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NEWS RELEASE

2012 Adult Felony Criminal Prosecutions in Dakota County

In March of 2012, the Dakota County Attorney's Office converted to a new Case Management System. This has delayed the annual report.

OVERVIEW

Dakota County Attorney James Backstrom has released statistics for adult felony criminal prosecutions handled by his Office in 2012. **These statistics reflect the total number of adults charged with felonies in Dakota County.** 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. According to Backstrom:

- The total number of **adults charged**¹ with felony offenses in Dakota County decreased by approximately 6.5% (1,602² adults were charged with felony offenses in 2012, compared to 1,714 in 2011).

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 144 to **149**
Burnsville **increased** from 275 to **286**
Dakota County Sheriff **increased** from 147 to **152**
Eagan **decreased** from 249 to **195**
Farmington **decreased** from 39 to **38**
Hastings **increased** from 106 to **117**
Inver Grove Heights **decreased** from 142 to **108**
Lakeville **decreased** from 137 to **109**
Mendota Heights **increased** from 27 to **29**
Rosemount **decreased** from 69 to **52**
South St. Paul **decreased** from 171 to **144**
West St. Paul **increased** from 158 to **176**

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 2012 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 **389**³ individuals were charged with felony drug crimes in Dakota County in 2012, down slightly from 403 the year before.

MOST COMMON DRUG PROSECUTIONS:

Meth-related – 172 individuals charged (156 in 2011).

Marijuana –72 individuals charged (102 in 2011). [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 –62 individuals charged (79 in 2011).

Cocaine – 50 individuals charged (88 in 2011).

Heroin –30 individuals charged (39 in 2011).

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

Backstrom praised the continued efforts of the **Dakota County Drug Task Force**, which consists of officers from the Dakota County Sheriff's Office 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. The Dakota County Attorney 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. Currently, there are **32** offenders in the Adult Drug Court program (14 cases referred in 2012) working to complete the three phases of the program which involve frequent court appearances and intensive supervision. A total of **34 offenders** have graduated since the start of the program in September of 2008.

CRIMES OF VIOLENCE

In 2012, **552 adults** were charged with 712 violent criminal offenses in Dakota County. As to charges, this represents an increase of approximately 12% from the 637 violent crime charges filed in Dakota County in 2011. The following is a breakdown of these crimes:

- 9** individuals were charged with murder, attempted murder, manslaughter or assisting with a suicide
- 12** individuals were charged with criminal vehicular operation
- 229** individuals were charged with felony assault (includes domestic-related)
- 68** individuals were charged with felony sex-related
- 12** individuals were charged with kidnapping
- 31** individuals were charged with dangerous weapons
- 121** individuals were charged with terroristic threats
- 35** individuals were charged with robbery

Backstrom stated: "It is important to keep in mind that despite 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."

DEFENDANTS CHARGED WITH MURDER

Backstrom stated, *"Dakota County historically has averaged about three homicides/year which is a remarkably low number for a jurisdiction of over 400,000 persons."* In 2012 in Dakota County **9** individuals were charged with **murder, attempted murder, manslaughter or assisting with a suicide** involving 5 victims compared to 4 persons charged with murder and attempted murder involving 4 victims in 2011.

The cases included:

- Final Exit Network and four others charged with various crimes in connection with assisting with the suicide of a woman in Apple Valley in 2007 (cases pending);
- Taylor Pass charged with Attempted Murder in a non-fatal stabbing in Burnsville in 2009;
- Kyle Dague charged with Manslaughter in a fatal shooting in Burnsville in 2011;
- Beverly Greenagel charged with Manslaughter in the death of a child in her Eagan daycare (case pending); and
- Justin Amick charged with Attempted Murder against an Inver Grove Heights police officer (awaiting sentence).

In addition, a woman lost her life in a domestic-related murder/suicide in Apple Valley in 2012 which is not reflected in these statistics.

FELONY STRANGULATION AND OTHER DOMESTIC VIOLENCE CASES INCREASE

It is a felony to strangle or attempt to strangle someone during a domestic violence struggle. A total of **85** individuals were charged with felony domestic violence in Dakota County in 2012 (compared to 58 in 2011). Backstrom commented: *“Domestic violence is a significant 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 in 3 women will be sexually abused during her lifetime⁴. The FBI estimates that a domestic violence crime is committed about once every 15 seconds in America⁵. Unfortunately, most victims of domestic violence do not report the incidents to law enforcement. Most domestic violence crimes are misdemeanors and prosecuted by city attorneys in the metro area and, 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.

FELONY DWI’S DECREASE

Each year in Minnesota, more than 32,000 people are arrested for DWI. There were **35** individuals charged with felony-level DWI in Dakota County in 2012 (compared to 50 in 2011). 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. There are stronger sanctions 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. As with most domestic violence-related cases, city attorneys prosecute the bulk of DWI’s (misdemeanors and gross misdemeanors) in Dakota County and do an excellent job on these important cases.

For the first year since 2008, there was an increase in the number of deaths in motor vehicle crashes in Minnesota (**395⁶** persons were killed in 2012 compared to 365 in 2011). Approximately one out of every three fatalities in Minnesota is alcohol-related. In Dakota County last year, **19** individuals were killed in motor vehicle crashes with an estimated 23% being alcohol-related, compared to 16 individuals who died in 2011.

Backstrom praised Dakota County law enforcement agencies for their ongoing commitment to eliminate driving under the influence and keeping 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, as well as distracted driving so that we can prevent these senseless tragedies from happening in our community.”*

PROPERTY CRIMES DECREASED

In 2012, **641 adults** were charged with 783 felony-level property criminal charges in Dakota County. In 2011, 965

felony charges were filed in property-related crimes. The following is a breakdown of these crimes:

- 238** individuals charged with theft-related offenses
- 156** individuals charged with forgery or credit card fraud
- 133** individuals charged with burglary
- 78** individuals charged with stolen property
- 36** individuals charged with criminal damage to property

FINANCIAL AND WHITE COLLAR CRIMES

Backstrom said his Office prosecuted a number of complex financial crimes involving theft of funds or embezzlement from a company or organization. Backstrom explained: "*Crimes of this nature are very complex and involve many hours of investigation by law enforcement, including the Minnesota Department of Commerce, the Minnesota Department of Revenue, and the prosecutor assigned to the case.*" There were at least **8** 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, and youth-serving organizations, with victim losses totaling over **\$446,000.00** compared to 6 such cases charged in 2011. "*These crimes are a serious breach of trust as well as significant financial losses,*" Backstrom added.

COMMUNITY ACCOUNTABILITY PROGRAM FOR ADULTS

The Community Accountability Program was implemented by the Dakota County Attorney in 1994 after a legislative mandate. Qualifying defendants are referred to this program 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 2012, **39** adult offenders were referred and we currently have a total of **120 offenders** in the program. In addition to community work service, restitution and fees are also collected from individuals in the program (offenders remain in this program for more than one year).

MISCELLANEOUS CRIMES OF INTEREST

Backstrom stated that in 2012 his Office charged:

- 9 individuals with **possessing pornography of minors**
- 1 individual with **animal cruelty** involving a puppy mill
- 1 individual for providing **heroin** that caused the death of another
- 4 individuals with **crimes against children** as parents or caregivers

CRIMINAL APPEALS

Backstrom indicated that his Office was involved in filing or responding to **43** appeals in criminal cases in 2012, compared to 49 in 2011. 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 **14,088** court calendar events were scheduled in 2012 involving cases prosecuted by the Dakota County Attorney's Office (compared to 12,623 in 2011), representing a substantial increase of over 11.5%.

Attached is a chart detailing felony-level charges filed by the Dakota County Attorney's Office in 2012. 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.co.dakota.mn.us under Law & Justice.

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 in the same or separate behavioral incidents.

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

⁴ George Mason University, Worldwide Sexual Assault Statistics, 2005.

⁵ See FBI Uniform Crime Reporting (UCR) at www.fbi.gov.

⁶ This number is provided by the Office of Traffic Safety of the Minnesota Department of Public Safety.

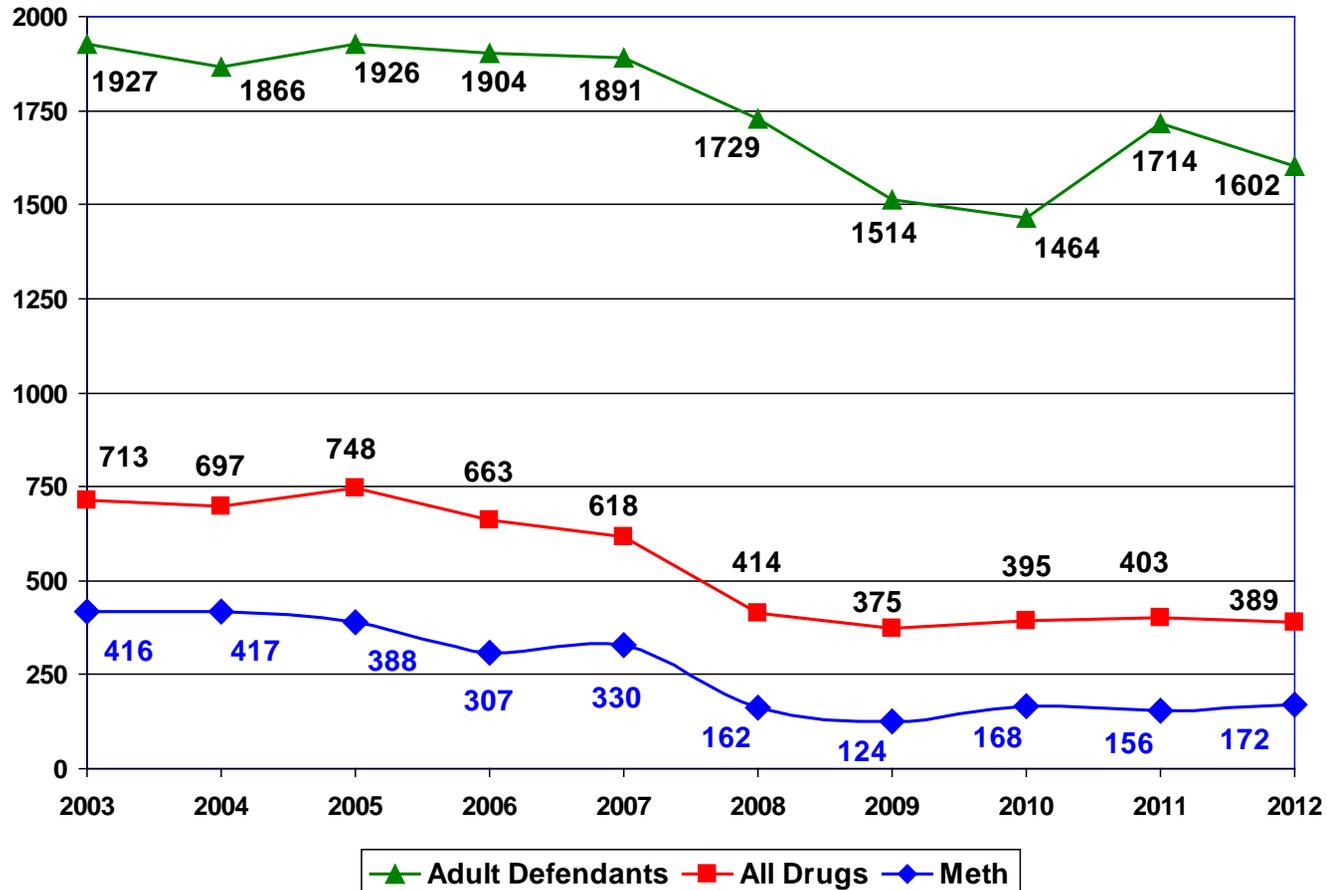
2012 ADULTS CHARGED WITH A FELONY

OFFICE OF DAKOTA COUNTY ATTORNEY JAMES C. BACKSTROM COUNTY ATTORNEY 1560 HIGHWAY 55 HASTINGS, MN 55033-2392 651-438-4438	TOTAL DEFENDANTS ¹	Drug-Related ²	Theft-Related	Forgery-Related/Financial Transact Card Fraud	Assault-Related	Burglary	Terroristic Threats	Strangulation	Stolen Property	Harassment and Stalking-Related	Sex-Related ³	Fugitive from Justice	Fleeing	Motor Vehicle Theft/Tampering	Criminal Damage to Property	DWI (Alcohol-Related)	Robbery	Public Safety/Health/Predatory/Vulnerable/Coercion	Weapons	Public Assistance Fraud	Obstruct Justice/Escape/Witness Tampering	Criminal Vehicular Homicide/Injury	Kidnapping	Homicide/Assisted Suicide/Attempted ⁴	Abuse/Neglect of Minor	Arson	Animal Cruelty	Gambling-Related	Paternity/Support/Deprivation of Custodial Rights	Tax-Related
	Apple Valley	149	23	38	17	17	15	10	8	7	4	8	2	0	6	2	1	5	4	4	0	0	0	0	5	2	0	1	0	0
Burnsville	280	60	51	30	27	23	22	24	11	21	14	7	4	10	6	1	7	3	4	0	1	2	3	2	1	0	0	0	0	0
Dakota Co Sheriff	152	32	17	6	7	9	8	1	7	3	3	17	7	2	8	2	0	6	3	20	3	4	1	0	1	2	1	0	0	1
Eagan	195	48	29	25	13	15	20	12	8	6	4	5	5	7	5	7	5	3	6	0	2	0	2	1	0	1	0	0	0	0
Farmington	38	10	2	1	5	0	3	2	2	1	5	1	2	1	1	2	1	0	0	0	1	0	0	0	0	0	0	0	0	0
Hastings	117	29	10	4	16	12	10	6	7	7	9	1	2	3	4	1	2	4	3	0	3	0	0	0	1	0	0	0	0	0
Inver Grove Heights	108	15	18	9	14	10	12	7	7	4	9	2	0	0	2	3	6	4	3	0	1	0	0	1	1	0	0	0	0	0
Lakeville	109	33	23	10	5	9	5	3	4	2	3	4	5	1	3	7	1	3	0	0	1	1	0	0	1	1	0	0	1	0
Mendota Heights	29	11	6	0	0	9	0	0	3	0	0	0	2	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MN State Patrol	15	4	0	0	0	0	0	0	1	2	0	1	2	0	0	5	0	0	0	0	0	1	0	0	0	0	0	0	0	0
Other Agencies	38	22	3	5	1	0	1	1	1	1	1	0	1	0	0	0	1	0	1	0	0	0	0	0	0	0	0	2	0	1
Rosemount	52	12	5	6	8	1	5	3	1	1	4	2	2	0	1	3	0	5	0	0	0	0	1	0	0	0	0	0	0	0
South St. Paul	144	46	3	7	20	18	8	9	6	16	3	2	5	4	4	1	3	1	6	0	0	2	3	0	2	1	0	0	0	0
West St. Paul	176	44	33	36	11	12	17	9	13	6	5	4	5	2	0	2	4	1	1	0	1	2	2	0	0	0	0	0	1	0
TOTAL	1602	389	238	156	144	133	121	85	78	74	68	48	42	39	36	35	35	34	31	20	13	12	12	9	9	5	2	2	2	2

1. An individual may have multiple charges for same incident.
2. 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 Agencies). 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.
3. Sex-related includes child pornography.
4. Homicide offenses include charges for murder, attempted murder, conspiracy to commit murder, and manslaughter.

Dakota County

All Adults Charged with a Felony, Drug-Related and Meth-Related Crimes 2003-2012



Compiled by: James C. Backstrom, Dakota County Attorney

2012 ADULT FELONY-LEVEL CHARGES

OFFICE OF DAKOTA COUNTY ATTORNEY JAMES C. BACKSTROM COUNTY ATTORNEY 1560 HIGHWAY 55 HASTINGS, MN 55033-2392 651-438-4438	Drug-Related ¹	Theft-Related	Assault-Related	Forgery-Related/Financial Transact Card Fraud	Burglary	Terroristic Threats	Sex-Related ²	Harassment and Stalking-Related	Strangulation	Stolen Property	DWI (Alcohol-Related)	Homicide, including Attempted ³	Fugitive from Justice	Fleeing	Robbery	Motor Vehicle Theft/Tampering	Public Assistance Fraud	Weapons/Explosives	Criminal Damage to Property	Public Health-Safety/Predatory/Vulnerable/Coercion	Criminal Vehicular Homicide/Injury	Animal Cruelty	Obstruct Justice/Escape/Witness Tampering	Kidnapping/False Imprisonment	Abuse/Neglect of Minor	Tax-Related	Arson	Paternity/Support/Deprivation of Custodial Rights	Gambling-Related	TOTAL CHARGES ⁴
	Apple Valley	30	41	23	21	18	12	9	5	8	7	2	45	2	0	7	6	0	5	2	4	0	1	0	0	5	0	0	0	0
Burnsville	82	68	33	44	25	24	21	25	24	11	2	2	7	4	7	11	0	5	6	3	4	0	1	3	1	0	0	0	0	413
Dakota Co Sheriff	41	19	10	7	9	8	10	4	1	7	3	0	17	7	0	2	37	5	8	7	8	16	3	2	1	6	2	0	0	240
Eagan	61	46	25	28	21	23	11	8	12	8	13	2	5	5	7	7	0	6	5	4	0	0	3	2	0	0	1	0	0	303
Farmington	14	12	6	1	0	3	10	1	2	2	3	0	1	2	1	2	0	0	1	0	0	0	1	0	0	0	0	0	0	62
Hastings	40	20	19	4	14	10	20	7	6	7	2	0	1	2	2	3	0	3	4	4	0	0	4	0	1	0	0	0	0	173
Inver Grove Heights	20	21	22	10	18	13	14	5	7	7	6	4	2	0	6	0	0	3	2	4	0	0	1	0	1	0	0	0	0	166
Lakeville	39	26	7	14	9	5	4	2	3	4	12	0	4	5	1	1	0	0	3	3	4	0	1	0	1	0	2	2	0	152
Mendota Heights	15	6	0	0	12	0	0	0	0	3	0	0	0	2	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	41
MN State Patrol	5	0	0	0	0	0	0	2	0	1	9	0	1	2	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	21
Other Agencies	38	4	1	8	0	1	2	1	1	1	0	0	0	1	1	0	0	1	0	0	0	0	0	0	0	2	0	0	2	64
Rosemount	13	8	9	8	1	6	5	1	3	1	5	0	2	2	0	0	0	0	1	5	0	0	0	2	0	0	0	0	0	72
South St. Paul	50	3	32	10	21	8	5	17	9	6	2	0	2	5	3	4	0	8	4	1	4	0	0	3	3	0	1	0	0	201
West St. Paul	65	36	14	44	12	18	13	8	9	13	4	0	4	5	7	2	0	1	0	1	4	0	1	2	0	0	0	2	0	265
TOTAL	513	310	201	199	160	131	124	86	85	78	63	53	48	42	42	41	37	37	36	36	25	17	15	14	13	8	6	4	2	2426

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 Agencies). 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. Sex-related includes child pornography.
3. Homicide offenses include charges for murder, attempted murder, conspiracy to commit murder, and manslaughter.
4. Numbers in all categories include charges of attempts to commit the crime.