

The Kansas Prosecutor



The official publication of the Kansas County and District Attorneys Association

Volume 19, No. 3, Fall/Winter 2022



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The Kansas Prosecutor
The official publication of the Kansas
County and District Attorneys Association

Published by the Kansas County and District
Attorneys Association, 1200 S.W. Tenth Avenue,
Topeka, Kansas 66604.
Phone: (785) 232-5822 Fax: (785) 234-2433



Our mission:
The purpose of the KCDAA is to promote,
improve and facilitate the administration
of justice in the state of Kansas.

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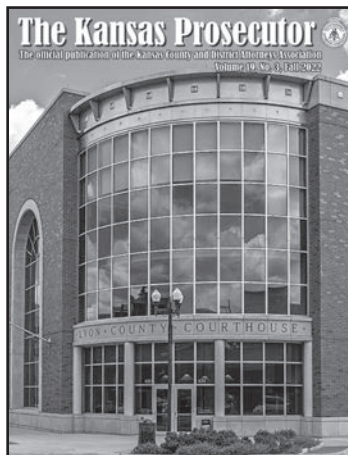
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About the Cover

The Lyon County Courthouse faces north and is
a three story red colored brick, glass and concrete
structure. The building is located in the center of
Emporia. The north side has a large arched glass
section. The northeast and northwest corners have
a rounded glass section with an entrance on the
first story. Along the west side are five high arch
glass sections with a recessed walkway on the first
story. The roof line is flat. The County District
Court courtrooms are located on the third story. The
building houses the County District Court of the 5th
Judicial District.

*Photo by John D. Morrison, Prairie
Vistas Photography*



Executive Director's Column

By Steve Kearney, KCDA Executive Director

KCDAA Adopts 2023 Legislative Agenda

Each year, following adjournment of the previous Session, the KCDAA solicits legislative proposals from the entire membership for consideration by the Legislative Committee and the Board of Directors for the upcoming legislation session. Once the legislative committee has vetted the proposals, taking into consideration the membership-wide need for the legislation, its likelihood of being passed, and possible opposition to the bill, a proposed agenda is recommended to the KCDAA Board for further discussion and official adoption of the KCDAA's legislative priorities.

The 2023 KCDAA legislative agenda includes:

- Further fixes to statutory speedy trial. This bill would consider defendants arraigned from 2020 to May 1, 2023, as having been arraigned on May 1, 2023. It adds relevant factors in assessing good cause for rescheduling a trial. Proposal submitted by Sedgwick County.
- Fixing a loophole in the burglary statute that does not allow for the crime to be prosecuted when the inherent crime is a violation of a protective order. Proposal submitted by Johnson County.
- Amending hate crime statutes in Kansas from a reason for upward departure to presumptive prison. Proposal submitted by Leavenworth County.
- Narrowing the domestic violence statutes to apply solely to "intimate partner" relationships. The bill will also add elements for the court to consider when granting bail to a person charged under the domestic violence statute. Proposal submitted by Johnson County.
- Changing the DNA statutes to avoid testing immaterial or irrelevant evidence. Proposal submitted by Sedgwick County.
- Adding a hearsay exception to statute to allow for statements made to a translator. Proposal submitted by Wyandotte County.

As a reminder, there are no "holdover" bills this year since the legislature just completed a legislative biennium. Bills introduced this year, if not passed or otherwise disposed of, will still be alive for the 2024 Legislative Session for the second year of this new two-year cycle that begins with the 2023 Session.

Many thanks to Senator Kellie Warren, Representative Fred Patton, and Representative Stephen Owens for their assistance in keeping Kansas safe and just through the work as chairs on their respective committees. We look forward to working with them all again in 2023.

The KCDAA would like to thank Leavenworth County Attorney Todd Thompson for his leadership as the legislative committee chair and continued service to the organization in this most vital role. 🙏

County Courthouse Portraits



Lyon County Courthouse

John D Morrison

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Editor's Message

By Mary Napier, Editor, Kansas Prosecutor

2022 Washburn University Alumni Fellow Award

I don't typically publish an editor's message in the magazine, but the KCDAA, Steve Kearney's staff, and myself would like to brag on Steve a little bit. He is very humble and would not do this himself, so we would like to congratulate him on the honor of being named a Washburn University Alumni Fellow in 2022. This is an amazing award that highlights his accomplishments throughout his career.

Washburn University Alumni Fellows

The Alumni Fellows program recognizes alumni each fall who have distinguished themselves in their careers. Fellows are invited to campus to interact with students and faculty in the classroom and other academic settings and then honored during an awards luncheon. Each spring, faculty and staff submit nominations for Fellows to their respective dean. A fellow is selected from the School of Applied Studies, School of Business, School of Law, School of Nursing, and Washburn Institute of Technology.

As one of six alumni fellows, Steve was recognized at a luncheon in November. Below is his profile.

WASHBURN INSTITUTE OF TECHNOLOGY
Steve Kearney, certificate '72, bs '81, jd '83
Topeka, Kansas | President | Kearney and Associates, Inc.; Kearney Law Office, P.A.

Steve Kearney is an attorney, president and founder of Kearney and Associates, Inc. and Kearney Law Office, P.A. Kearney and Associates provides government relations representation to business and non-profit organizations in all aspects of lobbying and administrative relations. Kearney Law Office trains and advises non-profit organizations in compliance with all aspects of the law. He is a frequent contributor to newsletters and

magazines on government affairs and non-profit matters. He earned a certificate in radio and television from Kaw Area Technical School, which became Washburn Tech. He worked his way through college while a member of the Topeka Police Department, and after later earning a law degree from Washburn, he worked as a special agent with the FBI. He was also an assistant city attorney and the chief of staff to the Kansas Senate majority leader. He was previously named the Kansas Society of Association Executives member of the year. He is a charter member of the Topeka South Rotary and has served as board president of Shawnee County Crime Stoppers and board chair of Family Service and Guidance Center.

Steve was asked about how Washburn contributed to his life or career. He said, "I am a proud graduate of Topeka High School, what is now Washburn Tech, Washburn University and Washburn School of Law. I attribute my education and lifelong relationships gained at Washburn for giving me my foundation for service and success."

Jeff Wagaman, a colleague at Kearney and Associates, said, "Steve has been a tremendous help teaching me how to represent our clients and advocate for them."

Eric Haskin, past president for the Kansas State Troopers Association, said "While working with Steve, I always had great confidence that no matter what we were involved in, we would always be represented by the highest moral and ethical standards."

During his acceptance speech, Steve said the most rewarding part of his career has been "the people and the relationships." He continued, "It is the meaningful relationships you develop over time – friends and colleagues. I feel I have stood on the shoulders of so many great people. Thank you very much."

Congratulations Steve! 🎉





Legislator's Column

By Representative Stephen Owens, District 74

A Look Ahead at the 2023 Legislative Session

A new dawn is breaking, and the 2023 session of the Kansas State Legislature is right around the corner. Before we dive into that, let me introduce myself. My name is Stephen Owens, and I am the State Representative for the 74th House District. I have served in the legislature since 2018 and currently am Chairman of the Corrections / Juvenile Justice System while also serving on the Judiciary and Appropriations Committee. My wife, Rose and I have been married for 26 years and have lived in Hesston ever since attending Bethel College, which is what brought us to the area. We have three amazing kids, two son-in-laws, and one granddaughter. We are truly blessed.

The elections are over, and we have a new attorney general, treasurer, and many new state representatives. In addition, we will have a new House leadership team that will take shape in early December. With an increased super-majority in the House, it is clear the direction the citizens of Kansas would have us move.

Kansans want law and order. They expect criminals to be held accountable. During my service in the statehouse, I have been part of leading the shift away from a “one-size-fits-all” judicial system to one that focuses on addressing the root cause of criminal activity. We have increased access to substance use treatment, created a mechanism to increase the number of specialty courts, and increased funding and treatment options for the mental health needs of our communities. Yet, there is still so much work to be done to ensure our system recognizes the unique circumstances of each individual in the system.

The Kansas Criminal Justice Reform Task Force concluded their work in late 2021 after three years of meeting, researching, and making recommendations. Working on legislation that was supported by the task force continues to be a priority as we look at the 2023 session. Their work, combined with various

other groups and agencies, have led me to be aware of a couple of pieces of legislation we can expect for the next session.

Kansas Appleseed and the ACLU of Kansas plan to introduce legislation to eliminate Juvenile fines and fees. Having had the opportunity to meet with them, they firmly believe that juveniles should still be accountable for restitution, but that the fines and fees are a burden to the family, many of which already struggle financially.

The Kansas Sentencing Commission will likely recommend changes to the sentencing grid next year as well. There continues to be a push to increase the number of probation offerings based on criminal history. There has even been some rumblings of combining the drug grid and non-drug grids into one sentencing grid.

Last year's HB 2200 will likely be reintroduced (as amended) in the House Corrections Committee. HB 2200 made some changes to the Juvenile Justice System by increasing some probation duration and confinement options for a small subset of juveniles. It also allowed for some of the Juvenile Reinvestment Funds to be utilized on prevention instead of only on the youth in the system already.


Medical Marijuana may very well be a topic of conversation this session as well. The House passed a version of legislation back in 2021, but the Senate never took action. There have been some interim meetings regarding this topic, and I believe the onus will fall on the Senate to act first if they plan to move this topic forward.

These are just a few of the items I am aware of that will be coming in 2023. As we near the session, more conversations will be held and ideas introduced. Who will be the chairman? Who will be in House leadership? What do the committees look like next year? All of these questions are still to be answered. While elections are certainly important, none of this should distract us from the obligation

we have to ensure defendants are held accountable and victims receive their day in court. I am excited about the changes coming and believe we will be an even more effective legislative body in 2023.

I'd like to thank each of you for your service to

your communities and our great state of Kansas!

I welcome your comments, questions, and concerns. If I can ever be of assistance, please don't hesitate to contact me at Stephen.Owens@House.KS.Gov. 

Kansas Prosecutors Foundation Gives Scholarships

The KCDAA Board of Directors established the Kansas Prosecutors Foundation to further the administration of justice in the best interests of the public. In 2013, the KPF gave out its first law school student scholarships to a law school student from each regent law school. Recipients of KPF scholarships shall meet the following criteria:

- a Kansas resident;
- a 2L or 3L enrolled in a law school in Kansas;
- demonstrate a desire to become a prosecutor;
- exhibit previous or ongoing activities of public service;
- either be pursuing a career in prosecution or the administration of justice; and
- may not be a member within the first degree of relationship to either a member of the scholarship committee or the KPF board.



The \$1,000 scholarships have been awarded since 2013 and the winners are recognized at the KCDAA Spring Conference. Read more about the 2022 recipients below.

2022 KPF KANSAS LAW SCHOOL SCHOLARSHIP WINNERS

Amy Medeiros

Amy Medeiros graduated with summa cum laude honors from Washburn University with a Bachelor's in Criminal Justice. She is currently in her third year at Washburn University School of Law. Prior to starting law school, she worked for two years as a legal assistant at the Shawnee County District Attorney's Office. It was there she realized her passion for law and obtaining justice for individuals and their families. This year she obtained her Rule 719/715 Legal Intern Permit and is a legal intern for the City of Topeka Prosecution Office. Following graduation in December 2022, she plans to pursue a



career as a prosecutor, with the hopes to eventually serve as a federal prosecutor in the U.S. Attorney's Office. Amy grew up in Kansas and is committed to practicing law in the Kansas/Missouri area following law school.

Noelle Relph

Noelle Relph is currently a third year law student at Washburn University School of Law. She was born and raised in Wichita, Kan. and attended Wichita State University after high school. She graduated from Wichita State University with two bachelor's degrees—one with a major in Criminal



Justice and a minor in Psychology, and the second with a major in Homeland Security and a minor in Anthropology. She always knew she would one day attend law school. When she was only five years old, she would make her siblings play court with her. This summer, she will be working with the Sedgwick County District Attorney's Office where she hopes to one day work as a criminal prosecutor.

Christin Smith

Christin Smith is currently a second-year law student at Washburn University School of Law. She was born and raised in Winfield, Kan., in a loving home where her mother (a high school history teacher) and her father (a Kansas District Court Judge) taught her the importance of public service. In 2019, she graduated Summa Cum Laude from Freed-Hardeman University in Henderson, Tenn. with a Bachelor of Arts in History and English with a minor in Spanish. After graduation, she volunteered as a Spanish Translator for the Iglesia de Cristo in Chapala, Jalisco, Mexico. When the COVID-19 pandemic hit, she returned to Winfield and worked as a home health aide with the Independent Living Resource Center and an online third and fourth grade teacher at Acton Academy Upstate.



Inspired by a prosecutor's ability to continuously work for justice, protect the communities, and stand up for victim's rights, she is seeking to pursue a career in prosecution. During summer 2022, she interned at the U.S. Attorney's Office for the District of Kansas in Wichita. During the 2022-2023 academic school year, she is interning for the Honorable Eric F. Melgren—Chief Judge of the U.S. District Court for the District of Kansas. In summer 2023, she will be interning at the Sedgwick County District Attorney's Office.

Chloe Thompson

Chloe Thompson grew up near Dodge City, Kan. on a family farm. She attended Dodge City High School where she was involved in choir, tennis, and debate. After graduating high school, she attended Kansas State University to earn a degree in English Literature. She is now in her second year as a law student at the University of Kansas School of Law. She first developed an interest in prosecution during her internship at the Ford County Attorney's Office. Interning in the Leavenworth County Attorney's Office this past summer has continued her interest in becoming a prosecutor. She hopes to become a prosecutor in the future to serve her community and be an advocate for victims of crime. 🇺🇸



**This is your association magazine.
Let us know what you want to see in the magazine or
offer to write an article.**

**Email ideas to:
mary@napiercommunications.com**

Next deadline: March 1, 2023

By Scott Schultz, JD, and Kira Johnson, LMLP, MS

The RAFT Diversion Program A New Tool for the Kansas Prosecutors' Toolbox

The Recovery from Addiction Funded Treatment Diversion Program (RAFT) was developed with bipartisan support and passed in 2021 (HB 2026). It was later codified in K.S.A. 21-6825 and is a voluntary program available to all non-violent drug offenders who are granted diversion.

The purpose of the article is to better acquaint prosecutors with this funding resource that is available at the Kansas Sentencing Commission (KSSC) to provide an important tool for successful diversion completion by offenders in our Kansas communities.

Who is eligible?

To receive treatment funding, offenders under K.S.A. 21-6825 must meet eligibility criteria for the program. They must:

- be approved for diversion;
- be an adult on a complaint alleging a felony violation of K.S.A. 21-5706 (drug possession), whose offense is classified in grid blocks 5-C to 5-I on the drug grid; and
- meet risk/needs thresholds for participation.

Those two criteria provide:

1. Offenders assessed for risk with the Level of Service/Case Management Inventory (**LS/CMI**) must score in the medium to very high risk categories with a threshold score of 15 or greater. For female offenders assessed with the Women's Risk Needs Assessment (**WRNA**), they must meet the moderate to high risk threshold score of 15 or greater; and
2. All offenders must meet the key eligibility criteria of the program with a high probability score on the Substance Abuse Subtle Screening Inventory (**SASSI- 4th Edition**).

When these criteria are met, offenders are eligible for all services currently offered under the

SB 123 program through the KSSC.

What does the program fund?

The RAFT program offers funding for a comprehensive range of drug treatment services, ranging from inpatient, outpatient individual and group, social detox, relapse prevention, and peer mentorship. Treatment providers certified by the KSSC to provide funded services are trained in the provision of empirically supported treatment methods, using cognitive-behavioral therapy, which has been shown to be effective with this population. RAFT offenders have access to the complete menu of services currently available to SB 123 offenders on probation, with the same allowances for all service modalities. The cost caps and information about each modality are available on the Kansas Sentencing Commission's website at sentencing.ks.gov.

How much funding is available?

At this time, the RAFT program is funded by the state general fund allocated to the KSSC's SB 123 drug treatment program. Current SB 123 funding is adequate to fund comprehensive treatment for both programs' offenders and additional funding is being sought as the program continues to expand. Since it became available, two offenders have accessed funded treatment through the RAFT program.

Who supervises offenders in the RAFT diversion program?

Offenders granted diversion through the RAFT program may be supervised by community corrections, court services, or individual county and district attorneys' offices. Memorandum of Understandings (MOUs) may also be established for supervision of offenders from one agency to another (e.g., DAs may establish MOUs with community corrections for supervision of offenders). The


supervising officer is expected to collaborate with treatment providers to share information, establish care, and advocate for clinically indicated treatment.

How is eligibility established for RAFT?

In collaboration with Beacon Health Options, the KSSC has created an online eligibility form to collect eligibility information from any of the supervising agencies. The supervisor of the RAFT offender may reach out to the KSSC (sb123payments@ks.gov) to request the link for this online form. The supervisor will then enter information about the offender into the form and eligibility will be established through Beacon Health Options to allow the provider to render appropriate services across the diversion term. Because treatment is collaborative, some cooperative paperwork is required to establish and monitor treatment. These forms can be found on the KSSC website, including the Client Placement Agreement (CPA) which is used to initiate and update understanding of treatment needs among, providers, offenders, and supervising officers.

Where can I learn more about the RAFT diversion program?

The KSSC provides a wealth of information regarding both the RAFT and SB 123 funded drug treatment programs. Forms, current event updates, upcoming trainings, and contact information can be found on our website, sentencing.ks.gov, under the SB 123 tab. Additionally, webinars and continuing legal education are often provided on this and several other relevant topics. Training can also be provided to interested groups by request.

Diversion is a statutory grant to prosecutors to provide a mechanism by which select offenders can be redirected from the criminal justice system. Citizens facing drug possession offenses pose unique opportunities for prosecutors to develop or further expand the use of diversion. The KSSC and the RAFT program stand ready to add a new tool to your diversion program to make it more successful with state-paid substance abuse treatment. 

About the Authors

Scott Schultz has been Executive Director for the Kansas Sentencing Commission since 2011 and has served on the National Association of Sentencing Commissions Executive Committee. In this time, his agency has taken the lead in promoting evidence-based practices aimed at reducing recidivism in Kansas.



Prior to joining the Commission, Scott worked at the Kansas Securities Commissioner's Office for almost 12 years as an Associate General Counsel, Assistant Attorney General, and was cross-designated as a Special Assistant United States Attorney to prosecute securities violations in state and federal court. His prior employment pursuits include criminal defense work in private practice and prosecuting violent crime as an assistant county attorney.

Kira Johnson has been the Kansas Sentencing Commission SB 123 Program Director for more than four years. In her position, she develops and reviews program policy, procedure, and expenditures, while working with the treatment providers and other stakeholders



to ensure offenders are receiving appropriate treatment. Kira has worked as a behavioral health professional at numerous correctional facilities and in community mental health. Her professional interests include anxiety treatment, integrated behavioral health, and correctional psychology. Kira possesses two master's degrees in Clinical Psychology and is a Licensed Masters Level Psychologist in the state of Kansas. Currently, Kira is a doctoral candidate in the Clinical Psychology program at the Florida Institute of Technology.

Forms, current event updates, upcoming trainings, and contact information can be found at sentencing.ks.gov, under the SB 123 tab.

KCDAA Award Winners

The Kansas County and District Attorneys Association (KCDAA) is pleased to announce its annual award winners from 2022. The award winners were honored during the 2022 KCDAA Fall Annual Business Meeting on Thursday, October 20 at the Wichita Marriott in Wichita, Kan.

2022 Lifetime Achievement Award

The Lifetime Achievement Award is presented to a KCDAA member for his/her longevity as a prosecutor. The nominee must have served no less than 25 years in a prosecutor position, and not previously received this award.

Dave Lowden Deputy County Attorney, Riley County

Dave Lowden began his career with Sedgwick County, eventually serving a majority of his 20 years in the Sedgwick County District Attorney's Office in the Appellate Division. He currently serves as the deputy county attorney in Riley County. During his over 30 years of prosecution, Lowden oversaw and filed countless briefs, including the infamous "Carr brothers," where Lowden successfully defended their convictions and death sentences.

Lowden's nominator had this to say about him, "Whether it was on appeal before the Court of Appeals or Supreme Court, or a post-trial K.S.A. 60-1507 Ineffective Assistance of Counsel claim at the District Court level, Dave Lowden's keen knowledge and grasp of the law and facts kept many a violent offender from having their convictions



overturned. Dave Lowden is highly respected by judges at all levels of the court system and fellow prosecutors. When I told a prosecutor in the Kansas Attorney General's Office I had hired Dave Lowden, the prosecutor's remark was, 'Dave knows everything.' Dave Lowden deserves to be recognized for his accomplishments throughout his career. Highly respected for his legal acumen, Dave Lowden is overdue to be recognized for his Lifetime Achievement."

Lowden is a long-time member of the KCDAA, where he has been active as both a conference attendee and presenter of numerous CLE courses. He has previously assisted in drafting legislation on behalf of the KCDAA and currently serves on the KCDAA Best Practices committee.

2022 Prosecutor of the Year

This award is presented to a prosecutor for outstanding prosecution of a case or cases throughout the year. The nominee must be a regular member of KCDAA.

Katy Munch Britton Chief Assistant District Attorney, Douglas County

Katy Britton has prosecuted for the Douglas County District Attorney's office for 15 years where she currently serves as chief assistant district attorney. Katy has served in many roles in the Douglas County DA's office before taking on the responsibility of prosecuting Child In Need of Care (CINC) cases for the county where her caseload averages above 160 active cases. She also notably was the office's intern supervisor from 2009-2017.

Katy's nomination stated, "Ms. Britton has a strong sense of justice and compassion for humanity. She believes in fair and equal access and the protections afforded by due process of law. She quickly earned the respect of the defense bar, and more specifically the juvenile bar, as a leader and mentor among her peers."

The nomination goes on to say, “Katy does not cower from a challenge or difficult case; she faces it head on. ... From the outside watching Katy work a case, one might completely underestimate her enormous case load. She works tirelessly to ensure that each case received her best work and achieves the outcome that is best for the child balancing the rights of the parents.”

Katy earned a B.S. in Journalism from the University of Kansas before receiving her J.D. with Distinction from the University of Nebraska College of Law. She serves on the Douglas County Child Advocacy Center Multi-Disciplinary Team and is a past member of the Douglas County Family Centered Systems of Care work group, the United Way Financial Stability Grant committee, and a 2016 graduate of Leadership Lawrence. 🇺🇸



District Attorney Suzanne Valdez accepting the award on behalf of Katy Munch Britton.

2022 Fall KCDA A Conference

By Shannon Wilson, CLE Committee Chairperson

Thank you to everyone who made the trek to Wichita for our fall conference. It was fantastic to finally be with everyone face to face. We were fortunate to have interesting and informative presentations from national presenters as well as some of our own members.

Your CLE committee is already working on our Spring 2023 conference schedule for next June. As a reminder, the KCDA A board voted to have spring conferences be in ZOOM format and fall conferences

in person. With that in mind, please do not hesitate to forward any presentation topics or ideas you have to me or anyone else on the CLE committee.

We want to thank those of you who have applied for the KCDA A Trial Advocacy School set March 9 and 10, 2023. We have received a great response and will be forwarding emails of acceptance/confirmation to those of you selected by December 31st. Be well and have a wonderful, safe holiday season. 🇺🇸



Prosecutor Highlight: From Prosecutor to Judge

By Amy L. Aranda, First Assistant Lyon County Attorney

Candice Alcaraz

Candice Alcaraz is soon to become Wyandotte County's first female Black judge. Alcaraz won the primary election this spring, beating incumbent Judge Wesley Griffin who had served on the bench since 2008. Alcaraz ran unopposed in the November election.

Alcaraz who is originally from Chicago, received her undergraduate degree in criminal justice systems from Truman State University in Kirksville, Mo. It was while at Truman State that her interest in the law was sparked. While in her junior year, her criminal justice instructor sat her down and asked her what she was going to do with her life. Uncertain, her professor suggested she think about law school. Initially, Alcaraz came up with every excuse not to go – she was a woman, first generation college graduate, she didn't know any women who were lawyers, and definitely didn't know any Black women who were lawyers. However, over the summer she attended the St. Louis University Women's Conference and the Sue Shear Leadership Academy for women in public life where her perspective was changed when she met several female judges and lawyers. By the end of the summer, she'd shadowed a Black male judge and saw that a Black female judge was on the bench in the same jurisdiction. She then began to realize the possibilities and her potential.

Upon graduation from Truman State, Alcaraz took the LSAT and applied to law schools, choosing to attend Washburn University School of Law. At Washburn, she exposed herself to as many experiences as she could. She participated in clubs, numerous clinics, and Moot Court. During her experience on Moot Court, she found that being in

the courtroom was the one thing she was great at and loved. Alcaraz found that once she began speaking and answering questions, any self-doubt and fear she had just melted away. During her last semester at Washburn, she applied for and was selected as an intern for Kansas Court of Appeals Judge Stephen Hill.

After graduation from Washburn in 2016, Alcaraz took her first job with the Wyandotte County District Attorney's Office. In the six years since, Alcaraz has prosecuted everything from juvenile offenders, to drug cases, to upper level felony person crimes. She has made Wyandotte County her home and has immersed herself in the legal community. Alcaraz has been active in the Wyandotte County Bar Association serving as the community service chair, and in the Kansas Bar Association, serving as the governor for Wyandotte County, and serving on the nominating and diversity committees.

As one of the few African American female attorneys in the courthouse, Alcaraz notes, she would often look

at the judges' pictures hanging on the walls of the Wyandotte County Courthouse and note that she didn't see one who looked like her. After law school, Alcaraz had always considered becoming a judge, but wanted to get some experience first, so she tucked the thought away for a "someday thing," waiting for a sign, and taking notes on how she could do things differently and better.

Finally, the time was right, and with the support of her fiancé, family and friends, Alcaraz put her name on the ballot this past spring. Alcaraz ran on a platform of using a restorative justice approach with the hope of reducing offender recidivism and



connecting the judiciary with the community. It was her community minded approach that won the voters over, beating her opponent with nearly 69% of the vote. Alcaraz wants to be a part of the community, to give back, and become part of the solution. Alcaraz is hoping to incorporate more local community programs and services in sentencing. She hopes by doing so, she can help address the needs and problems that offenders face, thus impacting the factors that lead them to commit their crimes. Alcaraz wants to get the community involved and has already started planning by talking with community program leaders about solutions to the many issues plaguing offenders such as drug addiction, homelessness, and parenting.

Alcaraz has enjoyed her work with the Wyandotte County District Attorney's Office and credits her time in prosecution with preparing her to fulfill her duties on the bench. As a prosecutor, Alcaraz notes she practiced skills that she feels are important for a good judge like being a good negotiator, dealing with people, being fair and just,

and not just trying to get a conviction. In addition, she believes the reason former prosecutors make good judges is because, "as prosecutors, we have to know everything that's happening in the courtroom . . . we're responsible for discovery, preserving the record, and protecting rights. That makes us the most focused people in the room."

Alcaraz has loved being a prosecutor, being in the courtroom, fighting nuances in the law, and working for justice for victims. Alcaraz notes, no matter how hard being a prosecutor has been, she has enjoyed it saying "sometimes it can be a thankless job as people don't understand the decisions we have to make, but the few times victims or victim's families have thanked me for what I've done, it's made it worth it. I will never forget my time as a prosecutor, and I will miss it."

We wish the best to Candice as she moves on to the next chapter in her career as Wyandotte County's first female Black judge. Maybe she will be the inspiration for the next person considering a career in the law and judiciary. 📍

KCDAA Milestones - News from Across the State

Attorney General's Office

News from the Kansas Attorney General's Office includes some staff changes. Shannon Rush left the Attorney General's Office for a prosecutor position with the Shawnee County District Attorney's Office. Melissa Johnson was appointed the Montgomery County Attorney, and Amy Norton was selected as a district court judge in Saline County thus they have both left the AG's Office as well.

Douglas County DA's Office

The Douglas County District Attorney's Office is pleased to announce several staff milestones including announcing Chief Assistant District Attorney Katy Britton as the 2022 KCDAA Prosecutor of the Year.

Chief Assistant District Attorney Katy Britton, who handles the Office's Child in Need of Care (CINC) cases, was named the 2022 Kansas Prosecutor of the Year at the KCDAA's annual conference in October. Katy began her legal career

as a domestic violence attorney. She earned her bachelor's degrees in journalism and history from the University of Kansas and her J.D. from the University of Nebraska College of Law. Read more about her in the awards article in this issue.

New employees joining the staff roster include: Ricardo Leal and Jennifer Tatum. Assistant District Attorney Ricardo Leal is an experienced prosecutor from Finney County who previously served as a prosecutor in Ford County. Ricardo received his bachelor's degree and J.D. from Washburn University. Chief Assistant District Attorney Jennifer Tatum, the 2017 KCDAA's



Douglas County District Court Judge Amy Hanley swears in Chief ADA Jennifer Tatum.

Prosecutor of the Year, most recently served as an assistant prosecuting attorney in the Jackson County, Missouri Prosecuting Attorney's Office. Previously, Jennifer was a deputy district attorney for the Wyandotte County District Attorney's Office. She earned her bachelor's degrees in English and history from the University of Kansas and her J.D. from the University of Kansas School of Law.

Recently, Jon Simpson was promoted to Senior Assistant District Attorney. Prior to joining the DA's Office in 2021, Jon worked for the Kansas Attorney General's Office and the U.S. District Court of Kansas. He earned a bachelor's degree in history with an English literature minor from Kansas State University and a J.D. from the University of Kansas.

Two new trial assistants, Casey Merritt and Michelle Lane, also recently joined the DA's Office.

Two staff recently welcomed new additions to their families. Senior Assistant District Attorney David Greenwald and his wife, Danielle, welcomed daughter Isabella on August 17, 2022. David, who joined the DA's Office in 2021, previously worked for the Johnson County District Attorney's Office. From 2017-2019, he served as prosecutor in the Wyandotte County District Attorney's Office. He earned bachelor's degrees in history and political science from the University of Kansas and a J.D. from the University of Miami.



Isabella

Assistant District Attorney Samantha Foster and her husband, Johnithan, welcomed son Desmond Conley on July 14, 2022. Samantha, who handles domestic crimes in the special victims unit, earned

her bachelor's degree and her law degree, both from the University of Kansas as part of the Legal Education Accelerated Degree program. She joined the DA's Office from Joseph, Hollander & Craft LLC in Topeka, where she focused on domestic law.



Desmond

Leavenworth County Attorney's Office

Mary McMullen joined the Leavenworth County Attorney's office as an intern and was recently promoted to assistant county attorney. Mary is originally from Yelm, Wash. and received her undergraduate degrees in economics and finance from Central Washington University in Ellensburg, Wash. as a first-generation college student. Mary relocated to Kansas in 2014 and attended law school as a nontraditional student at The University of Kansas School of Law. During her time at KU Law, Mary received



Mary McMullen

the Mary Ann Chambers Service Award, which is awarded to the student who best demonstrates dedication to professionalism while representing the disadvantaged and devotion to the community through public service. Mary also received the pro bono distinction honor by performing over 100 hours of pro bono legal aid during her time as a law student. Mary is a mother of three. Mary's husband actively serves in the U.S. Army and has served in two deployments, to Iraq and Afghanistan. 🇺🇸

We want to share your news!

If you have something you would like to share with the KCDAA membership, please keep us informed.



We'd like to publish baby announcements, new attorneys, anniversaries, retirements, awards won, office moves, if you've been published or anything else worth sharing

with the KCDAA! Information submitted is subject to space availability and the editorial board reserves the right to edit material.

Send your information and photos to:
Editor Mary Napier
mary@napiercommunications.com

Next Deadline: Spring - March 1, 2023

Beating the Backlog with a More Productive Prosecutor's Office

By Steve Rubley, President of the Government Division at Thomson Reuters

This article was published in *The Prosecutor*, a publication of the National District Attorneys Association, Volume 56, Number 3 - July 2022. Reprinted with Permission.

Prosecutors are facing a vicious cycle of high caseloads, staff burnout, and mountains of digital evidence. But incremental changes to productivity can have benefits to prosecutors, victims, and the courts.

Few people working in our justice system would disagree that times are tough. Not only are case backlogs a problem for virtually every jurisdiction, but district attorneys are leaving the profession because of unmanageable workloads, which further worsens the problem.

The data supports this. A Thomson Reuters study from 2021 found that case backlogs had grown in courts by around one third between 2019 and 2021.¹ And the NDAA recently announced that attorneys' offices across the U.S. are struggling to recruit and retain lawyers, with some experiencing vacancies of up to 16%.²

A Nationwide Issue

According to data from the National Center for State Courts' Effective Criminal Case Management project, none of the 130 jurisdictions studied in 21 states fully met the criteria for timely disposal of cases.³ These are 365 days for felonies and 180 days for misdemeanors. Delayed cases rarely favor the prosecution's case, and victims can be denied justice. But research points to poor outcomes for defendants and their families, too.

In March 2022, we were proud to sponsor an NDAA online event⁴ where a panel of expert speakers, including prosecutors past and

present, judges, and legal tech experts, shared their experiences and advice about improving productivity to reduce backlogs.

"The Fierce Urgency of Now"

Jennifer Webb-McRae from the Cumberland County (NJ) prosecutor's office invoked Dr. Martin Luther King Jr. and offered advice for prosecutors who want to confront the challenges that they face today with the "fierce urgency of now." Ms. Webb-McRae noted that while prosecutors have limited ability to control what happens post-indictment, they are one of most powerful drivers of progress before that point.

Employing technology to streamline processes, like the flow of evidence between law enforcement, prosecutors, defense, and court is a significant contributor. Notably, some of this technology is identified in our *Cost of Delayed Justice* report as helping to reduce costs to courts, as well as driving efficiency. Ms. Webb-McRae also advocates for internal benchmarking to ensure that prosecutors are resolving cases in a timely manner and for making appropriate screening decisions during periods of high caseload so that cases can be downgraded or dismissed if appropriate to the circumstances.

Saving Jurisdictions \$12 Million a Year

There are no overnight solutions, but there are ways to reduce both the burden for prosecutors and the costs to jurisdictions.

Hiring more people seems like an obvious

Footnotes

1. Thomson Reuters Institute, *The Impacts of the COVID-19 Pandemic on State & Local Courts Study* 2021, August 2021.
2. Disha Raychaudhuri, Karen Sloan, *Prosecutors wanted: District attorneys struggle to recruit and retain lawyers*, Reuters.com, April 2022.
3. National Center for State Courts, *Effective Criminal Case Management Project*.
4. National District Attorneys Association, *Beating the Backlog: A More Productive Prosecutor's Office*, March 2022

way to work through a backlog, but that is only sustainable as long as the money exists to pay for extra prosecutors. To address the root causes of the problem, some prosecutors' offices are looking at productivity. This often means modernizing technology and digitizing processes to deliver a significant uplift in case resolution and take the strain off prosecutors.

Similar approaches across the wider judicial system have incredible potential savings for jurisdictions. In *The Cost of Delayed Justice*, a report we have just released, we found that making targeted improvements to caseflow can reduce costs by more than \$12 million a year *per jurisdiction*, alongside providing faster resolutions to those involved.⁵

Re-Learning the Art of Negotiation

Also speaking at the event was Karen Gorham a former prosecutor and now Superior Court Administrator at the New Hampshire Judicial Branch. She explored how her teams are working with the Court's Attorney Working Group to help cases get to resolution faster.

For example, the courts introduced a program that resolved 45 cases in its first day. A "Prosecutor

of the Day" makes themselves available to meet with the defense and work out resolutions. This is part of a larger effort to encourage in-person negotiation – something that had been lost somewhat after months of remote working. Both prosecuting and defending attorneys in the state also attended workshops on this topic organized by the courts. Practical yet simple approaches like these are helping to clear the national backlog of cases.

To break the cycle of challenges they face, I encourage prosecutors to look at again at how technology can improve productivity in the long term, not just help them to work through more cases in the short term. 🗣️

5. Thomson Reuters, *The Cost of Delayed Justice*, May 2022.

Download the NDAA's eBook summarizing the recent online event at ndaa.org. For more about beating the backlog, you can download *Thomson Reuter's guide for prosecutors*, and *The Cost of Delayed Justice* for a full exploration of the topic and the underlying data.



The graphic features a dark background with a white dotted pattern in the corners. On the left is the NDAA logo, a circular seal with a scale of justice and the text "NATIONAL DISTRICT ATTORNEYS ASSOCIATION". The main headline "Join NDAA Today!" is in large white font. Below it, a paragraph describes the benefits of membership. At the bottom, four icons represent a courthouse, a graduation cap, a handshake, and a question mark. The call to action "Learn more and join today at ndaa.org/membership/join." is in white text on a dark grey bar.

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As a **National District Attorneys Association (NDAA)** member, you become part of a community dedicated to protecting the rights and safety of the people. NDAA provides opportunities to **enhance skills, grow peer networks, and access world-class resources** that will help you stay on top of current developments in the prosecution field.

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Innovative Ways to Address the Changing Culture of Prosecution: Co-Responder Programs

Editor's Note: The Kansas Prosecutor is publishing a multi-part series on innovative ways to address the changing culture of prosecution. In this article, we are going to discuss implementing a co-responder model in agencies large and small.

For future issues, we invite others to submit articles on topics such as meeting victims' needs, addressing mental health concerns with defendants, approaches in reducing violence within communities, most effective ways of dealing with addiction, or any other topic that could be helpful in improving the criminal justice system. If you have an idea you would like to contribute, please contact Editor Mary Napier at mary@napiercommunications.com.

Implementing a Co-Responder Model in Agencies Large and Small

**By Jacob M. Gontesky, Assistant District Attorney, Appellate Section
Johnson County District Attorney's Office**

Across the state of Kansas—just as across the nation as a whole—communities are exploring the co-responder model to address mental health concerns in their communities and finding great success. But these programs need not be isolated to large jurisdictions. For communities looking to explore implementation of such a program, the Johnson County, Kansas program offers valuable insight as it incorporates law enforcement agencies large and small.

Communities that deploy co-responders reap significant benefits when they elect to address the needs of mentally ill individuals at the forefront. Having a qualified mental health professional immediately available to confront mental health concerns on-scene in high-risk situations reduces conflict, which has lasting ripple effects for officers and the community alike, diverting many people from the jails or hospital rooms—formerly the go-to approach for an officer faced with such a situation.

What is a co-responder?

This can vary slightly nationwide, but in Johnson County, a co-responder is a qualified mental health professional embedded within a law

enforcement agency who seeks to improve outcomes for people in crisis. Often, the co-responder will respond alongside the law enforcement officer to scenes when behavioral health concerns are identified as a factor in a call, with the objective of providing “the right intervention, at the right time, by the right individual.” Co-responders do not go on all calls, only those in which mental health concerns are identified. Co-responders do not enter the scene until law enforcement deems it safe, and the co-responder will never respond without law enforcement at their side. And the co-responder's involvement does not end there. They will often follow up with individuals encountered during crises and assist with procuring resources to improve an individual's odds of success.

Co-responders are not certified law enforcement officers, and do not carry a badge or a firearm. Rather, they come equipped with specialized training and experience on mental health crises. Unlike officers, co-responders have access to a host of information, including immediate access to protected medical records, appropriate navigation of HIPAA concerns, and deep knowledge of community mental health resources.

Evolution of the program

The Johnson County co-responder program began in 2011 when the city of Olathe embedded a co-responder within their police department, utilizing grant funding from the Department of Justice. By the time the grant expired, the program's value was readily apparent not only to Olathe, but surrounding cities. This success helped bring about support for local funding for many new programs in the area. Overland Park was next to add a co-responder, and Lenexa and Shawnee soon followed suit.

At first, Lenexa and Shawnee did not see sufficient call volume to justify a full-time co-responder with their agency, so they opted to share one. This was an efficient and cost-effective way to begin the program, though scheduling concerns soon became readily apparent. What happens when the co-responder is scheduled to assist one agency on a given day, but a crisis call comes in for the other agency? The agencies worked together to reduce such conflicts, though within the first six months, each recognized the need for their own full-time co-responder.

While some agencies that adopt the co-responder model incorporate the co-responder into their own agency payroll, Johnson County agencies have taken a different approach. Jessica Murphy, the Deputy Division Director of Emergency Services with Johnson County Mental Health Center (JCMHC) oversees the Johnson County co-responder and mobile crisis response teams. Because JCMHC has been an established and trusted resource within the county for decades, rather than grow a program from the ground up, law enforcement agencies saw a more efficient effort could be undertaken whereby the city contracts positions through JCHMC. While the program is funded through the city budget, including grants and alcohol funds, that contract brings with it the entire structure of JCMHC, including existing relationships with area hospitals, as well as, clinical supervision and program oversight with JCMHC's leadership structure.

Co-responders are recruited through a system of interviews that are conducted with both the law enforcement agency and JCMHC. All co-responders undergo thorough background checks, drug screens, and polygraph examinations, akin to the vetting the

law enforcement agencies conduct for the hiring of certified law enforcement officers. This process establishes mutual trust between the agencies and the co-responders.

Call volumes

Murphy indicates a marked increase in mental health related calls for service appears to be a natural byproduct of instituting a co-responder program. First, with the institution of a program, better identification of mental health related calls occurs when calls are received. Awareness grows when communities embrace the co-responder model, leading to increased willingness to seek help.

Co-responder programs are not a one-size-fits-all. While some agencies employ multiple full-time co-responders, others may have one, or share one, with another agency. Shortly after the larger jurisdictions instituted their programs, smaller jurisdictions followed suit, including many small cities in the northeast corner of the county: Leawood, Prairie Village, Merriam, Mission, Fairway, Roeland Park, Westwood, Westwood Hills, Mission Hills, and Mission Woods. Soon Leawood and Prairie Village saw the need for their own full-time co-responder so they split off, creating their own program. Shortly after hiring two new full-time staff, both programs saw call volumes increase nearly 300%. The rapid growth of the co-responder model in Johnson County now means the county employs 20 full-time, and one part-time, co-responders.

Benefits of the co-responder model

Murphy describes the co-responder as another resource in the "tool belt" of law enforcement. When the programs started, co-responders drove a county-provided car, separate from officers, but now in Olathe, co-responders are embedded with officers and ride together to scenes. Currently, four officers trained in advanced crisis intervention efforts will respond *only* to mental health related calls, always with a co-responder at their side.

The holistic approach allows for rapid intervention. Historically, officers confronted with a mental health crisis may resort to taking an individual into protective custody, phoning the JCMHC crisis line, and potentially handcuffing to

transport the individual to a hospital room for an evaluation—a traumatic and stigmatizing process that could take hours and result in an expensive bill. But the co-responder being on-scene now often allows for an immediate mental health assessment that can be performed on-scene, often in an individual’s own home. Not only does such an effort reduce potential trauma to the person, but allows for a more robust evaluation, given that the mental health professional can visit with the person in a more comfortable setting, while also observing the person’s surroundings. Such informal observations as whether the fridge is sufficiently stocked adds significant value to the co-responder’s assessment of the situation.

The co-responder benefit does not end on the initial call. Often co-responders will conduct outreach, following up with individuals who were encountered on earlier calls. Because not all problems can be resolved in the immediate aftermath of a 911 call, the co-responder will check-in later with resources, ensuring those who need more than immediate attention are connected with the appropriate resources for enduring improvement.

The in-person outreach efforts are conducted collaboratively, as the officer attends with the co-responder. Such an approach allows the officer to interact with the person in a better setting outside of the crisis, which benefits everyone involved. In an era of particularly polarizing sentiments regarding law enforcement, co-responder programs can help shift the perspective—for *all* involved—with each intervention and outreach effort.

As the benefits of the model have become well-known, Johnson County’s co-responder program has gradually expanded beyond the crisis calls. The sheriff co-responder now reviews eviction cases in an attempt to provide necessary resources to possibly avoid eviction or support them through the eviction process. The program has also undertaken efforts to reach out to those left behind by someone who has committed suicide.

Community support comes quickly

Such efforts have not been without growing pains, but as Murphy indicates, leadership and supervision of such programs are key. With the right people in the right positions, buy-in comes

naturally from all stakeholders, from police officers to mental health professionals, to community members. Existing programs offer great insight into communities that are exploring implementing their own program.

Police officers have quickly embraced the co-responder model once they see the often-immediate benefits of having a qualified mental health professional readily available. And the mental health professionals see immediate benefits as well in the form of swift intervention in crisis situations which can often result in diffusing what otherwise might blossom into a trip to jail or an emergency hospitalization absent such intervention. Community buy-in is similarly swift. As Murphy indicated and one community member quickly acknowledged, while a co-responder program may be expensive, when you need it, the program is *invaluable*.

Additional resources

For communities seeking to explore the co-responder model, the International Co-Responder Alliance¹ offers substantial resources on building such a program—large or small. Johnson County’s program is not always an appropriate template for other communities seeking to explore a co-responder model, but through the Alliance, resources are available for agencies to find programs that would be comparable to their agency size and need. The Alliance also hosts an annual conference, bringing together law enforcement, co-responders, and other mental health professionals from across the country each year.²

Footnotes

1. <https://www.coresponderalliance.org/>
2. <https://www.coresponderalliance.org/CoRCon/>

**Check out archives of
the Kansas Prosecutor
magazine on our website at
kcdaa.org/magazine.**

Managing Digital Evidence

By Erick Ceresato, Sr. Product Group Manager, Genetec Inc., Quebec (CA)

This article was published in The Prosecutor, a publication of the National District Attorneys Association, Volume 56, Number 3 - July 2022. Reprinted with Permission.

With the proliferation of data, from cell phone data and video footage to photographs and documentation, the volume and variety of digital evidence included in cases is growing exponentially. Managing the sheer volume of data presents additional challenges, from the receipt of exhibits, disclosure, storage, and disposition. Likewise, the data has to be readily accessible to attorneys and the chain-of-evidence secured throughout the lifecycle of the exhibit.

To address these challenges, a growing number of jurisdictions and district attorney offices are adopting modern technology designed specifically for the digital chain of custody to facilitate collaboration between agencies, businesses, and the public. Getting internal buy-in and resources to invest in new software and develop new processes isn't always easy, but the benefits go far beyond improving file management. Modern digital evidence management solutions make it easier to share information with stakeholders, protect sensitive files from being viewed by unauthorized parties, maintain compliance with regulatory requirements, and build trust through greater transparency.

To illustrate the difference, let's look at the example of Galveston County, Texas. In 2018, Galveston's District Attorney and Sheriff's Office needed a solution that could effectively manage, store, and disseminate digital evidence while also adapting to new discovery guidelines introduced by the Texas State Legislature. The new legislation stipulated that prosecution offices must share all items of evidence with defense attorneys prior to any plea or trial and must be able to prove what evidence was turned over and when. To meet these needs, the Galveston District Attorney's Office and Sheriff's Office turned to a web-based, software-as-a-service (SaaS) solution designed specifically to manage their digital evidence.

They quickly discovered the new process not only made sharing evidence more efficient but also improved collaboration. Here are a few key learnings and best practices they discovered along the way.

Tips for successfully transitioning to a digital evidence management solution

1. Design digital workflows that mirror existing processes to complement the applications and workflows you already use. If your team is familiar with certain steps, a digital solution can assist with those steps without having to reinvent your process.
2. Choose a secure, cloud-based file storage solution to ensure you never run out of room for important evidence and to facilitate file sharing without the need for physical copies.
3. Work with your software partner to create an onboarding plan to ensure a smooth transition from paper files to digital file storage.
4. Collaborate with law enforcement in your region to establish and automate processes with patrol officers and investigators to ensure evidence is uploaded along with detailed metadata. This will help save time and make it easier to find relevant files through search functionality when the files are needed in the future.

Digital evidence management can ensure proper storage, audit trails, and compliance

Galveston County is not unique in the ever-increasing amount of data it is collecting and sharing. The initial solution was to store all digital evidence on a drive on the Sheriff's Office's network. However, the evidence could not be secured to the required levels because the network was designed to serve many teams and purposes. Furthermore, keeping track of the contents of the folder and sharing them effectively was a challenge.

Moving to a digital evidence management

system made it easier to sift through lots of data to find the parts that were most relevant to a case. The District Attorney's Office can securely retrieve crime scene photos, interviews, patrol photos, cell phone data, and all reports provided by the different law enforcement agencies and contributors within their jurisdiction.

The data is stored securely, and all parties involved in a case can be given the appropriate permissions to add, remove, view, or share files through a web browser. All activity in the case files is logged by the system, so it is clear who views or uploads what and when. There is no possibility of files being changed or deleted without a proper record. The software provides digital proof to verify that there has been no modification of any files. This auditable chain of custody for the information ensures that evidence will be admissible in court.

Digital evidence management offers an efficient way to manage evidence from different sources

Galveston's new digital management system also provides a more streamlined and secure way to gather evidence from various sources. As the law enforcement agencies, businesses, and residents of Galveston all use a variety of technologies to capture video, photos, and other potential sources of evidence, the District Attorney's Office would dedicate significant time to ensure exhibits could be shared and viewed by different stakeholders.

Previously, when a case was filed, the District Attorney would make a request for evidence and send someone to pick up the evidence from the agency connected to the case. The law enforcement agency or District Attorney's Office would then make a physical copy of the evidence on a DVD or a flash drive as well as additional copies to share with defense attorneys.

Sharing evidence meant waiting while copying disc after disc, not to mention a lot of time and money spent on CDs, flash drives, transportation, and warehousing of all this sensitive information. The audit trail and chain of evidence was often a manually updated spreadsheet — or even a handwritten sheet of paper — listing what information was shared and when.

Now, law enforcement agencies can upload files

via a secure link, without having to buy or install additional software. This has saved the District Attorney's office and law enforcement agencies countless hours that were previously spent making copies of shared files and preparing information for storage.

After implementing a purpose-built, SaaS solution for digital evidence management, the County can control access and ensure the security and integrity of digital evidence. Information is quickly and securely shared between law enforcement agencies, the District Attorney's Office, and other stakeholders involved in a case. Internal and external recipients can be assigned different levels of permission, to protect sensitive data and restrict who has the ability to view or download files.

Digital evidence management streamlines the discovery process

With the introduction of the new discovery guidelines by the Texas State Legislature, a need for a better solution became even more apparent. During a case, both sides had to agree that all evidence was turned over, or there would be a hearing and the judge would have to make findings. There was always a concern that someone could deny they received evidence and a plea agreement would unravel or be delayed. Likewise, there could be serious consequences if there were allegations that evidence was not turned over.

While the Galveston District Attorney's Office recognized the importance of these regulatory changes to prevent any hiding of evidence, they also realized the need for protocols and systems to meet the new requirements efficiently and effectively.

Because the old process involved the handoff of boxes of DVDs or flash drives, defense attorneys were not always confident that they had truly received all the relevant files in a case. The result was too often mistrust and confusion, with serious consequences if the defense could convincingly argue before a judge that they were not given key information relating to the case.

With their new digital evidence management system, Galveston District Attorney's office can now, at the click of a button, produce a list of evidence that has been turned over and when it was turned over. If there's any type of dispute, they

can also establish when, if ever, the evidence was downloaded or looked at by the defense counsel, and this information automatically populates on the District Attorney's official letterhead.

The software solution used in Galveston allows the District Attorney to send links to defense attorneys with all the items of discovery, as well as to restrict access to sensitive evidence, such as child forensic interviews. The digital evidence management system quickly compiles a complete list of evidence listing everything that has been shared with the defense, when it was shared, and when (or if) the evidence was downloaded or viewed.

Digital evidence management provides a comprehensive overview

Today, the Galveston District Attorney's office is securely storing and sharing hundreds of terabytes of data in the cloud using their SaaS system. The digital evidence management system makes it easy for the district attorneys to locate information and share it

as needed during the prosecution of cases.

Where they used to keep paper records, they now store everything digitally, from PDFs of documents to audio files, video footage, and photographs. The solution has also allowed them to better manage the increasing amount of data and information as well as establish a clear chain of custody. Likewise, it has saved them countless hours and resources copying disks, flash drives, and paper documents of evidence. Using their systems, they now also maintain a clear and well-documented chain of custody to ensure valuable evidence is easy to locate and always admissible in court. 📍

About the Author

Erick Ceresato joined Genetec (www.genetec.com) in 2012 and oversees the vision and product strategy for Genetec Clearance™. Working in close collaboration with customers, Erick is responsible for identifying new technology trends that can help customers overcome their obstacles and turn new ideas into product roadmaps.



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