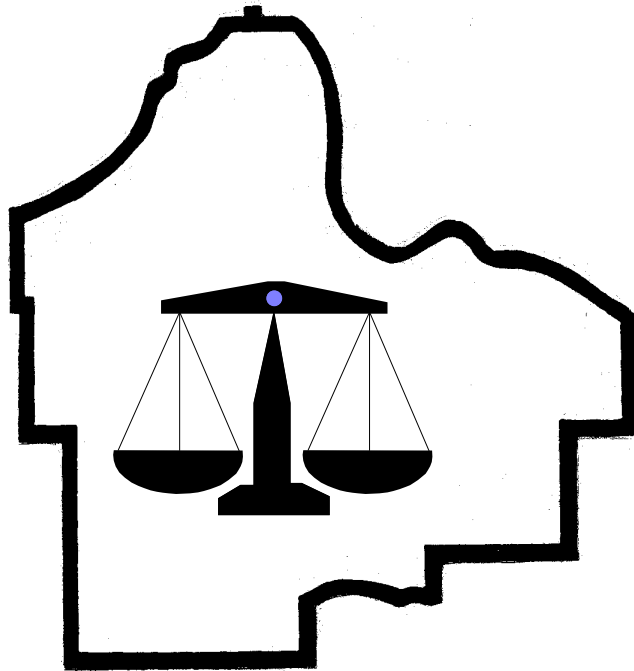


# **History of the Dakota County Attorney**



**Originally compiled for the  
Dakota County Sesquicentennial 1849-1999**

## Introduction

The position of the Dakota County Attorney has been held since 1853 by 23 unique and colorful persons who have had widespread impact upon the lives of individuals and the interests of justice in the historically rich community of Dakota County. Few persons have as great an impact upon our system of criminal justice as it has evolved in America than the “public prosecutor”. As described by United States Attorney General Robert H. Jackson in 1940: “The prosecutor has more control over life, liberty, and reputation than any other person in America.”

Prosecutors in America have come to possess a level of independence and discretionary authority that is unmatched in the world. Locally elected to insure direct accountability for the important decisions they make, prosecutors serve as the gatekeepers to the criminal justice system. The United States Supreme Court described the role of the prosecutor in these terms:

“Between the private life of a citizen and the public glare of criminal accusation stands the prosecutor. That state official has the power to employ the full machinery of the state in scrutinizing any given individual. Even if a defendant is ultimately acquitted, forced immersion in criminal investigation and adjudication is a wrenching disruption of everyday life. For this reason, we must have assurance that those who will wield this power will be guided solely by their sense of public responsibility for the attainment of justice.”<sup>1</sup>

The office of an independently elected County Attorney has been in existence since 1860 in Minnesota. Even prior to statehood, elected district attorneys existed within county boundaries within the Minnesota Territory, which included Dakota – an area which at one time stretched from the Mississippi to the Missouri River.

In Minnesota, the role of the County Attorney has evolved to be much more than just that of the public prosecutor. The County Attorney serves also as the “people’s lawyer” – overseeing all legal matters affecting county government -- from the building of roads, highways and parks, to protecting our environment from pollution, to serving as corporate counsel, civil legal advisor and litigator. In this capacity, the County Attorney serves as an important check and balance upon other county officials by interpreting the law and arbitrating conflicts when they arise.

As the “people’s lawyer”, the County Attorney also acts to protect the rights of children, vulnerable adults and others in need of protection and services. The County Attorney pursues commitment for those chemically dependent and mentally ill, establishes guardianships for individuals when needed, enforces child support obligations and safeguards the rights of the victims of crime.

Pursuing justice through initiation of criminal prosecutions and juvenile delinquency proceedings and protecting the public interest in carrying out the wide variety of other functions and

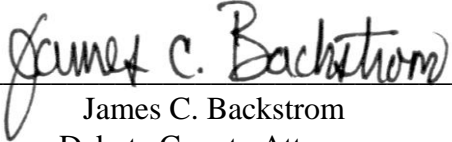
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<sup>1</sup> Young v. U.S. ex. rel. Vuitton, 107 S. Ct. 2141 (1987)

responsibilities reserved by law to the County Attorney has always required the exercise of good judgment and sound discretion. It requires the highest integrity and accountability. The Office of the Dakota County Attorney has always been filled by individuals who fit this mold.

A brief history of the individuals who have served as the Dakota County Attorney is contained within this booklet. I am extremely proud to be the 23<sup>rd</sup> individual to have served in this capacity for this outstanding community. From its modest beginnings as a part-time one-person office, the Dakota County Attorney's Office has evolved into the largest law firm in Dakota County. Thirty-three attorneys and a support staff of over fifty more individuals assist me today in carrying out the important responsibilities of this Office in the third largest county in Minnesota. These talented professionals help me to meet the many challenges and obligations of serving as the "public prosecutor" and "people's lawyer" here in Dakota County. It is a privilege and honor to hold this important post and to have followed in the footsteps of the many outstanding and talented individuals who have preceded me. I hope you enjoy this opportunity to learn a little more about the history of the Dakota County Attorney's Office.

October 1, 1999

  
James C. Backstrom  
Dakota County Attorney

# **HISTORY OF THE** **DAKOTA COUNTY ATTORNEY'S OFFICE**

## **James C. Dow**

Dakota County District Attorney July 1853 - October 1853

A native of Concord, New Hampshire, James C. Dow arrived in Olive Grove (now Hastings), in the early 1850's. Dow had been a student of President Franklin Pierce and was already an experienced attorney prior to his arrival in Hastings. On July 2, 1853, Dow was appointed Dakota County's first public prosecutor and civil legal advisor (then known as the District Attorney for Dakota County) by Governor Ramsey, who had been given the authority to appoint the county's first officers until successors could be elected in October of that same year. Later on February 26, 1855, Dow was named the prosecuting attorney for the third general term of the District Court for Dakota County. Later between 1857-58 Dow represented the Third District, Dakota County, as a member of the House in Minnesota's first Legislature.

## **Edward F. Parker**

Dakota County District Attorney From October 1853-1855

In 1852, Edward F. Parker arrived in Olive Grove from Pennsylvania as one of the areas first non-native settlers. In the spring of 1852, Parker left Hastings to marry Cynthia A. Pond. The couple was married in Stillwater and lived in Point Douglas with Pond's brother before returning to Hastings. Parker was an integral part of Hastings' early history. In the winter of 1851-52, he helped erect the area's first framed house. In 1854, as Dakota County's First Justice of the Peace, he married the first couple, Stephen Graham and Jeanette Felton, in Hastings. Parker's daughter Cora E. Parker, born on April 17, 1853, was the first child born in Hastings. In October 1853, Parker became Dakota County's first elected District Attorney, replacing James C. Dow. He was elected to this office again in 1859 for another two-year term.

## **Oren T. Hayes**

(1827-1894)

Dakota County District Attorney From 1856-1857

Oren T. Hayes was born on December 2, 1827 in New London, New Hampshire. He attended public school and the academy there. Hayes first read law in Andover, New Hampshire, with Samuel Butterfield, remaining there for four years. Before coming to Hastings in the fall of 1853, Hayes served as postmaster and justice of the peace at George's Mills in Sullivan County, New Hampshire. Hayes married Lucena Emerson of New London, New Hampshire early in his life. They had three children before her death in 1858. In 1859, he married Mary C. Matthews

and they had two children. Hayes was an ardent supporter of the Democratic Party. Hayes was appointed County District Attorney of Dakota County by Governor Gorman. He later served as Mayor of Hastings in 1860. In 1861, Hayes helped raise Company H, First Minnesota Volunteer Infantry, and went out with that company as a First Lieutenant to fight the Civil War.

**Seagrave Smith**

(1828-?)

Dakota County District Attorney From 1857-1859

The Honorable Seagrave Smith was born on September 16, 1828 in Stafford, Connecticut. He grew up on a farm and attended the village school until he was fifteen. He then received tutelage under Reverend George W. Pendleton, the Baptist clergyman of the church where his mother and father were members. He then entered the Connecticut Literary Institution and graduated in 1848.

Judge Smith had made up his mind to become a lawyer, but his father, opposed to the idea, offered to transfer one-half of his property and an equal partnership in the business to Smith. Further, the elder Smith threatened to withhold any further financial assistance if Smith did not accept the offer. But Smith was not deterred. He began teaching school and reading law in the office of Alvin T. Hyde of Stafford, Connecticut in September 1849. Smith was admitted to the Bar on August 13, 1852.

Moving West, Judge Smith settled in Hastings in the spring of 1857. That same year he was elected Dakota County District Attorney. Smith was elected County Commissioner in 1860 and Judge of Probate in 1861, 1863, and 1865. He was elected to the State Senate in 1868 and 1869, and again elected County Attorney in 1871. In 1887, he was elected City Attorney. In March 1889, he was appointed Judge of the District Court of the Fourth Judicial District.

Judge Smith was married three times. His first marriage was to Miss S. Almira Cady. They had four children before she died. His second marriage was to Mrs. Fidelia P. Hatch, and they had one son. His third marriage was to Mrs. Harriet P. Norton. Judge Smith was very domestic and when not engaged in business he could always be found at home. Judge Smith was especially interested in the public school system, and was influential in establishing the graded schools of Hastings.

Judge Smith was well known for his superior ability and strict integrity. He discharged his duties in a manner which commanded the confidence and respect of his peers and the public.

**Edward F. Parker**

Dakota County Attorney From 1859-1861

(See text on page 1)

**T. R. Huddleston**

Dakota County Attorney From 1861-1865

A native of England, Huddleston was admitted to the Bar in Dakota County in 1859. Huddleston served as a First Lieutenant in Company F of the Seventh Infantry. Huddleston was elected Dakota County Attorney in the elections of 1861, 1863, and 1867, and later served as Justice of the Peace for Hastings.

**Roswell Judson**

Dakota County Attorney From 1865-1867

Judson was born on November 19, 1806 in Delaware County, New York. He was educated at the Butternut School in Otsego County, New York, and later taught school for five years. In 1835 he married Amanda Harris who died the same year. Later, he married Lucy M. Babcock with whom he raised three sons. Judson began studying law in 1829 in Oneida County, New York. He was admitted to the Court of Common Pleas and the Supreme Court of Chancery in 1834. Later, he moved to Minnesota and established the firm of Maynard and Judson in Sherburne. The firm later expanded to Hastings in 1863 and what is now known as Farmington in 1867. Judson was one of the incorporators of Farmington and was elected the town's first clerk in April, 1881.

**T. R. Huddleston**

Dakota County Attorney From 1867-1871

(See previous text on this page.)

**Seagrave Smith**

(1828-?)

Dakota County Attorney From 1871-1873

(See previous text on page 2.)

**E. Parliman**

Dakota County Attorney From 1873-1877

Parliman served as a Lieutenant in the Company F, Second Minnesota Volunteer Cavalry and was later promoted to Captain. He was elected Dakota County Attorney in 1873 and 1875. Parliman was elected City Attorney for Hastings in 1874 and was later appointed District Court Judge of Sioux Falls, South Dakota.

**Jasper Newton Searles**

(1840-1927)

Dakota County Attorney From 1877-1879

The Honorable Jasper Newton Searles was a member of the expedition which was sent to establish what has become known as Fort Wadsworth. Searles was born on a farm near Cleveland, Ohio on November 11, 1840. The Searles family settled in Hastings in 1855. Before Searles began the study of law, he fought in the Civil War on behalf of the North. In 1866, Searles moved from Hastings and entered the University of Michigan law department where he graduated with an LL.B. in 1869. After graduation, Searles returned to Hastings in 1870 and later became Dakota County Attorney in 1877. In 1879, he was elected as a State Representative for Dakota County. After the completion of his first term in office in 1881, Searles moved to Stillwater and began his own private practice. Former Governor J.A.A. Burnquist described him as one of the most talented attorneys in the State of Minnesota. Later, Searles was appointed Judge of the 9th Judicial District where he remained until his death in 1927.

**Albert Schaller**

(1856-1939)

Dakota County Attorney From 1879-1891

The Honorable Albert Schaller was born in Chicago on May 20, 1856. However, the young Schaller was not a resident of Chicago for long. At the age of six weeks, Albert and his family trekked up through the Mississippi Valley to Hastings where the Schaller family eventually settled. It was the first and last time that Albert would ever have to pull up his roots and relocate except for his college and law school days. He became a lifetime resident of Hastings. In fact, Schaller was a resident of Minnesota before it became a state, when it was nothing more than a parcel of the Northwest Territories. Schaller left Hastings after receiving his public school education to attend St. Vincent's College at Cape Girardeau, Missouri. Following graduation from St. Vincent's, Schaller packed his bags and headed for France where he undertook graduate studies. Apparently, Schaller's interest in France stemmed from the fact that both of his parents were natives of France. Upon his return from France, Schaller entered the law department of Washington University at St. Louis where he graduated with an LL.B. in 1879.

Immediately following his graduation in 1879, Schaller was appointed to the post of Dakota County Attorney where he remained until 1891 when he assumed the post of Hastings City Attorney. Schaller was an active politician, winning a Democratic seat in the State Senate in 1894 as well as serving as a delegate at the 1896 Democratic National Convention which nominated William Jennings Bryan for President. As a State Senator, Schaller was an influential advocate in securing the enactment of the Workers' Compensation Act for Minnesota.

Just as Schaller was beginning to serve his sixth term as State Senator in 1915, he was appointed as an Associate Justice of the Minnesota Supreme Court. He resigned the Court in 1917. Schaller had been sick and bedridden for nearly two months. Former Governor J.A.A. Burnquist described Schaller as “[a] man of high professional attainments and incorruptible integrity”.

### **E. A. Whitford**

(1859-1914)

Dakota County Attorney From 1891-1893

While still a young boy, Edmund A. Whitford moved from Kansas and settled on a farm in Dakota County with his family. Whitford received his law degree in 1882 from the University of Michigan and was admitted to the Minnesota Bar in the same year. For several years, Whitford was the city attorney for the city of Hastings until he was elected to the office of Dakota County Attorney in 1890. He served one term but declined a re-election. In 1900, Whitford was elected a member of the House of Representatives and served during the Session of 1901. However, Whitford preferred the seclusion of his study and office to the publicity of elected office and never again occupied a public office.

Mr. Whitford was active in a variety of community affairs. Mr. Whitford was a member of several leading civic societies and was active in promoting the welfare of the community. Up until the time of his death he took a keen interest in everything that tended towards the progress and well being of his native state, county and city. He was also considered to be a brilliant trial attorney with keen analytical sense and an eye for detail.

Mr. Whitford spent a considerable amount of time during the last twelve years of his life traveling in an attempt to re-establish his failing health. Although Mr. Whitford suffered great physical pain, he was always cheerful and was courteous, generous, and open handed in all matters in which the public was interested or concerned. Whitford passed away on February 13, 1914.

**James A. Millet**  
(1869-1939)

Dakota County Attorney From 1893-1894

James A. Millet was born, raised, and educated in Hastings. In fact, the Millet family is one of Hastings' founding pioneer families. Millet received both his undergraduate and law degrees from the University of Minnesota. Thereafter, in addition to serving as Dakota County Attorney, Millet served as the Hastings City Attorney. Additionally, Millet was elected to the State Senate in 1915 where he served until 1930. Millet died on July 7, 1939, at the age of 70, in the Hastings hospital after enduring an extended battle with heart disease.

**William Hodgson**  
(1847-1914)

Dakota County Attorney From 1894-1903

In only his eighth year of life, the Honorable William Hodgson and his family packed their bags and left their northern Illinois homestead to settle on a farm just outside of Hastings. As with his predecessor Albert Schaller, Hodgson became a lifetime resident of Hastings. Hodgson obtained a common school education in Hastings until 1862, when at the age of 15, he enlisted in the Minnesota Cavalry where he remained until the close of the Civil War in 1865. Shortly after his stint with the Minnesota Cavalry, Hodgson enrolled at Hamline University, graduating in 1868. For the next two years, Hodgson studied law in Red Wing. He was admitted to the Bar in 1870. Hodgson practiced law in the Red Wing and Farmington vicinity until 1894 when he relocated his practice to Hastings.

Shortly after locating his practice in Hastings, Hodgson was elected to the post of County Attorney which he relinquished in 1903 to become Mayor of Hastings. However, Hodgson assumed the Office of County Attorney for a second time in 1905 and served as County Attorney until his appointment to the First Judicial District bench following the death of Judge F. Crosby who had become somewhat of a judicial legend. Hodgson ran unopposed in 1912 for the First Judicial District judgeship. Unfortunately, Judge Hodgson never finished his six-year term. Judge Hodgson died on April 26, 1914 after a year-long illness due to a fall.

Judge Hodgson was widely known and regarded as having one of the keenest judicial minds in the state. In addition to serving as the Mayor of Hastings and Dakota County Attorney, Hodgson served as alderman in the third ward, a member of the Hastings Board of Education, Hastings City Attorney and during one session of the Legislature acted as legal advisor to the Judiciary Committee of the State Senate. Following Hodgson's death, former County Attorney Albert Schaller and future County Attorney P. H. O'Keefe authored a memorial to Hodgson in the Minnesota Bar Association Proceedings. In the memorial, Schaller and O'Keefe described Hodgson as a man who possessed "great kindness of heart and a legal acumen and ability which is rarely, if ever, equaled". Schaller and O'Keefe further described Hodgson as a man who had the "highest regard and respect for others; a man who was charitable, merciful, conscientious, frank, open and honest; a man who loved nature and children".

**Patrick Henry O'Keefe**  
(1870-1924)

Dakota County Attorney From 1903-1905

P.H. O'Keefe was born on March 15, 1870 on a farm near Miesville, Minnesota. A staunch Democrat, a devoted Catholic and an avid baseball fan, O'Keefe was prominent in both legal and political circles throughout Minnesota. Former Minnesota Governor J.A.A. Burnquist described O'Keefe as a man accorded universal confidence and esteem. Prior to beginning his legal education at the University of Minnesota in 1891, O'Keefe taught in the public schools of Dakota County for nearly four years. Following his graduation from the University of Minnesota Law School with an LL.D. in 1894, O'Keefe accepted the position of City Attorney for South Saint Paul where he remained until 1903 when he was elected as Dakota County Attorney. O'Keefe vacated the Office of County Attorney in 1905 only to reassume the office again in 1911. O'Keefe held the County Attorney post until 1921 when he was elected for a two-year term in the State Legislature. O'Keefe's political involvement was extensive. In fact, O'Keefe attended the Democratic National Convention twice, the 1912 convention in Baltimore and the 1916 convention in St. Louis, both of which nominated Woodrow Wilson. P.H. O'Keefe died at the age of 54 on October 23, 1924 after a long illness.

**William Hodgson**  
(1847-1914)

Dakota County Attorney From 1905-1910

(See previous text on page 6.)

**Patrick Henry O'Keefe**  
(1870-1924)

Dakota County Attorney From 1911-1919

(See previous text above.)

**Alfred E. Rietz**  
(1884-1950)

Dakota County Attorney From 1919-1923

Alfred E. Rietz was born near Victoria in Carver County in 1884 and graduated from the University of Minnesota Law School in 1909. That same year Mr. Rietz opened up his private practice in Farmington, Minnesota, which he maintained throughout his life. Rietz served as the Dakota County Attorney from 1919 until 1923. During his term as County Attorney, Rietz prosecuted the Birchen case. Birchen was part of a gang who held up and robbed Hastings

residents. The courtroom overflowed as spectators crowded in to watch one of the most sensational and spectacular cases Dakota County had ever seen.

In 1928 he was appointed Assistant General Attorney for the Chicago, St. Paul and Omaha Railway Co, and later was appointed General Attorney with offices in St. Paul. Rietz continued in that position until 1949 when, having reached retirement age, he returned to his private practice in Farmington.

Mr. Rietz was described as a man of sterling character with strict convictions and the courage to express them. When he passed away in May of 1950, all the stores in Farmington closed during the hours of the funeral.

### **Alfred M. Joyce**

(1894-?)

Dakota County Attorney From 1923-1931

At the time of his appointment in 1923, Alfred M. Joyce had the notable distinction of being the youngest County Attorney in Minnesota history, until Harold E. Stassen assumed the office eight years later. When Joyce assumed the office in 1923, he was but 28 years old. A lover of the great outdoors, Joyce was fond of both fishing and tennis. Joyce became an active member of a number of community organizations sharing his time with the Kiwanis club, The Elks, the Odd Fellow Club, and the royal Arch Masons. Former Governor J.A.A. Burnquist described Joyce as a man who was “essentially public-spirited [whose] cooperation [could] always be counted upon in the furtherance of any movement for the benefit of the community at large”. Joyce was also known to be a man who was not afraid to place himself in a political foray, lending his support to the individual whom he felt was best suited for the office in question without regard for party ties.

Joyce was born on a farm near Milan, Minnesota on October 10, 1894. Joyce received his Bachelor of Arts degree from the University of Minnesota in 1915 where he was also a member of Phi Gamma Delta. Immediately following his graduation from the University of Minnesota, Joyce began the study of law at the St. Paul College of Law. Amazingly, Joyce graduated from law school and was admitted to the Minnesota Bar in 1917, only two years after entering law school! Following his admittance to the Bar, Joyce was shipped to the front lines of World War I in France where he became a lieutenant in the Aviation Corps and commanding officer of the 94th Aero Squadron in 1918. Upon his return to the United States in 1919, Joyce was appointed the post of South St. Paul City Attorney until 1923 when Joyce became Dakota County Attorney.

## **Harold E. Stassen**

(1907-2001)

Dakota County Attorney From 1931-1938

Harold E. Stassen is the most famous individual to have occupied the Office of Dakota County Attorney. Stassen's list of accomplishments following his departure from the Dakota County Attorney's Office is great. Only two years after graduating from the University of Minnesota Law School where he had served on law review, at the age of 23, Stassen was appointed Dakota County Attorney, a post which he held until 1939. During his tenure as Dakota County Attorney, Stassen served as president of the Young Republicans, as counsel to help raise milk prices to avert a strike in 1932, as counsel for the meat packing house workers in South St. Paul, and as counsel on the compliance board to rehire workers in 1933.

He was known as an aggressive prosecutor who took on organized crime activities in Dakota County. In 1932, he helped organize and personally participated in a horseback search which resulted in the apprehension of two escaped inmates from the Dakota County Jail in Hastings. While escaping, the inmates, Harold Wilder and Dewey Sharpe, shot and killed Sheriff Deputy Rudolph Fischer. Stassen convicted both Wilder and Sharpe of murder and they were sentenced to life in prison.

In 1933, Stassen became the first Dakota County Attorney to argue a case before the United States Supreme Court. This case involved a tax dispute over whether the County could tax livestock which was being moved from interstate commerce, but was awaiting sale or shipment at the South St. Paul Stockyards. The United States Supreme Court concluded that this was taxable property.

In the fall of 1938, at 31 years of age, Stassen was elected Governor of Minnesota -- the youngest Governor to ever occupy the office. While Governor, Stassen served as a delegate at the 1940 Republican National Convention and as chairman of the National Governor's conference between 1940 and 1942.

Stassen resigned as Governor in 1943 with one year remaining in his term in order to join the U.S. Navy and serve under Admiral William Halsey in the capacity of Assistant Chief of Staff. He was decorated three times and was awarded six major battle stars while serving under Halsey. One such decoration that Stassen received was the Navy's "Legion of Merit" decoration for his "exceptionally meritorious service" during an amphibious operation in the Philippines in 1945. Upon his return to Minnesota, Stassen discovered that his political fortunes had faded badly and decided to leave the State of Minnesota and pursue the intellectual and scholarly life. In 1946, Stassen was a Godkind lecturer on human rights at Harvard University.

In 1948, Stassen made a strong bid for the Republican nomination for President of the United States before losing a close battle with Thomas Dewey, who later lost a close election to Harry Truman. In 1952 he again ran for the Republican presidential nomination before throwing his support to Dwight D. Eisenhower. Stassen later campaigned unsuccessfully for President in 1964, 1968, 1976, 1980, 1984, 1988 and 1992.

In 1948, Stassen accepted the position of President of the University of Pennsylvania where he remained until 1953. Apparently, the life of a pure intellectual couldn't quell the politician within Stassen. He resigned the presidency of the University of Pennsylvania in 1953 in order to serve on the National Security Council under President Dwight D. Eisenhower. Under Eisenhower, Stassen also served as the Director of Foreign Operations (1953-55), the Director of the Mutual Security Administration (1953), a member of the Economic Council, a member of the Operations Coordinating Board, and a Cabinet participant. In addition, Stassen served as chief negotiator at the arms control negotiations in London from 1957 through 1958 which involved the Soviet Union, France, Great Britain, China, and the United States. Stassen's vision of world peace and disarmament was considered a radical vision in the 1930's, 40's and 50's. Stassen's belief in world peace caused President Eisenhower to refer to Stassen as the "Secretary of Peace". Then-Secretary of State John Foster Dulles was jokingly referred to by President Eisenhower as the "Secretary of War" in reaction to the term attached to Stassen and Dulles' belief in the containment policy of the Cold War era which Stassen opposed. It was rumored that Dulles took great exception to the label he was given in jest.

Following the arms limitation talks in London, Stassen returned to Pennsylvania and unsuccessfully ran for the Office of Governor in 1958 and Mayor of Philadelphia in 1959. After his unsuccessful bids for political office in Pennsylvania, Stassen participated in the Civil Rights Conferences conducted by John F. Kennedy in the early 1960's.

Perhaps Stassen will best be remembered for his contributions toward the formation of the United Nations -- he was one of the first individuals to urge the formation of an international organization such as the United Nations. Stassen was summoned along with seven other prominent American intellectuals by Franklin D. Roosevelt, who appreciated Stassen's bipartisan approach to world affairs, to draw up a charter for the United Nations. Stassen signed the United Nations charter in 1945.

Stassen continued to speak on behalf of world peace and disarmament into the 1990's. In fact, the Stassen Center for World Peace was established at the H.H.H. Institute for Public Affairs at the University of Minnesota in 1982. In 1987, Stassen was asked why he entered the political arena. He replied that he was determined "that in my lifetime I'd try to make a contribution to world peace . . . . That is why I entered politics". Harold Stassen remained active and involved in public affairs until his death at age 93 in 2001.

**David L. Grannis, Jr.**

(1910-1980)

Dakota County Attorney From 1939-1944

David L. Grannis, Jr. was born on June 24, 1910, the son of David L. Grannis, Sr., a one-time City Attorney for South St. Paul and well-respected lawyer throughout Minnesota and Iowa. Grannis was educated in the public schools of Hastings until his enrollment at Carleton College in Northfield, Minnesota where he graduated with a B.A. degree in 1931. Following his graduation from Harvard law School in 1935, Grannis joined the firm of Grannis & Grannis in South St. Paul. Four years later, in 1939, Grannis became Dakota County Attorney after Stassen became Governor. A lover of the great outdoors, Grannis liked to golf, hunt and fish. As was the case with Harold Stassen, Grannis was a Republican. Grannis was community-oriented as evidenced through his membership in the Kiwanis, VFW, Somerset Country Club, Southview Country Club, and the Pool and Yacht Club. Grannis vacated the Office of Dakota County Attorney in 1944 in order to serve in the United States Navy in the Pacific theater. During Grannis's absence, David's brother, Vance, fulfilled the obligations of County Attorney. Upon his return, David L. Grannis, Jr. once again assumed the Office of Dakota County Attorney. Following his tenure as County Attorney, Grannis returned to practice with the family firm in South St. Paul where he remained until his death on June 20, 1980.

**Vance B. Grannis**

(1908-1999)

Dakota County Attorney From 1944-1945

Vance B. Grannis was born in South St. Paul on September 3, 1908. He attended public schools. He graduated from Carlton College in 1929 and went on to the University of Minnesota's Law School. Vance B. Grannis was acting Dakota County Attorney during his brother's absence. Like his brother, Grannis is a strong Republican and enjoyed a good round of golf. Vance was an Assistant County Attorney from 1938 until 1944. Following his stint as Dakota County Attorney, Vance Grannis returned to practice with the family firm in South St. Paul. He once represented a woman who was acquitted of murder charges based upon the alleged poisoning of her husband. The case, which was prosecuted by former Gov. Harold Stassen when he was the Dakota County Attorney, drew plenty of media attention. Vance Grannis was a highly respected member of the Bar in Dakota County for over 50 years. Following his service as Dakota County Attorney, he continued to practice law at the family law firm in South St. Paul and later Eagan until the age of 86.

**David L. Grannis, Jr.**

(1910-1980)

Dakota County Attorney From 1945-1948

(See previous text on page 10.)

**Roy C. Nelsen**

(1903-1963)

Dakota County Attorney From 1948-1960

Roy C. Nelsen was born in St. Paul on October 25, 1903, and grew up in West St. Paul. He graduated from Humboldt High School in St. Paul and from the St. Paul College of Law, cum laude, in 1923. Two years later, he was admitted to the Minnesota bar. Following graduation from law school, he practiced law with L.C. Shepley of South St. Paul, then took a position with the National City Bank of New York at its Chicago branch. Upon his return to St. Paul, he again practiced law, in the offices of Maurice Moriarity.

In 1935, he assumed duties as deputy Dakota County Auditor under the late Nick Marshall. After Marschall's death in 1940, Nelsen was appointed as the Dakota County Auditor, and was elected to that office in 1942.

Upon the resignation of David L. Grannis, Jr. in 1948, Nelson was appointed by the County Board as the Dakota County Attorney for the remainder of Grannis' term. Subsequent elections returned Nelsen as County Attorney until the fall of 1960, when he was elected District Judge to fill the position vacated by the retiring judge, W.A. Schultz. Judge Nelsen was extremely active in civic, church and social organizations in Hastings during his residency at the County seat, which dates back to 1935 when he married Edith Larson.

In the early morning hours of October 5, 1963 at 9<sup>th</sup> and Ashland Streets in Hastings, Judge Nelsen and his wife were tragically killed when their car collided with another car driven by a 19-year-old youth. There were no eyewitnesses to the crash in which Judge Nelsen and his wife were thrown from their car and later pronounced dead from extensive injuries. The 19-year-old was uninjured.

The Nelsen's funeral on October 10, 1963 was one of the largest ever witnessed in Hastings and included the Chief Justice and four Associate Justices of the Minnesota Supreme court, numerous District Court judges, other County officials, and numerous friends and relatives.

Judge Nelsen served as a Dakota County official for 28 years, including 12 years as the Dakota County Attorney.

**J. Jerome Kluck**

(1920-1983)

Dakota County Attorney From 1960-1973

The Honorable J. Jerome Kluck attended St. Thomas College from 1938 until 1941 when he was called to service in the United States Navy as an aviator. Shortly after his return from service in World War II, Kluck enrolled at the St. Paul College of Law where he graduated in 1949. Kluck entered private practice in 1950 and was appointed municipal judge of West St. Paul in 1952. Kluck maintained both the private practice and the municipal judgeship until his election as Dakota County Attorney in 1960. While County Attorney, Kluck was elected President of the Minnesota County Attorneys Association. In 1973, Kluck resigned the office of County Attorney upon becoming a judge in the First Judicial District. He died in his chambers in Hastings on March 28, 1983, after suffering a heart attack.

**John O. Sonsteng**

(1941- )

Dakota County Attorney From 1973-1979

John O. Sonsteng was born in Minneapolis, Minnesota on April 18, 1941. Following his graduation from St. John's University in Collegeville, Minnesota, with a Bachelor of Arts degree in 1964, Sonsteng began his study of law at the University of Minnesota. Sonsteng received his Juris Doctorate degree in 1967. He served as an Assistant County Attorney under J. Jerome Kluck and became County Attorney following Kluck's appointment to the bench. He was an active member in the National Institute of Trial Advocacy while he was County Attorney, lecturing on topics including trial tactics and demonstrative evidence. Under Sonsteng's leadership, the County Attorney's Office received three National Association of Counties Achievement Awards in recognition of contributing to the cause of strong, efficient, and modern county government. Sonsteng resigned the Office of Dakota County Attorney in 1979 in order to pursue a teaching career at the William Mitchell College of Law, where he serves as a full-time instructor in trial advocacy. In 1988, he became a Fulbright Scholar at the University of Aberdeen Law School in Scotland. Together with William Mitchell Professor Roger Haydock, Sonsteng has co-authored several books on trial advocacy and is a noted lecturer on this topic in Minnesota and across the country.

**Robert F. Carolan**

(1945- )

Dakota County Attorney From 1979-1987

A native of Decorah, Iowa, the Honorable Robert F. Carolan received his Bachelor of Arts degree (magna cum laude) from St. Mary's College in Winona, Minnesota (1967). He received his Juris Doctorate (cum laude) from the University of Iowa School of Law (1970). Following his graduation from the University of Iowa School of Law and prior to beginning his tenure with the Dakota County Attorney's Office, Carolan was a member of the Minnesota Attorney General's Office. Carolan began working as an attorney for Dakota County in 1974 and served as head of the Office's Civil Division from 1974 to 1979, when he was appointed County Attorney following the resignation of John O. Sonsteng. While County Attorney, Carolan was an

active member of both the National District Attorneys Association and the Minnesota County Attorneys Association, serving on the governing body of both associations. Carolan resigned the position of Dakota County Attorney in the fall of 1987 following his appointment to the First Judicial District bench by Governor Rudy Perpich.

Carolan has established himself as an outstanding member of the bench in the First Judicial District. The highlights of his judicial career to date include presiding over two first degree murder trials and being appointed by the Minnesota Supreme Court in 1990 to preside over all litigation surrounding deaths and injuries suffered by hundreds of users of health food products containing the chemical l-tryptophan. This complex mass tort litigation involved cases that spanned over four years. Carolan has also taught trial skills to participants in moot court competitions at William Mitchell College of Law.

**James C. Backstrom**

(1953- )

Dakota County Attorney From 1987-Present

James C. Backstrom was born and raised in Duluth, Minnesota. He attended the University of Minnesota at Duluth, graduating magna cum laude in 1974 with a B.A. degree. He moved to Inver Grove Heights that same year, where he continues to live today, and entered law school. He received his J.D. degree from William Mitchell College of Law in 1978, graduating with honors. Backstrom began his work in the Dakota County Attorney's Office as a law clerk in 1977 and was hired as an Assistant County Attorney by John O. Sonsteng in 1978. He became head of the Office's Civil Division in 1982, where he remained until his appointment as Robert Carolan's successor in 1987. Backstrom served as president of the First District Bar Association in Dakota and Goodhue Counties in 1990.

Backstrom has been an active member with the Minnesota County Attorneys Association, serving on its Board of Directors, and as its President in 1994. Backstrom has been a member of the Board of Directors of the National District Attorneys Association (NDAA) since 1992, serving as Minnesota's State Director for four years and as a director-at-large for one year. In 1997, Backstrom was elected to a 3-year post as a vice-president of NDAA. He also served as co-chair of NDAA's Juvenile Justice Committee for a number of years. Backstrom has implemented a number of innovative programs geared toward crime prevention and has written numerous articles and spoken at national conferences in the area of juvenile justice. Backstrom also expanded services offered to victims of crime in Dakota County through creation of a volunteer victim/witness advocate program and development of an automated voice response victim court information system.

Under Backstrom's leadership, his office received eight National Association of Counties Achievement Awards for innovative programs. He also was the recipient of an Outstanding Service Award from Mothers Against Drunk Driving in 2001 in recognition of exceptional and devoted service to the issue of drunk driving. His office was recognized in 1993 by the United States Department of Agriculture for creation of an effective fraud prevention and control initiative in cooperation with the Dakota County Sheriff and the County's Human Services Department. In 1998, Backstrom received a national award from the Office of Juvenile Justice

and Delinquency Prevention for exemplary work in the area of juvenile justice. Backstrom was selected to serve on a nation-wide panel of experts in April, 1998, which met with President Clinton and Attorney General Janet Reno to discuss violence in America's schools.

On October 6, 1998, Backstrom became the first Dakota County Attorney in 65 years to argue a case before the United States Supreme Court. The only other Dakota County Attorney to have this opportunity was Harold Stassen in 1933. Backstrom's argument involved the question of whether two out-of-town drug dealers who were observed packaging cocaine through a gap in the window blinds of an apartment window in Eagan had the same level of privacy protections as the apartment's resident under the Fourth Amendment of the United States Constitution. The United States Supreme Court concluded that short-term business visitors in another's home did not have such privacy expectations and reversed the decision of the Minnesota Supreme Court to the contrary.

Backstrom has been active at the Minnesota Legislature, proposing numerous laws aimed at improving the criminal justice system. He helped secure passage of tougher criminal laws against child abusers, probation violators, drunk drivers and drug dealers, as well as legislation which makes it easier for child victims to testify in court. Backstrom was re-elected to his third full-term as Dakota County Attorney in 1998.

*Revised: April 2001*

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