



NEWS RELEASE
GREENE COUNTY PROSECUTING ATTORNEY
DAN PATTERSON

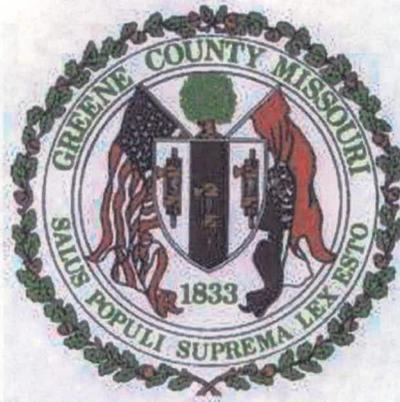
Contact: Rhonda Ogden, Office Manager – (417) 868-4061
1010 Boonville
Springfield, MO 65802

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FOR IMMEDIATE RELEASE

Prosecutor's Office Continues to Do More with Less

SPRINGFIELD, Mo. – Greene County Prosecuting Attorney Dan Patterson issued his annual report to the County Commission today. Patterson noted that, “since 1998 the number of felony charges issued by the office has increased by one hundred and ninety-two percent resulting in a seventy percent increase in the number of felony cases filed while the number of assistant prosecutors in the office has only risen by thirty-eight percent.” Patterson said that he “is proud that the attorneys and staff of the prosecutor’s office continue to provide our citizens outstanding service in the pursuit of justice despite rising workloads and shrinking resources.”



GREENE COUNTY PROSECUTING ATTORNEY ANNUAL REPORT

DECEMBER 1, 2010 THROUGH NOVEMBER 30, 2011

DAN PATTERSON
Prosecuting Attorney

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VISION, MISSION & OBJECTIVES

Our VISION – To ensure a safe and secure community with justice for all.

Our MISSION – To be ministers of justice working to ensure that justice is achieved fairly, effectively and efficiently through advocacy and community leadership.

Our OBJECTIVES -

- To seek justice
- To lead in quality prosecution
- To support and enhance public safety
- To focus on dangerous offenders and child abusers

"A public prosecutor is a responsible officer chosen for his office by the suffrage of the people. He is accountable to the law, and to the people. He is vested with personal discretion intrusted to him as a minister of justice, and not as a mere legal attorney. He is disqualified from becoming in any way entangled with private interests or grievances in any way connected with charges of crime. He is expected to be impartial in abstaining from prosecuting as well as in prosecuting, and to guard the real interests of public justice in favor of all concerned." *State v. Smith*, 258 S.W.2d 590, 593 (Mo. Supreme Court en banc 1953).

OFFICE ORGANIZATION

The Prosecutor's Office has two divisions: the Criminal Division and the Springfield Regional Child Support Office. The Criminal Division is further organized into the Major Crimes Unit, Persons Crimes Unit, General Crimes Unit and Warrant Unit.

- **Major Crimes Unit:** prosecutes homicides, felony assaults, vehicular assaults, dangerous and career criminals, home invasions, robberies and dangerous drug offenses.
- **Persons Crimes Unit:** prosecutes child physical and sexual abuse, child endangerment, assaults, sex offenses, elder abuse and domestic violence cases.
- **General Crimes Unit:** prosecutes a variety of cases ranging from misdemeanor traffic offenses to felony property crimes and white collar offenses.
- **Warrant Unit:** receives law enforcement reports and is responsible for reviewing most cases submitted to our office to determine if a criminal charge will be filed.
- **Child Support:** Greene County is the host county for the Springfield Regional Child Support Office providing judicial services for the Missouri Family Support Division for Greene, Christian and Taney Counties holding non-custodial parents responsible for paying delinquent child support.

Additional information about the Greene County Prosecuting Attorney's Office, its units, attorneys and staff is available on the website: www.greenecountymo.org/pa.

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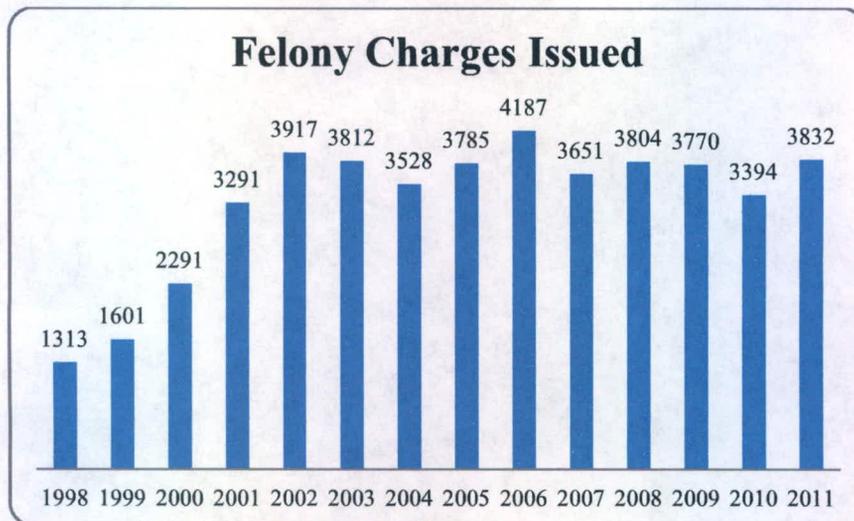
RECENT BUDGET HISTORY

- Criminal Division Budget & Staff Cuts: We have addressed the following cuts to staff by restructuring job duties, redistributing workload to our remaining staff including reassignment of some administrative tasks from support staff to attorneys. In addition, we have sought out opportunities and implemented practices to increase our efficiency.
 - 2009 as a result of mid-year cuts and controlled spending GCPA expenditures were 7% less than budgeted (approx. \$162,000 less)
 - 2010 budget was 5.9% less than the 2009 Budget (approx. \$136,000 less)
 - **2011 budget 5.5% less than the 2009 Budget (approx. \$127,000 less)**
 - 2009 initial general revenue budget cuts:
 - Savings through implementation of a hiring freeze and fill delays
 - Salary savings due to U.S. Army Active Duty deployment of then Chief Assistant Dan Patterson
 - A 32% reduction in the Office Supply line item (carried through to 2011)
 - A 100% cut in the Contract Labor line item used for temporary staff to cover extended medical leaves, etc. (carried through to the 2011 budget)
 - A 100% cut to the capital line item (\$13,800 that was to be used to replace an aged and problematic main copier. This copier was ultimately replaced using non-General Revenue funds in 2010).
 - 25% cut to Victim/Witness Expense line item (carried through to 2011)
 - 25% cut to Case Preparation line item (carried through to 2011)
 - 2009 second round cuts:
 - 1 file clerk position
 - 1 paralegal/investigator position
 - Restructuring and eliminating a supervisory First Assistant Prosecuting Attorney (APA) position and reclassifying it as a Senior APA position replacing a senior attorney with a less experienced attorney.
 - 2009 grant expiration: Assistant Prosecuting Attorney Position that was cross designated as a Special Assistant United States Attorney – eliminated due to expiration of the Federal Project Safe Neighborhoods grant. This position had allowed us to redirect some prior felony offenders with firearms violations to Federal Court, relieving some burden on our county Circuit Court.
 - 2010 additional budget cuts:
 - 2nd file clerk position
 - Salary savings due replacement of departing experienced personnel with entry level personnel

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CASE LOAD HISTORY

- Criminal Division, Caseload: over the past 14 years (1998-2011) the number of felony charges issued by the office has nearly tripled from 1,313 to 3,832 – a rise of 192%. By contrast, the number of Assistant Prosecutors in the Criminal Division has grown by only 38% over the same time period (16 v. 22).



- As demonstrated above, the bulk of this felony growth occurred by 2002. Since that time, felony charges have, with some fluctuation, remained relatively constant. Our staff numbers in terms of APAs, investigators, victim/witness advocates, and support staff members, have also remained relatively constant over this nine year period. *The effects of long term under-staffing have compounded yearly, increasing stress on staff and backlogs.*
- One way we have managed the large increase in felony charges is by consolidating multiple charges and police reports in single cases whenever possible. By doing so we limited the increase in felony cases filed between the Circuit Court's 1998 fiscal year and the Circuit Court's 2011 fiscal year to 70% (1,444 v. 2457).
- Since 2004, we have intentionally reduced our misdemeanor case load approximately 38% by redirecting Springfield Police Department misdemeanor offenses to the Springfield Municipal Court when corresponding city ordinance violations can be filed. We have also created some misdemeanor diversion programs. These efforts have not had an appreciable effect upon overall workload, however, given the differences between felony and misdemeanor cases -- i.e., in general, for each percentage point increase in felony case load much

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more work is required compared to the decrease in work represented by each percentage point decrease in misdemeanor case load. Instead, the misdemeanor case load redirection has been merely one method of releasing a small portion of the building work load pressure.

- Over the past reporting year (2010 vs. 2011), we have seen a 13% increase in felony charges issued.
- 2011 Averages Per Attorney*: In 2011 the average number of felony and misdemeanor cases per attorney (23 attorneys including the elected prosecutor) were as follows:
 - 509 total cases: traffic, misdemeanor and felony combined; filed per attorney (11,699)
 - Felonies:
 - 107 felony cases filed per attorney (2,464)
 - 167 felony charges issued per attorney (3,832)
 - 46 felony charges declined per attorney (1,054)
 - 41 felony charges under advisement per attorney (952)
 - Misdemeanors:
 - 295 misdemeanor cases filed per attorney (6,795)
 - 512 misdemeanor charges filed per attorney (11,784)
 - 101 misdemeanor charges declined per attorney (2,333)
 - 32 misdemeanor charges under advisement per attorney (726)

*Note these averages do not include remaining pending case load from prior years.

- Criminal Division, Judicial Capacity:
 - In late 2010, the Circuit Court increased its criminal trial court capacity by 33 percent by adding a third judge to the normal criminal rotation. The Prosecutor's Office had no corresponding increase in APAs or support staff. As a result the number of attorneys per circuit division was diluted while we experienced an increased number of routine court appearances and administrative docket management requirements.
 - In total, we staff nine criminal courts: four associate divisions, three circuit court criminal trial divisions, a fourth circuit division handling DWI and Drug Court and a fifth circuit division that handles felony probation violations.

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- We have nine APAs assigned to these Circuit Court trial divisions or three per division. Two of these nine APAs are supervisors who must manage caseloads in addition to providing guidance to their unit members in specialized areas of the law. Much of these APA's time is spent in court on routine appearances limiting their time out of court to prepare for trial, and victim/witness contact.
- We have nine APAs assigned to Associate Circuit (AC) Court, or two and one half APAs per division. These nine also include one supervisor who manages a caseload, and is responsible for training and guidance of attorneys both in his unit and of those attorneys outside of his unit that staff the associate divisions. The AC attorneys are in court an average of four days per week leaving little time out of court for preparation, and victim/witness contact. In addition to their AC Court assignments, these APAs must also carry felony case loads.
- We have one APA assigned full-time to the DWI and Drug Courts.
- Criminal Division, Increased Efficiency:
 - Warrant Unit. We have implemented a Warrant Unit ("charging unit), as suggested by the Kalmanoff study, and have experimented in recent years with different staffing alternatives. We now staff the Warrant Unit with two full time experienced prosecutors and a paralegal. Even with this full time staffing, that has proven more efficient than other staffing models; we do not have sufficient capacity to avoid charging backlogs. As of December 1, 2011, there remained over 600 cases under review by the two prosecutors in the Warrant Unit alone.
 - Discovery and Plea Offers. As a general rule, and as has been the longstanding practice, disclosure of police reports and witness statements to defense attorneys routinely occurs prior to preliminary hearing. The ability to provide this early discovery has been facilitated by conversion to a "paperless" case management software system that facilitates electronic discovery. If not requested prior to preliminary hearing, as a general rule, written case and defendant specific plea offers are provided to defense counsel at the preliminary hearing. Defendants in the vast majority of cases waive their preliminary hearing.
 - Diversion Programs and Alternative Disposition Programs:
 - We have implemented both a felony and misdemeanor restorative justice program.
 - In the misdemeanor program, an attempt is made to divert first time nonviolent property offenders entirely from the criminal justice system, utilizing the Alternative Dispute Resolution Center

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at Missouri State University and community assets to hold offenders accountable and to restore victims.

- In the felony program, certain first time non-violent property offenders are offered a fast-track to disposition of their case that utilizes community resources to hold them accountable, to restore their victims and to allow them to avoid a felony conviction.
- We have also implemented diversion programs in cases of misdemeanor minors in possession of alcohol and misdemeanor possession of marijuana that focus on assessment for treatment needs and education.
- We support and seek to fully utilize our Driving While Intoxicated and Drug Courts, both of which serve as a national model for such courts. In addition, we collaborate in specialty courts involving defendants with mental health issues and defendants who are at-risk parents.
- “Paperless” case management software system. In 2009 and 2010, the office implemented a new “paperless” case management software system leveraging technology funded by grants and monies paid by or recovered from criminal defendants. Benefits have been:
 - Increased ability to identify defendants with multiple cases allowing for quicker consolidation of case dispositions.
 - Facilitation of assignment of defendants with multiple cases to a single judge.
 - Increased effectiveness in the courtroom by providing APAs with greater information at their fingertips.
 - Increased efficiency to help offset the loss of support staff by eliminating work associated with maintaining paper files.
- Law Enforcement Liaisons. The Warrant Unit serves as the primary liaison with law enforcement agencies providing review of investigations in process. Each day the Warrant Unit reviews the jail census and contacts the arresting agency to facilitate charging decisions within 24 hours for suspects being held after arrest. In addition, APAs travel to the Criminal Investigation Section of the Springfield Police Department twice weekly and the Greene County Sheriff’s Office monthly to be available to detectives to review investigations and make screening decisions. Finally, we have an APA on-call twenty-four hours a day seven days a week to assist law enforcement and file charges.

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- Differentiated Case Management System. In 2008, we implemented a differentiated docket management system, in accordance with national best practices, to identify those cases that can be disposed of quickly and to more proactively manage the Circuit Court jury trial dockets. By doing so, we have been successful in disposing of over 80% of all cases set on jury trial dockets. (The remaining cases are continued by the Court to another trial date, usually due to unforeseen circumstances such as witness illness, failure of the defendant to appear, etc.). To make this system more effective, we need the ability to add more cases to each jury docket. However, to achieve this, we need more APAs to ensure we are adequately prepared. In addition, and perhaps more importantly, additional APAs and Victim/Witness Advocates will allow cases to be proceed through the system faster, resulting in more cases being resolved before being set on a jury trial docket.

- Child Support Unit: In our Child Support Unit, we have not only effectively absorbed a continuing 10% cut to our state reimbursed budget, that was first imposed in 2009, but, at the same time, we expanded our service to become an outstanding Regional Child Support Office serving three counties: Greene, Taney and Christian.

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STAFFING 2011

- Criminal Division
 - 22 full-time Assistant Prosecuting Attorneys
 - 15 funded by County General Revenue
 - 5 funded by the current County Law Enforcement Sales Tax
 - 2 funded by bad check fees paid by criminal defendants*
 - 1 part-time Assistant Prosecuting Attorney (*to be unfunded in 2012*)
 - 3 Victim Witness Advocates
 - 2 Investigators
 - 2 Paralegals
 - 17 Support Staff

- Child Support Division (100% state reimbursed budget)
 - 6 Assistant Prosecuting Attorneys
 - 2 Investigators
 - 10 Support Staff



*Bad check cases and restitution have been trending down in recent years nationwide as checks are used less as a method of payment and as a result of the economic downturn. *If these trends continue as expected, this source of revenue will no longer support the salaries of the two General Crimes Unit Assistant Prosecuting Attorneys paid from this statutory fund.* The Greene County Prosecuting Attorney's Office is one of a few Missouri Counties that uses the bad check fund to pay the salaries of APAs. The fund is more traditionally used to fund training and equipment for the prosecutor's office.

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CRIMINAL DIVISION STATISTICS

CHARGE SCREENING	FELONIES	MISDEMEANORS	TOTALS
Charges Issued	3,832	11,784	15,616
Charges Declined	1,054	2,333	3,387
Charges Under Review	952	726	1,678

CASES FILED*

FELONY	MISDEMEANOR	TRAFFIC	TOTAL
2,464	6,795	2,440	11,699

*Note that a case may include multiple charges and a felony case may also include misdemeanor charges.

REFERRAL SOURCE FOR ISSUED CHARGES

AGENCY	FELONIES	MISDEMEANORS
Springfield Police Department	76%	33%
Greene County Sheriff's Office	13%	30%
Missouri State Highway Patrol	2%	25%
Other	9%	12%

FELONIES ISSUED

2011	CHARGES ISSUED	CHANGE FROM 2010
FELONIES	3832	13%
Homicide	7	-50%
Robbery	71	-42%
Assault	322	5%
Sex Offenses	186	6%
Domestic Assault (subset of assault)	244	11%
Child Abuse	43	-43%
Officer Safety Offense	72	33%
Weapon Offense	197	-10%

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Burglary	243	-5%
Stealing	369	9%
Stolen Property	57	2%
Forgery	290	-18%
Drug Offense	1029	-44%
Manufacturing (subset of Drug Offense)	37	16%
Driving While Intoxicated	237	25%
Alcohol Felony (non-DWI)	18	-63%

Grand Jury Indictments Returned:	11
Grand Jury No True Bills Returned	1
Extraditions Reviewed	230
Preliminary Hearings Held and Bound Over:	281
Preliminary Hearings Held Not Bound Over:	14
Preliminary Hearings Waived and Bound Over:	1,591
Bound over to Circuit Court:	1,872
Felony Cases resolved by Guilty Pleas:	1,386
Cases Sentenced:	1,426
Commitments to Department of Corrections	1,132
Bench Trials Found Guilty:	16
Bench Trials Awaiting Court Verdict:	1
Bench Trials Found Not Guilty:	6
Jury Trials Hung Jury	0
Jury Trials Found Not Guilty:	3
Jury Trials Found Guilty:	12
Division IV Jury Week Disposition Rate	82% (including 141 guilty pleas)
Division V Jury Week Disposition Rate	87% (including 152 guilty pleas)
Fugitive Warrants:	12
Post Conviction Relief Cases	36

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MISDEMEANORS ISSUED

2011	CHARGES ISSUED	CHANGE FROM 2010
MISDEMEANORS	11,784	-7%
Assault	786	3%
Sex Offense	25	-7%
Domestic Assault (subset of assault)	548	-2%
Officer Safety Offense	113	4%
Child Endangerment	78	34%
Stealing	337	4%
Stolen Property	56	-25%
Drug Offense	365	-13%
Driving While Intoxicated	825	-2%
Driving Suspended/Revoked	1,315	-2%

Misdemeanor Cases Resolved by Guilty Plea (non-traffic)	2,638
Traffic Cases Resolved by Guilty Pleas	2,953
Bench Trials Guilty:	72
Bench Trials Not Guilty:	27

DIVERSION (Misdemeanor) & ALTERNATIVE DISPOSITION (Felony)

Felony Restorative Justice Agreements Entered:	29
Felony Restorative Justice Program Completed:	20
Felony Restorative Justice Program Failed:	1
Misdemeanor Property Diversion Letters Sent:	73
Misdemeanor Property Diversion Successful Completion:	67
Misdemeanor Property Diversion Terminated – filed:	19
Misdemeanor Drug Diversion Letters Sent:	99
Misdemeanor Drug Diversion Successful Completion:	67
Misdemeanor Drug Diversion Terminated – filed:	1
Minors in Possession (Alcohol) Diversion Letters Sent:	445
Minors in Possession Diversion Successful Completion:	360
Minors in Possession Diversion Terminated – filed:	95

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BAD CHECKS

Complaints Handled:	3,548
Misdemeanors Check Cases Filed:	707
Felony Check Cases Filed:	24
Check Cases Dismissed with Restitution Paid:	355
Restitution Collected for Victims:	\$432,199

DELINQUENT TAXES

Complaints Referred:	386
Criminal Cases Filed:	5
Restitution Collected for the State of Missouri:	\$386,379
10% Statutory Contribution to County General Revenue:	\$38,638

DEPARTMENT OF REVENUE

DWI Refusal Suspension Cases Representing DOR	146
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SPRINGFIELD REGIONAL CHILD SUPPORT OFFICE

CHILD SUPPORT UNIT STATISTICS

ACTIONS	GREENE COUNTY	CHRISTIAN COUNTY	TANEY COUNTY
Referrals Received	1006	225	192
Paternities Filed	84	12	33
Regular	55	10	13
Incoming	6	0	0
Outgoing	23	2	20
UIFSAs Filed*	45	21	32
Incoming	9	5	16
Outgoing	36	16	16
Contempt Motions Filed	556	24	9
Other**	78	25	13
Felonies Filed	33	19	32
Misdemeanors Filed	53	37	38

*The Uniform Interstate Family Support Act allows states to work together in the collection of court-ordered child support.

**Establishment, Motions to Intervene, Motions to Revoke, Registration of Foreign Judgment, Motions for Warrant, Etc.