

**COMMITTEE FOR COUNTY PROGRESS  
2008 CANDIDATE QUESTINNAIRE  
JACKSON COUNTY PROSECUTING ATTORNEY**

Candidate Name: Jim Kanatzar

Campaign Committee: Kanatzar for Prosecutor  
P.O. Box 26451, Kansas City, Missouri 64096  
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Office Seeking: Prosecuting Attorney

Campaign Treasurer: Lee A. Moore

**BACKGROUND INFORMATION**

Education: Creighton University, Omaha, Nebraska  
1989, B.A. Political Science

University of Missouri at Kansas City  
1992, Juris Doctor

Current Employment: Jackson County Prosecuting Attorney

Civic/Political Experience: Jackson County Prosecuting Attorney's Office  
1991-2001 and 2002-2008  
Office of Chief Disciplinary Council, Missouri Bar  
2006-2008  
Curriculum Vitae attached

Addresses for the last 5 years: 1212 W. 68<sup>th</sup> Terrace, Kansas City, MO 64113

Campaign Budget: \$250,000 (anticipated)  
\$120,000 (cash on hand)

**QUESTIONS**

1. Why are you seeking the office of Prosecuting Attorney?

I think the best way to explain why I wish to remain the Jackson County Prosecuting Attorney is to describe to you, given my fifteen years of experience in this office, what it means to be a prosecutor. The Jackson County Prosecuting Attorney's Office is a battleground where the quest for justice unfolds each day. We see the worst side of our

society and the pain and suffering people go through when both internal and external forces result in tragedy. We are thrust into people's lives often while they are living through terrible circumstances. Yet there we are, unable to erase the past, but charged with the task to seek justice by taking into consideration the impact of each case on all people involved.

The duty of a prosecutor goes far beyond the role of advocating for an individual person or entity. We are charged with advocating for the best interest of our State and community as a whole. The role of a prosecutor transcends a concept that justice is about one side winning or losing in our legal system. It is not entertainment or an opportunity for clever debate between lawyers. Instead, it is an immense responsibility and one I believe is untouchable by any other segment of the legal profession. Although it is a difficult and often thankless profession, I believe it to be the most important, rewarding and honorable position an attorney can hold. I am proud and grateful I have been able to dedicate my career to prosecution. Part of my vision for our office is to instill these beliefs into the next generation of prosecutors.

I seek this office because of the importance it holds to me personally as an attorney and as a citizen in this community. I believe the experience I have gained through my dedication to the Prosecutor's Office gives me the skills and ability to succeed in this important position. I am a lifetime prosecutor having spent time in both the Independence office and the downtown office. I have held virtually every position in the office from intern, DART, trial attorney, Trial Team Leader, Chief Trial Assistant, to Deputy Prosecuting Attorney. I have worked under the last four prosecutors and bring to the position a wealth of experience. I am seeking this office because I have the skills and experience to lead this office into the future and make Jackson County a better place for all of us to work and live.

2. Describe the most important characteristics of a prosecutor.

I believe the most important characteristics for the Jackson County Prosecutor to have are trial experience, management experience, established relationships and the necessary temperament to effectuate justice. Throughout fifteen years in this office I have tried virtually every type of criminal offense including property crimes, drug offenses, robberies, assaults, sex crimes, domestic assaults and homicides. It is impossible for the elected prosecutor to successfully manage this large of an office without having stood in the same shoes of the assistant prosecutors. Having risen up through the ranks of this office, I have developed the relationships necessary to manage the various interests and constituents in the Prosecutor's Office. I have formed contacts and solid relationships with the judiciary, legislators, defense bar, police, neighboring prosecutor offices and scores of other governmental officials. These relationships allow me to advocate on behalf of our community to assure we receive the help we need in the fight against crime. I not only have the above individuals' respect, but also the respect of our attorneys and support staff. I have worked hard to have a reputation of being honest, forthright,

dependable, trustworthy, conscientious, and hard working. Most significantly, I am proud to hear my colleagues describe me as having the necessary integrity to hold this office.

3. Describe the accomplishments or contributions of which you are most proud.

I am most proud of the fact that I am currently the Jackson County Prosecuting Attorney. My appointment was the culmination of a career dedicated to the Jackson County Prosecutor's Office. I began my career in the Jackson County Prosecuting Attorney's office in 1991 as an intern. I have worked in virtually all of the departments as a trial attorney and supervising attorney. Four separate Elected Prosecutors promoted me at different times in my career. This history allows me to effectively lead my staff. My assistant prosecuting attorneys and staff all know I was once in their shoes and I have never asked them to do something I was unwilling to do myself.

I am also proud of the professional and personal relationships I have developed over the years with people outside of the Prosecutor's Office. Trusting relationships with these government and community leaders have allowed me to make my Office more effective and efficient.

4. What are the most important duties of the elected prosecutor in Jackson County?

The most important duty of the prosecuting attorney is to protect the citizens of Jackson County. Being a prosecutor is more than incarcerating criminals. Although incarcerating criminals is an important function and a large part of what we do, it should never be the only function of the Office. In order to effectively protect this community, the prosecutor should always be exploring and promoting ways to prevent the social ills that cause crime. Poverty, unemployment, substance abuse, illiteracy, and urban blight fuel crime. The Prosecutor must be a leader in the community in eradicating these problems. Equally important are the duties of the elected prosecutor is to try cases, manage an office of over 200 individuals, address crime prevention measures, administer COMBAT, and address legislation to ensure the needs of Jackson County are met for successful prosecution of crime.

5. What are the Prosecuting Attorney's obligations when considering whether to seek the death penalty?

One of the most difficult and important decisions a prosecutor must face is when to seek the death penalty. The question of whether or not to seek the death penalty on a case is grave, and prosecutors forever live with that decision both professionally and personally.

Missouri law allows for the penalty of death for convictions of first degree murder if specific aggravating factors are found to exist. Therefore the first obligation of a prosecutor is to insure that the evidence in the case meets these requirements beyond a reasonable doubt. I must then consult with the family of the victim as to their feelings

and desires on the appropriate punishment. Next I conduct a thorough investigation of the defendant's background and history. After this information has been gathered, I hold a meeting with my most experienced staff. This group is comprised of attorneys and non-attorney staff. At these meetings the facts of the case are carefully briefed including the input from the victim's family. The defendant's attorney is also invited to speak to the group. After an open discussion on the question of seeking death, I must make the final decision based upon all of the available information and my personal conscious.

6. What is your position on the use of state resources for the apprehension of undocumented immigrants?

Illegal immigration is pre-empted by federal law. However, state and local resources are routinely used when undocumented immigrants commit crimes. I oppose the use of state resources to apprehend undocumented workers who have not violated state or local criminal law. Our local resources are currently stretched thin, we should not expend our resources on a problem that clearly falls within the purview of the federal government.

7. What do you propose to do regarding the growing concern among many about forced labor, domestic servitude and/or exploitation of undocumented immigrants, particularly in the context of human trafficking?

There is little we can do in these areas without sophisticated investigations into these crimes. We must devote more funding to set up investigative task forces that can present cases that can be successfully prosecuted.

8. There is a well known fear among undocumented immigrants of reporting crimes and predatory practices against their community, lest they face deportation. How do you propose to reach out to those communities to reduce this fear and target those who victimize undocumented immigrants?

Exploitation of undocumented immigrants in the work place is a huge national problem. Communities across the country lose millions of dollars every year in tax revenue, jobs and wages due to this issue. 1099 misclassification is the most common way in which undocumented workers are exploited by unscrupulous employers.

First, I will use my ability to criminally prosecute employers who evade state payroll and unemployment taxes through 1099 misclassification. Second, I will and have, sent a message to those who typically are exploited that I will prosecute these employers. Finally, I will and have, communicated to those who will assist in prosecution that I will inform the federal authorities of their cooperation in an effort to assist them in the process of obtaining legal work status.

9. Should prevailing wage laws be enforced for public financed projects? Yes

10. What is the Prosecutor's most important role in the administration of the COMBAT fund?

The prosecutor is responsible for the administration of the Drug Court, Sentence to the Arts, My Arts, and Grant Match funding within the COMBAT fund. First and foremost, I must work hard to insure that these funds are spent efficiently and effectively toward the treatment and prevention of substance abuse. I am very proud of the success of all of these programs and the oversight that my staff has provided in this regard.

11. What changes would you make in the expenditure of COMBAT funds?

We must continue to be progressive with COMBAT funded programs. However we should do this by expanding on programs and concepts that are currently in place and have been successful. I would like to see a significant portion of COMBAT funding placed into parole re-entry using the current drug court curriculum. We recently utilized state funding in this area, but to reach the full potential of this important program we need to commit local funding.

12. Is a COMBAT-type approach a good idea to fund increased resources for fighting the gang/violent crime epidemic? Should there be a prosecution unit dedicated exclusively to street gangs?

I would not suggest a COMBAT-type approach. I think the more effective approach is to seek state and federal grants to address this problem. I don't see an advantage to exclusively dedicating a unit in my Office to street gangs. It makes much more sense to use resources to create specialized units at the investigative stage (police) to concentrate on street gangs. Once these cases are properly investigated and presented to my Office, the current structure is very well suited to effectively prosecute the crimes associated with gangs.

13. Do you or have you ever supported placing limits on a woman's right to choose?  
If yes, please explain.

No.

14. Do you support a constitutional amendment to secure the right of early stem cell research?

Yes, if such an amendment was drafted responsibly.

15. What is the most challenging issue facing Democrats today?

We must address the issue of public safety both at the national and local levels. This can be accomplished on a small scale by employing traditional crime prevention techniques.

However, in order to have a large scale positive impact we must do all we can to see that everyone has the opportunity to work and take care of their families. We must work to see that everyone receive a quality public education without going so deeply into debt that they can not support themselves or their families. If we can accomplish these goals, you will see a significant reduction in our crime rates.

16. Do you or have you ever supported limiting an individual's right to a trial by jury, including caps on damages?

No.

17. Prior to running for office, please identify the progressive interest groups in which you have been involved and what legislation or policy issues the groups advocated.

**Missouri Association of Prosecuting Attorneys:** domestic violence prevention; driving and traffic safety; victim and witness rights protection; all felon DNA database; child abuse prevention; sexual abuse prevention; preservation of the national advocacy center; student loan forgiveness program for public attorneys.

**Missouri Bar Association:** unauthorized practice of law prevention; preservation of the Missouri Plan for judicial selection.

18. Prior to this campaign, please identify the Democratic campaigns in which you have been involved and describe your role.

I have participated in several campaigns by canvassing neighborhoods, fundraising, working telephone banks, and contributing campaign funds. These races include Claire McCaskill's campaigns for Auditor, Governor and Senate, Mike Sander's campaigns for Prosecutor and County Executive and more recently Jay Nixon's campaign for Governor.

19. Please list and explain your top three priorities if elected.

The first order of government is to protect its citizens. Accordingly, my first priority is to significantly reduce the level of violent crime in Jackson County. While we have seen some decline in violent crime in recent years, the rates are still too high. We must try to reduce these numbers if Jackson County is to continue to thrive as a community. Incarceration, as well as other restrictions on the liberty of criminals, prevents future crime and is a valuable tool used to reduce crime. However, in order to significantly and effectively reduce violent crime we must develop crime prevention programs outside of incarceration. The following outlines my three top priorities to reach this goal:

First, Drug Court provides us an outstanding avenue to address the social ills that foster crime and plague our community. The time has come to expand our Drug Court beyond the confines of the traditional model. Approximately 2000 inmates from the Missouri Department of Corrections are paroled back into Jackson County each year. These

parolees maintain a 30% to 50% recidivism rate. I have begun an initiative to expand Drug Court services to individuals who have been paroled from prison sentences and are now residing in Jackson County.

I also believe the job-training arm of Drug Court should be expanded. We have traditionally concentrated on substance abuse issues in Drug Court and that emphasis should continue. However, I am convinced an important part of rehabilitation from substance abuse must include assisting the offenders in finding education and job training to promote productive and wholesome lifestyles. In that regard, I would like to see COMBAT partner with local community colleges, vocational training and apprenticeship programs as a significant part of the Drug Court curriculum. This expansion of Drug Court will allow this important program to prevent crime beyond its current limitations.

Second, in the past it has traditionally been the local police departments' role in working with the community on crime prevention. The Prosecutor's Office can and should play a more active role in working with our various municipalities and schools on crime prevention initiatives. The development of more private and public funded programs such as Operation Breakthrough is vital in preventing crime. Such organizations as well as neighborhood churches could sponsor victim impact panels and anger management counseling that could have a profound impact on crime prevention. I believe these initiatives could both prevent low-level property offenses as well as prevent individuals from becoming violent offenders.

Finally, we must address our jail space problem. The inmate population of the Jackson County Detention Center continues to be an issue despite recent successful efforts to better control the number of inmates in custody at any given time. I have served on the Criminal Docketing Committee that was formed to address the problem of our jail population. Many changes have been implemented in the criminal docketing system that have positively impacted the jail population. However the problem still persists with occasional spikes in population that push the jail beyond its capacity. If we are to be effective in protecting the public, we must have local jail space that is commiserate with Jackson County's size and population. Accordingly, I have partnered with other county and law enforcement officials to develop a regional jail for Jackson County. This jail would be available to all jurisdictions within Jackson County and will allow us to more effectively detain criminals within our criminal justice system.