

Anoka County Attorney's Office

2018 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.*

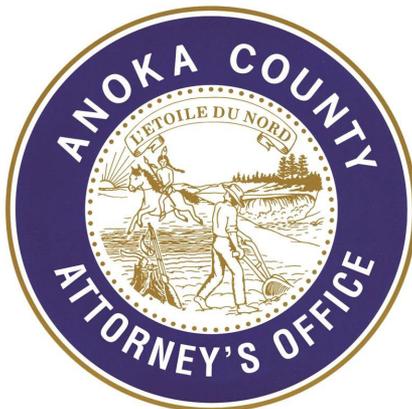


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Who we are. How we serve.

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.

More than 8,300 new cases were opened in 2018, meaning office staff opened a new case file approximately every 14 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.

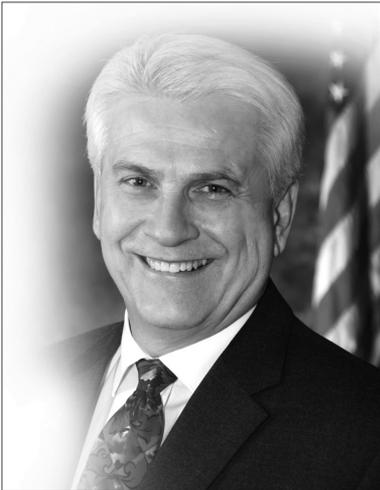
As a balance to the hefty workload here, we are active in our communities. Many of us serve on nonprofit boards and committees; some volunteer at senior living facilities or women's crisis shelters; and others are active in their local schools or volunteer as coaches.

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 after more than 30 years as an Assistant County Attorney. He was re-elected in 2014 and 2018. 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
Jason Stover
Kathryn Timm
Robert Yount
Anne Zimmerman

Support staff:

Glenna Anderson
Katie Barber
Kim Holbrook
Karen Larson
Donna McLain
Mikayla Meyers
Emily Peterson

Civil Division By The Numbers

The Civil Division, made up of **13** attorneys and **7** support staff, opened **2,077** new cases in 2018.

A significant portion of the Civil caseload involves contracts, which the division handles for other county departments. In 2018, the Civil team created **646** new contracts for other county agencies.

The Civil Division handled **72** appeals cases (all practice areas) in 2018. Of the **15** decisions returned by the Court of Appeals on Anoka County criminal cases in 2018, the county's position prevailed in all cases. There are **nine** appeals cases from 2018 still awaiting a decision from the appellate court.

The Civil Division filed **193** new commitment cases, seeking court-ordered mental health or chemical dependency treatment for individuals.

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 **202** new forfeiture cases in 2018, up from **154** forfeitures in 2017 and **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 2018, our office opened **376** probate cases and recovered more than **\$1.5 million**.

The most visible cases handled by the division in 2018 centered on tax disputes between the county and big-box retailers. Our attorneys spent a significant amount of time litigating these cases to ensure large retail property owners are paying their fair share to benefit the citizens of Anoka County. As major retailers continue to challenge the assessed value of their properties, these cases can have major impacts within the county and throughout the state.

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 files 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*

Beth Beaman

Justin Collins

Kurt Deile

Kelsey Kelley

Paul Ostrow

Amy Reed-Hall

Jessica Rugani

Andrea Sampson

Melissa Saterbak

Laura Schwartz

Stacy St George

Brenda Sund

Kristian Weir

Support staff:

Angie Anderson

Nicole Cegla

Mary Doppenberg

Diana Hudalla

Jen Orpen

Nicole Prater

Jennifer Staerk

Emily Zehowski

Criminal Division By The Numbers

In 2018, the Anoka County Attorney's Office received **2,598** felony case referrals from law enforcement agencies. The criminal division issued complaints in **2,180** cases — representing an **84%** charge rate — and went to trial on **31** cases. Approximately **66%** of cases were resolved by plea before the end of the year.

Criminal division prosecutors participated in **17,737** court hearings in 2018, which is an average of **68** hearings per day. Attorneys managed an average caseload of **136** criminal files.

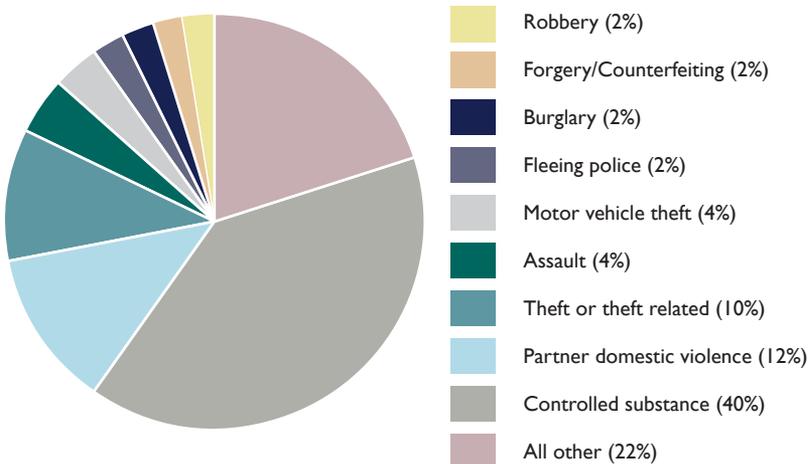
Approximately **40%** of the criminal division caseload was dedicated to prosecuting controlled substance crimes in 2018. The most common drugs involved were methamphetamine, marijuana and heroin.

Domestic abuse cases represented the next highest category, at **12%**; followed by theft and theft-related cases at **10%**.

Only **4%** of the caseload involved sex crimes (criminal sexual conduct, prostitution, pornography), but in those cases at least **60%** of the victims were minors.

And our **9** death-related cases — which get the most media coverage and require an enormous amount of investigative and prosecutor time — represented less than **1%** of the caseload.

Criminal caseload: 2018 charges



Family Law Division

The Family Law Division provides legal services to the Anoka County Child Support Services department when court action is required to establish paternity or to establish, enforce, or review a child support obligation. The Anoka County Attorney's Office does not represent either parent in the child support or paternity proceeding.

Child Support Services is the public authority responsible for child support enforcement. The County Attorney's Office responds to referrals from Child Support Services.

A case may be referred when public assistance is being expended or a person applies for services through the agency. For each case referred, the Family Law Division attorneys and support staff prepare, serve, and file legal documents with the court so appropriate child support orders may be issued.

Francine Mocchi,
Division Chief

Attorneys:

Dorrie Estebo
Nick Jannakos
Christine Rogers
Brett Schading
Dawn Sieber

Support staff:

Melissa Epping, *Division
Administrative Supervisor*
Sydney Arnold
Lori Buchta
Carrie Freeland
Kayla Gooler
Andrea Manthei
Traci Melberg
Hannah Garcia
Mary Ellen Plante
Carissa Purvis

By The Numbers:

In 2018, Child Support Services had **11,613** open cases, of which **2,361** were referred to the County Attorney's Office for legal action.

Nearly **800** of the referred cases were new; the remainder were ongoing cases needing changes or review.

In 2018, division staff participated in **1,827** court hearings.

Juvenile Division

The **Juvenile Division** represents Anoka County in matters involving children.

Delinquency actions: Attorneys in the Juvenile Division prosecute offenses committed by children in Anoka County. These offenses range from juvenile petty offenses involving tobacco and underage drinking to delinquency offenses like assault, robbery and murder.

Juveniles certified to stand trial as adults are prosecuted by the Criminal Division.

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.

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 provides presentations at local schools about the socioeconomic and court consequences of truancy and works with families to find solutions.

Jon Audette,

Division Chief

Attorneys:

Kathy Doty

Don LeBaron

Andrew Loose

Lee Martie

Heather Pilon

Sauna Ryan

Michelle Thompson

Support staff:

Jessica Lane, *Division*

Administrative

Supervisor

Alexandria Borowski

Sally Gauthier

Lisa Talbot

Tiffany Westlund

Kathy VonBargen

By The Numbers:

The Juvenile Division opened more than **2,500** new cases and attended more than **3,400** court hearings in 2018.

The division filed **812** delinquency petitions and **305** truancy cases in court. There were more than **1,000** referred delinquency and truancy cases that were settled out of court by diversion or other alternative resolutions, requiring a significant amount of work and staff time.

There were **292** child protection cases referred, including **53** Termination of Parental Rights cases. CHIPS cases are typically more work-intensive than any other juvenile case type, and the process 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

Clark Edblad

Holly Lammers

Tamara Mattison

Shandra McGhee

Shawna Kish

Loni Payne

Johnna Preidt

Andrea Struzyk

Bethany Walker

By The Numbers:

The unit's victim/witness specialists maintained an average caseload of **120** cases per specialist in 2018.

More than **2,900** new victims and victims' relatives came into contact with Victim/Witness Services over the year and staff made **29,538** contacts with victims or other participants. The division assisted in recouping more than **\$687,000** in restitution for victims.

The Victim/Witness Services unit also:

- Participated in **44** criminal and juvenile trials
- Spent **104** days assisting prosecutors in trial
- Assisted **84** non-English speakers
- Worked with **128** victims over age **65**
- Worked with **131** victims identified as high-risk for domestic violence in Lethality Assessments

Investigations Unit

The Investigations Unit investigates white collar crimes, financial exploitation of vulnerable adults, welfare fraud, civil liability claims, election law violations, and internal personnel matters. The team 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 it was first created, the division handled primarily welfare fraud cases. Investigations continues to work hand-in-hand with the county's Economic Assistance Department on those cases, but the workload has expanded to include referrals from other agencies dealing with complex fraud or financial crimes.

Although they are not peace officers, the investigators do conduct criminal investigations and work in tandem with law enforcement agencies.

In 2018, the Investigations Unit purchased a new software called ScanWriter, which enables investigators to turn PDFs and images into data spreadsheets. This saves an enormous amount of staff time and has been most useful in financial exploitation cases involving bank transactions. Investigators also use a specialized software called Magnet Axiom to search and analyze data on electronic devices.

The division is constantly on the lookout for updated software to aid in its investigations and to keep abreast of the changing digital tools used by criminals.

Lorraine Gabbert,
*Investigations
Manager*

Investigators:

Laura Ostrom
Paul Talbot

By The Numbers:

In 2018, the division conducted **114** 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 daily operations of the agency.

Administration's assorted responsibilities include construction decisions, technology infrastructure, policy oversight, staffing changes, and budgeting.

Because the County Attorney is an elected official he works independently of, but in cooperation with county administration.

The County Attorney's Office has an annual budget of about \$9.6 million. Approximately 90% of the budget supports staffing costs.

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

Nancy Mallinger, Technology Manager
Charles Karanja, Technical Analyst/Operations Coordinator
Christy McKinney, Technical Analyst/Operations Coordinator

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

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 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 43.

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.

Crime Victims Prosecutorial Services: Victim/Witness Services in 2018 was awarded a second renewal of this state grant to bolster outreach efforts for underserved victim populations, including elderly and non-English speaking. The funds have supported 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 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 ninth 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.

Outreach & Partnerships

- Our attorneys and staff 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.
- Staff represented the office at several public events, including Anoka County Law Day, Anoka County Fair, Anoka County Senior Expo, World Elder Abuse Awareness Day, the Anoka County Sheriff's Open House, and Columbia Heights Eat & Greet, in order to provide educational materials and answer citizens' questions.
- This office and its staff are and have been involved in multiple cross-agency collaborative committees, including (to name just a few): Abuse in Later Life, Minnesota Alliance on Crime, Mediation Services for Anoka County, Tenth Judicial District Equal Justice Committee, Anoka County Joint Law Enforcement Commission, Attorney General's Task Force on Sexual Assault, and Governor's Council on Law Enforcement and Community Relations.
- Our office has worked tirelessly on technology upgrades that will move us through the coming years. We rolled out a paperless file system and are in the process of overhauling our outdated electronic case management system, which is a massive project involving every division. We partnered with the courts to install improved technology in courtrooms. We partnered with the state to install fiberoptic infrastructure to ease information-sharing with public defenders. And we continue to collaborate with law enforcement agencies to address the growing storage and policy needs related to body camera data.
- The County Attorney's Office has formed an internal Diversity & Inclusion Committee aimed at improving inclusivity within our office and the community through training and engagement, and diversifying our workforce to better reflect the community we serve.
- This office collaborated with partner agencies to create an online resource for domestic abuse victims. The website, anokadomesticabuseconnect.com, provides step-by-step details on bringing a domestic violence case to court.

Contact Us

2100 3rd Ave., Suite 720
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Monday-Friday 8:00 a.m. - 4:30 p.m.

anokacounty.us/attorney

Email: attorney@co.anoka.mn.us

Main phone: 763-324-5550

Main fax: 763-324-3670

Criminal Division: 763-324-5450

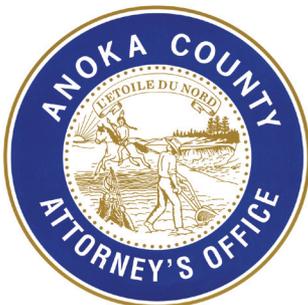
Family Law Division: 763-324-5550

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.

