

seeking **Justice**
providing **Safety**
building **Community**

Promoting the well-being of County citizens through fair and vigorous prosecution of crime. Assisting and protecting victims and others in need. Providing timely, sound, and effective legal advice and representation to St. Louis County Departments and the Board of Commissioners.

www.co.st-louis.mn.us/county_attorney

**County Attorney
Melanie Ford**



**St. Louis County Attorney
Annual Report**

09

Effectively Ensuring Public Safety

The 2009 budget approved for our office was cut from 2008, which did not allow us to fully staff the office based on the case demands. Governor Pawlenty's unallotment of aid to local units of government forced St. Louis County to further reduce all department budgets mid-year. While much of this Office's expense budget is used to ensure that our staff has the tools and training necessary to do the work of the Office, a growing percentage of the budget goes to defense attorneys appointed by the Court to represent citizens in cases initiated by the County.



Adult criminal activity rose in St. Louis County. This not only put pressure on our staff to make sure we met deadlines for case filings, but on the entire judicial system (which is also faced with reduced budgets). Many more cases were scheduled in court on any given day. With fewer public defenders and probation officers, cases took longer from the date of offense to sentencing. There was not enough room in our jail to house all defendants. We faced delays in bringing cases to trial because of the time needed to ensure we had all evidence analyzed and found our witnesses for trial.

Also on the rise was the number of lawsuits brought against St. Louis County. The number of tax court appeals tripled. Civil litigation case numbers were also up.

In spite of the increased case loads, we made progress on our 2009 goals:

- ◆ Staff engaged in the Juvenile Detention Alternatives Initiative, designed to reduce the number of children in secure detention and eliminate the disproportionate number of youth of color involved in the juvenile justice system;
- ◆ We continued to support specialty courts, and substantial progress was made in establishing a mental health court in Duluth;
- ◆ We worked with elementary schools to stress the importance of staying in school and off drugs and strengthened our coordinated response to truancy;
- ◆ The number of juvenile delinquency referrals for prosecution dropped almost 10%.

My major goals for 2010 include:

- ◆ Strengthening our prosecution of domestic and sexual violence and working with advocates and justice system professionals to ensure victim safety and offender accountability. We must reduce the annual \$38,000,000 cost of domestic violence to St. Louis County citizens;
- ◆ Maximizing efficiency in the way we go about our work so that we can continue to provide excellent legal services in spite of reductions in our assets;
- ◆ Continuing to implement practices designed to provide everyone involved in the justice system fair and equitable treatment.

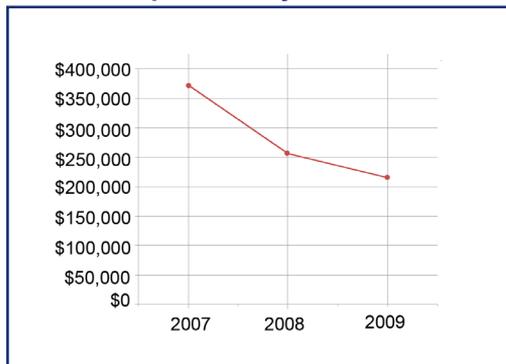
I give thanks to my staff and all of the many professionals that have collaborated with my Office to make this County a great place to live.

**County Attorney
Melanie Ford**

"2009 was a difficult year due to the current economic environment. I am proud to say that my staff maintained an excellent work ethic, provided sound legal advice, and ensured fairness and justice to those involved in the court system in spite of many challenges."

Effective Use of Diminishing Resources

Chart 1. Expenses* By Year



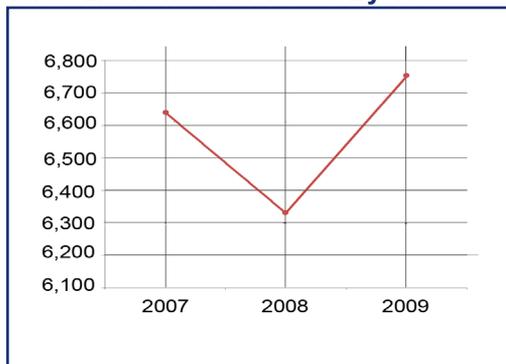
* These are expenses that the Office has direct control over.

Over the past three years, in response to the difficult economic times facing the citizens of St. Louis County and decreasing revenue, the Office cut our costs of doing business. Chart 1 depicts the reductions in costs that we have direct control over from 2007 - 2009.

Chart 2 depicts the increase in cases in 2009. The number of tax appeals tripled this year. Child protection cases increased. The number of parent termination cases increased 44 percent since 2007. Adult felony referrals increased 20% from 2008.

We look at improving our effectiveness and efficiency every year. We focus on cutting those expenses that have the least impact on our community's safety. Providing effective and efficient service means maintaining the ability to represent our communities in Court while constantly keeping our controllable expenses to a minimum.

Chart 2. Number of Cases By Year



Knowing that economic times are tough, and believing in the value of our children, we have undertaken community crime prevention efforts and JDAI. Looking at the budget decreases over the years it is even more important to work with our communities to prevent crime. The reduction in juvenile delinquency cases in 2008 is not only important for budget considerations, but for the good of the children, for a child's life cannot be measured in dollars alone.

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Public Health and Human Services Division

"Good citizenship is vital to us. All staff members have participated in diversity and multicultural training helping to ensure that all citizens are treated fairly, equitably, and with dignity."

Kenneth Udoibok
Head, Public Health and Human Services Division

Our experienced and dedicated staff in Duluth, Hibbing, and Virginia represents the County in many matters, including guardianships, civil commitments, child support enforcement and establishment of paternity, and child protection cases.

We also prosecute all juvenile crime in St. Louis County. Last year we rigorously advocated to have a juvenile tried in adult court. This youth caused very serious injuries to two people when he attempted to kill them with a hand gun during a robbery.

Our staff developed a program in collaboration with the County Department of Public Health and Human Services whereby licensing officers, along with investigators from our office, conduct unannounced checks of day care facilities for fraud and compliance issues. This program not only resulted in tax savings, but in public safety. For example, we successfully revoked the license of a husband and wife day care provider who subjected children in their care to sexual abuse.

Our office handles child protection cases - complex and emotionally charged cases where children are the subject of abuse or neglect. In 2009, the youngest victim of sexual abuse was a four year old girl who was being sexually molested by her guardian. We obtained a court order which removed her from the guardian's home and placed her in a safe and nurturing foster home.

Criminal Division

"As prosecutors we are called upon many times a day to make decisions, large and small, that impact the lives of victims and defendants and bear upon the safety of our community.

The role of a prosecutor is to seek justice – every day, case by case, we seek justice by addressing public safety, the needs of victims and the rehabilitation of defendants."

Leslie Beiers
Head, Criminal Division

In 2009, the criminal division had twelve prosecutors housed in Duluth, Virginia and Hibbing who handled 2,870 cases referred to the County Attorney's Office by law enforcement agencies.

This high volume of cases means our prosecutors are in court every day appearing on a wide variety of criminal matters, including bail motions, plea and sentencing hearing and trials. The cases we handle often have a significant impact on the crime victims and on the safety of the community.

One significant case involved the prosecution of a man for severely abusing three of his children. One of the children suffered broken bones and internal injuries. The jury found the defendant guilty and found reasons to recommend a longer sentence based on the vulnerability of the victims and the extreme cruelty of the acts. The defendant was sentenced to 29 years in prison.

Another significant case involved the prosecution of a defendant who stabbed his victim more than 50 times. The jury found the defendant guilty of first degree murder and he was sentenced to life in prison.

Not all cases result in prison sentences. We handle many cases involving low level property crimes and first time offenses. These offenders often receive probationary sentences allowing them a chance for rehabilitation through appropriate treatment, to remain law abiding and to make the victims of the crime whole by paying restitution. Crime victims frequently speak out in support of sentences which give an offender the opportunity for rehabilitation.

Victim / Witness Division

Minnesota's first prosecutor based victim assistance program

In 2009 our staff had the privilege of providing essential services to over 2,400 victims of crime (an increase of 54% over the past five years). We informed them of their legal rights and helped ensure that those rights were adhered to. We also assisted and provided services to witnesses of crime and helped ensure their appearance at trial.

Ty Schroyer
Head, Victim / Witness
Division

We continued our collaboration with Men As Peacemakers facilitating a Crime Victim Healing & Support Circle. The program is a valuable service for victims of crime helping them to heal.

The justice system is sometimes cold, callous and indifferent to those who were harmed by crime, creating a potential for feelings of re-victimization, not justice.

We strive to be a buffer and create a "process of justice" that helps preserve their dignity, flows from a place of compassion and has an eye toward repairing the harm.

A twenty-two year old bystander was shot and killed in July 2009 leaving his young son without a father and family and friends without their loved one. A victim-witness staff person attended the funeral to make early contact with his family, offer condolences and assist in applying to the Crime Victim Reparation Board for funeral expenses, possible loss of wages and grief counselling services.

We met with the family several times to discuss the case, provide information regarding the criminal justice process and extend emotional support. There were many moments of just listening. We prepared and walked with the family throughout the trial process. At the sentencing hearing, a victim/witness staff member was asked to read a victim impact statement, a letter addressed to the deceased, from the murder victim's cousin which she wrote as a way of having that last conversation with him that she didn't get to have.

It was a privilege and a special moment. She wrote beautifully and poetically. The family reached across the aisle to the defendants family (acknowledging their pain and loss) and asked the judge to show mercy and stated that they had forgiven the defendant. Many people throughout the trial and after the sentencing spoke about how moved they were by this family's grace and mercy.

Six attorneys in the Civil Division represented St. Louis County and Arrowhead Regional Corrections in Federal and State court actions and administrative hearings. Two investigators in the Division assisted with management of cases and workers compensation files.

Civil Division

In 2009 our representation handled a broad range of legal matters including partition actions, boundary disputes, workers compensation petitions, eviction actions, contract disputes, property tax appeals, employment cases, land use and zoning issues, tax-forfeited land management, debt collection, condemnation of property, and asset forfeitures from DWI or drug cases.

Among the files opened in 2009 were

- 88 claims
- 33 general litigation
- 96 tax court appeals
- 5 land platting opinions
- 7 workers compensation petitions



Barbara Russ
Head, Civil Division

JDAI – Juvenile Detention Alternatives Initiative

For the Children

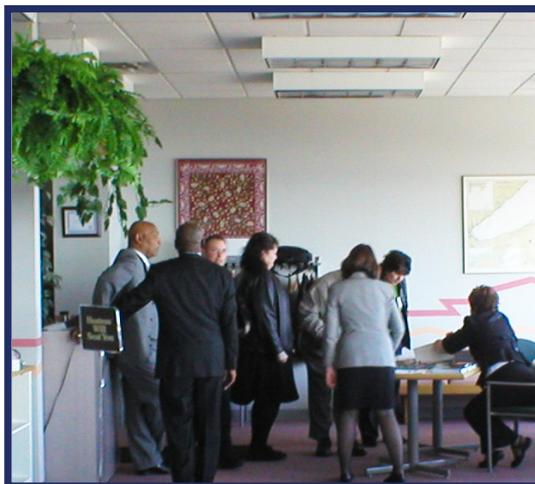
The Juvenile Detention Alternatives Initiative (JDAI) promises to improve the juvenile justice system – to the benefit of kids and public safety. JDAI brings together all of the institutions that work with youth, policy makers, and a group of dedicated people from the community.

In the late Fall of 2008, County Attorney Melanie Ford convened a broad group of community leaders, Tribal Leaders, agency heads, District and Appellate court judges, elected State and local officials, school officials, and nonprofit leaders. These people were to become the “Oversight Committee” for JDAI.

Over thirty people gathered with representatives from the Annie E. Casey Foundation and the Minnesota Office of Justice Programs to reinforce their readiness and willingness to address juvenile justice reform and the disproportionate percentage of children of color in the system. In April 2009, the Annie E. Casey Foundation responded by providing \$40,000 for the Initiative and the Office of Justice Programs granted \$50,000.

Since its start in April of 2009, St. Louis County JDAI has engaged the community, has instituted changes, and with continued funding, is now poised to make deep changes in our juvenile justice system.

There are over 100 people from around the County involved on JDAI committees. Every committee has community leaders from those communities who are disproportionately represented in the juvenile justice system – African American and Native American. We are moving toward institutionalizing JDAI across all systems so that the right children will be in the right places for the right reasons.



The Right Kids In the Right Place For the Right Reasons

"Imagine a model justice system: One that holds delinquent youth accountable while helping them redirect their lives, that protects communities, saves scarce tax dollars, and locks up only those youth who truly need to be confined."

The Annie E. Casey Foundation

Total Felony Criminal cases referred to our Office from County and City law enforcement agencies:

2009	1,727
2008	1,542
2007	1,583

Total Juvenile Delinquency cases referred to our Office from County and City law enforcement agencies.

2009	2,062
2008	2,228
2007	2,457

Total New Child Protection Cases Opened

2009	286
2008	238
2007	269

Total Parent Termination Cases

2009	50
2008	32
2007	28

Total Murders referred to our Office

2009	6
2008	6
2007	4

Total Paternity Referrals

2009	670
2008	704
2007	623

Total Drug Court participants

	Duluth	Range
2009	74	43
2008	76	24
2007	58	44

Total Family Drug Court participants

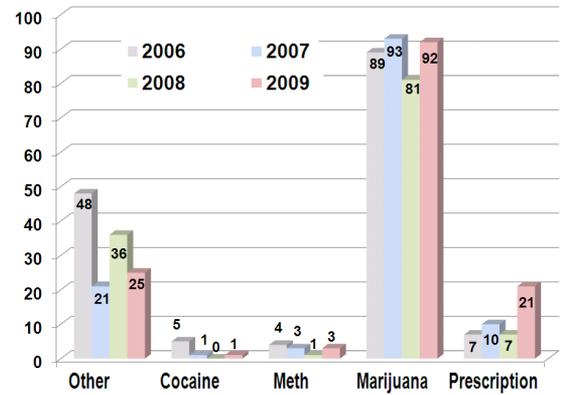
2009	6
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Total DWI Court participants

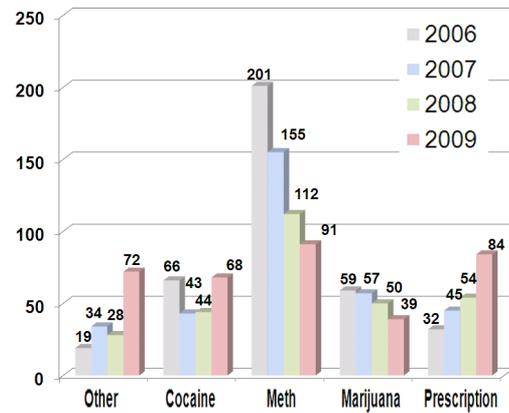
2009	47
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Total Commitments	2007	2008	2009
Mentally ill	82	83	70
Chemically dependent	22	27	30
Mentally ill / chemically dependant	13	30	14
Sexually psychopathic	12	10	3

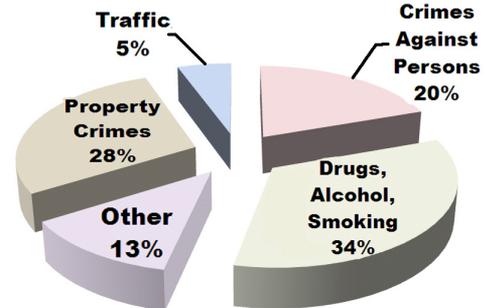
2006-09 Drug Referrals By Type - Juvenile Cases



2006-09 Drug Referrals By Type - Adult Cases



Juvenile Delinquency Cases by Type 2009



Adult Cases by Type 2009

