

OFFICE OF DAKOTA COUNTY ATTORNEY
JAMES C. BACKSTROM
COUNTY ATTORNEY

2018 Criminal Prosecution Highlights
Adult Felony and Juvenile Crimes

A Message from the Dakota County Attorney...

The Dakota County Attorney's Office has 45 lawyers and 49 support staff who are dedicated to carrying out our mission and serving the public interest. As County Attorney, I believe it is important that people who commit crimes are held accountable for their actions and brought to justice. I also believe it is important that victims of crime receive the necessary assistance to ensure that their rights are protected, their concerns are addressed, and that they receive payment of restitution from the persons who have caused them harm.

The Dakota Attorney's Office works closely with local, state, and federal law enforcement agencies to keep Dakota County a safe place in which to live and work. These prosecution highlights represent the work our Office does every day on behalf of the citizens of Dakota County.

I am proud of the work our dedicated team of prosecutors and support staff performed related to adult and juvenile criminal activity in 2018. I am deeply grateful for the opportunity to serve as the Dakota County Attorney.

If you would like more information on our work or resources available, please contact me.



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The mission of the Dakota County Attorney's Office is:
*To promote justice, public safety, and effective government by prosecuting crime,
protecting those in need and representing Dakota County.*

ADULT CRIMES

The Dakota County Attorney's Office is responsible for prosecuting all felonies and gross misdemeanor drug cases committed within Dakota County by adults (persons 18 years of age and over), and juveniles certified for prosecution as adults¹. The Office also prosecutes a limited number of other gross misdemeanor and misdemeanor offenses.

In prosecuting crime, the Office primarily relies on investigative reports submitted by local, state and federal law enforcement agencies including sheriffs' offices, police departments, the Minnesota Bureau of Criminal Apprehension, the Minnesota Department of Commerce, the Federal Bureau of Investigation, and the Drug Enforcement Administration.

In 2018, there were **2,201 adult criminal cases**² charged³ in Dakota County that involved a felony-level offense or a gross misdemeanor drug offenses (down slightly from 2,379 in 2017).

The following chart reflects the number of **adult felony cases charged** based on referrals from Dakota County law enforcement agencies for the past five years:

<u>Agency</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>
Apple Valley	188	214	164	124	123
Burnsville	343	362	405	321	305
Dakota County Sheriff	171	204	190	166	104
Eagan	260	298	309	263	244
Farmington	50	36	44	39	41
Hastings	121	161	150	124	118
Inver Grove Heights	155	151	164	117	113
Lakeville	114	166	162	128	108
Mendota Heights	30	26	30	19	17
Rosemount	119	91	64	38	52
South St. Paul	153	159	153	151	130
West St. Paul	162	202	235	225	150

ADULT CRIMES OF VIOLENCE

Sadly, violent crimes occur far too frequently every day in America. In 2018, a total of **466 violent crime cases** were charged in Dakota County compared to 480 cases charged in 2017.

The following is a breakdown of these felony-level violent crime charges in these cases:

303	Assault (includes domestic-related felonies) ⁴
159	Sex-related
127	Threats of violence
56	Dangerous weapon
26	Robbery
21	Criminal vehicular homicide or injury
24	Murder and attempted murder
4	Kidnapping

It is important to keep in mind that the number of violent crimes in our community remains relatively low given the population of Dakota County.

DRUG CRIME REMAINS A SIGNIFICANT PROBLEM

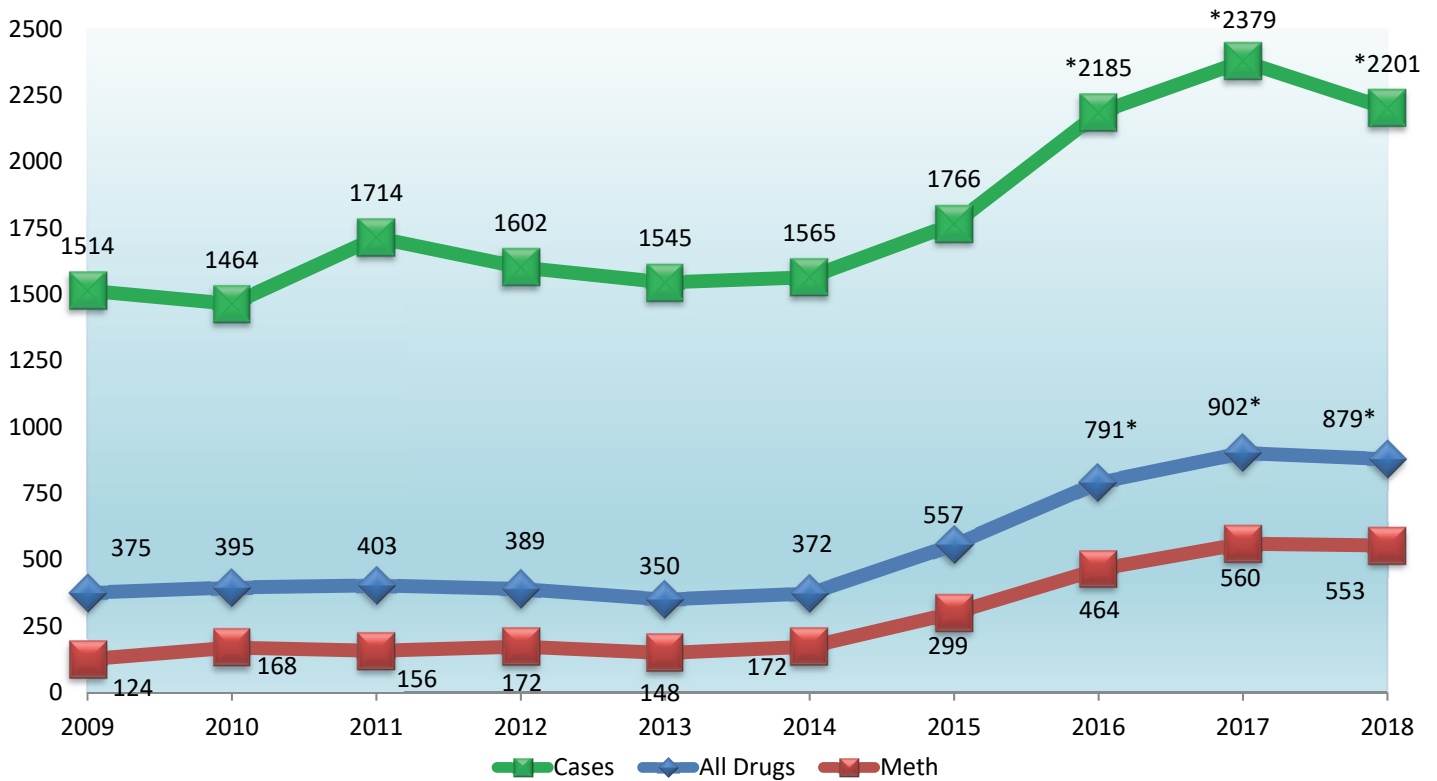
The illegal sale, possession, and manufacture⁵ of drugs continue to be a significant problem in our community. We work closely with the Dakota County Drug Task Force in combatting illegal drug activity. The task force includes specially trained officers from the Dakota County Sheriff's Office and police departments in Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul, West St. Paul and Savage.

In 2018, the Dakota County Attorney's Office prosecuted 879⁶ felony and gross misdemeanor drug-related cases involving a wide variety of drugs (compared to 902 in 2017). The top five drug types charged in 2018 were:

Meth-related	553 cases	(560 in 2017)
Marijuana	98 cases	(90 in 2017)
Cocaine	97 cases	(113 in 2017)
Heroin	55 cases	(46 in 2017)
Prescriptions	48 cases	(81 in 2017)

Methamphetamine is by far the most significant illegal drug problem in our community. Much of the methamphetamine seized by Dakota County law enforcement agencies is produced in clandestine labs located in Mexico and transported into the United States and into Dakota County by well-organized criminal organizations. Recently, these criminal organizations have diversified their operations and now commonly distribute multiple types of illegal drugs.

ADULT CASES CHARGED



* These numbers include 258 gross misdemeanor cases charged in 2018 (225 gross misdemeanor cases in 2017; 50 gross misdemeanor cases in 2016) as a result of changes in Minnesota law effective August 1, 2016, which made certain prior felony drug offenses now gross misdemeanors.

Methamphetamine is not the only drug of concern in Dakota County. The drugs with the most lethal consequences are opioids and heroin. Both of these controlled substances are highly addictive and, according to the Hennepin County Medical Examiner's Office, at least 20 overdose deaths⁷ were attributed to opioid or heroin abuse in Dakota County in 2018 (compared to 24 in 2017).

All too often, the addiction of heroin and methamphetamine begins with abuse of prescription medications. When a person can no longer obtain medications from valid prescriptions, some users turn to stealing medications from others or using illegal street drugs, with tragic consequences. This path of destruction may lead to death, hospitalizations, destroyed families, workplace productivity losses and overloaded public services that work to combat this critical health and safety crisis.

Law enforcement agencies throughout Dakota County have drop-off boxes to collect unused and expired prescription and over-the-counter medications. We all need to do what we can to combat the theft of prescription drugs and to ensure safe environmental disposal of these medications. To find out more about this important service go to www.DakotaCountySheriff.org and look for the "drug drop-off" locations.

PROGRAM FOR LOW LEVEL NON-VIOLENT ADULT DRUG OFFENDERS

Drug use can have immediate and long-term negative impacts for those who abuse drugs. Abusive and excessive drug use may result in poor health, harmful social behaviors, inadequate work performance, and in some cases overdose and death. The harmful effects of abusive and excessive drug use are not limited to the drug user. This behavior may lead to chaotic, stress-filled homes that in turn result in domestic violence, child abuse and neglect. Abusive and excessive drug users commit many crimes such as theft, burglary, fraud, robbery and assault in order to support their chemical addiction and dependency. In 2018, Dakota County created a voluntary diversion program for low level/non-violent drug offenders to provide opportunities and incentives for persons charged with less serious drug crimes to address their underlying drug addiction and dependency and obtain needed treatment.

ADULT DRUG COURT

Most individuals who commit drug-related crimes are themselves addicted to drugs. To address this problem, the Dakota County Attorney participates in Dakota County's Adult Drug Court. This voluntary program helps non-violent and repeat drug offenders, whose illegal actions are primarily motivated by addiction, get the treatment they need to overcome their addiction and live drug and crime-free lives. This intensive program brings together chemical dependency and mental health specialists with professionals from the courts, social services, community corrections, and law enforcement to address the offender's chemical addiction and mental health issues in an effort to reduce overall recidivism. In 2018, **12 adults** were referred to the Adult Drug Court program and since the start of the program in 2008, **92 individuals** have graduated.

ELECTRONIC CRIMES UNIT

Valuable evidence is often contained on cell phones, computers, and other electronic devices. Since technology is ever evolving, the need for timely and comprehensive analyses of electronic devices that may contain evidence of criminal behavior is critical. The Dakota County Attorney's Office works closely with the Electronic Crimes Unit (ECU), which consists of officers from the Dakota County Sheriff's Office and collaborating police departments. Specially trained officers conduct forensic analyses of cell phones, computers and other electronic devices containing evidence of criminal activity.

TRAFFIC-RELATED CASES

In Dakota County in 2018, **16 individuals were killed** in fatal crashes compared to 11 individuals killed in 2017. The preliminary 2018 data⁸ shows **380 individuals were killed** in motor vehicle crashes on Minnesota roads compared to 357 in 2017. Additionally, over **1,700 individuals were seriously injured** in Minnesota traffic crashes, 91 occurring in Dakota County. Approximately one out of every three traffic fatalities in Minnesota is alcohol-related. Driving under the influence of alcohol or drugs remains a serious problem in our state and county. Each year in Minnesota, more than 32,000 people are arrested for DWI⁹. A felony-level DWI occurs after an individual has had four DWI's within 10 years. In 2018, **25 individuals** were charged with felony-level DWI (compared to 26 in 2017).

Distracted driving continues to be a rising problem. Distracted driving is anything that takes your attention away from driving (e.g. using a cell phone, adjusting music or other controls, navigating, eating, paying attention to other passengers, etc.). Each year in Minnesota, distracted or inattentive driving is a factor in **one in five** crashes, resulting in at least 53 deaths and 216 serious injuries¹⁰. The Office of Traffic Safety estimates these numbers are vastly under-reported due to law enforcement’s challenge in determining distraction as a crash factor.

Please make safe choices when behind the wheel and be a good role model to others by remembering to:

- Buckle up every time!
- Drive the speed limit!
- Be on the lookout for walkers, bikers and motorcyclists!
- Drive appropriately for the road conditions - especially weather!
- Pay attention to the road - not the radio, food or a mobile device!
- Always plan a sober ride!



FELONY PROPERTY CRIMES

In 2018, **598 cases** involving felony-level property crimes were charged in Dakota County (compared to 708 cases in 2017). The following is a breakdown of the felony-property crime charges in these cases in 2018:

305	Theft-related
164	Forgery or credit card fraud
129	Burglary
86	Stolen property
41	Criminal damage to property
25	Public assistance fraud
21	Tax-related

“Felony property crimes often result in significant financial losses which cause severe hardship to individual victims and businesses.”

James C. Backstrom
Dakota County Attorney

SERIOUS FINANCIAL CRIMES

The Dakota County Attorney’s Office prosecuted a number of complex financial crimes this past year involving embezzlement or theft of funds from a company or organization. Crimes of this nature involve many hours of investigation by law enforcement agencies, the Minnesota Department of Commerce, the Minnesota Department of Revenue, and the prosecutor assigned to the case. *“These complex crimes are very time consuming and involve gathering bank receipts and other extensive financial records to establish a paperwork trail of fraud,”* Backstrom explained. There were **3 individuals** charged in Dakota County last year with theft, theft by swindle or theft by false representation specifically involving losses to businesses or government agencies, with victim losses totaling over \$504,000.

CRIMINAL APPEALS

The responsibilities of the Dakota County Attorney do not necessarily end when a criminal offender is convicted and sentenced. In many cases, defendants will appeal the conviction or seek other post-conviction relief from an appellate court. Appeals are necessary in order to ensure the fair administration of justice and to hold offenders accountable. The Office was involved in filing or responding to **59 appeals** in adult criminal cases in 2018 (compared to 54 in 2017).

SERVING VICTIMS OF CRIME

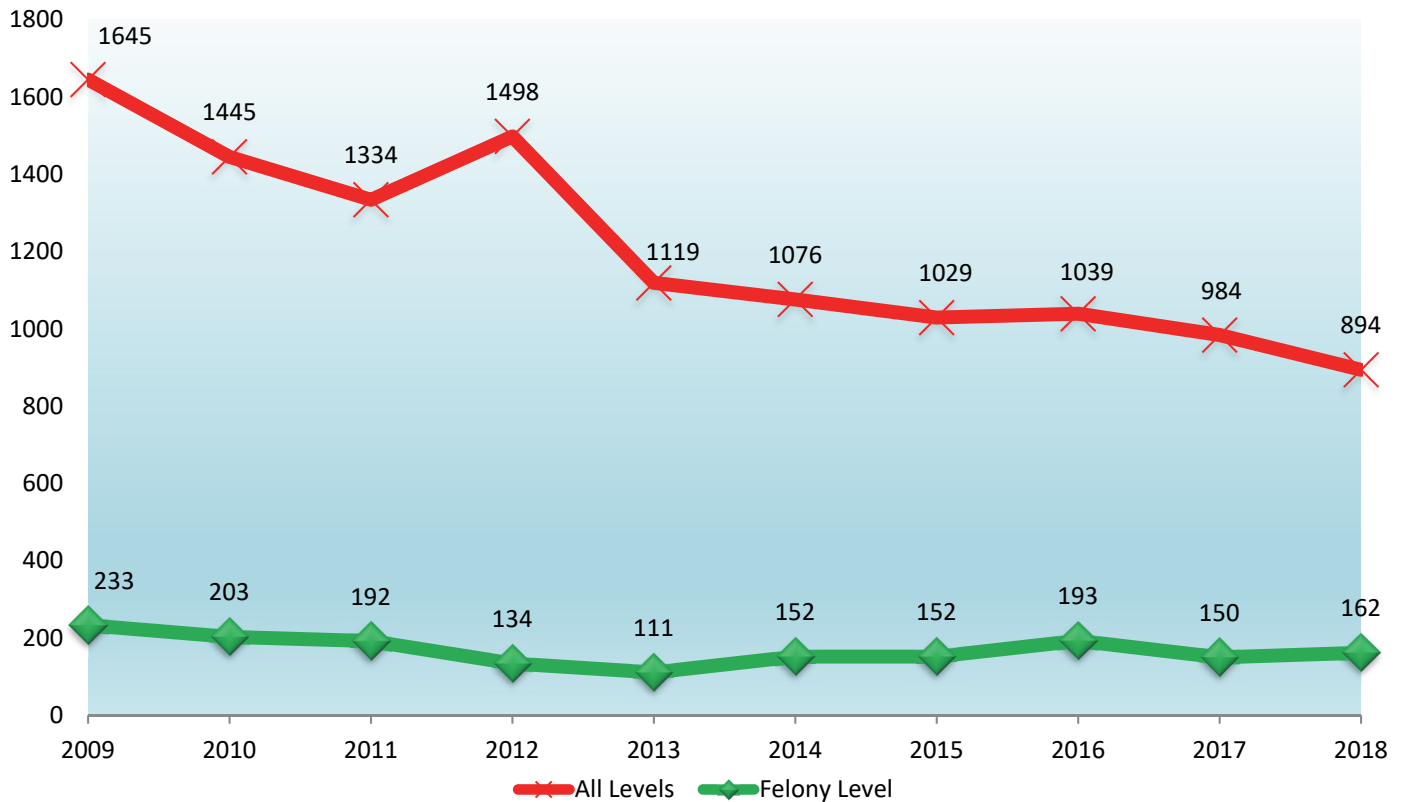
In the vast majority of criminal cases there are one or more victims who are emotionally, physically or financially harmed. The Dakota County Attorney’s Victim/Witness Unit serves to minimize the impact of criminal behavior by assisting victims through the criminal justice process. Victim/Witness staff go beyond statutory responsibilities by lending guidance to seek restitution, helping victims prepare impact statements, and attending court hearings with victims as requested. In addition to the victims served in ongoing cases, **over 3,300 individuals** in new cases received services during 2018.

JUVENILE CRIMES

The County Attorney prosecutes all felony, gross misdemeanor, misdemeanor and some petty misdemeanor crimes committed by juveniles (youth 10-17 years old) which occur within Dakota County. Juvenile prosecution begins with the filing of a citation or petition with the court. The number of youth charged with criminal offenses from year to year in Dakota County is remarkably low given our County's size and growth over the years.

- In 2018, a total of **894 juvenile cases**¹¹ were charged¹² (compared to 984 juvenile criminal cases in 2017). Of the total number of juvenile cases, 162 included a felony-level offense.

Below is a 10-year history of juvenile cases charged by the Dakota County Attorney's Office:



JUVENILE CASES BY LAW ENFORCEMENT AGENCY

The chart below reflects the total number of **all juvenile cases** charged based on referrals by Dakota County law enforcement agencies for the past five years:

Agency	2018	2017	2016	2015	2014
Apple Valley	118	146	136	171	136
Burnsville	125	186	147	145	159
Dakota County Sheriff	63	49	69	83	99
Eagan	126	132	115	125	118
Farmington	56	41	41	34	33
Hastings	67	80	49	49	85
Inver Grove Heights	71	58	90	65	110
Lakeville	71	82	123	120	87
Mendota Heights	16	14	10	14	11
Rosemount	46	35	53	39	52
South St. Paul	67	102	140	102	89
West St. Paul	52	45	59	75	80

“Investing time, resources and energy in our nation’s youth is one of the most effective things we can do to reduce crime. We need a balanced approach to juvenile justice that holds juvenile offenders appropriately accountable, while at the same time investing in prevention and early intervention efforts to reduce crime.

James C. Backstrom
Dakota County Attorney

YOUTH ACCOUNTABILITY PROGRAMS

The Dakota County Attorney’s Office coordinates a number of **youth accountability programs** for first-time juvenile offenders involved in the illegal use of alcohol, small amounts of marijuana, lower-level property crimes, traffic offenses, disorderly conduct and fire-setting behaviors. Youth are held responsible for their criminal behavior outside of the court process, allowing them to learn from their mistakes while avoiding a criminal record. Where applicable, each program focuses on education and prevention and requires the involvement of a parent or guardian; payment of restitution to the victim; a written letter of apology; community work service; and/or completion of other sanctions within a timely manner.

In 2018, there were **629 juvenile cases**¹³ referred to youth accountability programs as an alternative to juvenile court. Youth Accountability Programs include:

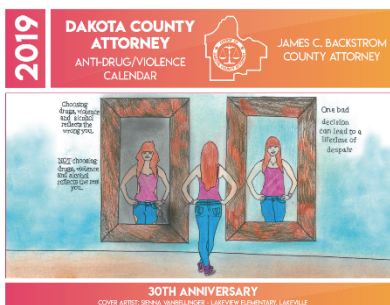
- ❖ Alcohol / Marijuana offenses
- ❖ Disorderly Conduct offenses
- ❖ Fire-setting offenses
- ❖ Peer Court
- ❖ Property offenses
- ❖ Targeted Accountability Program¹⁴

Peer Court is a unique partnership between Dakota County District Court, the County Attorney’s Office, and seven participating high schools (Eastview in Apple Valley, Burnsville, Hastings, Farmington, Lakeville North, Lakeville South, and South St. Paul) that teaches youth about the criminal justice system in a non-threatening way. Students who serve as jurors question the juvenile offender and then identify appropriate sanctions for the minor offense that has been committed.

Early intervention for youth who have used alcohol and marijuana is important to their health and a successful future. Dakota County also has a **Juvenile Drug Court** for youth with significant histories of drug abuse that places an emphasis on treatment and intensive supervision. In 2018, 5 juveniles were referred to the Juvenile Drug Court program. Since the start of the program in 2003, 73 juveniles have graduated.

JUVENILE CRIME PREVENTION INITIATIVES

In 2018, the Dakota County Attorney’s Office sponsored the 30th annual Anti-Drug/Violence Poster Contest. Dakota County fifth or sixth grade students submitted posters with anti-drug and anti-violence messages. The top 12 posters are featured in this year’s calendar, which is the final year for this contest/calendar.



Cover drawn by: Sienna VanBellinger
Lakeview Elementary, Lakeville

OUTREACH AND PREVENTION

Over 2,800 students, parents, professionals and community members attended crime prevention programs sponsored by the Dakota County Attorney's Office on topics such as anti-bullying, chemical health, sex trafficking and the intersection of mental illness with the criminal justice system. The Office worked closely with School Resource Officers and other professionals to increase overall awareness related to keeping youth safe. The Office also partnered with the Dakota County Healthy Communities Collaborative on several training topics, including the 8th Annual Mental Health Summit for professionals who work with children and families.

In addition to participating in community events, training sessions, and law enforcement citizen academies, the Dakota County Attorney spoke to numerous student groups in 2018. During these visits, information was presented on what happens in the criminal justice system, how a criminal case is prosecuted, how victims are served in the criminal justice system, and how to remain safe while using technology.

The Dakota County Attorney's Office worked with members of the Toward Zero Death Coalition to develop S.A.V.E., the *Stop Arm Violation Education* campaign to raise awareness of school bus safety to reduce violations of school bus stop-arms.

SEE ME!

See Me waiting!

See Me at the crosswalk!

See Me getting on the bus!

See Me walking away from the bus!



Dakota County Law Enforcement and the Toward Zero Death Coalition want drivers to **stop** for the school bus!

Detailed charts for both adult and juvenile cases charged by the Dakota County Attorney's Office in 2018 are available on the website at www.co.dakota.mn.us under Law & Justice.

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¹ In 2018, one juvenile was certified to be prosecuted as an adult.

² An adult may be charged with more than one crime in the same or separate behavioral incident.

³ Criminal charges are not evidence of guilt. A defendant is presumed innocent unless and until proven guilty.

⁴ Most domestic-related crimes are misdemeanors or gross misdemeanors prosecuted by city attorneys.

⁵ The number of cases involving the manufacture of illegal drugs in Minnesota dropped dramatically after the Legislature in 2005 placed restrictions upon the sale of ephedrine and pseudoephedrine (the precursor chemicals needed to manufacture methamphetamine). For the last three years (2016-2018) there were no cases involving the manufacture of illegal drugs in Dakota County.

⁶ As a result of changes in Minnesota law effective August 1, 2016, certain prior felony-level drug crimes are now a gross misdemeanor, resulting in 258 gross misdemeanor cases added onto the 621 felony-level.

⁷ Preliminary data from the Hennepin County Medical Examiner's Office.

⁸ This is preliminary data from the Minnesota Office of Traffic Safety. The official number will be available mid-year.

⁹ Most driving while impaired offenses are misdemeanors or gross misdemeanors prosecuted by city attorneys.

¹⁰ The Minnesota Department of Public Safety Office of Traffic Safety Crash Facts at www.dps.mn.gov.

¹¹ A juvenile may be charged with more than one crime in the same or separate behavioral incident.

¹² Criminal charges are not evidence of guilt. A defendant is presumed innocent unless and until proven guilty.

¹³ A juvenile may be referred to more than one Youth Accountability Program.

¹⁴ The Targeted Accountability Program (TAP) is for juveniles charged with a non-violent and non-coercive sex-related crime.