

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



Dakota County Judicial Center  
1560 Highway 55  
Hastings, Minnesota 55033-2392  
Phillip D. Prokopowicz, Chief Deputy  
Karen A. Schaffer, First Assistant  
Monica Jensen, Community Relations Director

Telephone  
(651) 438-4438  
FAX: (651) 438-4479 (Civil Division)  
FAX: (651) 438-4500 (Criminal Division)  
FAX: (651) 438-4499 (Juvenile/Admin  
Division)  
E-mail: attorney@co.dakota.mn.us

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**NEWS RELEASE**

**2011 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 2011. **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 juveniles certified for prosecution as adults that occur in the County. According to Backstrom:

- The total number of **adults charged**<sup>1</sup> with felony offenses in Dakota County increased by 17% (**1,714**<sup>2</sup> adults were charged with felony offenses in 2011, compared to 1,464 in 2010).

**ADULTS CHARGED WITH FELONIES (BY CITY/JURISDICTION)**

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

Apple Valley **increased** from 135 to **144**  
Burnsville **increased** from 234 to **275**  
Dakota County Sheriff **decreased** from 176 to **147**  
Eagan **increased** from 185 to **249**  
Farmington **increased** from 31 to **39**  
Hastings **increased** from 78 to **106**  
Inver Grove Heights **increased** from 105 to **142**  
Lakeville **increased** from 111 to **137**  
Mendota Heights **increased** from 17 to **27**  
Rosemount **increased** from 47 to **69**  
South St. Paul **increased** from 101 to **171**  
West St. Paul **decreased** from 190 to **158**

**ILLEGAL DRUG OFFENSES CONTINUE AS TOP PROBLEM**

The number of **drug-related offenses** continues 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 2011 represents approximately 24% of the entire felony caseload of the Dakota County Attorney's Office. (See the attached chart for drug trends in the past ten years). A total of **403**<sup>3</sup> individuals were charged with felony drug crimes in Dakota County in 2011, compared to 395 the year before. Backstrom indicated that while methamphetamine-related crimes continue to be the number one illegal drug involved in criminal charges in 2011 in Dakota County, the numbers of persons charged with meth-related crimes decreased slightly from 2010.

In Dakota County:

**Meth-related offenses** – decreased from 168 individuals charged in 2010 to **156** individuals charged in 2011 (a decrease of 7%). **1 meth lab** was seized in 2011, compared to none in 2010.

**Cocaine** – stayed the same at **88** defendants charged in 2011.

**Heroin** – increased to from 21 defendants charged in 2010 to **39** in 2011.

**Marijuana** – decreased slightly from 105 defendants charged in 2010 to **102** in 2011. [However, one significant case involved the seizure of almost 400 pounds of marijuana in Inver Grove Heights, one of the largest seizures of marijuana in Dakota County's history.]

**Prescription drugs** – increased from 57 defendants charged in 2010 to **79** in 2011 (an increase of almost 39%).

*Backstrom commented: "Illegal drug use in Dakota County and across our state and nation is an enormous problem. Together with our law enforcement partners, we continue to work hard to protect our community from drug offenders, hold these offenders accountable for their crimes and work with others in the criminal justice system to reduce the ongoing cycle of drug abuse."*

Tragically, overdoses of prescription medications are in the news and most involve teens. Teens are abusing prescription drugs because they believe that: these medications are safer to use than illicit drugs; there are fewer stigmas attached to using them; there are fewer side effects than illicit drugs; and parents don't care as much if the youth gets caught. These beliefs are misguided. Misuse of prescription (Rx) and over-the-counter (OTC) drugs is dangerous, can have deadly consequences and is illegal.

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 in distributing an educational packet on the dangers of Rx/OTC abuse. Prescription and Over-the Counter Drug Abuse Prevention materials were included as a key component of the Dakota County Attorney's Office booth at the fair. *"This is an opportunity for citizens of our community to learn about the potential dangers of these medications when not used as prescribed. Safely disposing of unwanted and unused medications also protects our environment,"* Backstrom added.

Dakota County Attorney James Backstrom, Sheriff Dave Bellows and our law enforcement, public health and environmental management partners worked together in 2011 to make it easier to properly dispose of unwanted, unused or expired prescription and OTC medications. Drive-up disposal sites now exist at the Law Enforcement Center in Hastings, the Burnsville Police Department and the West St. Paul Police Department for the safe disposal of prescription and OTC medications no longer needed.

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 is extremely effective in combating illegal drug activity. The Dakota County Drug Task Force, which relies heavily on federal grant funding, is vital in getting illegal drugs off our streets. By working together, we can reduce the problems associated with the use of methamphetamine, marijuana and other illegal drugs in our community."*

Many individuals who commit drug-related crimes are themselves addicted to drugs. Dakota County Attorney James Backstrom collaborates 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**. Drug Court effectively and efficiently addresses repeat and non-violent drug offenders who demonstrate a willingness to address their chemical addiction. 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. The process of Drug Court includes three phases with frequent court appearances and intensive supervision. Currently, there are **39** offenders in the Adult Drug Court program. A total of **18** have graduated since the start of the program in September of 2008.

### **DEFENDANTS CHARGED WITH MURDER**

Backstrom indicated that last year in Dakota County **4** individuals were charged with **murder, attempted murder or manslaughter** in 2011. *“Dakota County averages about three homicides per year which is a remarkably low number for a jurisdiction of over 400,000 persons,”* Backstrom added.

- 46-year-old Robert Thomas was charged with Murder and Manslaughter in connection with the shooting death of a 38-year-old man at his home in Burnsville (Thomas pled guilty to Manslaughter and was sentenced on October 27, 2011 to 48 months in prison);
- 22-year-old Derrick Dahl was charged with Manslaughter in connection with the fatal shooting of a 22-year-old male in Burnsville (case still pending);
- 28-year-old Dennis Rivers was charged with Murder in the Third Degree for the death of a 46-year-old female in Inver Grove Heights which occurred in 2010 (case still pending); and
- 25-year-old Stanley Yoeun was charged with Attempted Murder in a non-fatal shooting in West St. Paul (case still pending).

### **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 **58** individuals being charged with felony domestic violence in Dakota County in 2011 (compared to 61 in 2010). Backstrom commented: *“Making the act of strangulation a felony was the right thing to do as this is an extreme act of violence which is often a precursor to domestic-related homicides. Domestic violence cases represent a huge problem in our society and we need to hold offenders accountable for these acts of violence and protect the victims of these serious crimes.”*

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. Unfortunately, most victims of domestic violence do not report the incidents to law enforcement. It should be noted that most domestic violence 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, in addition to domestic violence-related strangulations, which are prosecuted by the County Attorney and included in these statistics. Backstrom praised the work of city attorneys throughout Dakota County for their excellent work, especially in cases involving domestic violence.

### **OTHER CRIMES OF VIOLENCE**

The number of violent crime charges increased last year in Dakota County<sup>4</sup> from 576 in 2010 to **637** in 2011 (an increase of almost 11%). The ten-year average (2002-2011) for violent crimes charged in Dakota County is 521 (see the attached chart). Of significant note:

- Felony assault charges (including domestic-related) **increased** from 203 in 2010 to **237**
- Felony sex-related charges **increased** slightly from 152 in 2010 to **157**
- Dangerous weapons charges **increased** from 21 in 2010 to **40**
- Robbery charges were up from 53 in 2010 to **62**
- Terroristic threats charges stayed the same at **106** in 2011

*Backstrom stated: “It is important to keep in mind that despite slight increases in violent crime charges in the past two years, 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 3** individuals were charged with Criminal Vehicular Homicide in Dakota County in 2011:

- 28-year-old Cassandra Balsimo crashed in Inver Grove Heights in 2010 killing her passenger (case still pending);
- 30-year-old Jillian Fender killed her infant in a crash in Eagan (case still pending); and
- 37-year-old Jason Styrbicky killed two women and an unborn child while driving a semi on I-35 in Lakeville (case still pending).
- Additionally, **10** individuals were charged with Criminal Vehicular Injury in Dakota County in 2011.

Due to a conflict in the Hennepin County Attorney's Office, the Dakota County Attorney's Office also handled the case involving 21-year-old Yeng Vue in 2011. Vue crashed his car into another vehicle while driving drunk, killing two individuals. Vue pled guilty to two counts of Criminal Vehicular Homicide on September 20, 2011 and was sentenced to 57 months in prison.

Each year in Minnesota, more than 30,000 people are arrested for DWI. Felony DWI charges were filed against **50** individuals in Dakota County in 2011 (compared to 37 in 2010). 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. A DWI offense can result in loss of license for up to a year, thousands of dollars in costs and possible jail time. Stronger sanctions are in effect for all repeat DWI offenders, as well as for motorists arrested for a first-time DWI with an alcohol concentration level of 0.16 and above. Under these sanctions, DWI offenders must use ignition interlock for at least a year or face at least one year without driving privileges. Ignition interlock requires the driver to provide a breath sample under 0.02 for the vehicle to start.

For the fourth consecutive year, there was a decrease in the number of deaths in motor vehicle crashes in Minnesota (**365<sup>5</sup>** persons were killed in 2011 compared to 415 in 2010). Approximately one out of every three fatalities in Minnesota is alcohol-related. In Dakota County last year, **16** individuals were killed in motor vehicle crashes with an estimated 25% being alcohol-related, compared to 21 individuals who died in motor vehicle crashes in 2010 (14% of which were alcohol-related).

Backstrom said his Office coordinates prevention activities with the Metro Area Safe Coalition which works to reduce alcohol-related crashes by supporting the efforts 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 to eliminate driving under the influence, combat this potentially deadly behavior and keep our roadways safe. *Backstrom commented: "We must remain vigilant in our efforts to prevent impaired driving which kills or seriously injures thousands of people each year in America. I remain committed to raising awareness of the dangers of impaired driving to prevent these senseless tragedies from happening in our community."*

## **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 or theft of funds from a company or organization. These crimes involve many hours of investigation by law enforcement agencies, including 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 **10** individuals charged in Dakota County last year with theft, theft by swindle or theft by false representation involving losses to businesses, government agencies, faith communities, or youth-serving organizations, with victim losses totaling over **\$398,000**, compared to 6 in 2010. In 2010. Backstrom noted for the first time since 2005, that there were no individuals charged with tax-related crimes in 2011.

### **OTHER PROPERTY CRIMES ALSO ON THE RISE**

Backstrom noted that the overall number of felony-level property crimes charged in Dakota County last year increased significantly, rising from 811 charges in 2010 to **965** charges in 2011 (an increase of about 19%). Specific categories of **felony property crime charges** are listed below:

- Theft-related charges **increased** from 275 in 2010 to **376** in 2011
- Forgery charges **increased** from 159 in 2010 to **203** in 2011
- Burglary charges **increased** from 132 in 2010 to **173** in 2011
- Stolen property charges **increased** slightly from 79 in 2010 to **81** in 2011
- Criminal damage to property charges **increased** from 34 in 2010 to **47** in 2011

### **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 who have stolen less than \$3,500 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 2011, **42** individuals were referred to the program. A total of **\$31,664.00** was collected in restitution from the 185 individuals in the program in 2011 (offenders remain in this program for more than one year).

### **MISCELLANIOUS CRIMES OF INTEREST**

Backstrom stated that in 2011 his Office charged:

- 13** adults with possession of **child pornography** (resulting in 61 total charges)
- 2** adults with **assault** at sporting events (a father assaulted his son at a basketball game and a father assaulted his child's hockey coach)

### **CRIMINAL APPEALS**

Backstrom indicated that his Office was involved in filing or responding to **49** appeals in criminal cases in 2011, compared to 50 in 2010. Appeals involve significant staff resources and are necessary in efforts to insure accountability for criminal offenders and the fair administration of justice.

### **COURT HEARINGS**

A total of **12,314** court calendar events were scheduled in 2011 involving cases prosecuted by the Dakota County Attorney's Office (compared to 12,299 in 2010). Of those, **1,711** were contested hearings and jury trials (1,694 in 2010). Backstrom stated that his Office was involved in another **2,138** court hearings (2,170 in 2010) to determine if a defendant had violated terms of his/her probation. Probation violation cases are necessary to hold offenders appropriately accountable. Backstrom commented: "*We take the sanctions imposed by our courts very seriously. If an offender does not follow the terms of his/her probation, their probation should be revoked and additional sanctions imposed.*"

Attached is a chart detailing felony-level charges filed by the Dakota County Attorney's Office in 2011. 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 [.dakotacounty.us/](http://dakotacounty.us/).

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

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

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

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

<sup>4</sup> 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.

<sup>5</sup> This number is currently an estimate provided by the Office of Traffic Safety of the Minnesota Department of Public Safety. The final 2011 number of persons killed in motor vehicle crashes in Minnesota is not yet available.

## 2011 ADULT FELONY STATISTICS

<b>OFFICE OF DAKOTA COUNTY ATTORNEY</b>  <b>JAMES C. BACKSTROM COUNTY ATTORNEY</b>  <b>1560 HIGHWAY 55 HASTINGS, MN 55033-2392 651-438-4438</b>	Drug-Related <sup>1</sup>	Theft-Related & Defeating Security <sup>2</sup>	Forgery Related	Burglary	Sex-Related (Possession of Child Porn)	Strangulation/Felony 5th/Domestic Assault	Stalking-Related and Harassment	Assault Related/Drive-By Shooting	Terroristic Threats	Welfare Fraud	Felony DWI	Stolen Property <sup>2</sup>	Robbery	Fugitive From Justice	Campaign/Election/Voting	Traffic-Related(Including Fleeing with no injury)	Criminal Damage to Property	Possession or Use of Dangerous Weapons	Public Health & Safety/Coercion/Fail to Register	Criminal Vehicular Homicide and Injury <sup>4</sup>	Obstruct Justice/Escape/Public Corruption/Perjury	Illegal Motor Vehicle Use <sup>2</sup>	Abuse/Neglect of Minor	Arson	Kidnapping	Homicide, including Attempted <sup>3</sup>	Deprivation of Custodial Rights/Support/Paternity	Gambling Related	TOTAL CHARGES <sup>5</sup>	TOTAL DEFENDANTS
	Apple Valley	23	48	18	4	32	9	10	14	8	0	13	6	4	1	6	5	4	0	2	3	1	3	0	2	0	0	3	0	219
Burnsville	93	52	47	28	29	25	29	22	22	0	5	11	11	5	6	8	6	7	6	0	4	3	3	1	3	3	0	0	429	275
Dakota County Sheriff	23	22	2	8	2	4	8	4	4	85	13	3	0	17	6	5	3	3	4	0	1	1	0	0	0	0	0	0	218	147
Eagan	84	67	42	46	16	12	19	10	10	0	7	25	8	10	5	7	6	5	3	2	4	2	4	0	0	0	0	0	394	249
Farmington	14	10	0	1	15	5	0	4	4	0	4	1	0	0	1	4	2	0	1	2	1	0	0	0	0	0	0	1	70	39
Hastings	41	11	7	12	6	10	7	7	4	0	9	0	5	5	5	2	3	0	2	3	3	0	2	0	0	0	1	0	145	106
Inver Grove Heights	48	22	7	22	10	15	12	6	15	0	9	5	8	3	5	4	7	4	2	2	1	0	0	0	1	1	0	0	209	142
Lakeville	29	29	22	9	10	5	5	10	12	0	4	8	3	4	4	3	3	3	3	2	2	1	2	0	0	0	0	0	173	137
Mendota Heights	4	14	5	3	0	0	0	6	0	0	1	2	2	1	1	1	4	1	0	0	0	0	0	0	0	0	0	0	45	27
MN State Patrol	5	1	0	0	0	0	2	0	0	0	9	0	0	1	0	3	0	2	0	10	0	0	0	0	0	0	0	0	33	22
Other Law Agencies	33	6	4	0	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	46	28
Rosemount	27	6	8	8	9	3	1	7	6	0	7	3	3	4	2	2	0	3	2	0	0	0	0	1	0	0	0	102	69	
South St. Paul	50	28	9	19	13	24	14	14	12	0	3	9	11	4	13	2	7	8	2	1	0	1	1	0	0	0	0	245	171	
West St. Paul	50	60	32	13	14	12	7	8	9	0	0	8	7	3	0	2	2	4	2	0	0	2	0	2	1	1	0	239	158	
<b>TOTAL</b>	<b>524</b>	<b>376</b>	<b>203</b>	<b>173</b>	<b>157</b>	<b>124</b>	<b>115</b>	<b>113</b>	<b>106</b>	<b>85</b>	<b>84</b>	<b>81</b>	<b>62</b>	<b>58</b>	<b>54</b>	<b>48</b>	<b>47</b>	<b>40</b>	<b>29</b>	<b>25</b>	<b>17</b>	<b>13</b>	<b>12</b>	<b>6</b>	<b>5</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>2567</b>	<b>1714</b>

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.

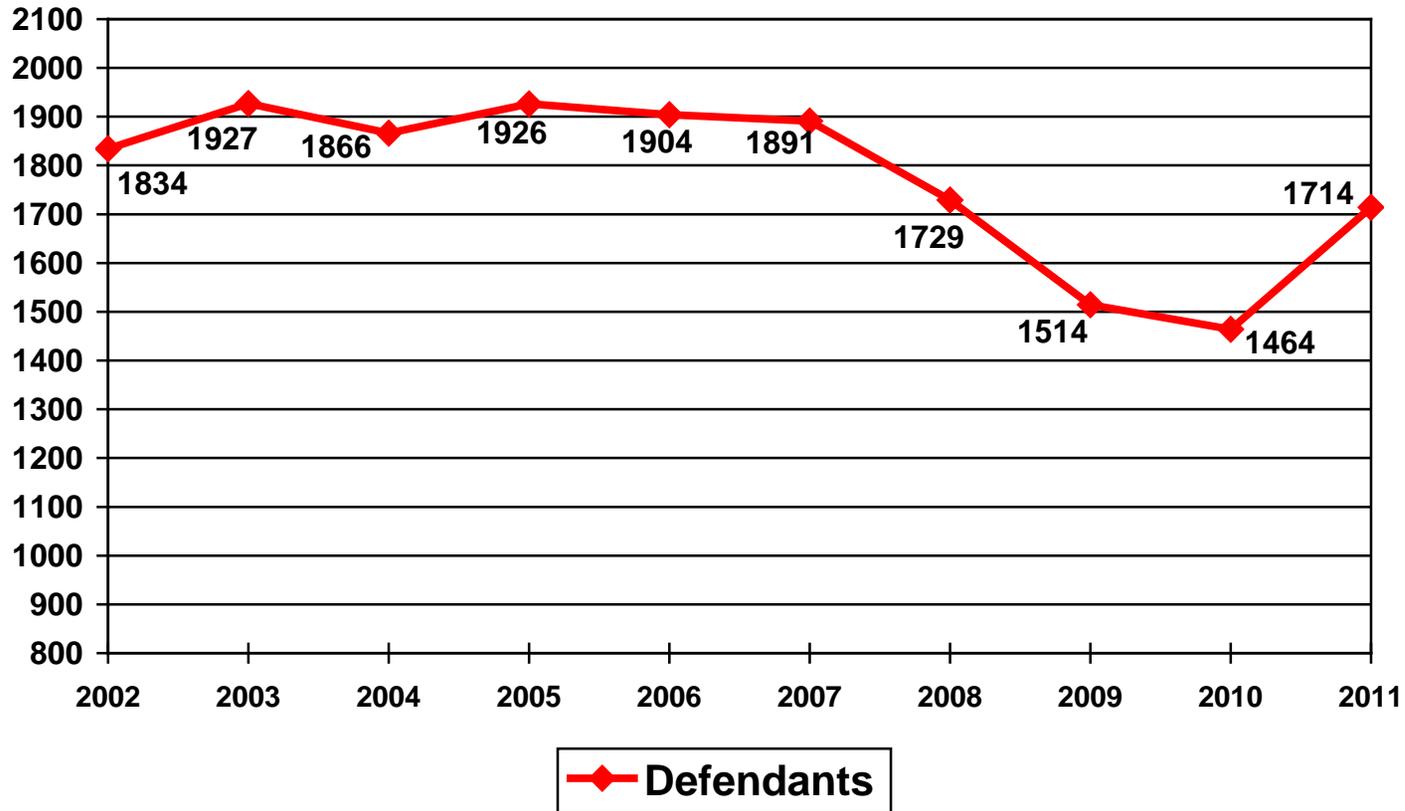
4. Criminal Vehicular Homicide and Injury includes Fleeing a Police Officer in a Motor Vehicle that Results in Death or Injury.

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

# Dakota County

## Adults Charged with Felonies

### 2002 to 2011



Compiled by: James C. Backstrom, Dakota County Attorney

# Dakota County

## Violent Crime Charges Involving Adult Defendants

### 2002 - 2011

CRIME	TEN YEAR AVG	2007	2008	2009	2010	2011
MURDER <sup>1</sup>	18 See footnote 2	2 <sup>3</sup>	2 <sup>4</sup>	8 <sup>5</sup>	2 <sup>6</sup>	3 <sup>7</sup>
ATTEMPTED MURDER <sup>1</sup>	See footnote 2	2	5	2	2	1
KIDNAPPING	13	14	27	4	11	5
SEX-RELATED	112	87	110	123	152	157
ROBBERY	46	57	64	38	53	62
FELONY ASSAULTS (felony strangulations 8-01-05)	179	235	242	219	203	237
TERRORISTIC THREATS	98	112	123	99	106	106
DANGEROUS WEAPONS	32	30	35	19	21	40
CRIMINAL VEHICULAR HOMICIDE/INJURY	24	24	26	14	28	25
TOTAL <sup>2</sup> :	521	576	646	539	576	637

Compiled by: James C. Backstrom, Dakota County Attorney

<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> 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.

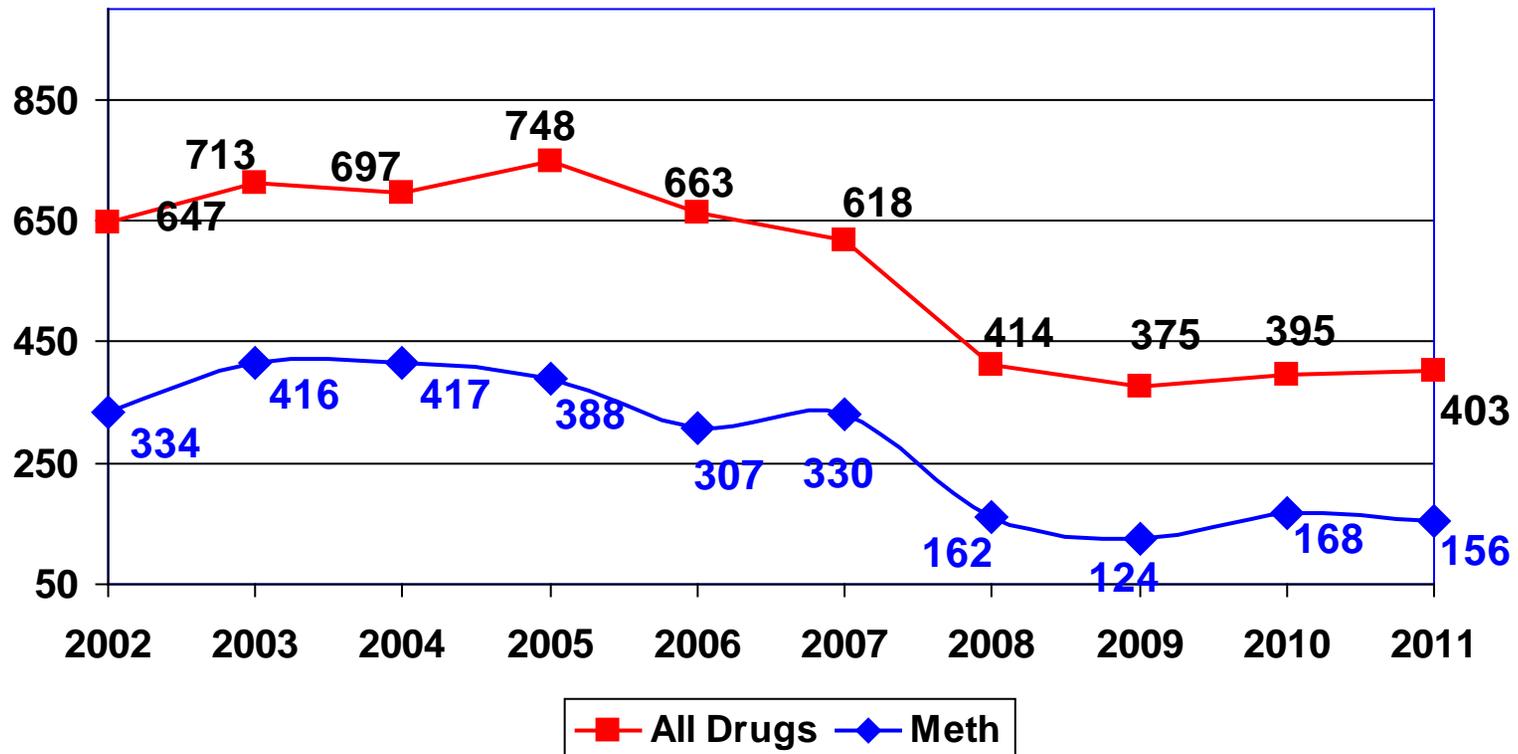
<sup>4</sup> There were two persons charged with murder in 2008 in connection with two deaths. There were five persons charged with attempted murder.

<sup>5</sup> 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.

<sup>6</sup> There were two persons charged with murder in 2010 involving two deaths, one that occurred in 2009. Also, one murder/suicide.

<sup>7</sup> There were three persons charged with murder or manslaughter in 2011 involving three deaths, one of the deaths in 2010.

# Dakota County Adult Drug-Related Defendants Prosecuted 2002-2011



Compiled by: James C. Backstrom, Dakota County Attorney