

OFFICE OF DAKOTA COUNTY ATTORNEY  
**JAMES C. BACKSTROM**  
COUNTY ATTORNEY

**2017 Criminal Prosecution Highlights**  
**Adult Felony and Juvenile Crimes**

**A Message from the Dakota County Attorney...**

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."* As County Attorney, I believe it is important that people who commit crimes are brought to justice and held accountable for their actions. I also believe that 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 harmed them.

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

I am proud of the work our dedicated team of prosecutors and support staff performed related to adult and juvenile criminal activity in 2017. 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. I look forward to serving you in the future.



*James C. Backstrom*

James C. Backstrom  
Dakota County Attorney  
Dakota County Attorney's Office  
1560 Highway 55  
Hastings, MN 55033  
651-438-4438  
[www.co.dakota.mn.us](http://www.co.dakota.mn.us)

## ADULT CRIMES

The Dakota County Attorney's Office is responsible for prosecuting all felonies and a limited number of gross misdemeanors and misdemeanors committed within Dakota County by adults (persons 18 years of age and over), and juveniles certified for prosecution as adults<sup>1</sup>. The Office also prosecutes gross misdemeanor and misdemeanor offenses that occur in the unincorporated sections of Dakota County.

The Office also reviews cases for prosecution that are submitted by local, state and federal law enforcement agencies including sheriffs' offices, police departments, the Minnesota Bureau of Criminal Apprehension (BCA), the Minnesota Department of Commerce, the Federal Bureau of Investigation (FBI), and the Drug Enforcement Administration (DEA).

- In 2017, there were **2,154 adult criminal cases**<sup>2</sup> charged<sup>3</sup> in Dakota County that involved a felony-level offense (up slightly from 2,135 in 2016).

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>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Apple Valley	214	164	124	123	153
Burnsville	362	405	321	305	298
Dakota County Sheriff	204	190	166	104	99
Eagan	298	309	263	244	251
Farmington	36	44	39	41	33
Hastings	161	150	124	118	87
Inver Grove Heights	151	164	117	113	107
Lakeville	166	162	128	108	140
Mendota Heights	26	30	19	17	19
Rosemount	91	64	38	52	31
South St. Paul	159	153	151	130	132
West St. Paul	202	235	225	150	136

## ADULT CRIMES OF VIOLENCE

Sadly, violent crimes occur far too frequently every day in America. In 2017, a total of **480<sup>4</sup> violent crime cases** were charged in Dakota County compared to 494 cases charged in 2016.

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

- 229** assault cases (includes domestic-related felonies)<sup>5</sup>
- 139** threats of violence cases
- 58** sex-related cases
- 52** dangerous weapon cases
- 43** robbery cases
- 14** criminal vehicular homicide or injury cases
- 4** kidnapping cases

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 manufacture of drugs continue to be a significant problem in our community. In 2017, the Dakota County Attorney's Office prosecuted **902<sup>6</sup> felony and gross misdemeanor cases** involving illegal drugs.

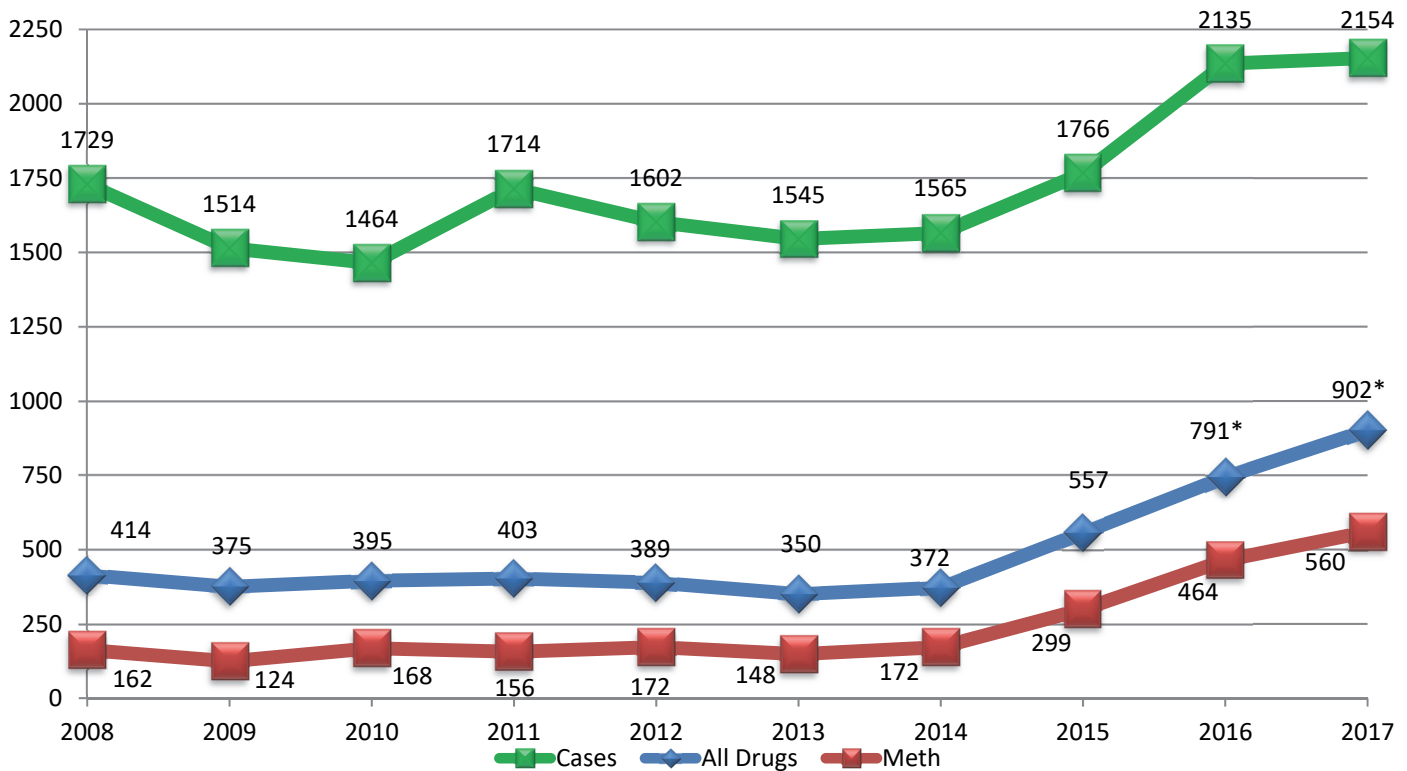
We work closely with the **Dakota County Drug Task Force** in combatting illegal drug activity in our community. The task force includes specially trained officers from the Dakota County Sheriff's Office and police departments in Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights,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

A wide variety of drugs are illegally sold, possessed, or manufactured<sup>7</sup> in Dakota County. The top five drug types charged in 2017 were:

<b>Meth-related</b>	<b>560 cases charged</b>	(464 in 2016)
<b>Cocaine</b>	<b>113 cases charged</b>	( 79 in 2016)
<b>Marijuana</b>	<b>90 cases charged</b>	(113 in 2016)
<b>Prescriptions</b>	<b>81 cases charged</b>	( 90 in 2016)
<b>Heroin</b>	<b>46 cases charged</b>	( 56 in 2016)

Methamphetamine is by far the largest illegal drug problem in our community and these cases increased by almost 21% from the previous year. 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 through well-organized criminal organizations. Recently, these criminal organizations have diversified their operation and it is not uncommon for such organizations to distribute multiple types of drugs.

**ADULT CASES CHARGED**



\*These numbers include 225 gross misdemeanor cases charged 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. Often the abuse of prescription medication leads to the use of other illegal street drugs such as heroin. Opioid prescription drugs and heroin and their highly addictive effects often lead to tragic consequences. According to the Hennepin County Medical Examiner's Office there were at least **24 overdose deaths**<sup>8</sup> attributed to opioid or heroin abuse in Dakota County in 2017 (compared to 22 in 2016).

Often the methamphetamine and heroin addiction we see 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.

*"Companies that manufacture, distribute and fraudulently and aggressively market opioid pain medications have caused significant problems with addiction in Dakota County. In an effort to hold these companies accountable for these negligent and unfair trade practices which have harmed citizens, filled our jail and strained public health resources, in 2017 the Dakota County Board of Commissioners authorized commencement of a civil lawsuit against pharmaceutical companies and distributors."*

James C. Backstrom  
Dakota County Attorney

To combat the theft of prescription drugs and to ensure safe environmental disposal of these medications, law enforcement agencies throughout Dakota County have drop-off boxes to collect unused and expired prescription and over-the-counter medications. To find out more about this important service go to [www.DakotaCountySheriff.org](http://www.DakotaCountySheriff.org) and look for the "drug drop-off" locations.

### 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 is a voluntary program that 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 2017, **19 adults** were referred to the Adult Drug Court program. Since the start of the program in 2008, **79 individuals** have graduated successfully.

### TRAFFIC-RELATED CASES

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 DWI<sup>9</sup>. A felony-level DWI occurs after an individual has had four DWI's within 10 years. In 2017 there were **26 cases** involving a charge of felony-level DWI in Dakota County (compared to 27 in 2016).

In Dakota County in 2017, **11 individuals** were killed in fatal crashes. The preliminary data<sup>10</sup> for 2017 shows **357 individuals were killed** in motor vehicle crashes on Minnesota roads (53 were motorcyclists, 40 pedestrians, and 6 bicyclists) compared to 397 in 2016. This is the lowest number of fatalities in the state since 1943 (274). Additionally, it is estimated that **1,865 individuals were seriously injured** in Minnesota traffic crashes. Approximately one out of every three traffic fatalities in Minnesota is alcohol-related. Distracted driving, much of which involves the use of cell phones, is a rising problem. It is estimated that 20% of all crashes involve a distraction. Make safe choices when behind the wheel and be a good role model to others by remembering to:

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



## FELONY PROPERTY CRIMES

In 2017, **708<sup>11</sup>** cases involving felony-level property crimes were charged in Dakota County (compared to 669 cases in 2016). The following is a breakdown of the felony-property crimes charged in 2017:

- 311** theft-related cases
- 199** forgery or credit card fraud cases
- 116** burglary cases
- 95** stolen property cases
- 44** criminal damage to property cases
- 20** public assistance fraud cases
- 1** tax-related case

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

James C. Backstrom  
Dakota County Attorney

## HUMAN AND SEX TRAFFICKING CRIMES

**Human trafficking** is a serious problem for Minnesota, and Dakota County is not immune. Traffickers compel women, men and children to engage in commercial sex acts or labor services against their will. **Sex trafficking** has been found in a wide variety of venues within the sex industry, including residential brothels, escort services, fake massage businesses, strip clubs, and street prostitution. Each year in Minnesota, over 8,000 youth and adults are exploited for sex (over 300,000 in America). One in seven children receives online solicitation or is approached for sex. The average age a victim is forced or coerced into prostitution is 12 to 14 years old.

This past year several Dakota County agencies worked with local task forces to address sex trafficking and other issues surrounding the February 2018 Super Bowl in Minneapolis. Throughout 2017 they educated the public, including hotel/motel staff, on what to look for and how to report sex trafficking. As many of these crimes are misdemeanor level offenses, they are prosecuted by city attorneys who work hard to hold offenders accountable for these crimes and to reduce the demand.

## ELECTRONIC CRIMES UNIT

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 partnering police departments. Specially trained officers in the unit conduct forensic analyses of cell phones, computers and other electronic devices containing evidence of criminal activity. Since technology is ever-changing, the need for comprehensive analyses in cases involving possession of pornographic works, financial crimes, domestic violence and other types of violent crime, including homicide, is critical.

## 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 accountability for criminal offenders and the fair administration of justice and involve significant staff resources. This Office was involved in filing or responding to **54 appeals** in adult criminal cases in 2017, compared to 47 in 2016.

## SERVING VICTIMS OF CRIME

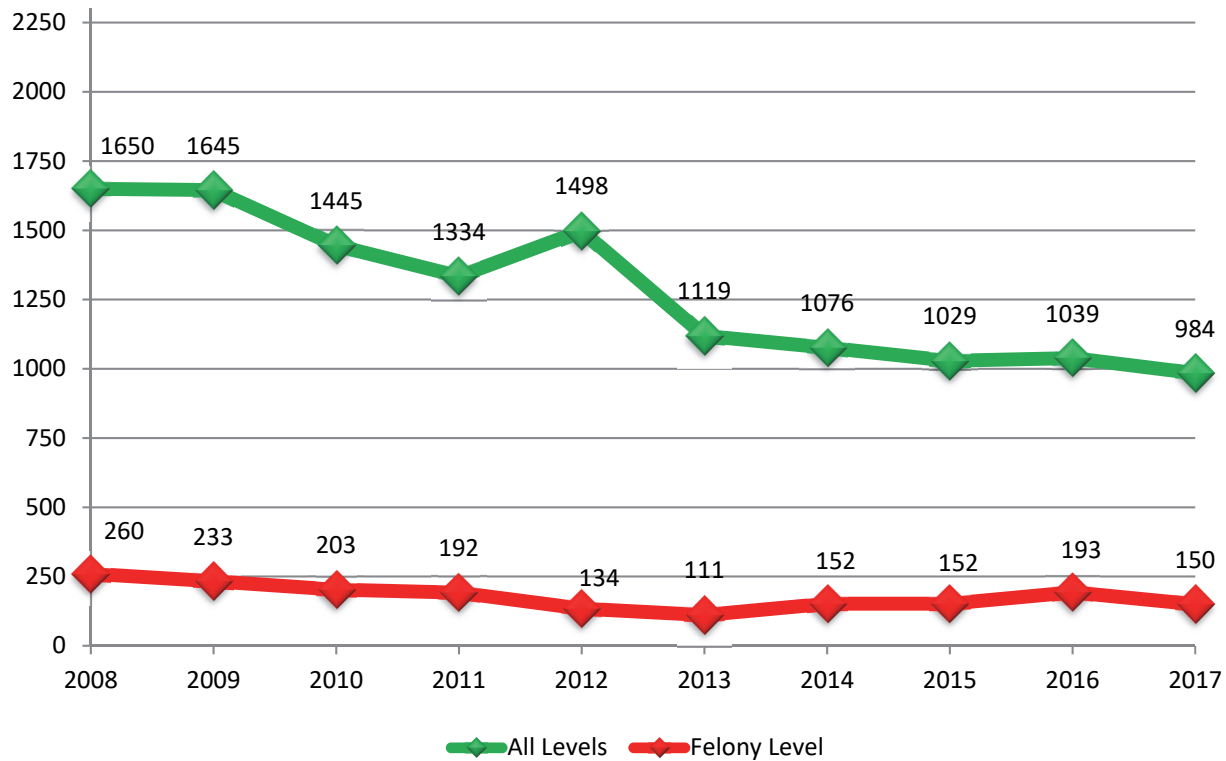
In the vast majority of criminal cases there are one or more victims who are emotionally, physically or financially harmed. The Dakota County Attorney’s Victim/Witness Unit serves to minimize the impact of criminal behavior by assisting victims through the criminal justice process. Victim/Witness staff 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 **3,700 individuals** in new cases received services during 2017.

## 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.

- In 2017, a total of **984 juvenile cases**<sup>12</sup> (compared to 1,039 juvenile criminal cases in 2016) were charged<sup>13</sup>. Of the total number of juvenile cases, 150 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

A 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. 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:

<u>Agency</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Apple Valley	146	136	171	136	173
Burnsville	186	147	145	159	166
Dakota County Sheriff	49	69	83	99	120
Eagan	132	115	125	118	137
Farmington	41	41	34	33	42
Hastings	80	49	49	85	69
Inver Grove Heights	58	90	65	110	98
Lakeville	82	123	120	87	71
Mendota Heights	14	10	14	11	15
Rosemount	35	53	39	52	52
South St. Paul	102	140	102	89	97
West St. Paul	45	59	75	80	72

*“Investing time, resources and energy in our nation’s youth is one of the most effective things we can do to reduce crime. Building a stronger America by ensuring that children become productive adults is the cornerstone of Fight Crime: Invest in Kids, an organization of which the Dakota County Attorney has been a member since 2002.”*

In 2017, County Attorney Backstrom became a member of the National Leadership Council for Fight Crime: Invest in Kids.

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; community work service; a written letter of apology; and/or completion of other sanctions within a timely manner. For example, the Disorderly Conduct program, in partnership with Dakota County Community Corrections, offers a morning session where eligible juveniles perform four hours of supervised community work service. The afternoon session includes an education/skill building component with a parent/guardian in attendance.

In 2017, there were **660 juvenile cases**<sup>14</sup> referred to youth accountability programs as an alternative to juvenile court. Below is a breakdown of each Youth Accountability Program and the number of referrals:

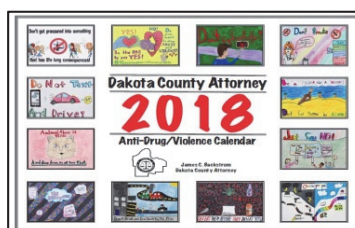
224 referrals	<b>Property offenses</b>
222 referrals	<b>Alcohol / Marijuana offenses</b>
93 referrals	<b>Disorderly Conduct offenses</b>
20 referrals	<b>Peer Court</b>
7 referrals	<b>Firesetter</b>

**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.

## JUVENILE CRIME PREVENTION INITIATIVES

In 2017, the Dakota County Attorney’s Office sponsored the 29<sup>th</sup> annual **Anti-Drug/Violence Poster Contest**. Dakota County fifth or sixth grade students submit posters with anti-drug and anti-violence messages. The top 12 are featured in this year’s calendar.



## OUTREACH AND PREVENTION



Photo of *The Top Secret Project: Decoding the Mysteries of the Teen Domain* display

Over 2,000 students, parents, professionals and community members attended **crime prevention programs** sponsored by the Dakota County Attorney's Office on topics such as online safety, anti-bullying, chemical health, sex trafficking, and mental illness. The Office worked closely with School Resource Officers and the Safe and Drug Free School Coordinators to increase overall awareness related to working with other cultures. The Office also collaborated with the Dakota County Sheriff to present *The Top Secret Project*, a unique traveling exhibit designed to help parents recognize unfamiliar hazards that are often in plain sight. The interactive exhibit includes hundreds of items that, when seen through an educated lens, could be a sign of a problem.

In addition to participating in community events, training sessions, and law enforcement citizen academies, the Dakota County Attorney spoke to several high school classes and hosted two groups of students in 2017. During these visits information was presented on what happens in the criminal justice system, how a criminal case is prosecuted, how victims are served and overviews of various professions involved in the criminal justice system.



Dakota County Attorney with Apple Valley High School students

If you have any questions, contact James Backstrom at 651-438-4440.

*Detailed charts for both adult and juvenile cases charged by the Dakota County Attorney's Office in 2017 are available on the website at [www.co.dakota.mn.us](http://www.co.dakota.mn.us) under Law & Justice.*

- 1 In 2017, no juveniles were 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 The total number of violent crime cases differs from the combined totals of the individual listed violent crimes in this section as one defendant may be charged with multiple offenses in the same case.
- 5 Most domestic-related crimes are misdemeanors or gross misdemeanors prosecuted by city attorneys.
- 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 225 gross misdemeanor cases added onto the 677 felony-level.
- 7 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). Consequently, in 2017 there were only 2 incidents involving the manufacture of illegal drugs in Dakota County.
- 8 Preliminary data from Hennepin County Medical Examiner's Office.
- 9 Most driving while impaired offenses are misdemeanors or gross misdemeanors prosecuted by city attorneys.
- 10 This is preliminary data from the Minnesota Office of Traffic Safety. The official number will be available mid-year.
- 11 The total number of felony property crime cases differs from the combined totals of the individual listed felony property crimes in this section as one defendant may be charged with multiple offenses in the same case.
- 12 A juvenile may be charged with more than one crime in the same or separate behavioral incident.
- 13 Criminal charges are not evidence of guilt. A defendant is presumed innocent unless and until proven guilty.
- 14 A juvenile may be referred to more than one Youth Accountability Program.

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