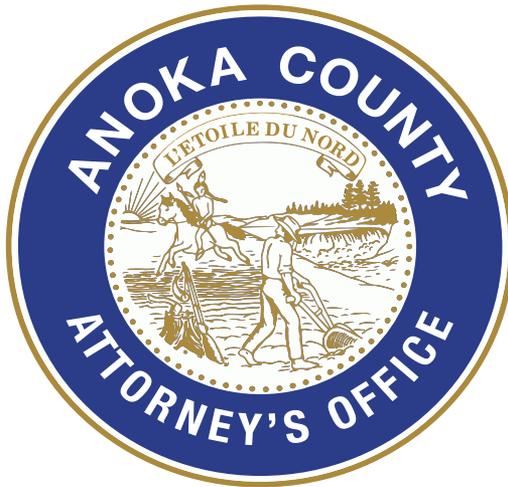


Anoka County Attorney's Office



2017
Annual Report

OUR MISSION

*The mission of the Anoka County
Attorney's Office
is to pursue justice,
advocate for citizens' rights,
and lead the community
by focusing on crime prevention and
fair governance.*

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Who we are. How we serve.

Anoka County sits on the northern edge of the Twin Cities metro and is home to more than 345,000 people. The county is divided into 20 municipalities and one township.

Anoka County is one of eight counties that make up Minnesota's Tenth Judicial District. Of the district's 45 judges, 15 are seated here.

The Anoka County Attorney's Office comprises six divisions: Civil, Criminal, Family, Juvenile, Victim/Witness Services and Investigations. The County Attorney's Office is the chief prosecuting agency in the county, handling major felony crimes and juvenile delinquencies, as well as child protection issues, child support enforcement, and civil legal matters for the county.

At the close of 2017, there were 103 employees in this office: 44 attorneys, 34 legal administrative staff, 14 administrative and technology staff, eight Victim/Witness staff, and three investigators.

More than 7,900 new cases were opened in 2017, meaning office staff opened a new case file approximately every 15 minutes.

We continue to see an upward trend in opioid drug cases and child protection cases. With the help of grant funding and cooperative partnerships, we have increased our focus on specialty courts, and cases of domestic abuse, elder abuse and motor vehicle theft.

When not in a courtroom, our staff are often training other professionals or testifying at the Legislature on topics related to their work. The areas of expertise in this office are myriad, and we are proud to share that knowledge with others.

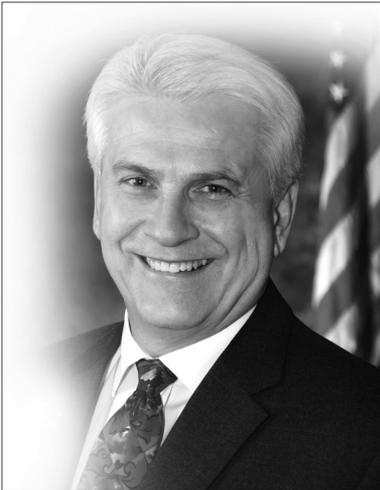
And as a balance to the hefty workload here, we are active in our communities. Many of us serve on nonprofit boards and committees; some volunteer at senior living facilities or women's crisis shelters; and others are active in their local schools or volunteer as coaches.

Hello fellow residents:

We have compiled this Annual Report to give you information about the workings of the Anoka County Attorney's Office. As you can read here, personnel in this office work on matters involving every part of Anoka County society. We help families, we help people affected by crime, we help businesses work with the county, we help guide Anoka County government through our legal advice, we defend the county's financial resources in court, and we interact with our communities and other parts of the judicial system as partners.

I think it is important for you to know about the services we provide, and to reach out to us if you need our help in the ways we can provide.

We are here to serve you, the citizens of this county.



Tony Palumbo

Tony Palumbo was elected Anoka County Attorney in 2010, and re-elected in 2014, after more than 30 years as an Assistant County Attorney. He began his career as a law clerk in this office in 1977 and passed the bar in 1979. He has served in each division during his tenure.

Civil Division

The Civil Division provides legal services to county departments, the County Board, Sheriff and County Administrator. Its work is diverse and is driven by the breadth and variety of issues facing Anoka County. To protect the county's interests, the Civil Division offers training to county staff on liability reduction, data privacy, best employment practices, and other topics of interest.

The Civil Division's responsibilities include:

Civil Litigation: Defending the county in civil claims and lawsuits.

Contracts: Drafting, negotiating, and providing legal advice about county contracts.

Employment: Providing legal advice and representation to county departments on labor and employment matters.

Real Property: Representing the county in property-related matters.

Appeals: Handling criminal, juvenile, and civil appeals at the state and federal level, as well as federal habeas corpus cases.

Civil Commitment: The Protective Services Unit (PSU) is responsible for the civil commitment of the developmentally disabled, chemically dependent, mentally ill, the mentally ill and dangerous, sexual psychopaths, and sexually dangerous persons. PSU also receives referrals on defendants found incompetent in criminal court and it provides legal advice in vulnerable adult cases.

Bryan Frantz, *Division Chief*

Attorneys:

Christine Carney

Andrew Jackola

Lisa Jones

Kelsey Kelley

Dan Klint

Bryan Lindberg

Steve Nash

Nancy Norman Sommer

Andrea Sampson

Jason Stover

Kathy Timm

Robert Yount

Anne Zimmerman

Support staff:

Glenna Anderson

Katie Barber

Kim Holbrook

Joann Hoogestraat

Karen Larson

Donna McLain

Mikayla Meyers

Jen Orpen

Civil Division By The Numbers

The Civil Division, made up of 14 attorneys and 8 support staff, opened 1,536 new cases in 2017.

A significant portion of the Civil caseload involves contracts, which the division handles for other county departments. In 2017, the Civil team created 504 new contracts for other county agencies.

The Civil Division handled 76 appeals cases (all practice areas) in 2017, down from 89 the previous year.

The Civil Division handled 200 new commitment cases, seeking court-ordered mental health or chemical dependency treatment for people.

The County Attorney's Office processes all forfeitures forwarded by local law enforcement, including the sheriff's office and the Anoka-Hennepin drug task force, and represents those agencies in court proceedings to remove property that was used in the commission of a crime. There were 154 new forfeiture cases in 2017, up from 112 forfeitures in 2016.

The county, through the Civil Division, is responsible for representing the state of Minnesota in probate cases. Probate is the legal process of settling an estate after a person has died. Our office steps in when the state seeks repayment for medical assistance expenses incurred by the state during the life of the deceased person. In 2014, our office opened 176 probate cases; in 2015 there were 314; in 2016 there were 402; and in 2017 the Civil Division handled 358 probate cases. Through these cases, we recovered \$337,000 in 2014; \$663,000 in 2015; more than \$1 million in 2016; and more than \$1.1 million in 2017.

Criminal Division

The Criminal Division of the County Attorney's Office is responsible for prosecuting adults and juveniles charged as adults.

Our office handles the most serious crimes committed in Anoka County, including homicide, sexual assault, child abuse, controlled substance offenses and robbery.

With a few exceptions, misdemeanor and gross misdemeanor crimes are prosecuted by the city attorney for the city in which a crime occurs.

The County Attorney's Office Criminal Division has 14 Assistant County Attorneys, also known as prosecutors. The prosecutors are responsible for reviewing an investigation and determining whether a person will be charged with a crime.

This charging decision is based upon a review of an investigation conducted by the Anoka County Sheriff's Office, a local police department or a state investigatory agency. Once a decision to prosecute has been made, the prosecutor drafts a complaint to initiate the court proceedings. Certain investigations are presented to a grand jury for charging consideration.

After charging, it becomes the responsibility of the prosecutor to represent the State of Minnesota at court hearings and at trial.

Paul Young, *Division Chief*

Attorneys:

Wade Kish, *Operations Manager*

Justin Collins

Kurt Deile

Treye Kettwick

Paul Ostrow

Amy Reed-Hall

Jessica Rugani

Melissa Saterbak

Laura Schwartz

Stacy St George

Brenda Sund

Jennifer Verdeja

Kristian Weir

Support staff:

Cathy Pithan, *Division Administrative Supervisor*

Angie Anderson

Alexandria Borowski

Mary Doppenberg

Diana Hudalla

Jenna McLain

Nicole Prater

Jennifer Staerk

David Weber

Criminal Division By The Numbers

In 2017, the Anoka County Attorney's Office received 2,636 felony case referrals (a new record high) from law enforcement agencies. The criminal division charged 1,964 of those cases — representing a 75% charge rate — and went to trial on 29 cases. Approximately 83% of cases were resolved by plea before trial.

Criminal division prosecutors participated in 15,674 hearings in 2017, which is an average of 63 hearings per day.

Approximately 36% of the criminal division caseload was dedicated to prosecuting controlled substance crimes in 2017.

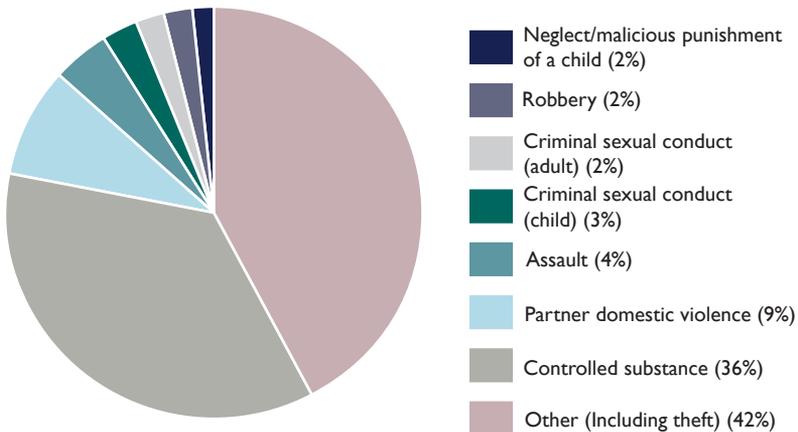
In charged controlled substance cases, the most common drugs were methamphetamine, marijuana and heroin.

The County Attorney's Office charged 10 death-related cases (7 murders and 3 criminal vehicular homicides). Two of the defendants charged with murder were juveniles; one was certified as an adult and the other case was pending at the time of this report.

Despite their smaller representation in the overall caseload, death-related cases require an enormous amount of time and resources to investigate and prosecute. Those specialized prosecution skills include interpreting toxicology results, forensic analysis of phones and electronic devices, DNA testing results, and understanding medical and autopsy reports.

Our office, working with the Midwest Regional Forensic Laboratory, presented Minnesota's first court case using STRmix™ DNA analysis technology. The case resulted in a second-degree murder conviction.

Criminal caseload: 2017 referrals



Family Law Division

The **Family Law Division** provides legal services to the Anoka County Office of Child Support when court action is necessary to:

- Establish paternity
- Establish a child support obligation
- Enforce a child support obligation
- Review child support orders.

The County Attorney's Office does not represent either parent in the child support or paternity proceeding. The Office of Child Support is the public authority responsible for child support enforcement.

How We Get Involved in a Case: In 1975, Title IV-D ("Four D") of the Social Security Act was enacted. It mandates that federal, state, local and tribal child support programs be established to locate parents, establish paternity and child support orders, and enforce and review them.

Referrals: The Anoka County Attorney's Office acts on referrals from the Office of Child Support. A case may be referred when public assistance is being expended or a person applies for services through the agency.

Francine Mocchi,
Division Chief

Attorneys:

Chamise Anderson
Dorrie Estebo
Nick Jannakos
Brett Schading
Dawn Sieber

Support staff:

Melissa Epping, *Division
Administrative Supervisor*
Sydney Arnold
Lori Buchta
Carrie Freeland
Cassie Gerenz
Andrea Manthei
Traci Melberg
Hannah Osman
Mary Ellen Plante
Carissa Purvis

By The Numbers:

The Family Law division received 2,287 referrals in 2017 and opened 1,053 new cases.

Juvenile Division

The Juvenile Division represents Anoka County in matters involving children.

Delinquency actions: Attorneys in the Juvenile Division prosecute children who commit offenses in Anoka County. These offenses range from juvenile petty offenses involving tobacco and underage drinking to delinquency offenses, like assaults, robberies and murder.

Juveniles charged as adults are prosecuted by the Criminal Division of the County Attorney's Office.

Child protection actions: The Juvenile Division pursues legal actions to protect abused or neglected children through Children in Need of Protection and Services (CHIPS) proceedings and termination of parental rights, when deemed necessary.

Truancy and School Attendance: Addressing excessive school absences through a truancy intervention program reduces the number of truancy cases that end up in court. The Juvenile Division works in Anoka County schools, providing prevention presentations about the socio-economic and court consequences of truancy and working with families to find solutions.

Jon Audette,
Division Chief

Attorneys:

Kathy Doty

Don LeBaron

Andrew Loose

Lee Martie

Heather Pilon

Shauna Ryan

Michelle Thompson

Support staff:

Sally Gauthier

Jessica Lane

Amanda Spence

Lisa Talbot

Kathy VonBargen

By The Numbers:

The Juvenile Division opened more than **2,400** new cases and attended more than **918** court hearings in 2017.

Though the division filed **1,861** delinquency petitions and **303** truancy cases in 2017 — the bulk of the new cases filed over the year — those cases were usually resolved in a short amount of time.

There were **257** new CHIPS cases filed in 2017, including **56** Termination of Parental Rights cases. Despite their smaller numbers, CHIPS cases are typically more work-intensive than any other juvenile case type, and they can last for years.

Victim/Witness Services

The Anoka County **Victim/Witness Services** unit provides victim and witness services for cases charged by the County Attorney's Office.

Victim/witness specialists assist victims, victims' families and witnesses by providing detailed case and court hearing information; connecting victims to resources and services; and acting as guides through every step of the criminal justice system.

Some of the victim/witness specialists have focus areas and work with target populations, like elderly victims or juveniles. Division staff work in partnership with other community agencies to meet the needs of victims and their families.

If you are a victim or witness of a case charged by a city attorney's office within Anoka County, the Victim/Witness Services unit can provide general information about the criminal justice system and will refer you to the appropriate office for specific questions about the case in which you are involved.

Emily Douglas,
Division Manager

Staff:

Alicia Brandenburg

Kelli Gustafson

Holly Lammers

Shandra McGhee

Shawna Kish

Laura Ostrom

Loni Payne

Andrea Struzyk

Bethany Walker

By The Numbers:

The unit's victim/witness specialists maintained an average caseload of **252** cases per specialist in 2017, a significant jump from 2016's average of **115**.

More than **2,750** new victims and victims' relatives came into contact with Victim/Witness Services over the year. Staff made **32,870** contacts with victims or other participants. The division also assisted in recouping more than **\$641,000** in restitution for victims.

The Victim/Witness Services unit also:

- Participated in **42** criminal and juvenile trials
- Spent **119** days in trial
- Assisted **20** non-English speakers
- Worked with **118** victims over age 65
- Worked with **110** victims identified as high-risk for domestic violence in Lethality Assessments

Investigations Unit

The Investigation Division investigates white collar crimes, financial exploitation of vulnerable adults, welfare fraud, liability claims, and internal personnel matters. The team also reviews election law violations and includes investigators who specialize in computer and cell phone forensics.

The Anoka County Attorney's Office hired its first in-house investigator in 1971. The division grew to seven investigators in the mid-1990s and has fluctuated in size over the years as caseloads have evolved.

When the Investigation Division was first created, it handled primarily welfare fraud cases. The unit still works hand-in-hand with the county's Economic Assistance Department on those cases, but the workload has expanded to also include referrals from Adult Protection involving elder abuse and other agency referrals involving complex fraud or economic crime. Following the housing bubble of the mid-2000s, investigative work was overwhelmingly devoted to mortgage fraud.

Though much of the division's work is focused on criminal investigations, the investigators are not sworn law enforcement officers. They work in partnership with local police.

Bob Egan,
*Investigations
Manager*

Investigators:

Lorraine Gabbert

Paul Talbot

By The Numbers:

In 2017, the division conducted **86** investigations and tracked down dozens of people for County Attorney's Office cases, including victims, witnesses or subpoena recipients.

Administration

At the direction of County Attorney Tony Palumbo, the Administration Division of the County Attorney's Office oversees the daily operations of the agency.

Administration's responsibilities run the gamut, including construction decisions, technology infrastructure, policy oversight, staffing changes and budgeting.

Because the County Attorney's Office is an elected office, it works independently of, but in cooperation with county administration.

The County Attorney's

Marcy Crain, *Chief Deputy County Attorney*
Amanda Usher, *Administrative Manager*

Laurie Larson, *Administrative Coordinator*
Julie Anderson, *Office Support Specialist*
Patty Iverson, *Office Support Specialist*
Dede Olds, *Office Support Specialist*
Jeff Shogren, *Office Aide*

Nancy Mallinger, *Technology Manager*
Charles Karanja, *Technical Analyst/
Operations Coordinator*
Lyle Slawson, *Technical Analyst/Operations
Coordinator*
Deb Sundberg, *Systems Support Technician*

Doreen Borntreger, *Executive Assistant*
Ron Geier, *Accountant*
Elizabeth Mohr, *Community Relations
Coordinator*

Office has an annual budget of about \$9.6 million. Approximately 90% of the budget supports staffing costs.

History of the Anoka County Attorney's Office

When Anoka County was officially organized by an act of the Territorial Assembly in 1857, the governor appointed a board of commissioners who, in turn, appointed a sheriff, treasurer, coroner, and three district assessors. The first County Attorney was elected that fall, according to historical election records.

Organization of the formal legal and criminal justice system took some years, with the county's first courthouse erected in 1878. Court proceedings had previously been held in a store on Main Street near Ferry Avenue.

Tony Palumbo is the 20th man to hold the title of Anoka County Attorney since 1857. The first Assistant County Attorney was hired in 1961. When Palumbo began as a law clerk in 1977 there were 14 attorneys. There are now 44.

Chief Deputy County Attorney Marcy Crain, who joined the office in 1982, is the second woman to hold her position in Anoka County.

Grant-funded programs

The County Attorney's Office, like many public service organizations, uses grant funding to augment programs and services. Most of the grant-funded programs are operated in partnership with other agencies and organizations.

Crime Victims Prosecutorial Services: Victim/Witness Services in 2017 was awarded a substantial grant renewal to bolster efforts to reach elderly and non-English speaking victims. The funds were used to hire an additional specialist who focuses on the target groups, and to support training and public education efforts.

Veterans Court: In 2016, the County Attorney's Office applied for and was awarded a \$300,000 federal grant to enhance the county's existing Veterans Treatment Court over three years. The County Attorney's Office received the grant and manages the funds, but the vets court program is run by a team of partners, including judges, corrections, defense attorneys, city and county prosecutors, Veteran Services, and a peer mentor coordinator. The grant funds have been used to grow the program, train the specialty court team members, and to hire a court program coordinator, who oversees both the vets court and the county's drug court.

Direct Client Assistance: With the help of a state grant, the Victim/Witness Services unit is able to offer crucial emergency funds to victims. Examples of emergency financial services include: paying for a hotel to provide a temporary safe place, renting a truck to help a victim move, purchasing a replacement cell phone, or covering the cost of lock changes.

Lethality Assessment Program: The County Attorney's Office, in partnership with local law enforcement agencies and Alexandra House, uses federal grant funds for training and services related to assessing high-risk domestic violence situations. The program, now in its eighth year, has been highly successful in reducing domestic homicides.

Auto Theft: The Anoka and Washington County Attorneys' Offices have partnered on a grant-funded program dedicated to reducing auto thefts through education and tougher prosecution since 2004. Funding comes from the Minnesota Department of Public Safety.

In The Community

- The Anoka County Attorney's Office collaborated with partner agencies to hold a senior safety seminar in Anoka in January 2017 and a series of trafficking forums in Lino Lakes, Fridley and Anoka in November.
- The county attorney's office participated in a January 2017 community dialogue in Fridley hosted by the Tenth Judicial District Equal Justice Committee. A representative from the attorney's office is a member of the committee.
- County Attorney Tony Palumbo represented the Minnesota County Attorneys Association on the Governor's Council on Law Enforcement and Community Relations throughout the year. The council released its recommendations to state leaders in September.
- In December, Palumbo received the Minnesota County Attorneys Association's highest honor — the Johnson Distinguished Service Award — for his leadership and efforts to improve the quality of the justice system. The award is named for former Anoka County Attorneys Robert W. Johnson (served 1951-1982) and his son Robert M.A. Johnson (served 1983-2010).
- Our attorneys provided trainings on a variety of subjects to Anoka County law enforcement, court staff, county departments and victim advocacy agencies. Attorneys created videos and written materials on subjects like Minnesota's Data Practices Act and the federal Deficit Reduction Act for county staff education. And attorney's office staff gave presentations to public groups, such as high school students, bar associations, community groups, interpreters and journalists.
- The county attorney's office in July sent veterans court and drug court team members to Washington, D.C., for specialized training. This was paid for with federal grant funds.
- Staff represented the office at several community events, including the Anoka County Fair, Anoka County Senior Expo, World Elder Abuse Awareness Day, the Anoka County Sheriff's Open House, in order to provide educational materials and answer attendees' questions.
- Assistant Anoka County Attorney Kelsey Kelly was named one of Minnesota Lawyer's 2017 Up and Coming Attorneys.

Contact Us

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Main fax: 763-324-3670

Criminal Division: 763-324-5450

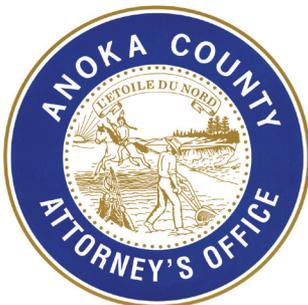
Family Law Division: 763-324-5550

Civil Division: 763-324-5550

Juvenile Division: 763-324-5450

Victim/Witness Services: 763-324-5540

Community/Media Relations: 763-324-5471



Anoka County Attorney

TONY PALUMBO

Justice, Advocacy, Prevention.

