

OFFICE OF DAKOTA COUNTY ATTORNEY
JAMES C. BACKSTROM
COUNTY ATTORNEY

2019 Criminal Prosecution Highlights
Adult Felony and Juvenile Crimes

A Message from the Dakota County Attorney...

The Dakota County Attorney's Office has 44 Assistant County Attorneys and 49 support staff who are dedicated to carrying out the mission of this Office. As the Dakota County Attorney, I believe it is important to hold people accountable for the crimes they commit in a fair and just manner. I believe it is equally important to provide services to the victims of those crimes to ensure their rights are protected, their concerns are addressed, and that they receive full restitution from those who have caused them harm.

This Office collaborates with local, state, and federal law enforcement agencies to keep Dakota County a safe place to live and work. While I place great emphasis on public safety and protecting the most vulnerable in our community, I have also made it a priority to implement and participate in prevention and rehabilitation initiatives, such as treatment courts and adult and juvenile diversion programs.

The prosecution highlights in this document provide a snapshot of the work our dedicated team of prosecutors and support staff do every day on behalf of the citizens of Dakota County. I am proud of the work they do.

It is an honor to serve as the Dakota County Attorney. If you would like more information on our work or available resources, please contact me.



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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.*

ADULT CRIMES

The Dakota County Attorney's Office is responsible for prosecuting all felonies and gross misdemeanor drug cases committed within Dakota County by adults (persons 18 years of age and over), and juveniles certified for prosecution as adults¹. The Office also prosecutes a limited number of other gross misdemeanor and misdemeanor offenses.

In prosecuting crime, the Office primarily relies on investigative reports submitted by local, state and federal law enforcement agencies including sheriffs' offices, police departments, the Minnesota Bureau of Criminal Apprehension, the Minnesota Department of Commerce, the Federal Bureau of Investigation, and the Drug Enforcement Administration.

In 2019, there were **2,331 adult criminal cases**² charged³ in Dakota County that included a felony-level offense or a gross misdemeanor drug offense (up from 2,201 in 2018).

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

Agency	2019	2018	2017	2016	2015
Apple Valley	178	188	214	164	124
Burnsville	344	343	362	405	321
Dakota County Sheriff	175	171	204	190	166
Eagan	317	260	298	309	263
Farmington	51	50	36	44	39
Hastings	144	121	161	150	124
Inver Grove Heights	130	155	151	164	117
Lakeville	147	114	166	162	128
Mendota Heights	52	30	26	30	19
Rosemount	99	119	91	64	38
South St. Paul	197	153	159	153	151
West St. Paul	189	162	202	235	225

ADULT CRIMES OF VIOLENCE

Sadly, violent crimes occur far too frequently every day in America. In 2019, a total of **488 violent crime cases** were charged in Dakota County compared to 466 cases charged in 2018.

The following is a breakdown of the felony-level violent crime charges in these cases:

231	Assault (includes domestic-related felonies) ⁴
123	Threats of violence
89	Sex-related
43	Dangerous weapons
30	Robbery
14	Criminal vehicular homicide or injury
5	Murder and attempted murder
4	Kidnapping

"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."

James Backstrom
Dakota County Attorney

DRUG CRIMES REMAIN A SIGNIFICANT PROBLEM

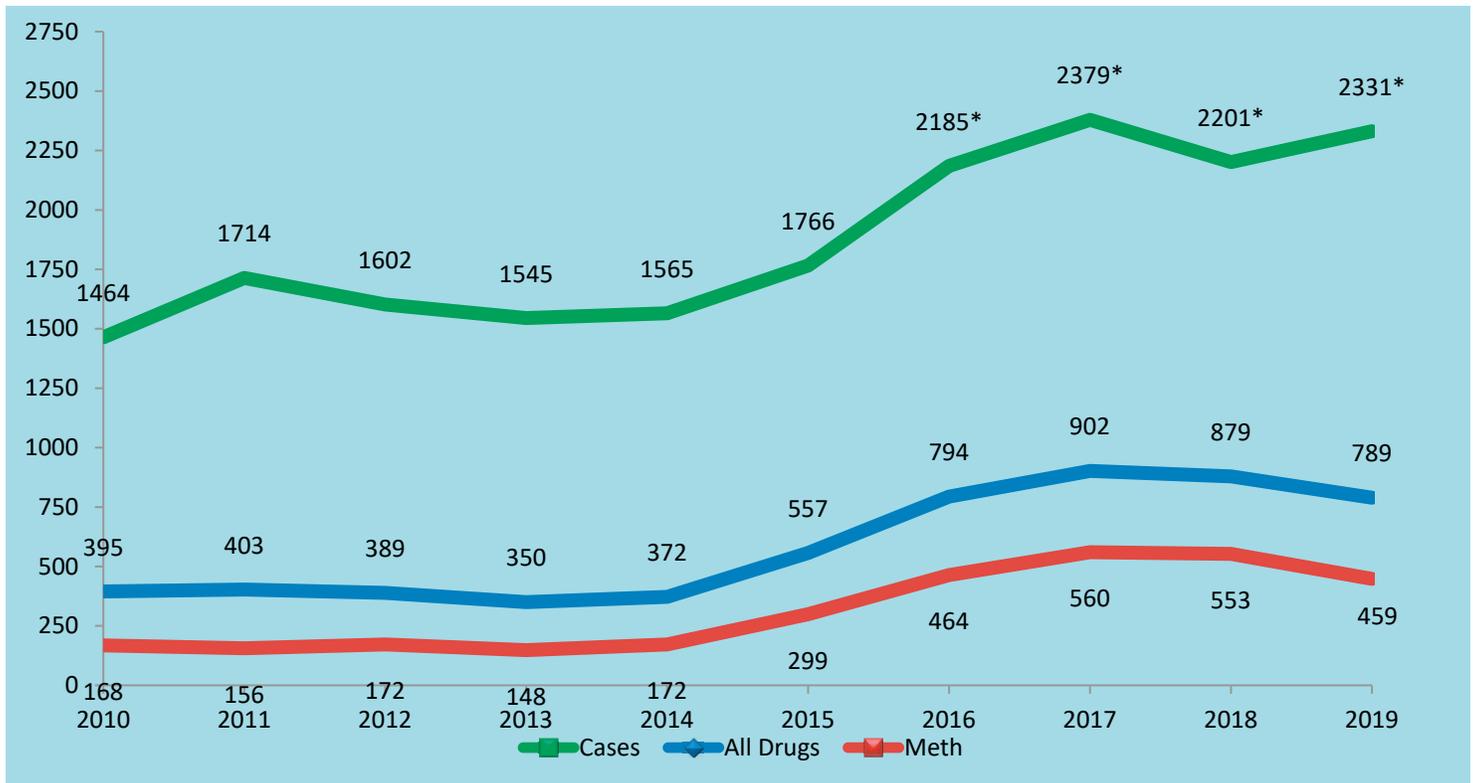
The illegal sale and possession of drugs continue to be a significant problem in our community (there have been no drug manufacturing charges in Dakota County since 2015). We work closely with the Dakota County Drug Task Force in combatting illegal drug activity. The task force includes specially trained officers from the Dakota County Sheriff's Office and local police departments.

In 2019, the Dakota County Attorney's Office prosecuted **789** felony and gross misdemeanor drug-related cases involving a wide variety of drugs (compared to 879 in 2018). The top five drug types charged in 2019 were:

Meth-related	459 cases	(553 in 2018)
Cocaine	89 cases	(97 in 2018)
Prescriptions	74 cases	(48 in 2018)
Heroin	47 cases	(55 in 2018)
Marijuana	36 cases	(98 in 2018)

Methamphetamine by far poses the most significant illegal drug problem in our community. 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 by well-organized criminal organizations. Recently, these criminal organizations have diversified their operations and now commonly distribute multiple types of illegal drugs.

ADULT CASES CHARGED



* These numbers include 235 gross misdemeanor cases charged in 2019 (258 gross misdemeanor cases charged in 2018; 225 gross misdemeanor cases 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. The drugs with the most lethal consequences are opioids and heroin. Both of these controlled substances are highly addictive and, according to the Hennepin County Medical Examiner's Office, at least 26 overdose deaths⁵ were attributed to opioid or heroin abuse in Dakota County in 2019 (compared to 37 in 2018).

All too often, the use of heroin and methamphetamine begins with the 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 addiction, death, hospitalizations, destroyed families, workplace productivity losses and overloaded public services that work to combat this critical health and safety crisis.

We all need to do what we can to combat the abuse, misuse and 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 learn more about this important service go to www.co.dakota.mn.us/ and search for “prescription drug drop-off” locations.

PROGRAMS FOR NON-VIOLENT CHEMICALLY ADDICTED DRUG OFFENDERS

Drug Diversion Program: Drug use can have immediate and long-term negative impacts for those who abuse drugs. Abusive and excessive drug use may result in poor health, harmful social behaviors, inadequate work performance, and in some cases overdose and death. The harmful effects of abusive and excessive drug use are not limited to the drug user. This behavior may lead to chaotic, stress-filled homes that in turn result in domestic violence and child abuse/neglect. Abusive and excessive drug users commit many crimes such as theft, burglary, financial fraud, robbery and assault in order to support their chemical addiction and dependency. In 2018, the County Attorney’s Office was instrumental in creating a voluntary diversion program in Dakota County for low level/non-violent drug offenders. Since its inception, **85 adults** have entered the program. This program provides opportunities and incentives for persons charged with less serious drug crimes to address their underlying drug addiction and dependency and obtain needed treatment.

Adult Drug Court: Most individuals who commit drug-related crimes are themselves addicted to drugs. To address this problem, the Office participates in Dakota County’s Adult Drug Court. This voluntary program 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 2019, **13 adults** entered the Adult Drug Court program and since the start of the program in 2008, **107 adults** have graduated.

TRAFFIC-RELATED CASES

There are so many issues in this world that are out of our control but driving under the influence of alcohol or drugs isn’t one of them. It’s 100% preventable, yet every 48 minutes⁶ a loved one is killed in the U.S. because someone decided to drive impaired. The preliminary 2019 data⁷ shows **364 individuals were killed** in motor vehicle crashes on Minnesota roads (compared to 381 in 2018). Of those, **20 individuals were killed** in Dakota County (compared to 17 in 2018).

Approximately one out of every three traffic fatalities in Minnesota is alcohol-related. Driving under the influence of alcohol or drugs remains a serious problem in our state and county. Each year in Minnesota, more than 27,000 people are arrested for DWI⁸. A felony-level DWI is committed when a person is arrested for DWI and has three prior impaired driving convictions and/or prior impaired driving-related losses of license within the past 10 years. In 2019, **47 adults** were charged with felony-level DWI in Dakota County (compared to 25 in 2018).

Distracted or inattentive driving is a factor in approximately **one in five** crashes in Minnesota. In 2019, this resulted in at least 27 deaths⁹. Distracted driving is anything that takes a driver’s attention away from driving. As of August 1, 2019, Minnesota became a “hands-free” state. The law allows a driver to use a cell phone to make calls, text, listen to music or podcasts and get directions, but only by voice commands or single-touch activation without holding the phone. It is anticipated that this law will reduce the number of deaths by an average of 15 percent¹⁰. The law will help law enforcement take more effective action to keep Minnesotans safe. Over 9,700 tickets have been issued to drivers since the law’s passage on August 1st. Remember, hands-free is not necessarily distraction-free.

Of the 364 individuals killed in crashes in Minnesota in 2019, 50 were pedestrians, 44 were motorcyclists, and 10 were bicyclists. Over 70 individuals died in speed-related crashes and another 73 died who were unbelted. Please make safe choices when behind the wheel and be a good role model to others by remembering to:

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



FELONY PROPERTY CRIMES

In 2019, **747 cases** involving felony-level property crimes were charged in Dakota County (compared to 598 cases in 2018). The following is a breakdown of the felony-property crime charges in these cases in 2019:

310	Theft-related
194	Forgery or credit card fraud
141	Burglary
85	Stolen property
50	Criminal damage to property
21	Public assistance fraud
4	Tax-related

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

James C. Backstrom
Dakota County Attorney

FINANCIAL CRIMES

The Office prosecuted a number of complex financial crimes this past year involving credit card fraud, theft by swindle or theft of funds from faith communities, companies, other organizations and individuals. Crimes of this nature involve many hours of investigation by law enforcement agencies, the Minnesota Department of Commerce, the Minnesota Department of Revenue, and the prosecutor assigned to the case. There were **12 individuals** in Dakota County last year charged with theft-related crimes in excess of \$35,000 (with losses totaling over \$600,000).

HUMAN TRAFFICKING

It is estimated that 41% of sex trafficking victims are children and the average age of entry into being prostituted is 13 years of age¹¹. **Human trafficking** is a form of modern-day slavery in which traffickers control victims for the purpose of engaging in commercial sex acts or labor services against his/her 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. The use of internet sites is a growing way that victims are marketed for sex. **Labor trafficking** has been found in diverse labor settings including: domestic work, small businesses, large farms, and factories. In 2019, one woman was convicted of trafficking women out of her Dakota County business. If you see something suspicious, report it.

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 4,000 individuals** in new cases received services during 2019.

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 appeal their conviction and/or the sentence they received; or seek other post-conviction relief from an appellate court. In certain instances, the County Attorney’s Office may also file an appeal to the appellate court. The Office was involved in filing or responding to **52 appeals** in adult criminal cases in 2019.

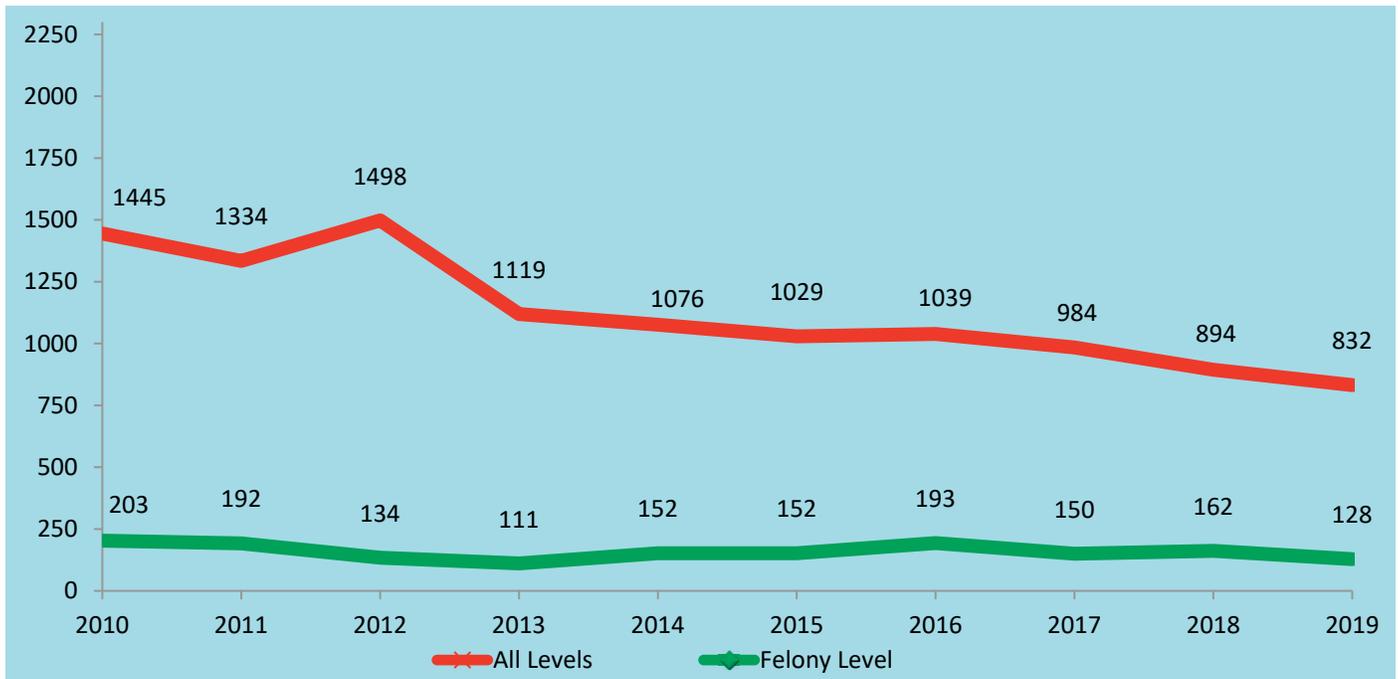
JUVENILE CRIMES

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. Juvenile prosecution begins with the filing of a citation or petition with the court. The number of youths charged with criminal offenses from year to year in Dakota County is remarkably low given our County's size and growth over the years.

- In 2019, a total of **832 juvenile cases**¹² were charged¹³ (compared to 894 juvenile cases charged in 2018). Of the total number of juvenile cases, 128 included a felony-level offense (down from 162 in 2018).

JUVENILE CASES CHARGED

Below is a 10-year history of juvenile cases charged by the Dakota County Attorney's Office:



JUVENILE CASES BY LAW ENFORCEMENT AGENCY

The chart below reflects the total number of **all juvenile cases** charged based on referrals by Dakota County law enforcement agencies over the past five years:

Agency	2019	2018	2017	2016	2015
Apple Valley	107	118	146	136	171
Burnsville	100	125	186	147	145
Dakota County Sheriff	73	63	49	69	83
Eagan	115	126	132	115	125
Farmington	35	56	41	41	34
Hastings	48	67	80	49	49
Inver Grove Heights	69	71	58	90	65
Lakeville	67	71	82	123	120
Mendota Heights	26	16	14	10	14
Rosemount	35	46	35	53	39
South St. Paul	101	67	102	140	102
West St. Paul	53	52	45	59	75

Investing time, resources and energy in our nation's youth is one of the most effective things we can do to reduce crime. We need a balanced approach to juvenile justice that holds juvenile offenders appropriately accountable, works to help rehabilitate juvenile offenders and invests in prevention and early intervention efforts to reduce crime.

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, low-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 juvenile delinquency 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; a written letter of apology; community work service; and/or completion of other sanctions within a timely manner.

In 2019, there were **536 juvenile cases**¹⁴ referred to youth accountability programs as an alternative to juvenile court. The Youth Accountability Programs include:

- ❖ Alcohol / Marijuana
- ❖ Disorderly Conduct
- ❖ Firesetter
- ❖ Peer Court
- ❖ Property
- ❖ Non-violent/non-coercive sexual behavior¹⁵



Peer Court is a unique partnership between Dakota County District Court, the Dakota County Attorney's Office, and seven participating high schools (Eastview in Apple Valley, Farmington, Hastings, 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. In 2019, **10 juveniles were referred** to the Juvenile Drug Court program. Since the start of the program in 2003, **74 have graduated**.

JUVENILE CRIME PREVENTION INITIATIVES

The Office works closely with School Resource Officers and other professionals to increase overall awareness related to keeping youth safe. In 2019, the Office also partnered with the Dakota County Healthy Communities Collaborative on several training events, including the 9th Annual Mental Health Summit for professionals who work with children and families. Over 3,200 students, parents, professionals and community members attended crime prevention programs sponsored by the Dakota County Attorney's Office or in partnership with others on:

- ❖ **Preventing bullying** behavior (to reduce bullying, cyberbullying, and sexting) and how to use social media safely when technology is changing at warp speed!
- ❖ **Chemical health** for our youth with alcohol, marijuana, and vaping continued with the presentations called *The Top Secret Project: Decoding Mysteries of the Teen Bedroom*.
- ❖ **Healthy relationships** for all ages by sharing the awareness of human trafficking to keeping older adults safe.
- ❖ **Understanding the Criminal Justice System** and professions within the Dakota County Attorney's Office.
- ❖ **Safe driving** behaviors for all drivers to reduce serious injury and fatalities on our streets and reducing school bus stop arm violations.

The **East Metro Crime Prevention Coalition (EMCPC)** is made up of the County Attorneys and Sheriffs from Dakota, Ramsey and Washington Counties. Their goal is us to unify educational resources, prevention strategies and law enforcement response to address the problems that plague our communities and engage the greater community in dialogue and partnership on particular issues in hopes of reducing or preventing crime. Topics covered since the group formed in 2011 have included: opioids, mental illness, domestic violence, frauds and scams, bullying, and the dangers associated with social media. This past year the EMCPC hosted a training on violence prevention and safety in our schools. Over 150 professionals learned from speakers and received valuable resources to share with students, staff and parents.



Dakota County Attorney Backstrom promoted Kathryn M. Keena as Chief Deputy in 2019. Kathy was the Adult Criminal Division Head and has served as an Assistant County Attorney in the Criminal and Civil Division for the past 20 years.

Detailed charts for both adult and juvenile cases charged by the Dakota County Attorney's Office in 2019 are available on the website at www.co.dakota.mn.us under Law & Justice.

¹ In 2019, 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 Most domestic-related crimes are misdemeanors or gross misdemeanors prosecuted by city attorneys.

⁵ This is preliminary data from the Hennepin County Medical Examiner's Office.

⁶ National Highway Traffic Safety Administration www.nhtsa.gov/risky-driving/drunk-driving and Mothers Against Drunk Driving www.madd.org.

⁷ This is preliminary data from the Minnesota Office of Traffic Safety. The official number will be available mid-year.

⁸ Most driving while impaired offenses are misdemeanors or gross misdemeanors prosecuted by city attorneys.

⁹ The Minnesota Department of Public Safety Office of Traffic Safety Crash Facts at www.dps.mn.gov.

¹⁰ National Safety Council and Insurance Federation based on National Highway Traffic Safety Administration data.

¹¹ The Department of Justice and the Human Trafficking Hotline (2018 report).

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 juvenile is presumed innocent unless and until proven guilty.

¹⁴ A juvenile may be referred to more than one Youth Accountability Program.

¹⁵ The Targeted Accountability for Sexual Behavior Program (TAP) is for juveniles who have been referred for charges involving a non-violent and non-coercive sex-related crime.

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