselor for the Rehabilitation Institute in Kansas City, then with the US Courts as a Federal Probation & Parole Officer. He retired in 1997 after 25 years of service and started another career as a Vocational Rehabilitation Counselor for Missouri for the past 13 years.