JUSTICE DELAYED

NEWS-LEADER FILE PHOTO, 2004

Local officers round up suspects in a warrant sting five years ago. Limited resources and manpower make such large-scale efforts a rarity now.

Only a sliver of wanted criminals in city, county are actively sought.

By Dirk VanderHart
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A drug addict's vicious kick puts a security guard into a coma. The guard, beloved and respected by peers, the sole source of support for his wife and granddaughter, dies days later.

A young woman with a history of drug abuse cuts off contact with her probation officer. Just over a year later, police say, she stabs a man to death in his apartment. A landlady finds the decaying corpse.

These slayings occurred in Greene County last year.

They aren't the most horrific deaths the region has seen, but share perhaps a more-disturbing circumstance: both of the alleged murderers were wanted on warrants, and no one was actively looking for them.

According to a recent count, Greene County has almost 19,300 outstanding warrants — court orders to arrest somebody — dating back to the early '80s. Springfield Municipal Court has more than 13,000.

The vast majority stem from what might be considered petty crimes — non-violent misdemeanors, traffic offenses — though those numbers also include people wanted for felonies like assault, sexual misconduct and robbery.

But staff shortages for local law enforcement, a crowded jail and myriad of other factors have created a gaping hole in Greene County's warrant enforcement.

It's not in writing, and isn't much discussed, but the message to area

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Jeffery Bolden could spend the rest of his life behind bars if convicted in the killing of Monte Ruby.

Monte Ruby died four days after being kicked in the head while working as a hospital guard.

NEWS-LEADER .COM **Database:** Search a database of outstanding warrants in Springfield and Greene County at *News-Leader.com*

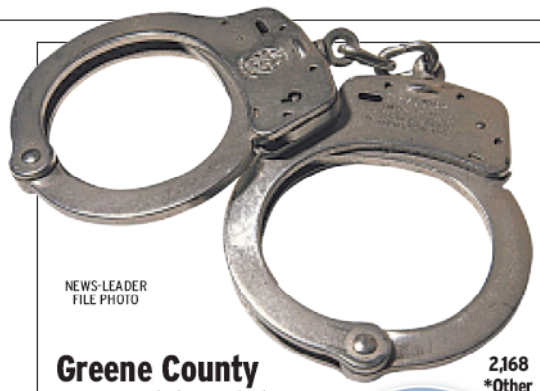
About this series

This three-part News-Leader series looks at Greene County warrant enforcement.

TODAY
Why the majority of Greene County's wanted criminals need not fear capture.

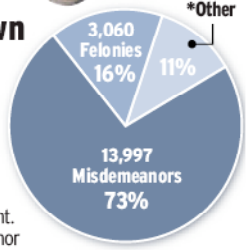
MONDAY
What local law enforcement agencies do, and don't do, to find fugitives.

TUESDAY
Possible solutions for reducing the warrant backlog.



NEWS-LEADER FILE PHOTO

Greene County warrant breakdown



Nearly 16 percent of Greene County's outstanding warrants stem from felony charges, according to a recent hand count performed by the Greene County Sheriff's Office. Only a tiny sliver of those fugitives are ever actively sought by law enforcement. Officers don't seek out misdemeanor offenders or those charged with traffic infractions, and pursue only a fraction of felony warrants.

* "Other" warrants include traffic infractions, warrants from several Greene County municipalities, juvenile cases and individuals ordered to appear for civil matters.

Greene County warrant count

A database of outstanding warrants obtained by the News-Leader offers different information than a warrant-by-warrant hand count completed by the Greene County Sheriff's Office earlier this year. The database contains more recent information, and some warrants have not been correctly classified. Below, a look at how the numbers differ, as well as past hand count totals.

Warrant type	Database	Hand count
Felonies	1,761	3,060
Misdemeanors	11,574	13,997
Other	4,736	2,168
Total	**18,071**	**19,225**

Yearly county hand counts

Year	Warrants
2005	20,877
2006	24,712
2007	18,952
2008	19,225

SOURCE: GREENE COUNTY SHERIFF'S OFFICE NEWS-LEADER

Database vs. hand count differences

Every year, the Greene County Sheriff's Office – which maintains and enforces warrants from the county court – does a manual count of the outstanding warrants on file.

According to these counts, outstanding warrants reached a high-point in 2006 with more than 24,000. That number dropped to about 19,000 in 2007, then increased to 19,225 in 2008.

Numbers pulled from the Greene County courts system paint a different picture.

According to a recent report, the county had 8,613 outstanding warrants in 2003. That number has risen every year since, culminating in 16,723 outstanding warrants as of June 30, 2008.

Reconciling these two reports is no easy task.

While the sheriff's office included classifications of warrants not accounted for in the court's report – certain traffic offenses and warrants from some municipalities – that doesn't explain the disparities.

The sheriff's office stands by its numbers as accurate. "It serves us no purpose to inflate or deflate," said Maj. Phil Corcoran. "The evidence is on the shelf."

Greene County Courts Administrator Jerry Moyer, who pulled the court's numbers, said he has no reason to suspect his data is wrong.

The matter is further confused by discrepancies in the department's hand-count data, and a spreadsheet of county warrants obtained by the News-Leader.

In the spreadsheet, not all felony warrants and misdemeanor warrants are labeled as such, and the classification of others is unclear.

Additionally, the spreadsheet lists fewer warrants than were listed for in the hand count. "That's just very, very raw data," Corcoran said, noting the office switched to a new computer system in late 2007.

– Dirk VanderHart

Justice/Lack of manpower major issue, officials say

Continued from Page 1A

fugitives is essentially this: Commit a crime, don't show up to court, stay clear of police and face no consequences.


Conklin

"If we're going to have laws, if we're going to enforce them, then we need to do so and we need to do it with everyone," said Greene County Presiding Judge Dan Conklin. "Otherwise we ought to get rid of the laws."

WAITING FOR CLOSURE

In all but the most serious cases, no one is seeking out wanted persons. No one is ensuring they stand for their charges. No one is working to take them off the street.

Many have thumbed their nose at the system, electing to ignore court dates or their probation officers' orders.

Some with outstanding warrants have left the area, but many might very well reside within county lines.

Local law enforcement officials say a lack of manpower is the biggest issue.

The Springfield Police Department is short 30 officers. The Greene County Sheriff's Office is also strapped for personnel.

"We just don't have it," said Springfield Police Chief Lynn Rowe. "We do well just to staff the street responsibly."

So police and sheriff's deputies rely on chance to catch most fugitives.

A routine car stop or domestic dispute could put officers in contact with a wanted person. A simple database search will signal to police a warrant exists.


Rowe

"That's how we arrest nine-tenths of them — from happenstance," Rowe said. "It's a part of the justice system, and it's a way that the system works."

It's not that criminals don't get caught this way. They do.

In 2008, for instance, authorities served 10,449 county warrants, more than 3,700 of them for felonies.

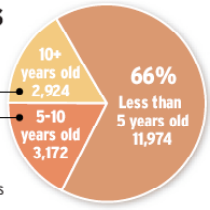
And more warrant enforcement — while it could cut down on the area's sizeable backlog — would create other problems, suggesting any lasting improvement would take a review of the entire justice system.

The county jail is frequently overcrowded as is, and hauling in more fugitives would only exacerbate the situation.

Increased criminal cases also would place more strain on woefully understaffed public defenders, judges and circuit clerk staff.

But what of the fugitives who aren't stopped for running a stop sign, found fighting with an ex-girlfriend or turned in by a neighbor?

Warrant timeliness in Greene County



About one-third of the 18,071 Greene County warrants listed in the county's electronic database are at least 5 years old. The earliest warrant listed in the database was issued in 1981. As warrants age, prosecutors say the likelihood they will be able to pursue a case is reduced.

The data above reflect the numbers in the Greene County Sheriff's Office computer database.

SOURCE: GREENE COUNTY SHERIFF'S OFFICE NEWS-LEADER

What are criminals to think when they realize they can fly under the radar and avoid consequences?

"Unfortunately, there's a certain number of people that are not bothered by having a warrant for their arrest outstanding," said Springfield Municipal Court Chief Judge Todd Thornhill. "Also unfortunately, the number of people who are not bothered by having a warrant for their arrest has seemed to swell."


Thornhill

There are also the victims of crime to consider. When suspected individuals run free, those most-affected by their misdeeds are left waiting for closure.

"That's the thing that troubles me most," Rowe said. "For every one of those warrants that is active there's sometimes a victim associated with that who's not getting justice."

DRUGS TO MURDER

Deidra Muenks began using hard drugs in her early teens and dropped out of Central High School after 11th grade.


Muenks

She was still a teenager when, during a three-month period in 2005, she burglarized her grandfather's home — taking a loaded .357 revolver, among other items — stole a car and snatched the purses of two elderly women.

The teen pleaded guilty to four felony counts stemming from the crimes in December 2006.


Holden

In a letter to Greene County Circuit Judge Calvin Holden before that plea, Muenks asked for leniency.

"Sir, I have been on serious drugs (meth, crack cocaine, heroine, pills, xtc, syrup, and others)," she wrote. "I wasn't always on drugs. I was involved in school. I made good grades."

In the letter, Muenks claimed she'd benefitted from a month-long drug treatment program, that she wanted to obtain her GED and help others struggling with substance abuse.

"Because I am young, I can help my peers," the letter read. "They are more likely to listen to me than people much older than them. I also want to get back involved in my community."

Whether because of the missive or other considerations, Holden put Muenks into a four-month inpatient treatment program through the Missouri Department of Corrections and allowed probation upon her successful completion on June 26, 2007.

By July 17, she had fallen back into drug abuse, using crack cocaine, court records show.

Muenks' probation officer alerted the judge to the breach. A warrant was issued for her arrest on Nov. 7, 2007.

Nine months later, the property manager of the Grandview Village Apartments on North Kentwood Avenue used her key to access unit A-110. The apartment's tenant, Arthur Brashear, hadn't been seen for days, though his car was still parked outside.

When manager Marie Johnson opened the door, the smell of decaying flesh came to meet her. She found Brashear on his living room floor in a pool of blood. A knife lay nearby.

"During the follow-up investigation, several witnesses were contacted who reported that Arthur Brashear was last seen in the company of Deidra Muenks," a probable cause document reads. "Muenks was a known drug user who had several active warrants for her arrest."

A man had been stabbed to death, and Muenks' case was suddenly severe enough to merit attention.

She was arrested within weeks and, now 21, has allegedly confessed to the murder.

ACCOUNTABILITY

Lax warrant enforcement isn't a new problem, nor is it unique to Springfield and Greene County.

Areas throughout the country grapple with unwieldy warrant numbers, and have too-little manpower to cut meaningfully into the backlog.

"It's extremely common for there to be an increasing number of warrants outstanding in the jurisdictions I have worked in," said Dr. Alan Kalmanoff, a Berkeley, Calif.-based consultant who conducted an assessment of the area's criminal justice system in 2003.

Kalmanoff attributes growing warrant numbers to better record-keeping, which allows counties to more-accurately track their warrants, and a lack of law enforcement following up on cases.

"It is ever-emerging throughout the country," he said.

Greene County Sheriff Jim Arnott puts it a different way.


Arnott

"This is the way the system works in the United States," he said recently. "Every sheriff's office, every police department, has the exact same system. We come across people that are wanted the same way."

But Greene County now has more outstanding warrants — essentially criminal cases in limbo — than active cases making their way through the system. The county issued roughly 10,700 new warrants in 2008.

It's impossible to pinpoint to what degree public safety might be diminished by allowing accused criminals to go free, and many officials downplay any threat.

The serious felons — the suspected rapists and murderers and sex offenders — are given priority, after all. Detectives investigating major crimes put effort into arresting their suspects.

"The career criminals and the dangerous criminals are generally being found and held accountable almost immediately," said Greene County Prosecutor Darrell Moore. "I don't know that the public is put at any significant risk from the volume of these warrants.


Moore

What I do think all these unserved warrants may unintentionally do is decrease a sense of accountability."

And criminals who can get away with flouting their warrants might not pay much heed to other laws, some say.

"If people know that there is little consequence for committing a crime, that is certainly no deterrent to committing another one," Thornhill said.

Public safety can also be threatened when wanted individuals come in contact with police.

"That's why they run a lot," Rowe said. "Some of the pursuits are for no other reason than the person doesn't have a driver's license or they know they've got warrants. That unnecessarily endangers the public and the police officers."

State law demands that "the sheriff must execute warrants and subpoenas immediately after receiving them" and warrants contain a clause reading "you are hereby commanded to arrest."

So the lack of enforcement can be particularly galling to the judges who sign them.

Said Judge Conklin: "It's not a personal issue, but it's more a personal issue for judges than anyone else because they're being ignored."

NEIGHBORS CRY OUT

Ignored. Like 22-year-old Tyler Westmoreland felt for much of 2008.


NEWS-LEADER FILE PHOTO

Jeffery Bolden attends a September preliminary hearing.

Like police reports indicate his neighbors on East Blaine Street felt as though police continually failed to take Jeffrey L. Bolden off their block.

"There's felony warrants on him and he's walking through my yard every day," said Westmoreland, who lives on the 1100 block of Blaine. "I mean, my God. He's threatened neighbors' lives up here."

Police say Bolden's actions went well beyond threats.

Dating back to November 2007, there are documented incidents in which Bolden allegedly broke a liquor bottle over a woman's head, savagely beat a girlfriend, and stabbed his cousin.

That police responded to these crimes is not in doubt. Westmoreland recalls them showing up several times, guns drawn, searching for Bolden, a known drug user.

But, given Bolden's criminal history and his mounting acts of violence reported to police, one might wonder if law enforcement should have done more. If Monte Ruby might still be alive.

Police reports from calls for service on the 1100 block of East Blaine over much of 2008 read like cries for help.

Beyond the violence — the assaults, the burglary, the vandalism — attributed to Bolden in numerous reports and criminal charges, there is a sense of urgency.

The resident, for instance, who complained Bolden could be seen, several times a day, walking from his father's home on the block to that of his girlfriend, Delores Westmoreland.

Or the woman who believed Bolden broke her flower pots because she'd told police of his whereabouts.

Or Delores Westmoreland, herself, who, according to one report, told police she was "upset Bolden has not been arrested on all of the warrants he currently has for his arrest."

And yet, after more than seven months of reported misdeeds, all stemming from the same city block, police didn't make contact with Jeffrey Bolden until the afternoon of Aug. 2.

On that date, officers were called to a disturbance at the home of Bolden's father, who lives on East Blaine.

Police arrived to find Bolden gone, but saw evidence he doused the home, and himself, with gasoline, according to court documents.

Officers eventually found the man hiding in a nearby bush, and sent a police dog in after him when he wouldn't come out. Bolden suffered wounds to his leg in the incident.

When he reached Cox North Hospital to have the injuries treated, Bolden had to be handcuffed to a gurney.

Witnesses recount the man cursing, spitting and making lewd remarks to the nursing staff.

There to help restrain the suspect was security guard Ruby, a former reserve Springfield police officer with decades of experience.

He was walking away from Bolden's bed after holding him down when the injured man lashed out, kicking Ruby in the back of the head.

The guard collapsed moments later. He was dead in four days.

By September, Bolden was facing the most severe charge he'd seen in more than a decade of criminal activity: second-degree murder.

He's been in the Greene County Jail ever since and, if convicted of all the felony counts pending against him, could spend the rest of his days behind bars.

Since Bolden's arrest, things have quieted down on East Blaine.

"It's fine now," said Tyler Westmoreland, the son of the woman Bolden allegedly assaulted. "There's not a real, real violent guy running around every day."

Springfield Police Maj. Ron Hartman said he couldn't recall exactly what efforts went into capturing Bolden in 2008, but that he knows police did try to find the man.


Hartman

"It was a really bad thing," Hartman said of Ruby's death. "I know everybody likes to point fingers, but the bottom line is: It happened, and we got him."

Which is no comfort to Westmoreland. In the days after the security guard died, he thought of calling Ruby's son.

"I wanted to tell him this could have been highly prevented," he said. "It could have been prevented — no ifs, ands or buts."

Jeffrey Bolden timeline

From November 2007 until his capture in August 2008, court and police records detail how Jeffrey L. Bolden allegedly terrorized a one-block stretch of E. Blaine St. There is evidence police searched for Bolden occasionally as his reported violence escalated and warrants mounted in this 10-month time period, but they repeatedly came up short.

Nov. 2007 | Dec. | Jan. 2008 | Feb. | March | April | May | June | July | Aug. | Sept.

Nov. 29: Jeffrey Bolden allegedly breaks a liquor bottle over the head of a woman on the 1200 block of E. Blaine St. When officers arrive, Bolden is gone.

Jan. 6: Bolden allegedly savagely beats his girlfriend, Delores Westmoreland, with a barbecue fork, cordless phone and his fists. He also allegedly chokes the woman. Bolden leaves the scene prior to officers' arrival.

> **"At the time of the assault, defendant was trying to flee Springfield to avoid being picked up on outstanding warrants."**
> - Police report

Jan. 10: Westmoreland, the victim of the alleged Jan. 6 assault, calls police to report Bolden has been making "threatening calls" to her. Police respond to the home from which Bolden was making the calls, but he is gone. A records check reveals Bolden has a warrant in Pulaski County for resisting arrest.

Feb. 13: Charges of second-degree assault and armed criminal action are filed against Bolden stemming from the November 2007 incident. A warrant is issued for his arrest. The charges are later dropped when the victim does not cooperate with prosecutors.

Early May: Warrants are issued for Bolden in Boone County on charges of assault on a law enforcement officer, drug possession and resisting arrest.

May 17: An anonymous caller phones police from her home on Blaine Street. The caller says she was contacted by police the previous day because they were searching for Bolden. The caller tells police Bolden travels from his father's house to his girlfriend's house "several times a day, because he does not have a job," according to a police report.

May 31: A woman on the 1100 block of Blaine Street calls police to report she believes Bolden kicked over potted plants on her front porch. The woman, Rachel Twomey, tells police she thinks Bolden is responsible "because Bolden is wanted on warrants and he knows Twomey has called police when she sees him at his father's house," a police report says.

Jeffrey Bolden
Photo taken of Bolden as a suspect in the Aug. 2 assault on security guard Monte C. Ruby at Cox North hospital.

June 27: Bolden's ex-girlfriend, Westmoreland, calls police to report her front door was kicked in while she was away and that her TV is missing. The woman reports she suspects Bolden because she had been in an argument with him, and because he "is addicted to crack and will steal anything to get money so he can get his next 'high,' " according to a police report.

In follow-up interviews with police a month later, Westmoreland tells an officer she is **"upset Bolden has not been arrested on all of the warrants he currently has for his arrest,"** an officer writes.

The officer notes **"Bolden does have several arrest warrants and he has an extensive criminal history."**

July 3: After an altercation on the 1100 block of East Blaine Street earlier in the day, Bolden allegedly stabs his cousin in the arm with a pocketknife on the 1300 block of North Frisco Avenue.

Aug. 2: Officers respond to the home of Bolden's father on East Blaine Street in response to a disturbance. They arrive to find Bolden gone, but see evidence he doused the home, and himself, with gasoline. Police find Bolden in a bush nearby and send a police dog to retrieve him. The dog injures Bolden's leg. He is transported to Cox North hospital for the wound and has to be restrained with handcuffs. Bolden allegedly kicks hospital security guard Monte Ruby in the back of the head, injuring Ruby's brain and spinal cord. Ruby slips into a coma shortly thereafter.

Aug. 4: Prosecutors charge Bolden with assault of a law enforcement officer for the alleged kick to Ruby.

Aug. 5: Prosecutors charge Bolden with three counts of assault and one count of armed criminal action in connection with the January altercation.

Aug. 6: Ruby dies. An autopsy ruled Bolden's kick is to blame.

Aug. 7: Prosecutors file assault and armed criminal action charges against Bolden in connection with the alleged stabbing of his cousin in July. The charges are later dropped when the victim does not cooperate with prosecutors.

Sept. 16: Prosecutors, who had been waiting on the results of a toxicology report on Ruby, file a second-degree murder charge against Bolden in connection with the man's death.

SOURCE: SPRINGFIELD POLICE DEPARTMENT; GREENE COUNTY COURT RECORDS

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