

OFFICE OF DAKOTA COUNTY ATTORNEY
JAMES C. BACKSTROM
COUNTY ATTORNEY

2016 Criminal Prosecution Highlights
Adult Felony and Juvenile Crimes

The County Attorney is the chief prosecutor for crimes occurring within Dakota County. The County Attorney also serves as the legal advisor to Dakota County Commissioners and County staff, and works closely with local, state, and federal law enforcement agencies to keep Dakota County a safe place in which to live and work.

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 it is important for victims of crime receive necessary assistance to ensure that their rights are protected, their concerns are addressed and that they receive full restitution from the persons who have harmed them.

I am proud to serve the citizens of Dakota County. The information contained in this report is a reflection of the work performed by my Office related to adult and juvenile criminal activity in 2016.

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

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ADULT CRIMES

The Dakota County Attorney's Office is responsible for prosecuting all felonies and a limited number of misdemeanor level offenses committed within Dakota County by adults (persons 18 years of age and over), and juveniles certified for prosecution as adults¹. The Office also prosecutes misdemeanor offenses that occur in the unincorporated sections of Dakota County.

- In 2016, there were **2,135 adult criminal cases**² charged³ in Dakota County that involved a felony-level offense (an increase of almost 21% from 1,766 in 2015). This follows an increase of almost 13% from 2014 to 2015.

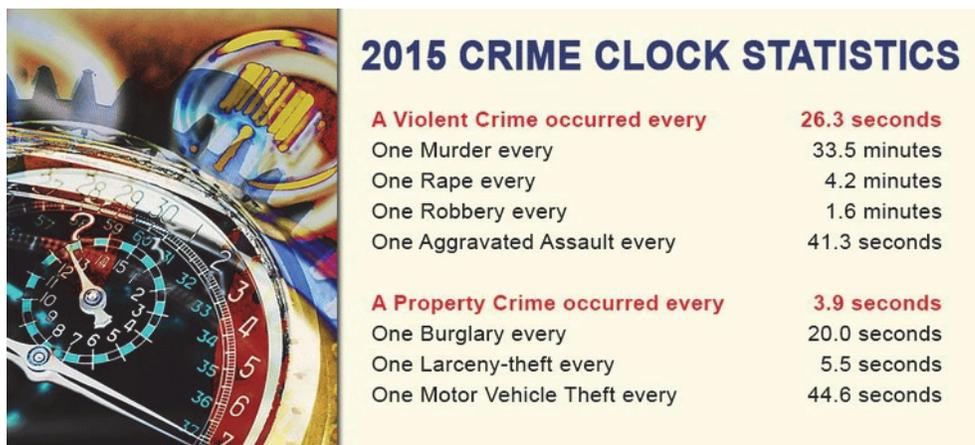
The Dakota County Attorney's Office reviews cases for prosecution that are submitted by local, state and federal law enforcement agencies including the Federal Bureau of Investigation, Drug Enforcement Administration, Department of Commerce, Minnesota Bureau of Criminal Apprehension, and law enforcement agencies inside and outside of Dakota County.

The following chart reflects the number of **adult cases charged** based on referrals from Dakota County law enforcement agencies for the past five years:

<u>Agency</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>
Apple Valley	164	124	123	153	149
Burnsville	405	321	305	298	286
Dakota County Sheriff	190	166	104	99	152
Eagan	309	263	244	251	195
Farmington	44	39	41	33	38
Hastings	150	124	118	87	117
Inver Grove Heights	164	117	113	107	108
Lakeville	162	128	108	140	109
Mendota Heights	30	19	17	19	29
Rosemount	64	38	52	31	52
South St. Paul	153	151	130	132	144
West St. Paul	235	225	150	136	176

ADULT CRIMES OF VIOLENCE

Sadly, as the chart below indicates, violent and property crimes occur far too frequently every day in America.



Source: Federal Bureau of Investigation

In 2016, violent crime cases charged increased in Dakota County by almost 15% to **494⁴** cases charged (involving **762** violent crimes) compared to 431 cases charged in 2015 (involving 625 violent crimes). The following is a breakdown of these felony offenses:

- 10 cases** of criminal vehicular homicide or injury
- 247 cases** of assault (includes domestic-related felonies)⁵
- 114 cases** of threats of violence
- 88 cases** of sex-related offenses
- 47 cases** of robbery
- 33 cases** of dangerous weapon offenses
- 12 cases** of kidnapping

Notwithstanding these increases, it is important to keep in mind that the number of violent crimes in Dakota County remains relatively low given the population of our community.

DRUG CRIME REMAINS A SIGNIFICANT PROBLEM

The use, abuse, and possession of illegal drugs continue to be a significant problem in our community. Of the total number of felony criminal cases filed by the Office, **744 cases** involved the unlawful manufacture, distribution, or possession of drugs, which represents almost 35% of the entire felony caseload of the Dakota County Attorney’s Office.

The Dakota County Attorney’s Office works closely with the **Dakota County Drug Task Force**, which is vital in combatting illegal drug activity in our community. The Task Force 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.

The top five drug offenses charged in 2016 were:

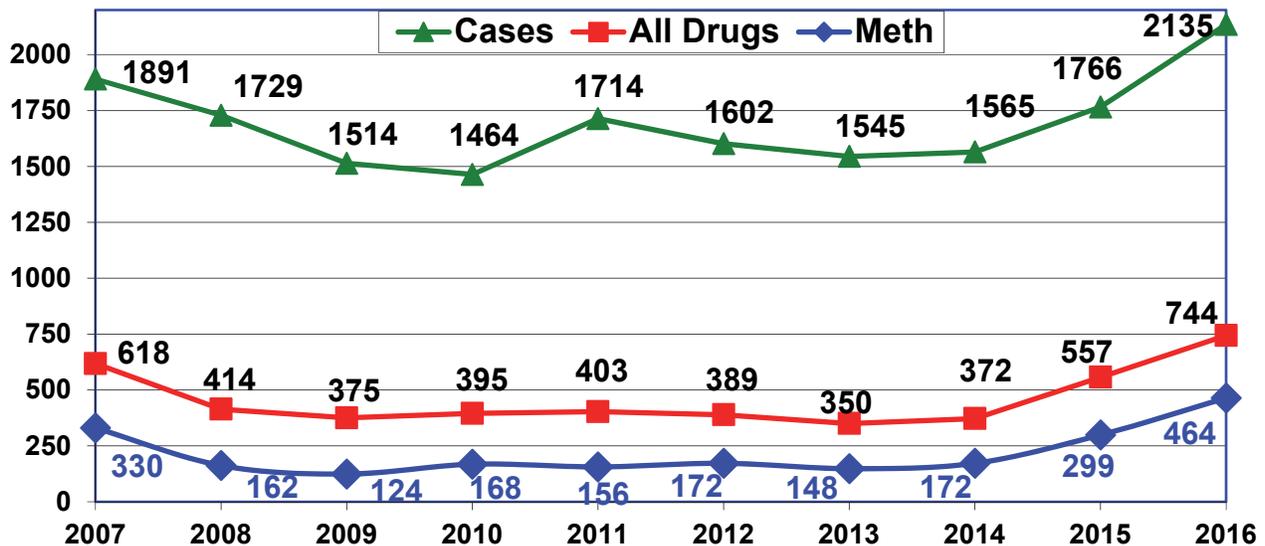
Meth-related	464 cases charged	(299 in 2015)
Marijuana	113 cases charged	(69 in 2015)
Prescriptions	90 cases charged	(81 in 2015)
Cocaine	79 cases charged	(49 in 2015)
Heroin	56 cases charged	(41 in 2015)

“Illegal drug use in Dakota County and across our state and nation is an enormous problem. We work hard with our law enforcement partners to protect our community from drug offenders and to hold them appropriately accountable for their crimes.”

James C. Backstrom
Dakota County Attorney

As the following chart demonstrates, overall drug cases rose more than 33% in 2016. Methamphetamine charges increased the most, rising by over 55% from last 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 Dakota County through well-organized drug cartels.

ADULT FELONY-LEVEL CASES CHARGED



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 effect often lead to tragic consequences. According to the Hennepin County Medical Examiner's Office⁶ there were 17 overdose deaths attributed to opiate or heroin abuse in Dakota County in 2016.

To combat the abuse of prescription drugs, 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 and look for the "drug drop-off" locations.

ADULT DRUG COURT

Many 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 repeat drug offenders get the treatment they need to overcome addiction and live drug and crime free. The intensive program brings together chemical dependency and mental health specialists with professionals from the courts, social services, community corrections, and law enforcement to address addiction and mental health issues and reduce overall recidivism. In 2016, **16 adults** were referred to the Adult Drug Court program. Since the start of the program in 2008, **71 individuals** have successfully graduated.

DRIVING WHILE IMPAIRED

"We must remain vigilant in our efforts to prevent impaired driving which kills thousands of people and seriously injures hundreds of thousands more each year in America. Dakota County law enforcement agencies and my Office work hard to prevent these senseless tragedies from happening in our community."

James C. Backstrom
Dakota County Attorney

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 DWI⁷. The preliminary data for 2016 is that **397 persons were killed** in motor vehicle crashes on Minnesota roads compared to 411 in 2015⁸. Additionally, it is estimated that **2,038 individuals were seriously injured** in Minnesota traffic crashes last year. Approximately one out of every three traffic fatalities in Minnesota is alcohol-related⁹. A felony-level DWI occurs after an individual has had four DWI's within 10 years. In 2016, there were **27 cases** involving a charge of felony level DWI in Dakota County (compared to 39 in 2015).

In 2016, **60 pedestrians** lost their lives in Minnesota – the highest number of pedestrian deaths in our state in 25 years! Make safe choices when behind the wheel and be a good role model by remembering to:

- ❖ Buckle up!
- ❖ Drive the conditions - including weather!
- ❖ Pay attention to the road - not the radio, food or technology!
- ❖ Notice the walkers, bikers and motorcyclists!
- ❖ Don't drive aggressively!
- ❖ Don't speed – it causes greater potential for loss of vehicle control and greater chance for severe injuries or death.
- ❖ Don't text and drive or use mobile phones carelessly while driving.



FELONY PROPERTY CRIMES

In 2016, **669¹⁰** cases involving 903 felony-level property crimes were charged in Dakota County (up over 19% from 2015). The following is a breakdown of the felony-property crimes charged in 2016:

- 315** cases involving theft-related offenses
- 146** cases of forgery or credit card fraud
- 129** cases of burglary
- 99** cases involving stolen property
- 39** cases involving criminal damage to property
- 17** cases of public assistance fraud
- 2** cases involving a tax-related offense

“Felony property crimes result in significant financial losses and often reflect a breach of trust to a business or family member.”

James C. Backstrom
Dakota County Attorney

There is a growing concern over theft offenses related to cloned credit or gift cards. In 2016, this Office charged five cases involving 14 individuals in which 375 cloned cards were recovered by investigating officers involving hundreds of individual victims with monetary losses exceeding \$66,500. Residents and businesses in Dakota County need to be extremely diligent in protecting personal and credit card data.

HUMAN AND SEX TRAFFICKING CRIMES

Human trafficking is a serious problem for Minnesota and Dakota County is not immune. **Labor trafficking** has been found in diverse labor settings including: domestic work, small businesses, large farms, and factories; and **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. Traffickers use force, fraud and coercion to compel women, men and children to engage in these activities and control victims for the purpose of engaging in commercial sex acts or labor services against their will. Each year in Minnesota, over 8,000 youth and adults are trafficked for sex (300,000 in America). One in seven children receives online solicitation or is approached for sex. The average age that juveniles are being forced or coerced into prostitution is 12 to 14 years of age.

How do we combat these egregious criminal acts? Educate the public, including hotel/motel staff, reduce the demand, and hold offenders accountable. In 2016, law enforcement conducted *“Operation Guardian Angel”* investigations in several communities. These multi-jurisdictional operations (Dakota County Sheriff’s Office, Hastings PD, Inver Grove Heights PD, Lakeville PD, Mendota Heights PD, West St. Paul PD, St. Paul PD, and Homeland Security), led by a Minneapolis PD Juvenile Trafficking investigator are aimed specifically at men who are willing to purchase sex from a juvenile. To date, **19 adult males** have been charged in Dakota County for soliciting minors for prostitution.

ELECTRONIC CRIMES UNIT

The Dakota County Attorney’s Office has worked closely with the Electronic Crimes Unit (ECU), which consists of officers from the Dakota County Sheriff’s Office and police departments. The ECU plays a significant role in preparing cases for prosecution that involve technology. Given today’s fast-paced changes in electronic devices, the need for this comprehensive analysis in the growing number of cases involving financial crimes, domestic violence and homicide, is critical.

CRIMINAL APPEALS

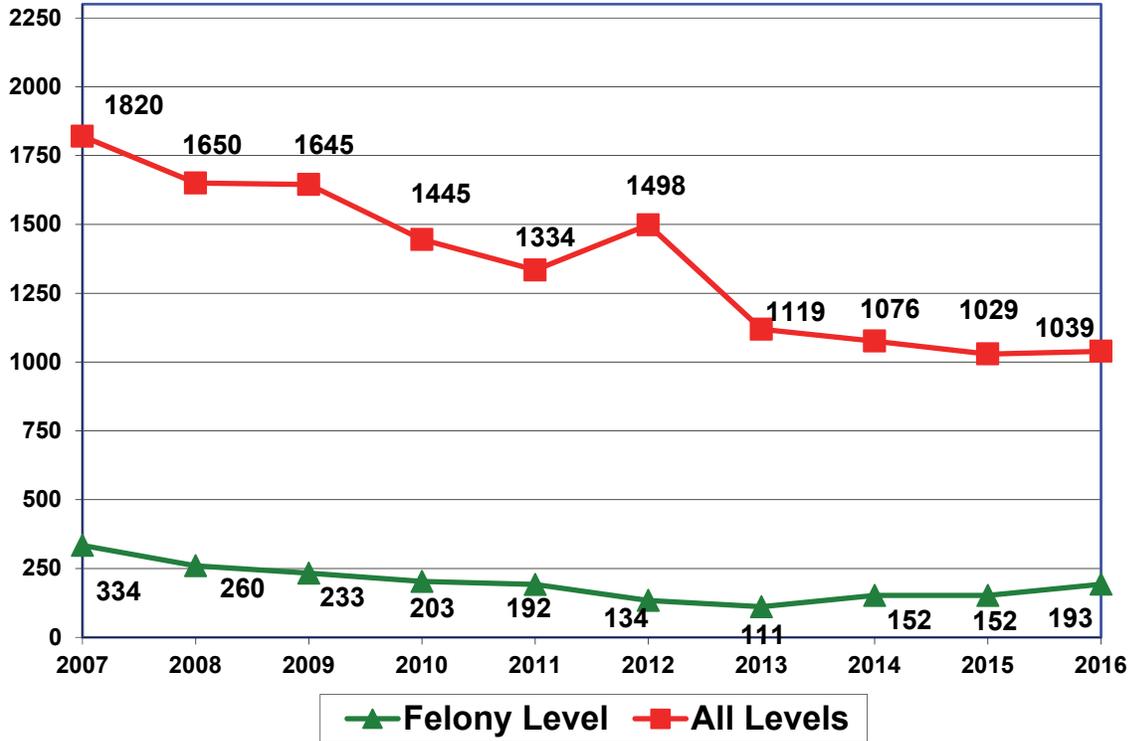
The responsibilities of the Dakota County Attorney do not necessarily end when a criminal offender is convicted and sentenced. In many cases defendants will appeal their conviction or seek other post-conviction relief from an appellate court. This Office was involved in filing or responding to **47 appeals** in adult criminal cases in 2016, compared to 56 in 2015. Appeals involve significant staff resources and are necessary in efforts to ensure accountability for criminal offenders and the fair administration of justice.

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 2016, a total of **1,039 juvenile criminal cases**¹¹ were charged¹². Of these cases, **789** involved misdemeanor-level offenses. In 2016, the number of felony-level juvenile cases was **193**.

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 number of **juvenile cases** charged based on referrals by Dakota County law enforcement agencies for the past five years:

<u>Agency</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>
Apple Valley	136	171	136	173	297
Burnsville	147	145	159	166	182
Dakota County Sheriff	69	83	99	120	139
Eagan	115	125	118	137	184
Farmington	41	34	33	42	61
Hastings	49	49	85	69	97
Inver Grove Heights	90	65	110	98	106
Lakeville	123	120	87	71	141
Mendota Heights	10	14	11	15	13
Rosemount	53	39	52	52	53
South St. Paul	140	102	89	97	121
West St. Paul	59	75	80	72	88

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;
- ❖ Requires the involvement of a parent or guardian;
- ❖ Requires payment of restitution to the victim;
- ❖ Requires community work service;
- ❖ Requires a written letter of apology; and/or
- ❖ Requires completion of other sanctions within a timely manner.

"One of the most effective things we can do to reduce crime in America is to invest our time, resources and energy in our nation's children. Appropriate early intervention efforts prevent crime before it occurs and help young people make good choices and choose the right path in life."

James C. Backstrom
Dakota County Attorney

In 2016, there were **572 juvenile cases**¹³ referred to youth accountability programs as an alternative to juvenile court.

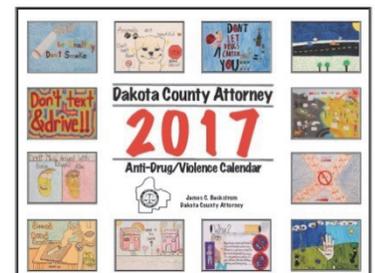
Early intervention for youth who have used alcohol and marijuana is important to their health and a successful future. In 2016, there were **235 juveniles** referred into youth accountability programs for alcohol and marijuana. Dakota County also has a Juvenile Drug Court for youth with significant histories of drug abuse that places an emphasis on treatment and intensive supervision.

Peer Court is a unique way for youth to learn about the criminal justice system in a non-threatening way. This is a joint project with the First Judicial District Court and the Honorable Judge Joseph Carter and participating high schools. Students from seven host high schools (Eastview in Apple Valley, Burnsville, Hastings, Farmington, Lakeville North, Lakeville South, and South St. Paul) serve as jurors and identify appropriate sanctions for the juvenile offenders referred to the program. Juveniles who commit minor offenses are provided the opportunity to have their case heard by a Peer Court. In 2016, **16 juvenile cases** were referred to the Peer Court program.

JUVENILE CRIME PREVENTION INITIATIVES

In 2016, the Dakota County Attorney's Office sponsored the 27th 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.

Over 1,000 students, parents, professionals and community members attended **crime prevention programs** sponsored by or put on by the Dakota County Attorney's Office on such topics as: navigating social media safely, anti-bullying, prescription medication and heroin abuse, sex trafficking, and mental health. The Office also worked closely with School Resource Officers and the Safe and Drug Free School Coordinators to increase overall awareness related to youth safety while driving.



"I am proud of the numerous crime prevention partnerships we have developed with schools and law enforcement agencies throughout Dakota County. The prevention work being done helps youth make good choices, avoid criminal charges and stay safe."

James C. Backstrom
Dakota County Attorney

OUTREACH AND PREVENTION

In addition to participating in community events, open houses and law enforcement citizen academies, the Dakota County Attorney offered a first-ever Citizen Forum in 2016. During this four-hour session, information was covered on what happens in the criminal justice system, how a criminal case is prosecuted, the role and function of a grand jury, how victims are served and overviews of various prevention programs and resources were provided.

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 victims in an effort to minimize the impact of criminal behavior by assisting victims through the criminal justice process. They lend guidance for seeking restitution, help victims prepare impact statements, and attend court hearings with victims as requested. In 2016, we served over 2,500 new crime victims.

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 2016 are available on the website at www.co.dakota.mn.us under Law & Justice.

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- 1 In 2016, one juvenile was 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 The Hennepin County Medical Examiner's Office also provides medical examiner services to Dakota County.
 - 7 Most driving while impaired offenses are misdemeanors or gross misdemeanors prosecuted by city attorneys.
 - 8 This is preliminary data from the Minnesota Office of Traffic Safety. The official number will be available mid-year.
 - 9 This number was adjusted in 2016 to account for additional deaths.
 - 10 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.
 - 11 A juvenile may be charged with more than one crime in the same or separate behavioral incident.
 - 12 Criminal charges are not evidence of guilt. A defendant is presumed innocent unless and until proven guilty.
 - 13 A juvenile may be referred to more than one Youth Accountability Program.

MISSION STATEMENT

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.

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