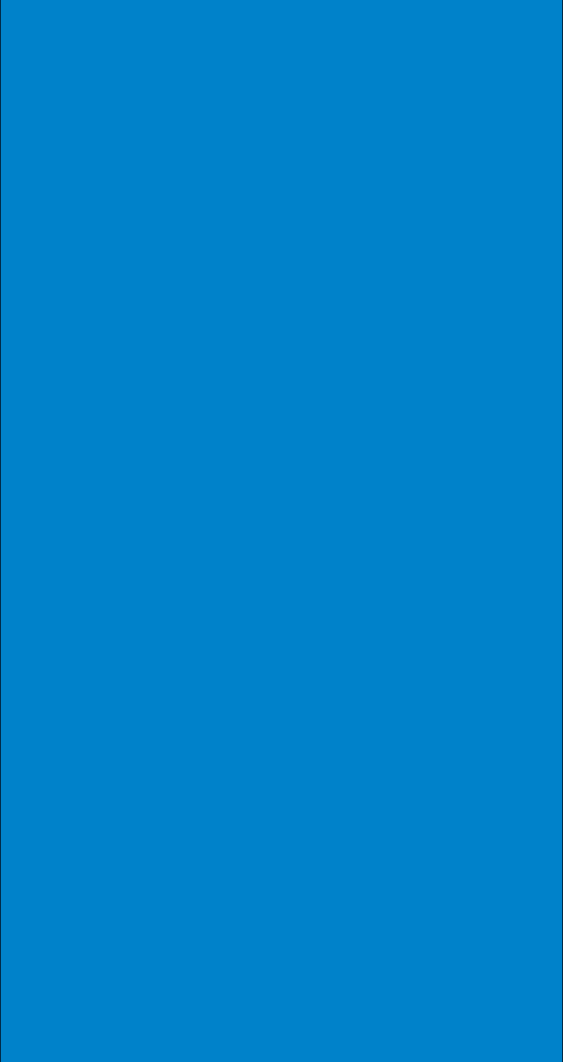




2025 Media Guide

Sedgwick County District Attorney





Media Guide Overview

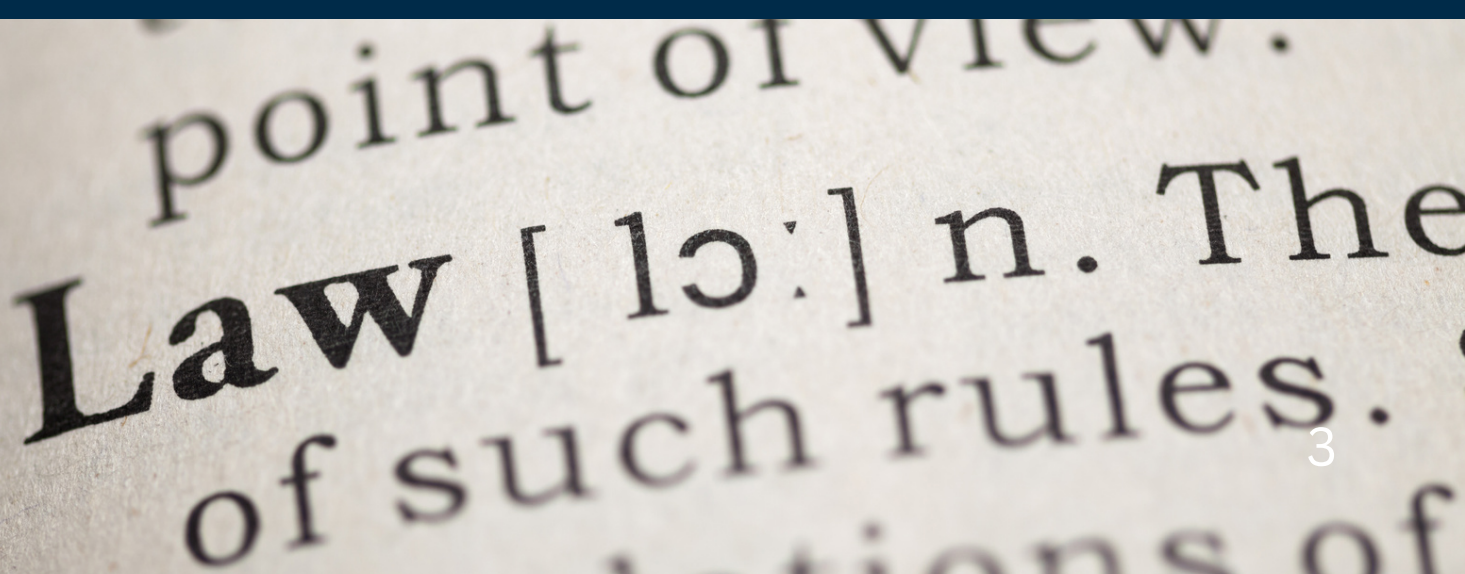
The goal of this media guide is to assist the media in its efforts to provide accurate and understandable information to the public regarding the criminal justice system.

This guide is specifically intended to assist reporters covering the 18th Judicial District and the cases initiated by the Sedgwick County District Attorney's Office.

Role of the Prosecutor

Prosecutors, often referred to as the "gatekeepers" of the criminal justice system, serve a unique function. Unlike defense attorneys who represent their client's interests, a prosecutor's primary duty is to seek justice while representing "the people" and the community's best interests. This dual mandate involves:

- **Charging Decisions:** Prosecutors wield immense discretion in deciding whether and what charges to bring against an arrested individual.
- **Upholding Rights:** While advocating for the victim and community safety, they are also responsible for honoring the constitutional and statutory rights of the accused and ensuring due process.
- **Prosecutorial Discretion:** Prosecutors use their discretion throughout the process, including managing plea agreements and making sentencing recommendations to the judge.



Ethical Considerations

Kansas Rule of Professional Conduct 3.6: Trial Publicity

Kansas Rule of Professional Conduct 3.6 (KRPC 3.6) is an ethical rule that limits the extrajudicial statements (out-of-court comments) a lawyer—including a prosecutor—can make about a pending case. The rule's purpose is to protect any party's right to a fair trial but is particularly important in protecting an accused person's Sixth Amendment right to trial by an impartial jury.

The General Prohibition

The central command of Rule 3.6(a) is that a lawyer participating in a matter shall not make a public statement that they know or reasonably should know will have a substantial likelihood of materially prejudicing an adjudicative proceeding.

Subjects Likely to be Prejudicial

The Supreme Court specifically identifies certain types of statements that are more likely than not to materially prejudice a criminal proceeding. Lawyers, especially prosecutors, must avoid commenting publicly on subjects such as:

- The character, credibility, or criminal record of a party or witness;
- The existence or contents of any confession, admission, or statement given by a defendant or their refusal to make a statement;
- The performance or results of any examination or test, or the identity/nature of physical evidence;
- Any opinion as to the guilt or innocence of a defendant or suspect;
- Information a lawyer knows or reasonably believes would be inadmissible at trial and, if disclosed, would prejudice someone's right to an impartial trial; or
- Whether someone has been charged with a crime unless that statement is accompanied by an explanation a charge is merely an accusation and the defendant is presumed innocent unless proven guilty.

Ethical Considerations

Special Rules for Prosecutors (KRPC Rule 3.8)

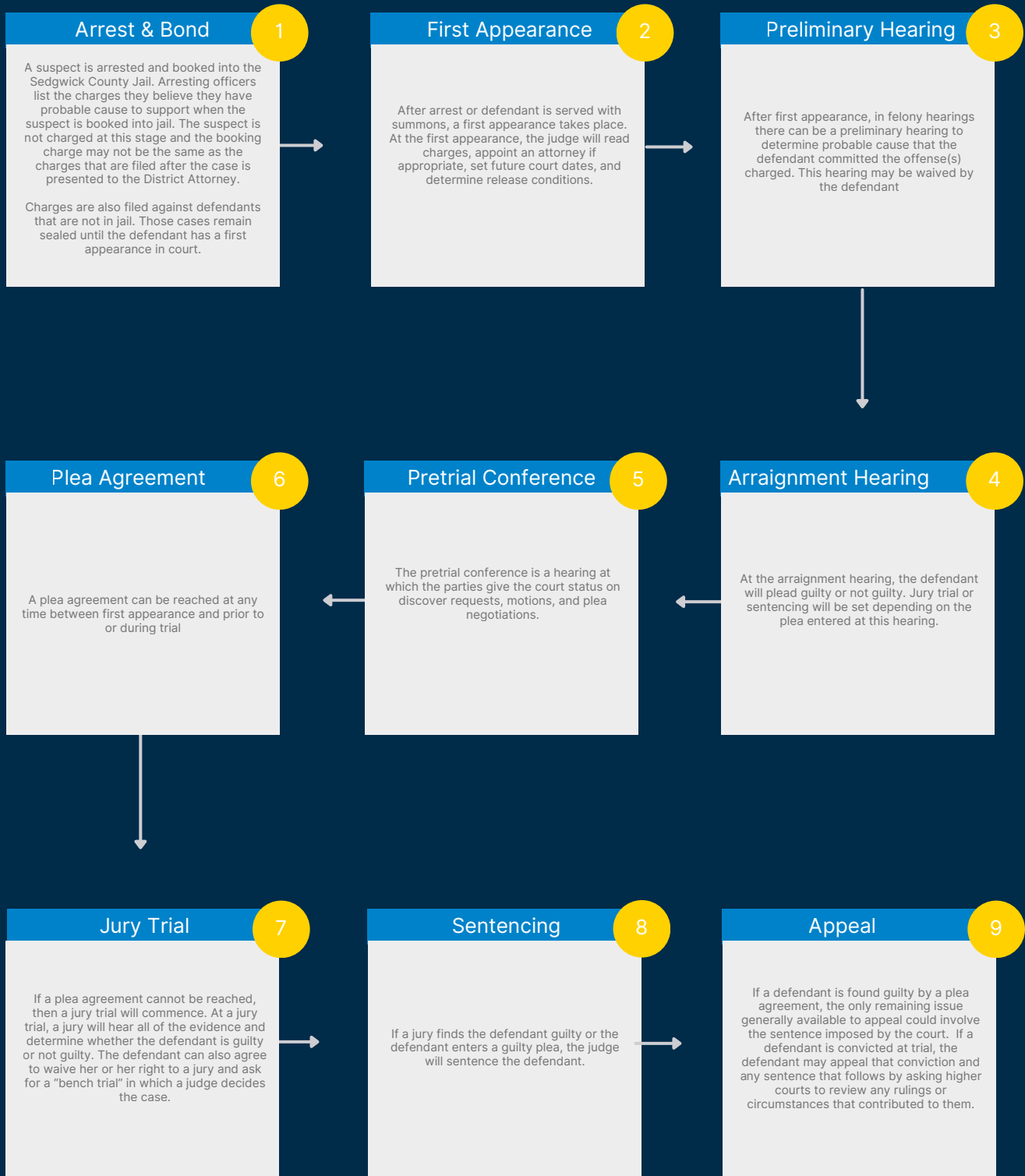
Because of their role as government officials representing the state, prosecutors face additional ethical constraints not imposed on other attorneys found in KRPC 3.8.

KRPC Rule 3.8(f) requires prosecutors to:

- Refrain from making extrajudicial comments that have a substantial likelihood of heightening public condemnation of the accused; and
- Limit public statements to only those necessary to inform the public of the nature and extent of the prosecutor's action and that serve a legitimate law enforcement purpose.

In short, while both prosecutors and the public have an interest in being informed about cases, KRPC Rules 3.6 and 3.8 force prosecutors' offices to carefully balance free speech with the fundamental need to ensure a fair trial uninfluenced by outside media publicity.

Criminal Case Overview



How is bond set?

In Kansas, the bond for an arrested person is set by a magistrate or judge. Binding precedent from the U.S. Supreme Court requires a judicial determination of probable cause and setting of bond within 48 hours of arrest.

Each day during the week and at least one time over the weekend, typically on Sunday, the judge determines the amount and conditions of the appearance bond, which is intended to ensure the defendant appears for all future court dates, and to protect public safety.

The judge considers several factors, including:

- the nature of the crime
- the weight of evidence
- the defendant's criminal history
- family ties and flight risk

Release options can include a Personal Recognizance (OR) Bond (a promise to appear with no money upfront) or a Surety Bond where a commercial bail bond company posts the full amount in exchange for a non-refundable fee (typically 10%) from the defendant. The judge has discretion to impose additional non-monetary conditions, such as no-contact orders with victims or restrictions on travel.

Types of hearings

First Appearance

A First Appearance (sometimes called an Initial Appearance) in a Kansas criminal case is the defendant's initial court hearing shortly after an arrest. Its primary purposes are to:

- Inform the Defendant: The judge informs the defendant of the specific crime(s) they have been arrested for and the facts in the complaint.
- Advise of Rights: The defendant is advised of some constitutional rights, including the right to an attorney.
- Address Counsel: The judge determines if the defendant will hire a private attorney, apply for a court-appointed public defender, or represent themselves.
- Set Next Hearing: The judge sets the date for the next proceeding, which is typically an arraignment for misdemeanors or a preliminary hearing for felonies.

The hearing is required to occur without unnecessary delay after the arrest, typically within 2-3 business days. In felony cases, the defendant is not asked to enter a plea at this time.

Types of hearings

Preliminary Hearing

A preliminary hearing (also called a preliminary examination) in a Kansas felony case is a pre-trial proceeding with a very specific and limited purpose: to allow a judge to determine if there is probable cause (1) a crime has been committed (2) by the charged defendant. The standard of proof (probable cause) is much lower than "beyond a reasonable doubt," which must be met if the case later proceeds to trial.

- The State's Burden: The prosecution presents evidence, which includes witness testimony and sometimes physical evidence, to establish probable cause.
- The Defense's Opportunity: The defense has the right to cross-examine the prosecution's witnesses and can introduce its own evidence. This process serves as an opportunity for the defense to preview a summary of the State's case.
- Judge's Ruling: The judge considers the evidence in the light most favorable to the State and determines if the probable cause standard has been met.
- Defendant May Waive Hearing: For a variety of practical or strategic reasons, defendants may waive their right to this hearing. In that case, the Court finds probable cause exists to allow the case to proceed forward with the same effect as if a hearing had been held and that finding had been made after considering the evidence presented.
- Outcome:
 - If probable cause is found (after hearing evidence or by waiver) for any felony charge(s) the defendant is bound over for trial, and the case proceeds to arraignment. Arraignment may occur immediately after the preliminary hearing or may be scheduled at a later time.
 - If probable cause is lacking for any felony charge(s), they are dismissed.

Types of hearings

Arraignment

A Kansas arraignment hearing is a critical stage in a criminal case where defendants are formally notified of the charges against them, advise the court of their plea, and future court dates are set.

The main purposes of an arraignment are to:

- **Formally Advise of Charges:** The court will read the criminal complaint or information, or state the substance of the charge(s) to ensure defendants understand what they are accused of. The defendant is given a copy of the charging document, unless he or she has already been provided a copy. The defendant can also waive the formal reading of the charging document.
- **Receive a Plea:** The defendant is called upon to enter a formal plea to the charges. At this stage, a defendant generally enters one of the following pleas:
 - **Guilty:** An admission to the crime, which results in a conviction and moves to sentencing at that time or some later date.
 - **Not Guilty:** A denial of the charge, requiring the State to prove the defendant's guilt at trial. If this plea is entered, the case is set for trial or some other pre-trial setting.
 - **Nolo Contendere (No Contest):** A statement that the defendant does not wish to contest the charge. It has the same effect as a guilty plea for purposes of the criminal proceeding but may limit its use as an admission of guilt in a related civil lawsuit or other legal action.
- If the case is set for trial, a defendant's statutory speedy trial rights begin under K.S.A. 22-3402.

Types of hearings

Pre-trial

A pre-trial hearing (often called a Pretrial Conference) is a meeting between the judge, the prosecutor, and the defense attorney that occurs after the arraignment but before the trial. Its primary purpose is to schedule any pre-trial motions, streamline the issues for trial, and identify whether the case is likely to be resolved short of trial by the parties reaching a plea agreement.

1. Case Resolution and Plea Negotiation

- The attorneys discuss the possibility of a plea agreement that would resolve the case without the need for a trial. Most criminal cases are resolved in this manner.

2. Adjudicating Pre-Trial Motions

- The judge hears and rules on pre-trial motions filed by either side. These often include motions:
 - In Limine (to exclude or include certain evidence or testimony at trial).
 - To suppress evidence (arguing that evidence was obtained illegally).
 - To dismiss one or more charges.

3. Trial Preparation and Logistics

- The parties address and make decisions on logistical and procedural issues for the upcoming trial, such as:
 - **Scheduling** and determining the length of the trial.
 - Identifying and agreeing to stipulations (agreements on facts or law) from the parties to avoid unnecessary testimony, evidence, or argument at trial.

Types of hearings

Plea Agreement

Plea negotiations in Kansas criminal procedure are formal discussions between the prosecutor and the defense aimed at resolving a criminal case without a trial, usually resulting in the defendant pleading guilty or nolo contendere (no contest) in exchange for a benefit.

Any agreements as to what either party will recommend at sentencing are not binding on the judge, as the judge is not a party to the agreement.

Kansas law allows prosecutors to negotiate several terms in exchange for a defendant's plea to a charged offense or a lesser/related offense (K.S.A. 21-6812):

- Charge Bargaining: The prosecutor may agree to move for dismissal of other charges or counts.
- Sentence Recommendation: The prosecutor may recommend a particular sentence within the applicable sentencing range, or even outside the range if statutory departure factors exist and are stated on the record.
- Charge Filing: The prosecutor may agree to file a particular charge or agree not to file other charges.

Types of hearings

Plea Agreement (continued)

Judicial Role and Discretion (K.S.A. 22-3210).

A plea agreement is strictly between the prosecutor and the defendant (with the assistance of his or her attorney). The judge is not a party to the agreement and is prohibited from initiating plea discussions. Even if the prosecutor or defense agree to recommend a certain sentence, the judge makes the final decision on the sentence and can still impose any lawful sentence upon a defendant, to include the maximum penalty allowed by law.

Acceptance Requirements

Before a court can accept a guilty or nolo contendere plea (particularly in felony cases), the judge must personally address the defendant in open court to ensure:

- The plea is made voluntarily and is not improperly coerced;
- The defendant understands the nature of the charge;
- The defendant is aware of the consequences of the plea, including the potential maximum penalty and the constitutional rights being waived (e.g., the right to a jury trial, the right to confront witnesses, and the right against self-incrimination); and
- The court is satisfied that there is a factual basis for any felony convictions that result from the acceptance of the plea

Types of hearings

Jury Trial

The criminal jury trial process includes these main stages: jury selection, opening statements, the presentation of evidence , the court's instructions, closing arguments, jury deliberations and verdict.

Jury Selection (Voir Dire)

- The process of selecting a jury is called Voir Dire (meaning "to speak the truth").
- Jury Pool and Summons: Jurors are randomly selected from lists of county residents who are registered voters or have a Kansas driver's license/ID card. They are summoned to report to the courthouse.
- Questioning: A large panel of prospective jurors is questioned by the judge and/or the attorneys to determine their qualifications, potential biases, or conflicts of interest.
- Challenges:
 - For Cause: Jurors can be excused if the judge finds they cannot be impartial.
 - Peremptory Challenges: The State and the defense each have a certain number of peremptory challenges, which allow them to excuse a juror without stating a reason (though they can't be used to discriminate based on protected classes).
- Swearing In: The required number of jurors (12 for a felony, 6 for a misdemeanor, plus alternates) are sworn in to hear the case. Additional, alternate jurors may be selected, based on the anticipated duration of a trial or other circumstances.

Types of hearings

Jury Trial, cont.

Opening Statements

The prosecution gives the first opening statement, outlining the evidence they intend to present and what crime or crimes they are attempting to prove with this evidence. The defense may then present its opening statement, often outlining anticipated shortcomings in the State's case or evidence they may later present that could call into doubt the State's ability to prove the defendant's guilt. Opening statements are not evidence.

Presentation of Evidence

- **Prosecution's Case:** The State presents its evidence first by calling witnesses and offering exhibits or stipulations agreed to by the parties. The burden of proof is always on the State, which must prove the defendant's guilt beyond a reasonable doubt.
- **Defense's Case:** After the prosecution rests, the defense may present its own witnesses and evidence or may choose to present no evidence at all, relying on evidence the defense introduced through the cross examination of the State's witnesses or simply arguing the prosecution's failure to meet its burden of proof. The defendant is presumed innocent and has the constitutional right to remain silent.
- **Judge's Role:** The judge governs what evidence a jury will hear by ruling on any objections from the attorneys regarding the admissibility of evidence, ensuring evidence is relevant (tends to prove a material fact), not unduly prejudicial to either party, or otherwise complies with the Kansas Rules of Evidence.

Types of hearings

Jury Trial, cont.

Judge's Instructions

After the presentation of evidence is complete, the Court instructs the jury on the law applicable to the case. These instructions cover the elements of the crime the State must prove, the burden of proof (beyond a reasonable doubt), the presumption of innocence, rules for how some types of evidence are to be considered, and other procedures or considerations in a verdict. The jury must apply the law as the judge explains it to the facts they find from the evidence.

Closing Arguments

Both attorneys summarize the evidence that was presented and argue how the jury should apply the Court's instructions to the evidence presented in reaching their desired verdict. Again, closing arguments are not evidence, and if anything is said in closing arguments that is not supported by the evidence or law, it must be disregarded.

Types of hearings

Jury Trial, cont.

Jury's Deliberation

- The jury retires to a private room to deliberate.
- They elect a foreperson to lead the discussion.
- They must carefully and impartially consider all the evidence and instructions.
- They may send written requests to the judge for further information on the law or evidence.

Verdict

- A verdict must be unanimous, meaning all jurors must agree to a decision on any count. If a jury cannot reach a unanimous decision on one or more counts in a case, a "hung jury" is declared, and the court may order a new trial on those counts.
- Reading the Verdict: If a verdict is reached, it is put in writing, signed by the foreperson, and read in open court.
- Jury Poll: Either party can request that the jurors be polled individually to confirm their assent to the verdict.
- Discharge: After the verdict is finalized (or a hung jury is declared), the jury is discharged.

If the defendant is convicted, the case moves to the sentencing phase. If the defendant is found not guilty (acquitted) of all charges, he or she is free to leave, and the case is over.

Types of hearings

Sentencing

The criminal sentencing process for felonies in Kansas is primarily governed by the Kansas Sentencing Guidelines Act (KSGA), which relies on a sentencing grid to determine a presumptive sentence. The procedure culminates in a sentencing hearing where the judge imposes the sentence.

Presentence Investigation Report (PSI)

- A PSI report is prepared by a court services officer in the event of any felony conviction.
- This report provides the judge with information about the defendant, the crime, the criminal history, and may include victim impact information.
 - The PSI identifies the primary offense, which is generally the highest severity level offense of which a defendant is convicted within a case.
 - The PSI applies the Kansas Sentencing Grid (either the Nondrug Grid or the Drug Grid, see attached) to find the presumptive sentence for the primary offense and any other felony, grid offenses within a case.
 - The presumptive sentence for the primary offense is determined by:
 - Crime Severity Level: The primary offense is classified on a scale, typically Level 1 (most severe) through Level 10 (least severe) for non-drug felonies, and Level 1 through Level 5 for drug felonies.
 - Criminal History Category: The defendant's prior convictions determine a criminal history score, categorized from A (most extensive history) through I (least extensive history/no prior felony convictions).
 - The intersection of the severity level (vertical axis) and the criminal history category (horizontal axis) on the grid provides the presumptive sentence for the primary offense. Any additional felony counts are placed within the "I" box on the horizontal axis to determine the potential sentence.
 - Each grid box contains three numbers, representing a range of months for imprisonment (minimum, standard, and maximum). It also indicates the presumptive disposition (imprisonment or probation).

Kansas Sentencing Guidelines

NON DRUG OFFENSES

	A	B	C	D	E	F	G	H	I	Terms		
	THREE PLUS PERSON FELONIES	TWO PLUS PERSON FELONIES	ONE PERSON PLUS ONE NONPERSON FELONIES	ONE PERSON FELONY	THREE PLUS NONPERSON FELONIES	TWO NONPERSON FELONIES	ONE NONPERSON FELONY	TWO PLUS MISD	ONE MISD OR NO RECORD	PROB	POST RELS	GOOD TIME
1	653/620/592	618/586/554	285/272/258	267/253/240	246/234/221	226/214/203	203/195/184	186/176/166	165/155/147	36	36	15%
2	493/467/442	460/438/416	216/205/194	200/190/181	184/174/165	168/160/152	154/146/138	138/131/123	123/117/109	36	36	15%
3	247/233/221	228/216/206	107/102/96	100/94/89	92/88/82	83/79/74	77/72/68	71/66/61	61/59/55	36	36	15%
4	172/162/154	162/154/144	75/71/68	69/66/62	64/60/57	59/56/52	52/50/47	48/45/42	43/41/38	36	36	15%
5	136/130/122	128/120/114	60/57/53	55/52/50	51/49/46	47/44/41	43/41/38	38/36/34	34/32/31	36	24	15%
6	46/43/40	41/39/37	38/36/34	36/34/32	32/30/28	29/27/25	26/24/22	21/20/19	19/18/17	24	24	15%
7	34/32/30	31/29/27	29/27/25	26/24/22	23/21/19	19/18/17	17/16/15	14/13/12	13/12/11	24	12	20%
8	23/21/19	20/19/18	19/18/17	17/16/15	15/14/13	13/12/11	11/10/9	11/10/9	9/8/7	18	12	20%
9	17/16/15	15/14/13	13/12/11	13/12/11	11/10/9	10/9/8	9/8/7	8/7/6	7/6/5	12	12	20%
10	13/12/11	12/11/10	11/10/9	10/9/8	9/8/7	8/7/6	7/6/5	7/6/5	7/6/5	12	12	20%

DRUG OFFENSES

	A	B	C	D	E	F	G	H	I			
1	204/194/185	196/186/176	187/178/169	179/170/161	170/162/154	167/158/150	162/154/146	161/150/142	154/146/138	36	36	15%
2	144/136/130	137/130/122	130/123/117	124/117/111	116/111/105	113/108/101	110/104/99	108/100/96	103/98/92	36	36	15%
3	83/78/74	77/73/68	72/68/65	68/64/60	62/59/55	59/56/52	57/54/51	54/51/49	51/49/46	36	36	15%
4	51/49/46	47/44/41	42/40/37	36/34/32	32/30/28	26/24/23	23/22/20	19/18/17	16/15/14	18	24	20%
5	42/40/37	36/34/32	32/30/28	26/24/23	22/20/18	18/17/16	16/15/14	14/13/12	12/11/10	12	12	20%

Presumptive Imprisonment

Border Box

Presumptive Probation

Presump Prob (SB123 applies for poss only)

Postrelease for felonies committed before 4/20/95:

24 months for felonies classified in Severity Levels 1-6

12 months for felonies classified Severity Levels 7-10

Felony Fines Before 7/1/2012

Off Grid or DGSL 1 \$500,000

SL1-SL5 or DGSL3 \$300,000

SL6-SL10 or DGSL4 \$100,000

Felony Fines On or After 7/1/2012

Off Grid or DGSL 1 \$500,000

SL1-SL5 or DGSL3-DGSL4 \$300,000

SL6 to SL10 or DGSL5 \$100,000

**Distribute or Possess w/ Intent to Distribute							
	Cocaine	Meth & Heroin	Marijuana	Manufacture (all)	Cultivate	Dosage Units	Fines NOT to exceed
1	> 1 kg	> 100g	> 30 kg	2nd or Meth	>100 plants	>1000	\$500,000
2	100 g - 1 kg	3.5 g - 100 g	450 g - 30 kg	1st	50 - 99 plants	100 - 999	\$500,000
3	3.5 g - 100 g	1 g - 3.5 g	25 g - 450 g		5 - 49 plants	10 - 99	\$300,000
4	< 3.5g	< 1 g	< 25 g			< 10	\$300,000
5	Possession		Possession - 2nd offense				\$100,000

* ≤18 months for 2003 SB123 offenders

** Severity level increases one level if on or w/in 1000 ft of any school property

Effective 7/1/13

Types of hearings

Sentencing

Motions Prior to Sentencing

- Either party may file motions between the time of conviction (by plea or trial) and sentencing. These motions could seek to withdraw a plea, request a new trial, challenge criminal history included in the PSI, etc. Motions of this nature must be resolved prior to sentencing occurring.

The Sentencing Hearing:

- The hearing takes place in open court with the judge, prosecutor, defendant, and defense counsel present.
- The State generally addresses the court first, arguing for an appropriate sentence based on the findings in the PSI, the circumstances of the case and, if applicable, any recommendations set forth in a plea agreement.
- Victim Impact Statements are offered to the court by the victim or the victim's family, if applicable. Victims are not party to, nor are they bound by any plea agreement that may exist in a case.
- Defense Counsel then addresses the court, generally arguing for some mitigation in the defendant's sentence.
- The Defendant is given the final opportunity to speak directly to the court but does not have to do so. This is called a defendant's right of allocution.
- The judge then proceeds to announce the defendant's sentence.

Types of hearings

Sentencing

Sentencing Dispositions

- As mentioned previously, the KSGA determines a presumptive disposition for most felonies. The presumptive dispositions are:
 - Presumptive Imprisonment: anticipates defendant will serve a term in prison
 - Presumptive Probation: anticipates defendant will be released in the community under the supervision of probation or an assignment to a community corrections program. An underlying prison sentence is still imposed, but its execution is suspended unless the defendant violates the terms of their probation.
 - Border Boxes: These boxes have presumptive imprisonment, but the court may impose a non-prison sanction without it being considered a formal departure. Specific findings must be made related to a defendant's suitability to rehabilitation in the community and other factors.
- A judge can impose a sentence outside of the presumptive guidelines only if they find "substantial and compelling" reasons to do so. Such a sentence is called a "departure" and are categorized as:
 - Dispositional Departure: choosing between prison and probation
 - Upward: Imposing prison when probation is the presumptive sentence.
 - Downward: Imposing probation when prison is the presumptive sentence.
 - Durational Departure: choosing the length of the sentence
 - Upward: Imposing a longer sentence than the maximum time listed in the grid box
 - Downward: Imposing a shorter sentence than the minimum time listed in the grid box
- The judge must make findings of fact on the record to justify any departure. Departure sentences can typically be appealed, while sentences within the presumptive range generally cannot.

Types of hearings

Sentencing

Off-Grid and Misdemeanor Sentences

- Off-Grid Felonies: Certain severe crimes, like first-degree murder, capital murder, or “Jessica’s Law” cases are classified as "off-grid" felonies and have separate, mandatory sentencing rules (e.g., life without parole or life with limitations on parole eligibility) that do not generally refer to the sentencing grid.
- Misdemeanors: Misdemeanor offenses are punished by jail sentences and/or fines, with maximum penalties determined by their classification (Class A, B, or C misdemeanor). They are not sentenced using the felony grid.

Multiple counts or cases

- If a defendant is facing sentencing on multiple counts within or between cases, the Court must determine whether any sentence imposed for each count will run concurrent (at the same time) or consecutive (one after another) to one or more other counts or cases.
- Some laws may create presumptions for counts or cases to be served consecutive to one another, but generally the decision of whether to run counts or cases consecutive is within the sole discretion of the Court and not subject to appeal.

Types of hearings

Probation Violations

The overall goal of the process is for the court to determine if a violation occurred and, if so, what sanction to impose, which can range from a warning to imposing the original underlying sentence.

1. Allegation of Violation

- **The Violation:** A probationer is accused of violating one or more conditions of their probation (e.g., failure to report, testing positive for drugs/alcohol, failing to pay fines/restitution, or committing a new crime).
- **Officer's Action:** The supervising court services officer (CSO) or community correctional services officer discovers the alleged violation and submits a written Report of Violation to the court.
- **The Motion:** The prosecutor (State) then typically files a formal document called a Motion to Revoke Probation with the court.

2. Arrest and Detention

- Upon the filing of the motion, the judge may issue a warrant for the probationer's arrest.
- The probationer may be detained in custody until a hearing can be held. The motion often includes a request for a "no-bond" hold.

Types of hearings

Probation Violations

3. The Hearing Process (Show Cause/Revocation Hearing)

The court must bring the defendant before it for a hearing on the violation without unnecessary delay, unless the defendant waives their right to a hearing.

- Evidentiary Standard: The burden is on the State (prosecutor) to establish the violation. However, unlike a criminal trial, the standard of proof is typically not beyond a reasonable doubt, but rather by a preponderance of the evidence (meaning it is more likely than not that the violation occurred).
- Procedure: The hearing functions like a mini-trial:
 - The probationer is informed of the alleged violations.
 - The probationer has the right to an attorney (if indigent, one will be appointed).
 - The State presents evidence and/or testimony (e.g., from the CSO, drug test results, or police reports).
 - The probationer or their attorney has the right to challenge the evidence and cross-examine witnesses.

4. Judicial Findings and Sanctions

If the judge finds that the probationer did violate the terms of probation, the court must then decide on the appropriate sanction. Kansas law (K.S.A. § 22-3716) sets specific intermediate sanctions that must generally be imposed for initial and subsequent technical violations (violations that are not new crimes).

Types of hearings

Probation Violations

Common outcomes and possible sanctions include:

No Violation:

Probation is reinstated with no change.

Intermediate Sanctions:

The judge can continue or modify probation and impose a brief jail sanction (e.g., 2 or 3 consecutive days), with the total of these sanctions limited over the supervision term (typically no more than 18 days for initial violations).

County Jail Confinement

The judge can continue or modify probation and impose confinement in a county jail not to exceed 60 days.

Revocation & Reinstatement:

The judge can formally revoke probation but then immediately reinstate it, often with modified or stricter conditions.

Full Revocation:

The judge can revoke probation entirely and order the defendant to serve the original underlying sentence (the jail or prison time that was suspended when probation was initially granted). This often happens for:

- Commission of a new felony while on probation.
- After the probationer has failed to successfully complete intermediate sanctions.

In short, the Kansas probation violation process is a structured system designed to first use intermediate sanctions for technical violations before resorting to the ultimate sanction of sending the probationer to serve the full original sentence.

What information can the DA provide?

Details about the case:

- The defendants name, age, and similar background information
- The substance of the charge(s)
- The identity of the investigating or arresting agency and length and scope of the investigation
- The bond amount and conditions

Details about the proceedings:

- Results of specific hearings
- Dates, times, locations of future hearings
- Explanations of procedural matters

INFORMATION

What information will the DA NOT provide?

- Identity or address of victims and witnesses
- Medical conditions of defendants or victims
- Information held in sealed court documents
- Information that may interfere with an ongoing investigation or apprehension of a suspect
- Evidence that may adversely affect a court proceeding
- Identity of Juvenile respondents



How do I get information?

Odyssey

The Kansas District Court Public Access Portal is the online gateway for the public to search for and access court records in the State of Kansas.

- **Public Access:** It allows the public to search for district court case information and documents online across participating counties in the state.
- **Case Information:** Users can typically find details like case numbers, party names, attorneys, assigned judges, and hearing dates.
- **Case Documents:** Documents filed in a case are available through the portal, but generally only for cases and documents filed after the court transitioned to the new eCourt system.

How do I get information?

District Attorney's Office

- Designated Spokesperson: Our office has a designated spokesperson for all media inquiries. Please direct your questions to Lyndsee Stover, who can be reached at lyndsee.stover@sedgwick.gov
- Media list updates: Daily updates are sent each morning and a full update for the following week every Friday
- Press releases: Official statements and updates will be disseminated through press releases. These will be available on our website and distributed to media contacts
- Interview requests: To request an interview with a prosecutor, please contact our media relations point person Lyndsee Stover. We will do our best to accommodate requests in a timely manner, depending on the nature of the request and status of the case.

Court terms for reporters

Acquittal – A finding of not guilty.

Adjournment – Postponing or recessing a court hearing.

Adjudicate – A term most often used in the context of a juvenile offender proceeding. In those cases, a finding of guilt is referred to as an adjudication, not a “conviction”.

Affidavit – A written statement given under oath. In a criminal case, an affidavit is most often used in a search warrant application or filed in support of the complaint information.

Arraignment – Proceeding in which an accused person is brought before a judge to hear the charges and to enter a plea of guilty, not guilty or no contest.

Bail – Money or other security given to secure a person’s release from custody and guarantee his or her later appearance in court. The right to bail is set out in K.S.A. 22-2802(a)(1), which says, “Any person charged with a crime shall, at the person’s first appearance before a magistrate, be ordered released pending preliminary examination or trial upon the execution of an appearance bond in an amount specified by the magistrate and sufficient to assure the appearance of such person before the magistrate when ordered and to assure the public safety.” The concept is also found in the Kansas Constitution, Article §9, which reads, “All persons shall be bailable by sufficient sureties except for capital offenses, where proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted.”

Beyond a Reasonable Doubt – The standard in a criminal case requiring that the jury be satisfied to a moral certainty that every element of a crime has been proven by the prosecution.

Bond – A written statement that obligates one person to pay a specified amount of money to another if a certain condition occurs.

Burden of proof – In a criminal case, the prosecution has the burden of proving a defendant guilty beyond a reasonable doubt.

Closing Arguments – Lawyers’ final statement to the judge and/or jury after all parties have presented their evidence.

Complaint (also referred to as a “Complaint Information”) – Criminal – A document filed by the prosecutor describing the alleged offenses committed by the defendant.

Court terms for reporters

Deadlocked (also referred to as a "hung" jury)- When a jury cannot reach a verdict due to irreconcilable differences of opinion. The fact that a jury has been deliberating for several days does not mean that the jury is deadlocked.

Dismissal Without Prejudice - After a case has been formally charged, the state can dismiss the case "without prejudice" prior to a jury having been sworn. This allows the state to refile the matter at a later time. If a case is dismissed "with prejudice", the case cannot be refiled.

Disposition - The conclusion of a case by dismissal judgment or verdict.

Docket - A record with the complete history of each case. It contains short chronological summaries of the court proceedings.

Ex Parte criminal - (Eks-partee) criminal - One side speaking with the judge without the other side being present and may be with or without giving the opposing side notice of the communication.

Habeas Corpus - From the Latin "You have the body". An order commanding that a person be brought before a judge. Most commonly, a writ of habeas corpus is a legal document that requires law enforcement authorities to produce a prisoner they are holding and to legally justify his or her detention.

In Camera Hearing - A hearing, on or off the record, which takes place in the judge's chambers, outside of the presence of the opposing party, the jury and the public.

Jail - A facility maintained by a local police agency to house people accused of a crime until their case is concluded or convicted of a crime and serving a sentence of less than one year.

Judgment - Criminal - A sentence in a criminal case upon conviction.

Minute Order (also known as a minute sheet) - A memorandum of the orders and proceedings of the court made by the clerk and maintained as the official record of a proceeding.

Mistrial - A trial which is terminated before a verdict is reached either because of some extraordinary circumstance, fundamental error prejudicial to the defendant, or hung jury.

Motion In Limine - (Li'-mi'-nee) - A motion heard before trial requesting that the court exclude certain evidence that might prejudice the jury.

Court terms for reporters

Nunc Pro Tunc – A Latin phrase meaning “now for then”. Usually used to reflect changes to a minute order done after the time it was completed with a retroactive effect. Commonly used to correct minor errors.

Opening Statement – At the commencement of trial, the parties or their attorneys provide a statement of what they believe their evidence will show.

Plea – The formal response of a defendant to a charge. The pleas are: guilty (formal admission to an offense), not guilty (denial of commitment of offense) and no contest (nolo contendere, a Latin phrase meaning “I will not contest it”).

Plea Agreement – An agreement between the prosecutor and the defendant. It lets the defendant plead guilty to a less serious charge, if the court approves.

Pleadings – The written statements of fact and law filed by the parties to a lawsuit.

Parole (Post-trial Supervision) – The supervised conditional release of a prisoner before the expiration of his or her sentence.

Preliminary Hearing – A hearing to determine if there is evidence of a crime and probable cause to believe that the defendant committed it.

Pro Bono – For the public good. When the lawyers represent clients without a fee, they are said to be working pro bono.

Pro Hoc Vice – (Vee-chay) – For this one particular occasion. For example, an out-of-state lawyer may be admitted to practice in a local jurisdiction for a particular case only.

Pro Se or Self-Represented Litigants – Person who presents their own cases in court without lawyers.

Probation – An alternative to imprisonment allowing a person found guilty of an offense to stay in the community under court ordered terms and conditions. Formal probation involves probation officer supervision while informal probation does not.

Remand – Return the defendant to custody to await further action.

Court terms for reporters

Stipulation – An agreement between the parties or their attorneys.

Summary Judgment – When the judge decides a case without going to trial. The decision is based on the papers filed by both parties.

Transcript – The official record of proceedings in court, taken verbatim by the court reporter, and then transcribed into booklet form upon request or order of the court.

Verdict – The jury's final decision. In criminal cases, the verdict must be unanimous in favor of conviction (guilty) or acquittal (not guilty).

Voir Dire – (Vwa-deer) – Prospective jurors are questioned by the court and counsel to determine their qualifications to act as fair and impartial jurors. (From the French: "to see, to speak.")