



Presented To:
City Administrator
Chief of Staff
Mayor
Board of Alderman

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Department Update

07.2024



Department
Update
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“

If we do not
maintain justice,
justice will not
maintain us.”

- Francis Bacon



Department Overview



JUSTICE | EQUALITY | TEAMWORK | SERVICE

About Our Office

The Prosecutor's Office is responsible for prosecuting all City ordinance violations written by the Police Department, to include Animal Control and Code Enforcement, and other City departments as needed.

Our Mission

Our mission is to uphold justice and safety for all residents and visitors of Branson. We are committed to diligently prosecuting crime, advocating for victims, and ensuring fair and equitable treatment under the law.

Serving the Citizens and Visitors of Branson Through:

- Justice for victims
- Equitable treatment of defendants
- Teamwork with the Municipal Court and Police Department
- Customer service
- Ever-increasing efficiency

Meet The Team



Katalin Schmidt, JD

Prosecuting Attorney

Katalin Schmidt graduated from the University of Illinois Urbana-Champaign with an undergraduate degree in Political Science and International Studies, and earned her Juris Doctor from DePaul University College of Law in Chicago. Before joining the City's Legal Department, she spent six years as both a Patrol Officer and School Resource Officer with Branson Police Department. Her current role blends these experiences, empowering her to serve the community with integrity and a commitment to accountability.



Kristen Burton

Legal Assistant

Kristen Burton joined our office in 2023 after 8 years of experience in law enforcement and the public sector. She has a Master of Criminal Justice from University of Colorado Denver and a Bachelor of Science in Justice Systems with a minor in Disability Studies from Truman State University. Her previous role with the City was serving 4 years as the Branson Police Department's first Crime Analyst, and serving as their Social Media Manager, both of which contributed to improved communications, transparency and crime reduction strategy implementation.

Prosecutor's Office Processes

What happens when someone receives a citation in Branson?



Officer issues citation to defendant after determining a crime has occurred. They write a report, gather evidence and make their case.



Report is reviewed and approved by a Sergeant or Lead Officer and is then sent to the Records Unit for processing.



Records Unit receives the approved report and forwards to the Prosecutor's Office along with corresponding case evidence.



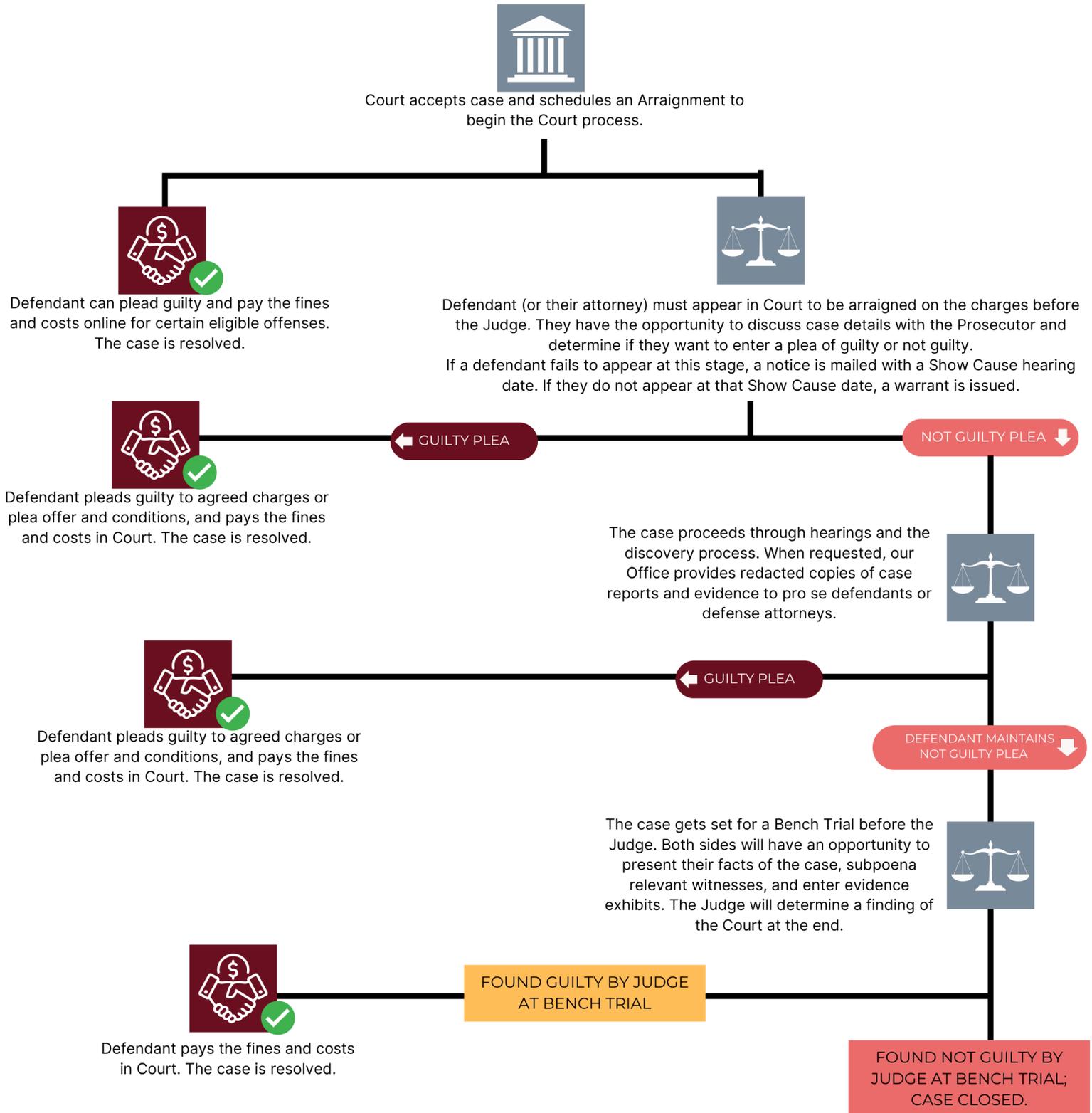
Legal Assistant conducts case intake and initial review, then Prosecutor reviews the case facts and files charges with the Court.



Court accepts case and schedules an Arraignment to begin the Court process.

Office Processes *continued*

What is the process once a case is filed on?





Office Processes *continued*

Case Accommodations

- **Long-Distance or Out-of-State Defendants:** As with the nature of a tourist community, many defendants live long-distance, and we receive many requests for remote resolution. Remote plea agreement options have been made available for resolving cases without traveling back to Branson. These are typically handled via email depending on case specifics; however, accommodations to send via physical mailings are also available for those who do not have access to email.
- **Victim Outreach:** In cases such as property damage, stealing, or uninsured motor vehicle collisions, with victims that suffer a financial loss, our office reaches out to gather restitution information to request before the Judge upon case resolution.

Community Resources

- **Community Service:** In certain cases, at the Prosecutor's discretion, defendants are able to complete community service hours and receive a deferral in their case. If the hours are completed and they do not reoffend within a year, the charge is dismissed. This is typically utilized in juvenile minor-in-possession cases, first-time offense speeding cases or first-time offense shoplifting cases if there is no outstanding restitution. Defendants completing community service hours are allowed to do so at any accredited 501(c)(3) charitable organization.
- **Drug TakeBack Initiative:** We support the Police Department's efforts in promoting the biannual DEA Drug TakeBack Initiative, which encourages citizens to turn in unused or unwanted drugs to help prevent potential overdoses of loved ones.
- **Substance Abuse Resources:** There are many local substance abuse resources and centers that can help those struggling. Participation in these classes can be added as a plea requirement or condition of probation in certain cases.

Community Partnerships

It takes a community effort to achieve our goals of making Branson a safer place to visit and live. These are a few of our great community partners:

- Branson Municipal Court
- Branson Police Department
- City of Branson Code Enforcement
- City of Branson Business License Unit
- Taney County Prosecutor's Office
- Brooks Wellness Center, Burrell Health and SATOP



CASELOAD ANALYSIS.

Summary Report of Cases Referred to the Branson Prosecutor's Office

PROSECUTOR WORKLOAD
2022-2024 YTD
over **3,500 cases referred**
 → **resulting in over 5,000 charges filed**

Our office receives citations for municipal ordinance violations from Branson Police Department Officers and Animal Control, Police Services Assistants, Code Enforcement and other City departments as needed. Each case must be manually entered by the Legal Assistant and thoroughly reviewed for accuracy of facts in the report and investigation to meet criteria for filing charges by the Prosecutor.

6-MONTH CASELOAD COMPARISON

	2023* JAN TO JUNE	2024 YTD JAN TO JUNE	% INCREASE/DECREASE
# OF CASES FILED	621	638	+2.7%
# OF CASES DISPOSED	614	686	+11.7%
GUILTY PLEA	502	543	+8.2%
# OF CASES GUILTY VERDICT AT TRIAL	4	1.66*	
# OF CASES NOT GUILTY VERDICT AT TRIAL	0	0.33*	



RESTITUTION INFORMATION

In cases where a victim suffered a financial loss, such as accident cases where the defendant had no insurance or stealing cases, our office conducts victim outreach to do a restitution check. With proof of loss, the Prosecutor can request restitution to be paid to the victim when the case disposes. This is paid through the Court and then sent to the case victims to help deliver additional justice in their cases.

RESTITUTION REQUESTED & ORDERED FOR VICTIMS	2022	2023	2024 ytd
	\$1,356.25	\$4,111.67	\$915.34



CASELOAD ANALYSIS.

continued

CASELOAD DATA: 2022 to 2024 YTD

	2022* APRIL TO DEC	2023 JAN TO DEC	2024 YTD JAN TO JUNE
# OF CASES FILED	1153	1256	638
# OF CASES DISPOSED	1215	1250	686
GUILTY PLEA	928	1134	543
# OF CASES GUILTY VERDICT AT TRIAL	12	6	1.66*
# OF CASES NOT GUILTY VERDICT AT TRIAL	0	0	0.33*

NOTE: Due to Court software transition, case data for 2022 is not complete and cannot be validated with 100% certainty. Please note there is a smaller timeframe for the data provided in comparison to 2023.

CASE TYPE STATISTICS: 2022 to 2024 YTD

	2022* APRIL TO DEC	2023 JAN TO DEC	2024 YTD JAN TO JUNE
# OF CASES FILED ALCOHOL OR DRUG RELATED TRAFFIC	11	19	12
# OF CASES FILED OTHER TRAFFIC	845	875	421
# OF CASES FILED NON-TRAFFIC	297	362	205

Alternative Outcomes to Guilty Plea in Court or by Plea Agreement:

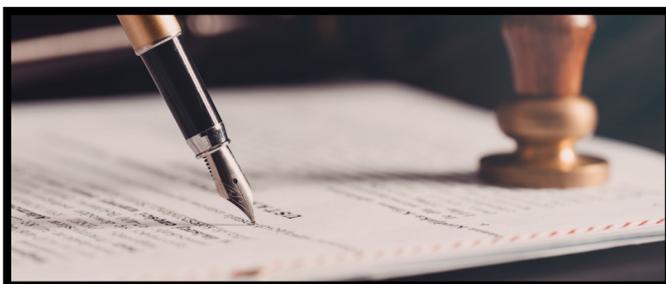
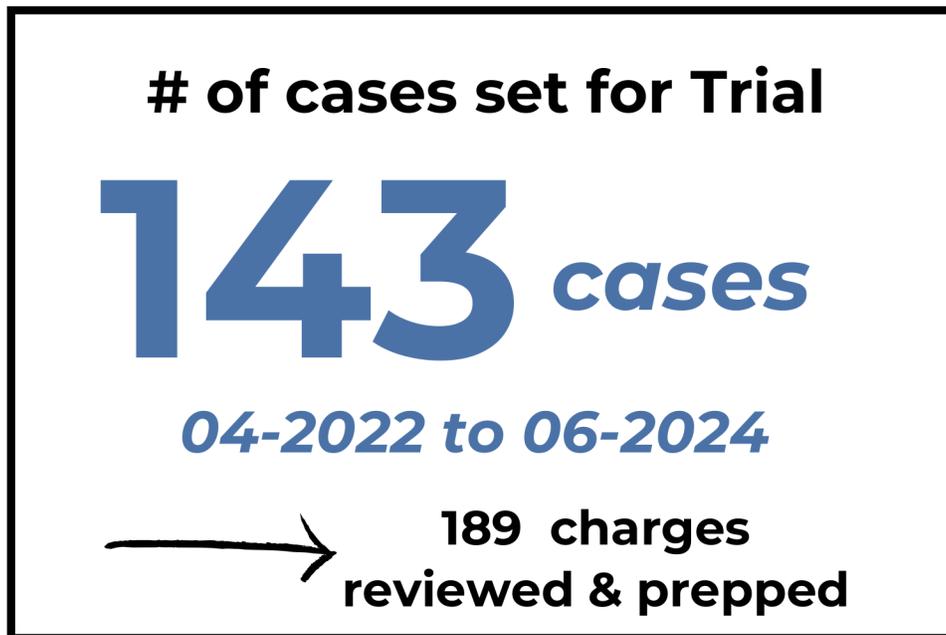
- Defendant Fails to Appear (Warrant)
- Refusal due to various reasons
- Referral to TCPA
- Deferred Prosecution
- Dismissal
- Court-ordered bond forfeiture and Violations Bureau guilty plea

CASELOAD ANALYSIS.

trial statistics

The Trial Process

Every defendant has the right to a trial. If a defendant maintains their not guilty plea, the Judge will set their case(s) for a Bench Trial. On the Trial date, the burden of proof lies with the Prosecution. The Prosecutor must prove each element of the crime in question to make her case. Police Officers, business managers and loss prevention or asset protection agents, and other citizens who were roommates, drivers, bystanders, or victims, etc. are subpoenaed and called to testify as witnesses. The defendant is given the opportunity to testify to their version of events and ask questions of the witnesses. After all testimony is presented, the Judge will decide the facts and issue a verdict of guilty or not guilty by Bench Trial.



Alternative Outcomes to Trial:

- Defendant Fails to Appear (Judge issues Warrant)
- Defendant Accepts Plea Agreement without Trial proceeding
- Dismissal due to last-minute uncooperative witness/victim

TRAINING and DEVELOPMENT

Continuing Legal Education Requirements

The State of Missouri requires attorneys to complete a minimum of 15 standard hours of Continuing Legal Education (CLE), including 3 hours devoted to accredited ethics programs, seminars or activities, and 1 hour of this must be devoted exclusively to Elimination of Bias. The Prosecuting Attorney is compliant with these requirements and seeks out additional training annually that would benefit municipal and criminal prosecution.

ANNUAL CONTINUING LEGAL EDUCATION REQUIREMENTS	
CLE STANDARD	15 hours
ETHICS	3 hours
ELIMINATION OF BIAS	1 hour



PROJECTS REPORT

COMPLETED PROJECTS

In 2023, we expanded to two full-time positions in the Prosecutor's Office by adding a Legal Assistant. With this new addition, we were able to accomplish several projects to improve office processes, customer service and engagement, to include:

- **Website Renovation** - We updated our Prosecutor website and added the Municipal Court Calendar, Frequently Asked Questions, improved Contact the Prosecutor features, links for paying fines or requesting new Court dates from the Municipal Court Office, and information relating to community service or substance abuse resources.
- **Prosecutor Communications Update** - We developed a new flyer to be posted by the Court, at the Security Desk and in the Admin office to provide an easy way for individuals to scan a QR code and easily access our Contact-the-Prosecutor form. There, defendants can submit proof of valid car insurance, ask a question about their case or reach out to discuss case details with the Prosecutor. With the change in Court processes prohibiting cell phones in the Court room, this has been a convenient addition in the lobby for defendants to provide necessary paperwork for their cases.
- **Citizens Police Academy** - Our office presented about Court and Legal processes to the Citizens Police Academy and has plans to continue doing so this year. This opportunity allows us to go more in-depth about the Municipal process, as well as engage with the community and support our Police partners.
- **Office Processes Optimization** - Adding a Legal Assistant full-time has given us the opportunity to streamline processes and data management, provide faster communication to defendants and optimize existing processes between the Prosecutor's Office, Court and Police.





Upcoming Projects and Goals

Our office has several goals for continuing to improve internal office processes and abilities as well as increasing efficiency in collaborative efforts with our community partners. With changing technologies, we will be able to optimize processes to help with successful prosecution of an ever-growing caseload.



Launching eSubpoena platform

Online subpoena process for easy log of scheduling conflicts and communications related to cases set for Trial. (Karpel)

Improving PD Discovery process

Plans to improve the discovery process in a more efficient manner through improved technologies. (Karpel)

Increasing PD training opportunities

Providing regular legal updates and in-person training to our Officers to help with successful prosecution of City ordinances.

Expanding BPA staff training opportunities

Our office is seeking professional development training to bring new ideas and best legal practices to Branson.

Any questions?

www.bransonmo.gov/prosecutor
prosecutor@bransonmo.gov



scan to view
our website



Department
Update
07.2024

