

M I N U T E S

SPECIAL COMMITTEE ON JUDICIARY

September 15, 1975

Members Present

Senator J. C. Tillotson, Chairman  
Representative John Hayes, Vice-Chairman  
Senator Paul Hess  
Senator Cale Hudson  
Representative William Cather  
Representative Ben Foster  
Representative Patrick Hurley  
Representative David Mikesic  
Representative Randall Palmer  
Representative Ted Templar

Staff Present

Walter L. Smiley, Jr., Legislative Research Department  
Bob Alderson, Revisor of Statutes Office  
Art Griggs, Revisor of Statutes Office

Conferees

Mr. Ken Orr, Director, Advanced Systems, Langston Kitsch and Associates, Inc.  
Ann Heberger, League of Women Voters of Kansas  
Senator Donn Everett, Manhattan, Kansas  
Mr. Corona, Social Services for Spanish-Speaking Americans

Morning Session

Chairman Tillotson called the meeting to order shortly after 10:00 a.m. and advised the Committee of an invitation to visit the Kansas City, Missouri Police Department Alert -2 system. The Chairman asked the members whether they preferred to go after lunch or wait until the afternoon session of the September 26 meeting. After brief discussion, it was agreed to take the trip on September 26.

Mr. Ken Orr, Director of Advanced Systems for Langston Kitsch and Associates, told the Committee that for three years he had been Information and Communication Systems Director for the State of Kansas. Mr. Orr said that gathering information was one problem but knowing what to do about the misuse of information was certainly another problem. He noted that data gathered and filed in an automated data-retrieval system could be used in ways it was not intended. It was his belief that the reason there was not more misuse was that people have not yet learned how.

Mr. Orr noted that Sedgwick County maintains an annually updated census. Thus census includes information not usually considered relevant to a census, he said, and a lawsuit has been filed by the political parties requesting the use of the census list for voter registration.

Mr. Orr felt that no useful guidelines exist in the state at the present time and those in existence seem to conflict. Mr. Orr said that he has worked with other Committees around the country who are drafting this type of legislation, and he felt that H.B. 2447 is one of the better bills he has seen. He felt it could be used as a model for other states. H.B. 2447, according to Mr. Orr, makes sense and is reasonable, but he warned the Committee that bureaucrats and researchers would oppose the bill. The collection and maintenance of data by people who do not know how to use it clearly constitutes a problem, according to Mr. Orr. He said the use and accuracy of personal information should be established by law and regulated in some way. People often collect data with no clear idea of its ultimate use, he said.

The Privacy Act of 1974 puts pressure on the federal agencies, Mr. Orr said, by requesting information be made available to the individual himself so he is able to challenge it. (Copies of this Act are on file in the Research Department). This requirement, Mr. Orr said, is causing people to question the type of information that is collected and how to deal with such information once it is obtained.

New kinds of problems are developing in this area causing some hesitancy to draft legislation, Mr. Orr told the Committee. He said establishing the use of the data obtained and its accuracy are two very important points.

Mr. Orr stressed that the real impact of privacy legislation may be in consciousness raising about data collection -- people ought to become more aware of existing and potential uses of data. Although he is hesitant to recommend new legislation, Mr. Orr felt there may be no alternative when the subject is public use of public records. A good general rule might be: "you ought not to collect data you do not know how to use," he said. People desiring to collect information should be required to show that such information will be used, and that it will be maintained accurately, Mr. Orr noted.

The issue of privacy concerns whether data can (or should) be collected. The confidentiality and security issues arise only after the data has been collected, Mr. Orr said. It was his view that all data not strictly confidential should be public.

In response to a question, Mr. Orr stated that persons engaged in data-collection for scholarly studies are often the persons most concerned about privacy. Generally, scholars utilize data in such a way that individual-level information cannot be identified. The U.S. Census Bureau "muddies" their data for the purpose of inhibiting identification of persons, said Mr. Orr.

Another question concerned non-governmental data gathering. Mr. Orr advised that not much is known about how to restrict these activities. H.R. 1984, sponsored by Representative Koch and Goldwater, seeks to move into the non-governmental area, Mr. Orr said. The state exchanges much information with business, he indicated, citing the example of insurance companies purchasing drivers' histories.

He also mentioned the need for a local body to review the need for and to make regulations for local data-gathering, as is presently done in Cincinnati.

Regarding the problem of how a person is to know of files being kept on him, Mr. Orr said that persons either could be personally notified by the file-keepers, or all record-keeping systems could be required to publicly disclose names of persons on whom information is being maintained. The latter alternative is reflected in the federal Privacy Act, he noted.

The Chairman then introduced Ms. Ann Heberger of the League of Women Voters, who presented a prepared statement to the Committee. A copy of her statement is attached to these minutes. (See Attachment I).

The Chairman asked for the Committee's approval and correction of the minutes of the July 10 and July 31-August 1 meetings. A motion was made and seconded, to approve those minutes. Motion carried.

Mr. Corona, representing the Center for Social Services for Spanish-speaking Americans told the Committee he believed there are three areas of collection of confidential information which should be considered. He stated those to be personal information, credit information and the criminal histories.

As a former teacher at St. Marys of the Plains College, Mr. Corona said he is aware of student discipline records which could be detrimental to students seeking employment after college. He felt these records should be destroyed within a prescribed period of time after the student leaves college.

Records kept by teachers for recommendation purposes often comment on style of dress or use of language, which practice was questioned by Mr. Corona. He pointed out that such behavior could be caused by the student's financial condition. He said these records were not available to the individual students for review and suggested they be made available or be made public.

Mr. Corona requested the Committee require that psychiatric records kept on persons arrested or convicted for a crime be maintained accurately. He cited instances where individuals in prison have learned to deceive the medical staff, and thus may not be getting the best treatment.

Senator Donn Everett presented the Committee with a prepared statement, which is attached. (Attachment II).

### Afternoon Session

#### Proposal No. 28

Memoranda prepared by the staff pertaining to the court caseload per county in the state and a comparison of surrounding state's laws in this area were reviewed by the Committee. (See Attachment III). Following discussion, a Committee member made the motion to recommend H.B. 2372 favorable for passage in the 1976 Session. Motion was seconded and carried on a voice vote.

#### Proposal No. 27

Following a discussion of H.B. 2447 and its implications, a Committee member made a motion to amend the bill on page 9, line 1, by changing the 30 day limitation to six months. Motion was seconded and carried on a voice vote.

A discussion ensued concerning public notification of the existence of data files on individuals. As noted earlier, such notice would allow persons to review the files and challenge their accuracy if necessary. Several members noted that there seems to be no method for doing this at the present time. A Committee member then moved to recommend H.B. 2447, as amended, favorable for passage in the 1976 Session. This motion was seconded and approved by the Committee on a voice vote.

Mr. Jim James requested to be heard on the Criminal Justice Information System at a later meeting.

The Committee was advised that Mr. Glee Smith wishes to appear on Proposal No. 28 at a later meeting, also.

The Committee agreed to discuss Proposal No. 28 - Legal Aid to Indigent Defendants, at the next meeting before leaving for the Kansas City tour of the Alert-2 system in the afternoon.

The meeting was adjourned.

Subsequent to the meeting, a Resolution of the National Conference of State Criminal Justice Planning Administrators was received. A copy of the Resolution is attached. (See Attachment IV).

Prepared by Walter L. Smiley, Jr.

Approved by Committee on:

9/26/75  
(Date)

# LEAGUE OF WOMEN VOTERS OF KANSAS



Affiliated with the  
League of Women Voters of the United States  
3127 Huntoon  
Topeka, Kansas 66604

## STATEMENT TO THE SPECIAL COMMITTEE ON JUDICIARY

Representative John Hayes, Chairman  
Topeka, Kansas  
September 15, 1975

I am Ann Hebberger, member of the Board of Directors of the League of Women Voters of Kansas.

The League is not officially addressing itself today to H. B. 2447. Although our very first principle is that we believe in the protection of individual liberties established in the U.S. Constitution and in the Kansas Constitution, we have not studied the issue lately on how that protection can best be accomplished.

We are, however, very much interested in a method of providing a more efficient and secure system of public records on persons, and even more so, on the accuracy of those records that need to be kept, and expungment of those that don't.

We can agree that there should be provision for legal recourse for persons to have the right to contest the accuracy or completeness of data or information, that consent should be mandatory in most situations, and that punishment is necessary for those who would take advantage of such information.

The League does ask that you seriously consider the question as to whether a secretary and advisory council, a central location, and a lot more red tape would protect people's right to privacy any more or less then the way it is now? There are, perhaps, several existing statutes that could be amended and/or enforced that would provide better confidentiality of records.

A particular League concern, is in the area of confidentiality of juvenile records. Even though there are two statutes pertaining to records in the Juvenile Code, we feel that, as a general rule, juveniles are not really being protected. (The statutes that are referred to are 38-805 b and c, and 38-815 b and c.)

The popular notion that juveniles do not have a "court record" after juvenile court processing is erroneous. The reality is that juvenile records normally go with children if they are arrested as an adult. This is extremely critical with the number of children going through the informal or unofficial process in our juvenile courts particularly for status offenses. These children, along with those who are adjudicated for delinquent acts, will also have a record for life.

We believe that there should be specific guide-lines as to the authority of juvenile judges on revealing such records. Otherwise, the statute is subject to abuse. Taking into consideration that 80 or so of our juvenile judges are not lawyers, nor will they necessarily be if the courts are unified, is another important reason for establishing such guide-lines.

There also seems to be a question as to whether statutory provisions prohibit the use of a juvenile's record by criminal court judges in determining a sentence for an adult offender previously adjudicated as a delinquent in a juvenile court. This question is certainly valid since it could pertain to the new waiver law.

Information in police arrest records is often similar to that found in juvenile court records, but this information is potentially more damaging because it may not include the results of adjudication and disposition. Moreover, there is the element of human error whether computerized or not.

In a recent League study of arrest trends in Kansas, it has been noted that statistics show that of the approximately 25,000 juvenile cases handled by the police each year ( 1971, 1972, 1974), almost half were handled with the departments and released. We, of course, are glad that the police departments are able to take care of the large amount of cases that they do. Our concern is what is happening to the police records on the 25,000 or so juveniles each year in the State of Kansas? These cases involve everything from spitting on the sidewalk to murder.

The League does not know who, besides other law enforcement agencies, is allowed to obtain information from police records. Do law enforcement agencies ever expunge from their files? Are the armed services allowed to run checks, or corporations, or other employers? What about credit agencies?

Society must be protected, but it is equally important that the rights of juveniles, as well as all of us who are on file somewhere, be protected. We hope that it is not already too late to strike a balance somewhere in between.

Thank you for the opportunity for allowing the League to speak to you today.

Years ago in our city of Manhattan, a couple adopted a child and as was the custom, denied information as to the name of the real parents. The day following the court approved adoption, a courthouse wag announced to the couple, in the presence of others, that the real parents were friends and fine people and the adoptive couple sure lucky and their names are \_\_\_\_\_. Kansas corrected this proposition years ago by clamping down on such disclosures.

However, since that day and age, things have changed - we have become automated and gradually and inexorably information about all of us is assembled by law enforcement agencies and social agencies, and in fact, all agencies of local and state government.

As a parallel to this, there has been a tendency to permit the cross-breeding of this information in more and more agencies. Income tax returns have been made available to law enforcement agencies without the proper authority, not to mention a sloppy interchange of state and local information.

Records have been kept by agencies, including the K.B.I. on persons in state government without any indication of criminal activity. Incidentally, these disclosures have not led to a disclosure of who authorizes this information to be assembled - how it was assembled and by whom. This committee should demand these answers.



But back to the issue: we all learned from our recent national scandal that private information was used or attempted to be used to ruin members of another political persuasion or persons of a "suspicious" nature. Inasmuch as many of these people were members of my party and worse yet, colleagues in the bar, it seems to me we have a mandate to get a handle on how information is handled and regulate its dissemination.

The very introduction of a bill such as 2447 will bring out the need for information restrictions or disseminations. Bureaucrats in the social needs area and the persons of opposite persuasion will show you the dimension of the problem.

Whether its G.M. spying on Ralph Nader, or a disgruntled California employee disclosing Ronald Reagan's no tax return, the result is the same, its just none of anyone's damn business to invade one's private affairs.

Although its level varies with public figures and private persons, the axion still holds true that each of us has a right to be enclosed in a privacy cocoon and how we spend our lives in that cocoon is secret and in my opinion the right is sacred.

OKLAHOMA'S PROSECUTION SYSTEM

ATTACHMENT III

Implemented DA plan in 1965

One DA for each District Court Judicial District, with certain exceptions.

Selection

Elected to four-year term.

Qualifications

In general: resident of state for two years; resident of district for three months; duly licensed attorney for two years; at least 25 years of age.

Private Practice Allowed

No.

Compensation

Same as highest paid associate district judge in the district (\$13,500-\$17,500, depending on county population), with certain exceptions. Paid by state Attorney General as the state office of administration and disbursement.

Employees

(1) First Assistant DA

Selection - Designated by DA from his assistants. (The First Assistant performs the duties of the DA in the latter's absence. In all other ways, the First Assistant is same as Assistants, below).

(2) Assistant DA

Selection - Appointed by DA. Contiguous counties may agree, through board of commissioners with consent of DA, to share the services of a full-time assistant DA.

Qualifications - At least 21 years of age, resident of the district, licensed to practice law.

Compensation - Part-Time Assistants - 40% to 60% of DA's salary, depending on years of experience. Salary of one Assistant paid by state, total salaries of remainder paid by county in which appointed.

Private Practice - No statutory restriction.

Oklahoma Statutes Annotated (1974-75 Supp.) Title 19 Ch. 7A.  
(19 § 215.1 et seq.)

IOWA'S PROSECUTION SYSTEM  
(County Attorneys)

Selection

Elected in each county for a four-year term.

Qualifications

Qualified electors of the county and duly admitted to practice as attorneys.

Compensation

Salary is set by the board of supervisors (comparable to Kansas' county commissioners) subject to a minimum salary level set by state statute. The minimums are as follows:

Counties of less than 9,000.....	\$ 8,000
Counties of 9,000 and less than 12,000.....	8,500
Counties of 12,000 and less than 15,000.....	9,000
Counties of 15,000 and less than 19,000.....	9,250
Counties of 19,000 and less than 25,000.....	10,250
Counties of 25,000 and less than 35,000.....	11,000
Counties of 35,000 and less than 50,000.....	12,500
Counties of 50,000 and less than 80,000.....	13,500
Counties of 80,000 and less than 100,000....	15,000
Counties of 100,000 or more.....	an annual salary established by the county board of supervisors, except that in no case shall his annual salary be less than the annual salary established in December, 1969.

Private Practice

Iowa has no statute prohibiting the county attorney from engaging in the private practice of law.

Employees

The county attorney may appoint deputies or assistants with the approval of the board of supervisors. Their compensation, specifically set by the board of supervisors, is limited to a certain percentage of the county attorney's salary. The percentages range from fifty percent (50%) to seventy-five percent (75%), depending on the size of the county. Additionally, the county attorney may appoint assistants with the approval of the judge of the district court to aid in felony cases. The judge certifies that the assistants' services were rendered, then the board of supervisors sets the compensation.

# NEBRASKA'S PROSECUTION SYSTEM

## Selection

County attorneys are elected in each county in Nebraska for a four-year term. Nebraska law authorizes the consolidation of county offices with two or more adjacent counties, thus one county attorney will serve two or more counties where such a consolidation has taken place. Such a consolidation is not just for the office of county attorney, but rather a consolidation of all county offices except county boards. County boards are the Nebraska counterpart to Kansas' county commissioners.

## Qualifications

In counties of 14,000 and over the county attorney must have been admitted to the practice of law for two years. If no one who meets this qualification has filed for the office of county attorney within ten days of the filing deadline, then the two-year requirement is waived.

## Compensation

Compensation for county attorneys is set by the county board of each county; however, state statutes provide the minimum compensation the county board may pay. The minimums are as follows:

Counties of less than 3,000 population.....	\$ 5,000
Counties of 3,000 but less than 9,000.....	5,400
Counties of 9,000 but less than 14,000.....	6,500
Counties of 14,000 but less than 20,000.....	7,500
Counties of 20,000 but less than 60,000.....	8,000
Counties of 60,000 to 100,000.....	27,500
Counties of 100,000 to 200,000.....	32,500
Counties of over 200,000.....	No minimum set

In counties of 60,000 and over the county attorney cannot engage in private practice. In counties of 20,000 to 60,000 the county board may by resolution prohibit the county attorney from engaging in private practice, in which case such county attorney must be paid a minimum salary of \$20,000.

## Employees

The county attorney, with the approval of the county board, may hire deputy county attorneys. Their salary is set by the county board. The deputy serves at the pleasure of the county attorney. In counties of over 200,000 the deputies are prohibited from engaging in the private practice of law. There is also provision for appointment of an acting county attorney who is appointed by the district court to act in a specific case when the county attorney so requests for good cause. The court sets the compensation in such cases.

COLORADO'S PROSECUTION SYSTEM  
(State-Wide District Attorneys)

Selection

Elected to a four-year term.

Qualifications

Must possess the qualification of district court judge - A qualified elector of the judicial district at two of his elections, and licensed to practice law for five years. Must be a resident of his district during his term of office.

Compensation

\$24,000 a year. 80% from state, 20% from counties in the judicial district, proportioned by population.

Private Practice

No, nor shall DA receive any income from any private law firm. Also a restriction on members of private law firm with which any DA, assistant, or deputy DA is associated - such members may not defer person(s) being prosecuted by a salaried DA's staff member.

Employees

(1) Assistant DA

Selection - appointed by DA

Qualification - admitted to practice law, and actually practiced law before the court for not less than two years

Compensation - No more than \$23,000 a year, if full-time

(2) Chief Deputy DA

Selection - DA appoints no more than three; only one may be appointed without prior approval of county commissioners or city council so affected.

Qualification - Admitted to practice law.

Compensation - No more than \$22,000 a year, if full-time

(3) Deputy DA

Selection - DA appoints such number as he deems necessary, subject to approval of board of county commissioners or city-council for county or city so affected.

Qualifications - None specified by statute.

Compensation - No more than \$21,000 a year, if full time

(4) Part-Time Deputy DA

Selection - DA in judicial district composed in part of one or more counties of less than 25,000 population appoints with approval of board of county commissioners.

Qualifications - None specified by statute

Compensation - No more than \$10,000 a year, paid by county or counties receiving such services. Part-time deputies may engage in private practice of law.

Colorado Revised Statutes 1973, Title 20 Colorado Constitution Art. VI, Sec. 13 and 11

## KANSAS' PROSECUTION SYSTEM

### Selection

CA's elected to two-year term; DA's elected in each of four judicial districts to four-year terms.

### Qualifications

CA: admitted to practice law within the state, and is a "regularly qualified practicing attorney" at time of nomination and election.

DA: regularly admitted to practice law in Kansas for five years preceding nomination to the office, except that an attorney who shall have been a CA, assistant CA, or assistant DA for three years immediately preceding his nomination to office of DA may become eligible for that office by filing a petition containing a prescribed number of signatures or by filing a declaration of intent to be such a candidate and paying a fee.

### Compensation

CA: paid by county; amount prescribed by statute.

DA: in judicial districts with 300,000 or less population . . . \$23,931. In judicial districts with more than 300,000 population . . . Equal to total amount received by district court judge from both state and county.

### Private Practice

CA: allowed.

DA: civil practice is prohibited except as required in performing official duties.

### Employees Method of Selection

CA: in counties of 100,000 or less, CA may appoint deputies and assistants as necessary.

DA: the DA appoints deputy DA's and assistant DA's as necessary.

### Qualifications

CA: not prescribed by statute.

DA: regularly admitted to practice law in Kansas prior to appointment.



Compensation

CA: paid by county; amount not prescribed by statute. Board of county commissioners also may pay actual and necessary incurred by deputy and assistant CA's.

DA: paid by county; amount fixed by DA. Assistants shall be full-time, and shall not engage in and practice except as required in performing official duties.

Kansas Statutes Annotated 19-701 et seq., 22a - 101 et seq. County Attorneys/District Attorneys

KANSAS' PROSECUTION SYSTEM  
(As Proposed in 1975 House Bill 2372)

Selection

Elected to four-year term in each judicial district

Qualifications

Same as for present DA's, except for the inclusion of deputy county attorneys and deputy DA's under the three-years of experience proviso.

Private Practice

Same as for present DA's

Compensation

Annual salary equal in amount equal to total annual salary paid the district judge of the same judicial district from all sources, paid by the state.

Employees

There shall be at least one assistant or deputy DA residing in each county within a judicial district, although the DA may assign one of his other assistants or deputies to the county if no one in such county is qualified:

(1) Assistant DA

Selection - appointed by DA, to serve at the pleasure of the DA who appointed such assistant

Qualifications - same as for present assistants

Compensation - amount to be prescribed by the District Attorneys' Finance Board, payable by the state. Restriction on private practice same as for present DA's.

(2) Deputy DA

Selection - appointed by DA, to serve at the pleasure of the DA who appointed such deputy

Qualifications - same as for present deputy DA's.

Compensation - on a per diem basis, in the amount prescribed by the DAs' Finance Board. Deputy DA's may engage in private practice of law and may hold the office of county counselor of the county in which he resides or to which he is assigned so long as such practice or office does not conflict with the performance of his official duties.

**28-816. County attorney.** The county attorney shall receive an annual salary as follows:

In counties having a population of:	Per annum
Not more than 5,000 .....	\$6,299
More than 5,000 and not more than 10,000 ..	6,856
More than 10,000 and not more than 15,000 ..	7,257
More than 15,000 and not more than 20,000 ..	7,647
More than 20,000 and not more than 25,000 ..	8,036
More than 25,000 and not more than 30,000 ..	8,437
More than 30,000 and not more than 35,000 ..	8,826
More than 35,000 and not more than 40,000 ..	9,516
More than 40,000 and not more than 45,000 ..	10,184
More than 45,000 and not more than 50,000 ..	10,852
More than 50,000 and not more than 60,000 ..	11,776

In any county having a population of more than sixty thousand (60,000) and not more than one hundred thousand (100,000), the county attorney shall receive an annual salary in an amount to be fixed by resolution of the board of county commissioners.

In any county having a population of more than forty thousand (40,000) and not more than fifty thousand (50,000) in which the judge of the district court and the judge of the juvenile court hold court in two cities of such county resulting in added duties for the county attorney, such county attorney shall receive as compensation for such additional duties, in addition to the annual salary hereinbefore prescribed, the sum of two thousand one hundred dollars (\$2,100) payable in equal monthly installments.

In any county in which there is located an active military establishment or federal reservoir which results in added duties, for the county attorney, the board of county commissioners shall by resolution fix and allow additional compensation in an amount equal to not less than twenty-five percent (25%) nor more than fifty percent (50%) of the annual salary hereinbefore prescribed: *Provided*, That in counties having a population of more than 45,000 and less than 55,000 which contain a first-class city having a population of more than 36,000, the additional compensation herein provided for shall not exceed twenty-five percent (25%) of the annual salary. In any county which adjoins or is adjacent to any county in which there is located, all or in part, an active military establishment or state institution of higher education, which

results in added duties for the county attorney, the board of county commissioners may, by resolution, allow additional compensation of not to exceed fifteen percent (15%) of the annual salary hereinbefore prescribed. In any county in which there is located a state correctional institution which results in additional duties for the county attorney, the board of county commissioners may allow additional compensation in the amount of fifteen percent (15%) of the annual salary hereinbefore prescribed. In any county in which there is located two (2) or more state penal institutions which result in additional duties for the county attorney of such county, said county attorney shall receive additional compensation in the amount of fifteen percent (15%) of the annual salary prescribed in this section to be paid out of the county general fund. [K. S. A. 28-816; L. 1974, ch. 361, § 36; Jan. 13, 1975.]

MEMORANDUM

TO: Special Committee on Judiciary September 12, 1975  
FROM: Legislative Research Department  
RE: Caseload of Kansas County and District Attorneys, FY 1975

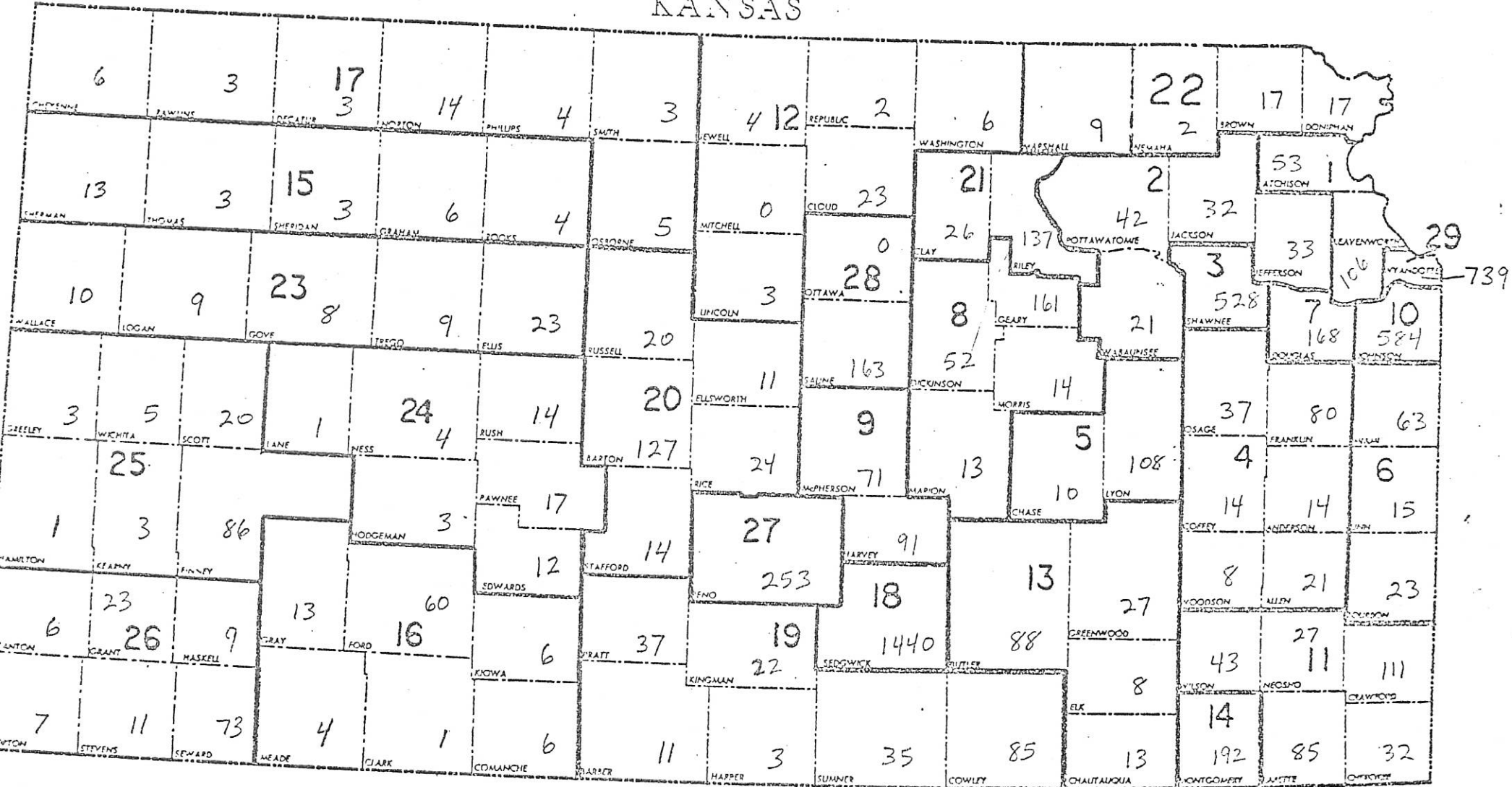
of: Attached are tables and maps showing the distribution

1. Total number of criminal cases commenced in District Court FY 75, by county.
2. Total number of felony cases commenced in District Court FY 75, by county.
3. Total number of criminal cases in the Magistrate Court FY 75, by county.
4. Total number of criminal trials in the Magistrate Courts FY 75, by county.

The District Court data were taken from Statistical Report on the District Courts in Kansas, July 1, 1975 (Topeka: Office of the Judicial Administrator). The County Court data were taken from information supplied by the Kansas Judicial Council.

NUMBER OF CRIMINAL CASES COMMENCED IN DISTRICT COURT,\* BY COUNTY  
FISCAL YEAR 1975

KANSAS



KANSAS JUDICIAL DISTRICTS

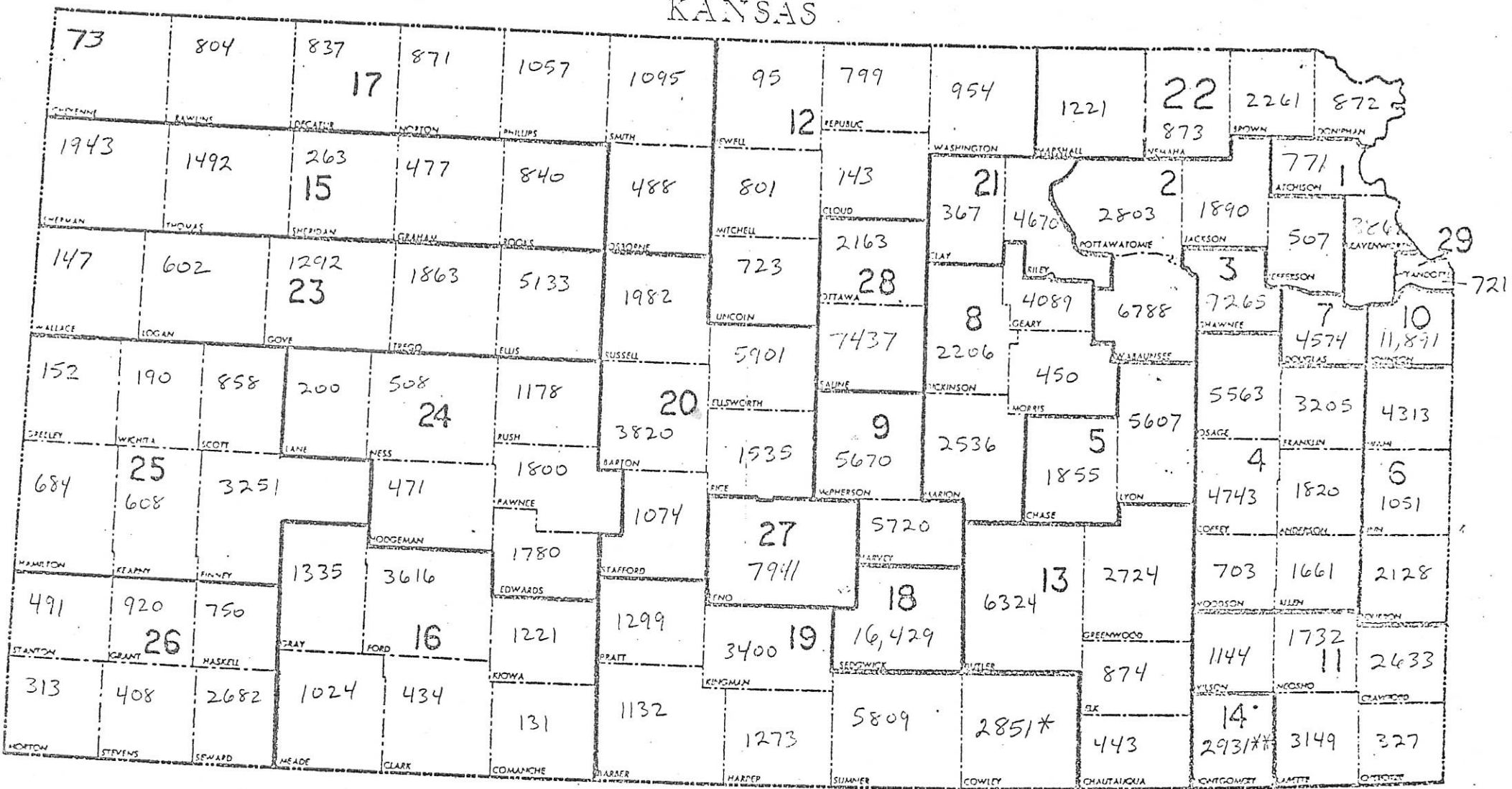
Effective January 13, 1975

Statewide total = 6,726

\* Includes felonies, misdemeanors and appeals from lower courts.  
Source: Statistical Report of the District Court of Kansas July 1, 1975 (Topeka: Office of the Judicial Administrator).

TOTAL NUMBER OF CRIMINAL CASES IN MAGISTRATE COURTS, BY COUNTY  
FISCAL YEAR 1975

KANSAS



KANSAS JUDICIAL DISTRICTS

Effective January 13, 1975

\* Cowley County total includes 973 cases in Arkansas City Magistrate Court, and 1,878 in Winfield Magistrate Court.

\*\* Montgomery County total includes 1,107 cases in Coffeyville Magistrate Court, and 1,824 in Independence Magistrate Court.

Source: Kansas Judicial Council

## CRIMINAL CASES IN MAGISTRATE COURTS, FY 1975

COUNTY	Total No. Cases	Total No. Trials	COUNTY	Total No. Cases	Total No. Trials
Allen	1,661	1	Linn	1,051	14
Anderson	1,820	4	Logan	602	1
Atchison	771		Lyon	5,607	35
Barber	1,132	32	Marion	2,536	11
Barton	3,820	68	Marshall	1,221	9
Bourbon	2,128	14	McPherson	5,670	48
Brown	2,261	31	Meade	1,024	22
Butler	6,324	54	Miami	4,313	26
Chase	1,855	21	Mitchell	801	6
Chautauqua	443	3	M'tgomery	2,931	
Cherokee	327	8	Morris	450	1
Cheyenne	73	0	Morton	313	1
Clark	434	14	Nemaha	873	27
Clay	367	1	Neosho	1,732	
Cloud	143	9	Ness	508	0
Coffey	4,743	46	Norton	871	0
Comanche	131	2	Osage	5,563	54
Cowley	2,851		Osborne	488	4
Crawford	2,633		Ottawa	2,163	43
Decatur	837	0	Pawnee	1,800	9
Dickinson	2,206	2	Phillips	1,057	2
Doniphan	872	26	Pot'wa'mie	2,803	7
Douglas	4,574	90	Pratt	1,299	3
Edwards	1,780	5	Rawlins	804	4
Elk	874	8	Reno	7,941	
Ellis	5,133	72	Republic	799	3
Ellsworth	5,901	71	Rice	1,535	18
Finney	3,251	14	Riley	4,670	101
Ford	3,616	39	Rooks	840	10
Franklin	3,205	49	Rush	1,178	13
Geary	4,089	42	Russell	1,982	6
Gove	1,292	3	Saline	7,437	
Graham	477	4	Scott	858	7
Grant	920	45	Sedgwick	16,429	
Gray	1,335	6	Seward	2,682	41
Greeley	152	2	Shawnee	9,265	
Greenwood	2,724	3	Sheridan	263	1
Hamilton	684	3	Sherman	1,943	10
Harper	1,273	1	Smith	1,095	0
Harvey	5,720	56	Stafford	1,074	0
Haskell	750	0	Stanton	491	5
Hodgeman	471	4	Stevens	408	2
Jackson	1,890	0	Sumner	5,809	0
Jefferson	507	5	Thomas	1,492	23
Jewell	95	0	Trego	1,863	10
Johnson	11,891		Wabaunsee	6,788	4
Kearny	608	14	Wallace	147	0
Kingman	3,400	3	Washington	954	6
Kiowa	1,221	8	Wichita	190	1
Labette	3,149	8	Wilson	1,144	11
Lane	200	0	Woodson	703	1
Leav'worth	3,862		Wyandotte	7,219	
Lincoln	723	10	TOTAL	172,316	1,502



## DISTRICT COURT, FY 75

COUNTY	Criminal Cases <sup>1</sup>	Felony Cases <sup>2</sup>	COUNTY	Criminal Cases <sup>1</sup>	Felony Cases <sup>2</sup>
Allen	21	17	Linn	15	6
Anderson	14	6	Logan	9	7
Atchison	53	50	Lyon	108	94
Barber	11	8	Marion	13	10
Barton	127	84	Marshall	9	8
Bourbon	23	16	McPherson	71	45
Brown	17	10	Meade	4	4
Butler	88	72	Miami	63	36
Chase	10	8	Mitchell	0	0
Chautauqua	13	8	M'tgomery	192	140
Cherokee	32	22	Morris	14	9
Cheyenne	6	5	Morton	7	7
Clark	1	0	Nemaha	2	1
Clay	26	25	Neosho	27	23
Cloud	23	23	Ness	4	3
Coffey	14	6	Norton	14	14
Comanche	6	5	Osage	37	17
Cowley	85	78	Osborne	5	3
Crawford	111	73	Ottawa	0	0
Decatur	3	2	Pawnee	17	15
Dickinson	52	40	Phillips	4	4
Doniphan	17	12	Pot'wa'mie	42	38
Douglas	168	142	Pratt	37	33
Edwards	12	9	Rawlins	3	2
Elk	8	8	Reno	253	203
Ellis	23	21	Republic	2	2
Ellsworth	11	7	Rice	24	14
Finney	86	65	Riley	137	126
Ford	60	56	Rooks	4	3
Franklin	80	66	Rush	14	10
Geary	161	94	Russell	20	15
Gove	8	7	Saline	163	139
Graham	6	5	Scott	20	10
Grant	23	23	Sedgwick	1,440	1,338
Gray	13	10	Seward	73	59
Greeley	3	3	Shawnee	528	399
Greenwood	27	27	Sheridan	3	0
Hamilton	1	0	Sherman	13	11
Harper	3	2	Smith	3	0
Harvey	91	70	Stafford	14	11
Haskell	9	7	Stanton	6	5
Hodgeman	3	1	Stevens	11	7
Jackson	32	23	Sumner	35	32
Jefferson	33	25	Thomas	3	1
Jewell	4	3	Trego	9	2
Johnson	584	372	Wabaunsee	21	18
Kearny	3	3	Wallace	10	10
Kingman	22	14	Washington	6	5
Kiowa	6	0	Wichita	5	5
Labette	85	69	Wilson	43	33
Lane	1	1	Woodson	8	7
Leav'worth	106	74	Wyandotte	739	401
Lincoln	3	2			
			TOTAL	6,726	5,164

1) Total criminal cases commenced in District Court, FY 75.

2) Total felony cases commenced in District Court, FY 75.

Source: Statistical Report on the District Courts of Kansas, July 1, 1975 (Topeka: Office of the Judicial Administrator).

## DISTRICT COURT, FY 75

COUNTY	Criminal Cases <sup>1</sup>	Felony Cases <sup>2</sup>	COUNTY	Criminal Cases <sup>1</sup>	Felony Cases <sup>2</sup>
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Brown	17	10	Meade	4	4
Butler	88	72	Miami	63	36
Chase	10	8	Mitchell	0	0
Chautauqua	13	8	M'tgomery	192	140
Cherokee	32	22	Morris	14	9
Cheyenne	6	5	Morton	7	7
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Clay	26	25	Neosho	27	23
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Coffey	14	6	Norton	14	14
Comanche	6	5	Osage	37	17
Cowley	85	78	Osborne	5	3
Crawford	111	73	Ottawa	0	0
Decatur	3	2	Pawnee	17	15
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Finney	86	65	Riley	137	126
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Franklin	80	66	Rush	14	10
Geary	161	94	Russell	20	15
Gove	8	7	Saline	163	139
Graham	6	5	Scott	20	10
Grant	23	23	Sedgwick	1,440	1,338
Gray	13	10	Seward	73	59
Greeley	3	3	Shawnee	528	399
Greenwood	27	27	Sheridan	3	0
Hamilton	1	0	Sherman	13	11
Harper	3	2	Smith	3	0
Harvey	91	70	Stafford	14	11
Haskell	9	7	Stanton	6	5
Hodgeman	3	1	Stevens	11	7
Jackson	32	23	Sumner	35	32
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Lincoln	3	2			
			TOTAL	6,726	5,164

1) Total criminal cases commenced in District Court, FY 75.

2) Total felony cases commenced in District Court, FY 75.

Source: Statistical Report on the District Courts of Kansas, July 1, 1975 (Topeka: Office of the Judicial Administrator).

National Conference  
of  
State Criminal Justice Planning Administrators

RESOLUTION

WHEREAS, the United States Department of Justice issued regulations on May 20, 1975, for the purpose of ensuring the security of criminal history information; and

WHEREAS, these regulations were issued under the statutory authority provided to the Department of Justice under Section 524 (b) of the Crime Control Act of 1973; and

WHEREAS, the Crime Control Act of 1973 and its legislative history do not specifically call for dedicated computers; and

WHEREAS, the regulations issued by the Department of Justice nonetheless require states to dedicate hardware and software systems solely to law enforcement and criminal justice activities; and

WHEREAS, the implementation of the regulations might cause significantly increased costs and administrative burdens for the states; and

WHEREAS, the precedent set might encourage other federal agencies to do the same; and

WHEREAS, states are capable of establishing mechanisms to ensure the privacy and security of criminal justice information systems without necessarily using dedicated systems.

NOW, THEREFORE, BE IT RESOLVED THAT the Executive Committee of the National Conference of State Criminal Justice Planning Administrators strongly urges the Department of Justice to remove from its regulations the requirements for states to develop dedicated systems, and only require certification by the Governor of each state that privacy and security plans of the state comply with privacy and security provisions of applicable statutes.

Adopted unanimously by the Executive Committee of the National Conference of State Criminal Justice Planning Administrators on September 15, 1975.

*Richard M. Harris*

Richard N. Harris  
Chairman

*H. G. Weisman*

Henry G. Weisman  
Executive Secretary

