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NEWS RELEASE

2010 Adult Felony Criminal Prosecutions in Dakota County

OVERVIEW

Dakota County Attorney James Backstrom has released statistics for adult felony criminal prosecutions handled by his Office in 2010. **These statistics do not reflect the total number of crimes occurring in Dakota County, but reflect the number of felony charges filed against individuals within this jurisdiction.** The County Attorney is responsible for the prosecution of all felonies committed by adults, which includes persons 18 years of age and over and any juvenile certified for prosecution as an adult that occur in the County. According to Backstrom:

- The total number of **adults charged**¹ with felony offenses in Dakota County decreased by 3% (**1,464**² adults were charged with felony offenses in 2010, compared to 1,514 in 2009).
- This is the lowest number of adults charged with felonies in Dakota County in the past 10 years (1,325 adults were charged in 2000).

ADULTS CHARGED WITH FELONIES (BY CITY/JURISDICTION)

The following reflects the number of adults charged with felonies referred from individual cities and the Dakota County Sheriff's Office:

Apple Valley **decreased** from 166 to **135**
Burnsville **decreased** from 272 to **234**
Dakota County Sheriff **increased** from 110 to **176**
Eagan **decreased** from 192 to **185**
Farmington **decreased** from 41 to **31**
Hastings **decreased** from 86 to **78**
Inver Grove Heights **decreased** from 112 to **105**
Lakeville **decreased** from 119 to **111**
Mendota Heights **decreased** from 22 to **17**
Rosemount **decreased** from 50 to **47**
South St. Paul **decreased** from 105 to **101**
West St. Paul **increased** from 167 to **190**

ILLEGAL DRUG CHARGES RISE --- DRUG OFFENSES CONTINUE AS TOP PROBLEM

Drug offenses continue to represent the largest category of cases charged by the Dakota County Attorney's Office. The total number of defendants charged with drug offenses in 2010 represents approximately 27% of the entire felony caseload of the Dakota County Attorney's Office. (See the attached chart for drug trends in the past ten years). **395**³ individuals were charged with felony drug crimes in Dakota County in 2010, compared to 375 the year before. *Backstrom commented: "Illegal drug use in Dakota County and across our state continues to be an enormous problem. We continue to hold offenders accountable for these offenses and work with others in the criminal justice system to reduce the ongoing cycle of drug abuse."*

Backstrom indicated that methamphetamine continues to be the number one illegal drug involved in criminal charges in Dakota County. The number of defendants charged with meth crimes in 2010 rose for the first time in three years. In Dakota County:

Meth-related offenses – increased from 124 individuals charged in 2009 to **168** individuals charged with meth-related felonies in 2010 (an increase of 35%). For the second year in a row **no meth labs** were seized in 2010.

Cocaine - increased slightly from 81 defendants charged to **88** in 2010.

Heroin - down one defendant to **21** in 2010.

Marijuana - jumped from 79 defendants charged to **105** in 2010 (a 33% increase), which is the highest annual total since the year 1999 (128 adults were charged with marijuana in 1999).

Prescription drugs - decreased from 73 defendants charged in 2009 to **57** in 2010.

Backstrom noted that several **prevention and public awareness efforts** concerning the misuse and abuse of prescription (RX) and over-the-counter (OTC) medication took place this past year. The Dakota County Attorney's Office collaborated with the Dakota County Sheriff, Dakota County Drug Task Force, Dakota County Public Health and Dakota County Environmental Management to develop an educational packet on the dangers of Rx/OTC abuse. This group also supported the "take back" day sponsored by the National Drug Enforcement Agency at three Dakota County locations and continues to look at future options for safe collection and disposal of expired and unused medications. Prescription and Over-the Counter Drug Abuse Prevention materials were included as a key component of the Minnesota County Attorneys Association (MCAA) booth at the Minnesota State Fair. *"The State Fair and other community forums provide an opportunity to discuss the dangers of these medications when taken beyond how they were intended or were prescribed. Our goal with the Rx/OTC prevention packet is to educate everyone in the community concerning the extent of the serious problem of abusing or misuse of prescriptions,"* Backstrom added.

Backstrom praised the continued efforts of the **Dakota County Drug Task Force**, which consists of officers from the Dakota County Sheriff's Department and police departments in the cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul, West St. Paul and Savage. Backstrom commented: *"This coordinated law enforcement effort has been extremely effective in investigating illegal drug activity and identifying those persons involved in illegal drug sales or use. Continuation of the Dakota County Drug Task Force, which relies heavily on federal grant funding, is vital in combating the serious problems associated with the use of methamphetamine and other illegal drugs in our community."*

Many drug-related crimes are committed by individuals who themselves are addicted to drugs. Dakota County Attorney James Backstrom continues to collaborate with District Court Judges and a team of staff from Dakota County Community Corrections, law enforcement, and other criminal justice professionals in Dakota County's **Adult Drug Court**. The team identifies and implements policies and procedures to more effectively and efficiently address repeat and non-violent drug offenders who demonstrate a willingness to address their chemical addiction. The process of Drug Court includes three phases with frequent court appearances and intensive supervision. The goal of Drug Court is to resolve cases in a more proactive way, holding offenders accountable with an emphasis on needed treatment and reducing overall recidivism. There are currently **34** offenders in the Adult Drug Court program and a total of 9 have graduated since the start of the program in September of 2008.

DEFENDANTS CHARGED WITH MURDER

Backstrom indicated that last year in Dakota County **2** individuals were charged with **murder or manslaughter** involving two deaths in 2010. The 19-year-old mother of a three-year-old was charged for her part in the death of her son in 2009 (her husband Tylar Hokanson was convicted of murder on November 25, 2010 in connection with the same case). A 28-year-old Burnsville man was charged with the murder of a 22-year-old Apple Valley man at a Rosemount carwash. *“Dakota County averages between three to four homicides per year which is a remarkably low number for a jurisdiction of over 400,000 persons,”* Backstrom added.

FELONY STRANGULATION AND OTHER DOMESTIC VIOLENCE CASES

Beginning August 1, 2005, it became a felony to strangle or attempt to strangle someone during a domestic violence struggle. Backstrom praised the law, which resulted in **61** individuals being charged with felony domestic violence in 2010 (compared to 57 in 2009). Backstrom commented: *“Domestic violence is a huge problem in our society. The act of strangulation signifies how the level of violence in these cases is escalating. Making these serious crimes felonies was the right thing to do and will appropriately hold these offenders more accountable and provide greater protection to the victims of domestic violence.”*

Domestic violence is the single largest cause of injury to women between the ages of 15 and 44 in the United States, more than muggings, car accidents, and rapes combined. In the United States it is estimated that 1 out of 4 women has been assaulted by an intimate partner. The FBI estimates that a domestic violence crime is committed about once every 15 seconds in America. We believe that most victims of domestic violence in Minnesota do not report the incidents to law enforcement. The public should bear in mind that most domestic-type crimes are misdemeanors and prosecuted by city attorney offices in the metro area. Therefore, these crimes are not included in the statistics of the Dakota County Attorney’s Office. Domestic violence could involve felony-level crimes such as terroristic threats, stalking/harassment and assault which are included in these statistics.

OTHER CRIMES OF VIOLENCE

The number of violent crime charges increased slightly last year in Dakota County⁴ from 539 in 2009 to **576** in 2010 (an increase of almost 7%). The ten-year average (2001-2010) for violent crimes charged in Dakota County is 489 (see the attached chart). Of significant note:

Felony assault charges (including domestic-related) **decreased** slightly from 219 in 2009 to **203**

Terroristic threats charges **increased** slightly from 99 in 2009 to **106**

Felony sex-related charges **increased** from 123 in 2009 to **152**

Backstrom stated: “It is important to keep in mind that our violent crime rate is statistically quite low for the size of our County. Dakota County remains a safe community in which to live.”

CRIMINAL VEHICULAR HOMICIDE / INJURY AND FELONY DWI’S

Backstrom said that **4** individuals were charged with Criminal Vehicular Homicide in Dakota County in 2010, two crashes that occurred in 2010, one in 2009 and another in 2008. Additionally, **12** individuals were charged with Criminal Vehicular Injury in Dakota County in 2010. Felony DWI charges were filed against **37** individuals in Dakota County in 2010 (compared to 57 in 2009) a decrease of 35%. A felony DWI occurs if an offender has been previously convicted of three DWI’s in the last 10 years (among several other ways) and commits a fourth DWI offense.

Backstrom said his Office coordinates prevention activities aimed at reducing alcohol-related crashes with the Metro Area Safe Coalition, supporting the work of Dakota County law enforcement agencies, area high schools, community colleges and other organizations. Backstrom praised the commitment of the Dakota County Traffic

Enforcement Group, made up of all law enforcement agencies, for their efforts in keeping our roadways safe. *Backstrom commented: "Drunk driving kills or cripples more persons each year than any other crime in America. We must continue to dedicate resources to raise the level of awareness of the dangers associated with drunk or impaired driving in our efforts to prevent these tragedies."*

In Minnesota in 2010, **415** persons (estimate from Minnesota Department of Public Safety) were killed in motor vehicle crashes compared to 412 in 2009 (it is estimated that 33% were alcohol-related). In Dakota County last year, 21 individuals were killed in motor vehicle crashes with an estimated 25% determined to be alcohol-related.

FINANCIAL AND WHITE COLLAR CRIMES ON THE RISE

Backstrom said his Office has prosecuted a number of complex financial crimes this past year involving embezzlement, theft of funds from a company or organization and tax fraud. These crimes involve countless hours in investigation from the law enforcement agency, the Minnesota Department of Commerce, the Minnesota Department of Revenue and the prosecutor assigned to the case. *"These crimes are very complex and involve the need to gather bank receipts and other extensive financial records to establish a paperwork trail of fraud,"* Backstrom explained. During 2010 there were:

- 4** individuals charged with 21 counts of tax-related crimes
- 6** individuals charged with theft, theft by swindle or theft by false representation involving a business, school or youth serving organization totaling over **\$166,000.00** in financial losses to victims

OTHER PROPERTY CRIMES

Overall, the number of felony level property crime charges in Dakota County dropped from 847 in 2009 to **811** in 2010 (a decrease of 4%). Specific categories of **felony property crime charges** are listed below:

- Theft-related charges **decreased** from 339 in 2009 to **275** in 2010
- Forgery charges **decreased** from 179 in 2009 to **159** in 2010
- Burglary charges **decreased** from 144 in 2009 to **132** in 2010
- Stolen property charges **decreased** from 109 in 2009 to **79** in 2010
- Criminal damage to property charges **decreased** from 40 in 2009 to **34** in 2010
- Welfare fraud charges **increased** from 36⁵ in 2009 to **132** in 2010

COMMUNITY ACCOUNTABILITY PROGRAM FOR ADULTS

The Adult Community Accountability Program was implemented by the Dakota County Attorney in 1994 after a legislative mandate. Qualifying defendants are referred to this program each year based on established guidelines. The goals of the program are: to create an incentive for first-time property offenders to change their behavior, to ensure full and prompt payment of restitution to crime victims, to hold the offenders accountable to society, and to reduce costs associated with the criminal justice system. During 2010, **85** new cases were referred to the program (another 65 individuals successfully completed the program). A total of **\$63,149** was collected in restitution from individuals in the program.

MISCELLANIOUS CRIMES OF INTEREST

Backstrom stated that his Office charged several individuals with crimes in 2010 which were influenced by technology:

- 14** adults were charged with possession of child pornography
- 3** adults were charged in connection with taking lewd photos of children at public places with cell phones

CRIMINAL APPEALS

Backstrom indicated that his Office was involved in filing or responding to **50** appeals in criminal cases in 2010, compared to 55 in 2009. Appeals involve significant staff resources and are necessary in efforts to insure the fair administration of justice.

COURT HEARINGS

A total of **12,299** court calendar events were scheduled in 2010. Of those, 1,694 were contested hearings and jury trials. Backstrom stated that his Office was involved in another 2,170 court hearings to determine if a defendant had violated terms of his/her probation. Probation violation cases are staff intensive and are necessary to hold offenders appropriately accountable. Backstrom commented: *“Offenders who fail to follow the terms of his/her probation should have their probation revoked and further sanctions imposed.”*

Attached is a chart detailing felony level charges filed by the Dakota County Attorney’s Office in 2010. Also attached are charts comparing statistical information about adult felony prosecutions for the last decade. This information is also available on the Dakota County Attorney website at www.dakotacounty.us/attorney.

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

¹ Criminal charges are not evidence of guilt. A defendant is presumed innocent unless and until proven guilty.

² Some of these defendants may have been charged more than one time with crimes occurring in separate behavioral incidents.

³ Some of these defendants were charged with crimes involving more than one illegal drug in the same or separate behavioral incidents.

⁴ Felony crimes of violence include: homicide (murder, attempted murder, conspiracy to commit murder, and manslaughter), assault, offenses involving dangerous weapons, kidnapping, robbery, sex offenses, criminal vehicular homicide/injury and terroristic threats. The statistics referenced in this section reflect the number of felony charges and not defendants. A single defendant may be charged with more than one felony offense involving the same incident.

⁵ The primary reason for the increase in welfare fraud cases being charged is the result of stability in staffing for both the Dakota County Attorney and the Dakota County Sheriff’s Office. In 2009, there were staffing shortages which resulted in a backlog of cases.

2010 ADULT FELONY STATISTICS

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	Drug Related ¹	Theft-Related & Defeating Security ²	Forgery Related	Sex-Related	Assault Related/Drive-By Shooting	Burglary	Welfare Fraud	Terroristic Threats	Stalking-Related & Harassment	Stolen Property ²	Strangulation/Felony 5th/Domestic Assault	Felony DWI	Robbery	Traffic-Related(Including Fleeing with no injury)	Fugitive From Justice	Criminal Damage to Property	Public Health & Safety/Coercion (Fail to Register)	Criminal Vehicular Homicide and Injury ⁴	Tax-Related	Possession or Use of Dangerous Weapons	Illegal Motor Vehicle Use ²	Obstructing Justice, Escape, Public Corruption & Perjury	Abuse/Neglect of Minor	Kidnapping	Arson	Homicide, including Attempted ³	Gambling Related	Gang	Deprivation of Custodial Rights/Support/Paternity	TOTAL CHARGES ⁵	TOTAL DEFENDANTS
Apple Valley	37	40	16	17	15	12	0	13	14	10	7	2	9	1	2	4	1	3	0	4	2	3	8	0	1	0	0	0	0	221	135
Burnsville	92	35	19	13	28	25	0	20	21	9	13	8	15	4	3	9	11	0	0	10	2	1	0	2	0	0	0	0	0	340	234
Dakota County Sheriff	62	21	2	10	7	8	132	3	1	3	4	3	2	4	20	5	1	0	7	0	2	1	1	0	0	1	0	0	300	176	
Eagan	55	51	36	21	8	17	0	17	4	9	14	10	3	6	5	0	3	0	0	2	2	2	0	1	0	0	0	0	266	185	
Farmington	14	8	0	3	2	0	0	7	1	1	0	0	2	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	40	31	
Hastings	38	14	3	21	6	5	0	1	1	4	6	2	1	3	3	2	3	4	0	2	2	1	0	0	1	0	0	0	123	78	
Inver Grove Heights	28	11	8	6	16	13	0	8	22	2	6	6	3	5	1	2	2	0	0	1	2	1	0	0	3	0	0	0	146	105	
Lakeville	31	27	18	21	8	17	0	5	15	9	3	6	3	7	2	4	0	2	0	0	2	0	0	0	0	0	0	0	180	111	
Mendota Heights	6	6	3	0	1	5	0	2	0	1	0	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	27	17	
MN State Patrol	15	0	0	0	0	0	0	0	1	0	0	8	0	4	1	1	0	14	0	1	0	0	0	0	0	0	0	0	45	32	
Other Law Agencies	29	8	0	0	3	0	0	1	1	0	0	0	0	0	0	0	2	0	14	0	0	1	0	0	0	1	0	0	60	22	
Rosemount	21	8	4	2	7	3	0	3	4	2	2	2	1	3	0	1	3	0	0	0	0	2	0	0	0	1	0	0	69	47	
South St. Paul	36	6	2	20	14	18	0	10	11	1	7	3	1	4	0	3	1	4	0	1	3	1	0	0	3	0	0	0	150	101	
West St. Paul	59	40	48	18	18	9	0	16	6	28	8	3	13	5	4	1	3	1	0	0	2	2	2	8	0	0	1	2	297	190	
TOTAL	523	275	159	152	133	132	132	106	102	79	70	53	53	47	41	34	31	28	21	21	19	16	11	11	8	2	2	2	1	2264	1464

1. Drug-related statistics are reported under the city where the offense occurred (drug offenses occurring in townships are recorded under the Dakota County Sheriff or other). Drug Task Force includes representatives from the Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, Savage, South St. Paul, and West St. Paul Police Departments, and the Dakota County Sheriff's Office.

2. Auto theft-related charges are listed with Theft-Related, Stolen Property and/or Illegal Motor Vehicle Use offenses.

3. Homicide offenses include charges for murder, attempted murder, conspiracy to commit murder, and manslaughter.

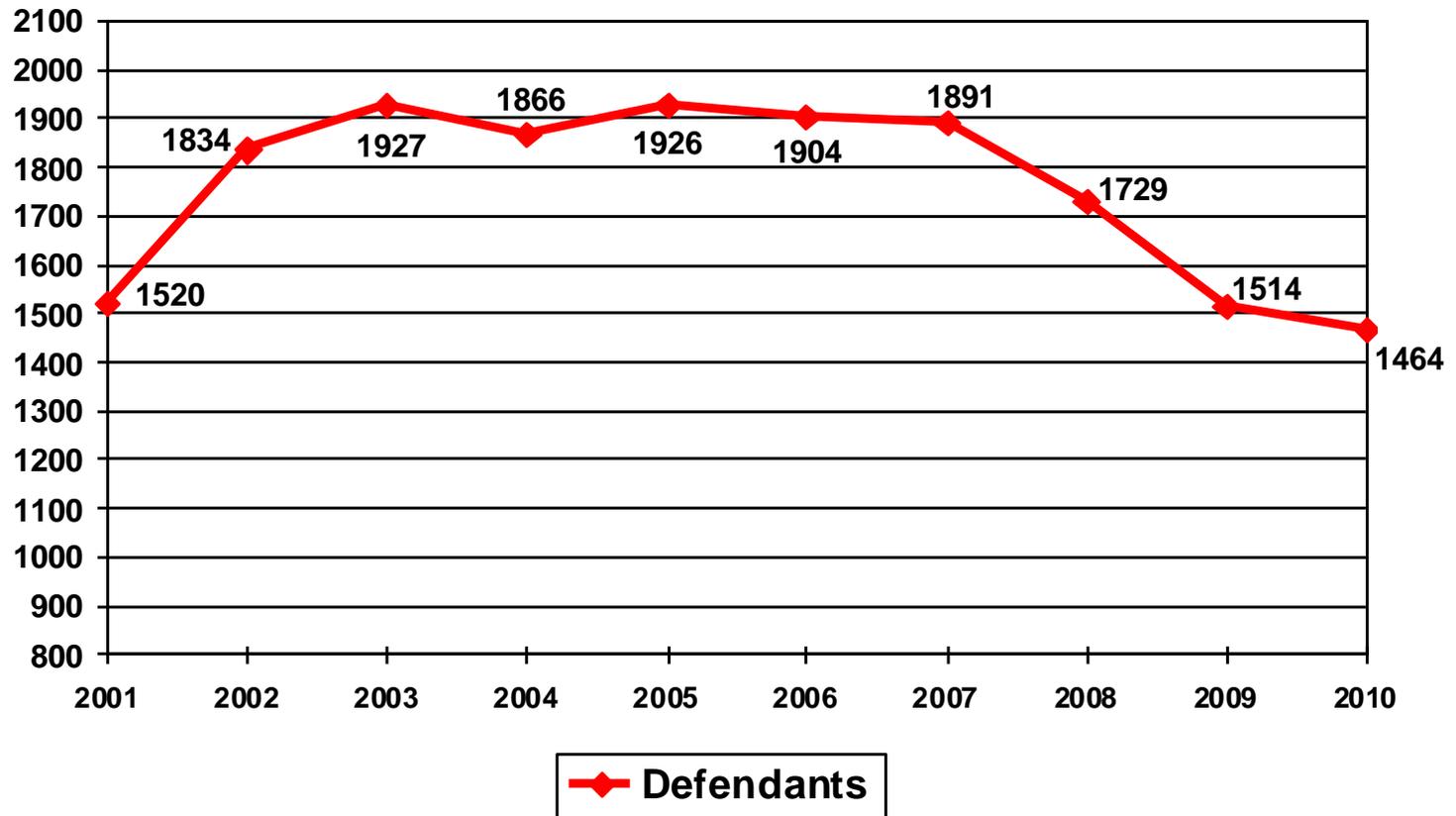
4. Criminal Vehicular Homicide and Injury includes Fleeing a Police Officer in a Motor Vehicle that Results in Death or Injury.

5. Numbers in all categories include charges of attempts to commit the crime.

Dakota County

Adults Charged with Felonies

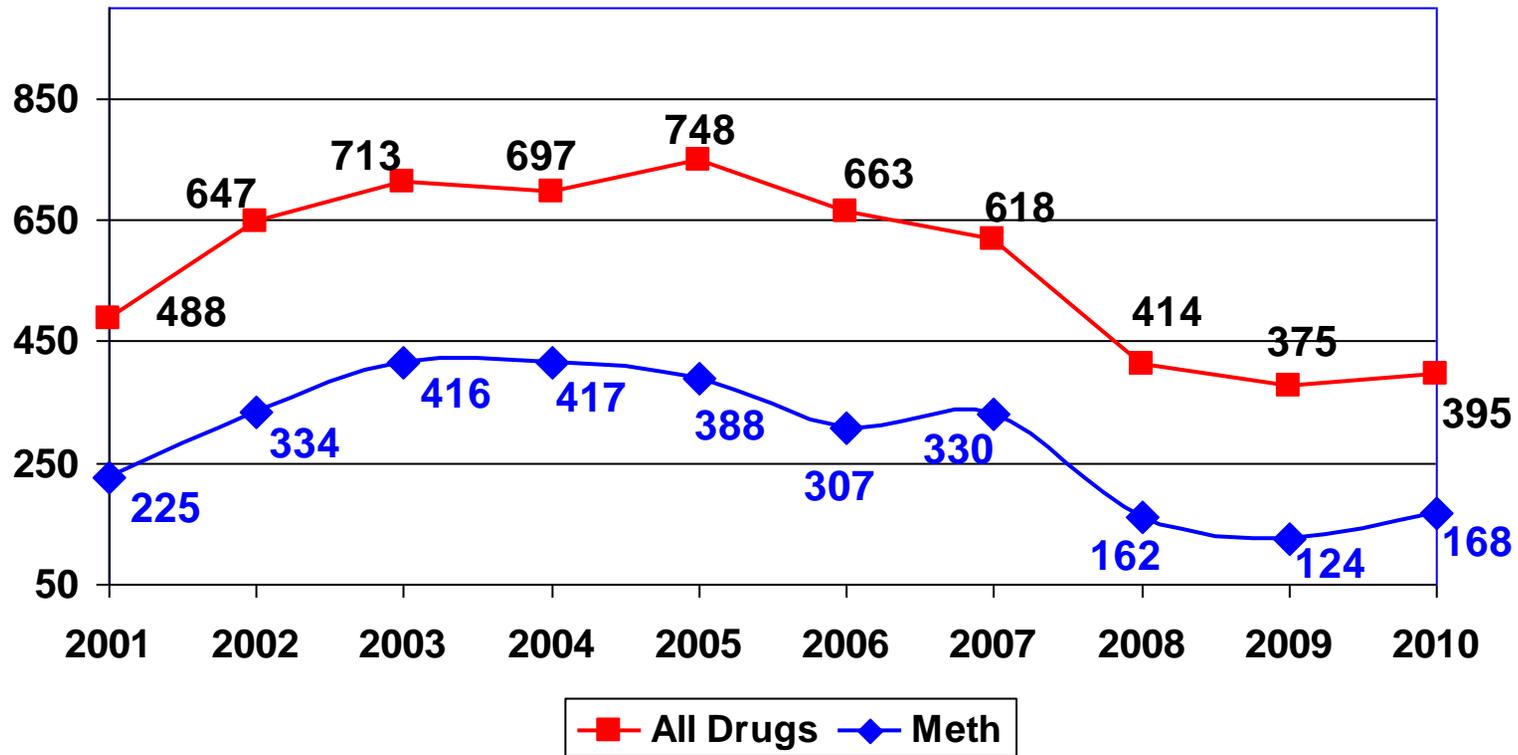
2001 to 2010



Compiled by: James C. Backstrom, Dakota County Attorney

Dakota County

Adult Drug-Related Defendants Prosecuted 2001-2010



Compiled by: James C. Backstrom, Dakota County Attorney

Dakota County

Violent Crime Charges Involving Adult Defendants

2001 - 2010

CRIME	TEN YEAR AVG	2006	2007	2008	2009	2010
MURDER ¹	18 See footnote 2	4 ³	2 ⁴	2 ⁵	8 ⁶	2 ⁷
ATTEMPTED MURDER ¹	See footnote 2	2	2	5	2	2 ⁷
KIDNAPPING	14	11	14	27	4	11
SEX-RELATED	105	78	87	110	123	152
ROBBERY	42	44	57	64	38	53
FELONY ASSAULTS (felony strangulations 8-01-05)	163	210	235	242	219	203
TERRORISTIC THREATS	95	89	112	123	99	106
DANGEROUS WEAPONS	31	24	30	35	19	21
CRIMINAL VEHICULAR HOMICIDE/INJURY	22	51	24	26	14	28
TOTAL ² :	490	519	576	646	539	576

Compiled by: James C. Backstrom, Dakota County Attorney

¹ Murder and Attempted Murder figures, which also include conspiracy to commit murder and manslaughter (if any), reflect the actual number of persons charged with these offenses. The remaining crimes listed are based upon the number of felony charges filed.

² The total represents the number of charges of individual counts of violent crime (including murder, attempted murder, conspiracy to commit murder and manslaughter). The 10-year average of charges for murder and attempted murder were 18 charges per year.

³ There were three persons charged with murder in 2006 in connection with three deaths, one that occurred in 2005. There were two persons charged with attempted murder and one charged with manslaughter. Also, one murder/suicide.

⁴ There was one person charged with murder in 2007 in connection with a death that occurred in 2005. There were two persons charged with attempted murder and two persons charged with manslaughter.

⁵ There were two persons charged with murder in 2008 in connection with two deaths. There were five persons charged with attempted murder.

⁶ There were eight persons charged with murder in 2009 (two from another county) involving six deaths. There were two persons charged with attempted murder and one person charged with manslaughter.

⁷ There were two persons charged with murder in 2010 involving two deaths, one that occurred in 2009. Also, one murder/suicide.