

2021

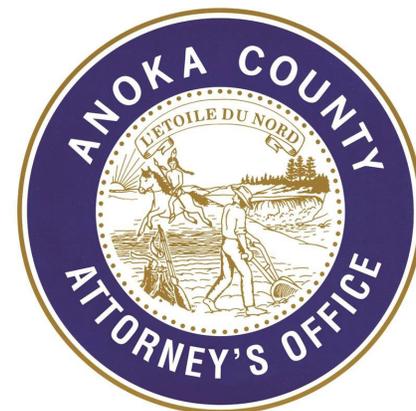
Annual

Report

*Anoka County
Attorney's
Office*

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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Dear Anoka County Residents,

Where 2020 felt like everything was on pause, 2021 was a year of hustle and agility for staff in the Anoka County Attorney's Office. At the start of 2021, things were tenuous: court hearings remained virtual or stayed and the major backlog of cases was looming; unrest in the nation's capitol resulted in stress for local governments; staff navigated their own personal health and challenges while keeping up with the demands of work.

We met the year with determination. But the COVID-19 pandemic lingered on, and changes came to us in waves. Our staff demonstrated an enormous amount of flexibility, despite the frustration of not knowing what lie around the next corner.

As we had in the previous year, we approached 2021 with one primary goal: Provide services to the public while maintaining a safe work environment. Criminal hearings needed to be held; crime victims still needed help; child support needed to be collected; issues affecting juveniles needed to be addressed; county contracts, litigation, and legal advice still needed to be administered; and investigations needed to be carried out. It required communication, collaboration, and organization.

By the end of the year, many hearings and court operations were back in person. The major case backlog that dogged the court system at the start of the year improved, but was not

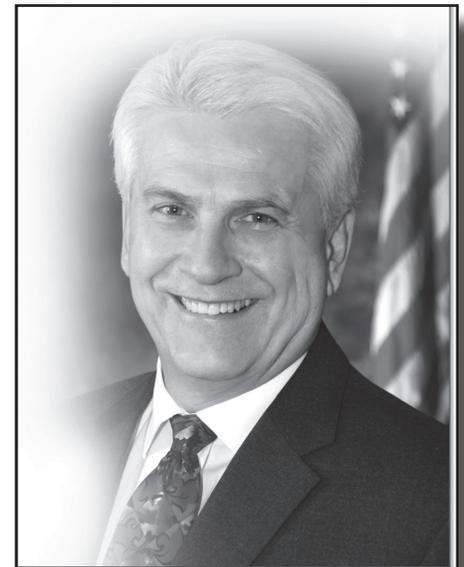
cleared. Just as we thought there was a glimmer of "normal" on the horizon, the holiday season brought a new wave of COVID infections and, with that, closures and court impacts.

All told, our office opened 6,400 new cases in 2021 – a five percent increase over the previous year – meaning we opened a new file every 19 minutes. We saw an increase in juvenile delinquencies, child protection cases, civil commitments, condemnations, and probate cases.

This report gives you the 2021 numbers, but it doesn't tell the whole story of the achievements of this office. Those are found in the public's confidence that we were there for them when they needed help.

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, and 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.

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Division Chief

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Civil Division By The Numbers

Despite the challenges and realities of 2021, the Civil Division remained focused on providing solid legal counsel to Anoka County departments. We assumed a large role in advising county administration and departments on compliance issues related to federal stimulus money. And our focus on elections was heightened in the time surrounding the presidential election. Supporting our elections office will remain a priority.

A significant accomplishment came in January, when two of our attorneys tried the first ever remote civil jury trial held in the federal court's District of Minnesota.

As the pandemic wore on and services were either unavailable or diminished, it took a toll on populations who rely on those services. That is not a problem that will immediately be resolved. We will see ongoing fallout impacting the community, county services, and the attorneys in our office navigating the secondary legal issues for county departments.

The 2021 numbers showed a continued increase in system-involved mentally ill individuals. Our Protective Services Unit opened **224** civil commitment cases, compared to **189** the previous year, which was also a significant increase from prior years. The latest commitment case numbers represent a **35%** increase over 2019.

The Civil Division handled **42** appeals cases (in all practice areas) in 2021.

The County Attorney's Office processes all forfeitures referred by local law enforcement, including the sheriff's office and the Anoka-Hennepin Narcotics and Violent Crimes Task Force, and represents those agencies in court proceedings to remove property that was used in the commission of a crime. Changes in state law set further limits on the circumstances in which property can be seized. Our office has worked with local law enforcement to adjust our practices accordingly. There were **133** new forfeiture cases in 2021, compared with **142** forfeitures in 2020 and **190** forfeitures in 2019.

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 2021, our office opened **527** probate cases and recovered more than **\$1.3 million**.

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, kidnapping, and robbery.

With a few exceptions, misdemeanor and gross misdemeanor crimes are prosecuted by the city attorney for the city where these crimes occur.

The County Attorney's Office Criminal Division has 15 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 on a review of an investigation conducted by the Anoka County Sheriff's Office, a local police department or a state law enforcement 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.

Wade Kish,
Division Chief

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Asst. Division Chief

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Criminal Division By The Numbers

Many changes instituted during the first year of the COVID-19 pandemic remained in place in 2021, including virtual trials, postponed court hearings, and limited in-person contacts. The result of the 2020 adjustments meant huge case backlogs in 2021. Everyone was eager to address the backlog and find resolutions to cases — including victims, defendants, law enforcement, prosecutors, defense attorneys, and courts — but court and office operations remained in constant flux. By the end of the year, most hearings remained virtual, and a backlog of several hundred cases remained. The average caseload for criminal prosecutors was **108** files.

In 2021, the Anoka County Attorney's Office received **2,463** felony case referrals from law enforcement agencies, which was a slight decline compared to 2020. The criminal division issued complaints in **2,044** cases — representing an **83%** charge rate.

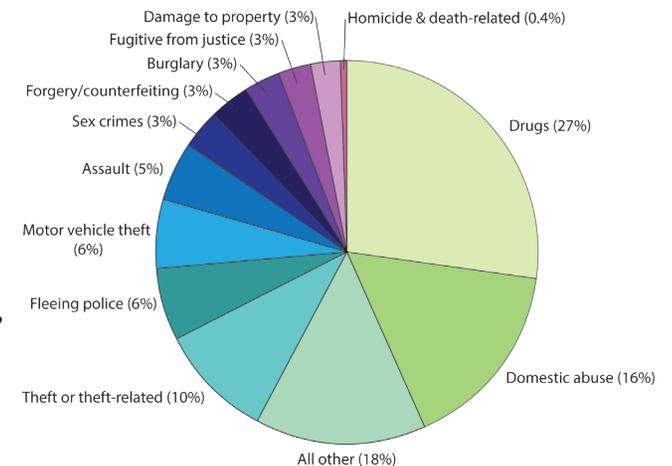
Approximately **27%** of the criminal division caseload was dedicated to prosecuting controlled substance crimes in 2021. The most common drugs involved were methamphetamine, marijuana and heroin.

Person crimes, which range from possession of child pornography to elder abuse to homicide, represented **32%** of charged cases. Property crimes made up **25%** of cases.

Our office filed charges against **9** individuals in connection to **6** deaths and **2** attempted murders.

These death-related cases get the most media coverage and require an enormous amount of investigative and prosecutor time, but represent less than **one-half a percent** of the caseload.

Criminal caseload: 2021 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 agency 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.

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Division Chief

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Dawn Sieber

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Carrie Freeland, *Division*

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Andrea Manthei

Lisa Nutzmann

Emily Peterson

By The Numbers:

In 2021, Child Support Services had **10,849** open cases, of which **1,330** were referred to the County Attorney's Office for legal action. The Family Law Division opened **667** new referred cases.

There was a **16%** decrease in referred actions and a **15%** decrease in new cases from the previous year.

In 2021, division staff participated in **937** court hearings — **25%** fewer than 2020. The decrease in numbers was a direct result of the COVID-19 pandemic. Due to peacetime emergency orders, many child support enforcement remedies like Contempt and Driver's License actions were unavailable or prohibited.

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 status or petty offenses like underage drinking and curfew 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 gives presentations at local schools about the socioeconomic and court consequences of truancy and works with families to find solutions.

Jon Audette,

Division Chief

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Lee Martie

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Heather Pilon

Shauna Ryan

Support staff:

Jessica Lane, *Division*

Administrative

Supervisor

Alexandria Borowski

Kirsten Buscher

Melanie Finley

Lisa Talbot

Kathy VonBargen

By The Numbers:

The pandemic's upheaval of 2020 continued into 2021, impacting the Juvenile Division's operations. Most truancy, juvenile petty offenses, and traffic cases were put on hold. Trials were held remotely, with only a brief period of in-person proceedings. Division staff had to navigate the ebbs and flows of the year, but their hard work never waned.

The Juvenile Division opened more than **1,300** new cases in 2021 — a decrease of **23%** from the previous year — and attended more than **1,600** court hearings.

Of the **1,112** delinquency cases opened (a **7%** increase from 2020), **358** were petitioned (charged) in court and **274** were referred for diversion. There were **807** school truancy referrals, of which **44** were brought to court. Another **34** petitions were filed at the request of Community Corrections. There were **189** child protection cases filed, including **48** Termination of Parental Rights cases.

Victim/Witness Services

By state law, crime victims have the right to be notified of court events, to participate in the prosecution process, and are entitled to protection from harm. The **Victim/Witness Services** staff make certain those rights are upheld while guiding victims through the criminal justice system.

This is no easy task under the best of circumstances, as the criminal justice process is inherently fraught with trauma and stress. But the Victim/Witness (VW) unit met the challenges of the pandemic with agility and resourcefulness.

The team was an early adopter of new technologies. While working remotely, staff not only worked with prosecutors and courts to coordinate virtual witness testimony, they also helped victims navigate the remote hearing software.

As a result, we saw significant increase in victim participation over the last two years. For many, attending a hearing remotely was more comfortable because they didn't have to be in the same room as the offender. Those who lived out of state or had accessibility challenges were able to attend remote hearings when, under pre-pandemic circumstances, they may not have otherwise been able to participate.

By The Numbers:

- Average caseload: **231** cases (same as 2020, which was a **118%** increase over 2019's average of **106**)
- New victims and victims' relatives: **2,584**
- Contacts with victims or other participants: **45,624**
- Trials held where VW assisted: **38** (up from just **9** in 2020)
- Restitution recouped: **\$627,000**
- Non-English speakers assisted: **111**
- Domestic violence victims identified as high-risk in lethality assessments: **433**

Emily Douglas, Manager

Staff:

Emily Bakken
Alicia Brandenburg
Jorge de la Cruz
Jessie Hassebroek
Laura Hudson
Cody Kunhart
Holly Lammers
Shandra McGhee
Loni Payne
Johnna Preidt
Andrea Struzyk
Bethany Walker
Avery Whooley

Investigations Unit

The Investigations Unit investigates white collar crimes, financial exploitation of vulnerable adults, welfare fraud, civil liability claims, election law violations, and employment-related matters. The team includes investigators who specialize in computer and cell phone forensics.

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

The Anoka County Attorney's Office hired its first in-house investigator in 1971. When it was first created, the division handled primarily welfare fraud cases. The Investigations Unit 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.

Our investigators also dedicate much of their time to community outreach and education focused on scam and fraud prevention, particularly among vulnerable populations.

By The Numbers:

The Investigations Division assisted other divisions **179** times during 2021 with such things as trial preparation, subpoena or other process service, locating witnesses, and background checks.

The investigators conducted **54** financial investigations, including allegations of financial exploitation of vulnerable adult, theft by swindle, and public assistance fraud.

The division also assisted other county departments **14** times with employment investigations and digital forensic investigation requests.

There were **47** election law investigations in 2021, up from **17** in 2020. These investigations were mainly from the November 2020 election. Election law cases come to light after an election and are typically referred for investigation beginning in January of the year following a November election. **Four** of these cases, all ineligible voting (convicted felons), were charged.

Administration

At the direction of County Attorney Tony Palumbo, the Administration unit manages the office's daily operations.

Administration staff duties include oversight of construction, technology, internal policies, personnel matters, communications, and budgeting. In short: they are the glue that hold the ship together.

In 2021, the Administration team focused on pandemic-related policies and directives impacting our work and staff; infrastructure and equipment needs to keep operations running smoothly; and planning for the future.

Each month seemed to bring new challenges and questions, keeping the Administration team on its toes. It worked to ensure staff had all the technology and support they needed to handle surging caseloads in the new virtual work landscape. Conference rooms were outfitted with equipment allowing for remote trial participation. Equipment was distributed to work-at-home staff. And while many employees continued to work remotely, the office embarked on construction updates to the physical office space, knowing staff would eventually return.

Marcy Crain,
Chief Deputy County Attorney

Amanda Usher, *Administrative Manager*
Laurie Larson, *Operations Supervisor*
Julie Anderson, *Office Support Specialist*
Patty Iverson, *Office Support Specialist*
Dede Olds, *Office Support Specialist*
Debbie Olson, *Office Support Specialist*

Mark Haapoja, *Technology Supervisor/Systems Administration*
Derek Steffen, *Technical Analyst/Operations Coordinator*
Carissa Purvis, *Systems Support Technician*

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

Supplemental Workforce:
Julia Bauer, Allie Blodgett, Charles Weaver

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 \$10.2 million. About 90% of the budget covers staffing costs.

To cover the unexpected and urgent equipment needs in 2021, the office received federal pandemic relief funding. These funds were separate from the county-approved budget and were for specific projects and needs.

Grant-funded programs

The County Attorney's Office, like many public-service organizations, uses grant funding to augment programs and services. In some cases our office is the grantee and in others we are partners with other agencies, but in all cases these programs are collaborative, multi-disciplinary efforts.

Abuse in Later Life: The Anoka County Attorney's Office is a partner in a grant-funded program led by Alexandra House that focuses on victims of abuse in later life (victims who are at least age 50). The program aims to enhance services and outreach for victims by providing training to law enforcement and other service providers and building a coordinated community response. This effort builds on the Safety from Abuse and Financial Exploitation (SAFE) Elders Initiative, created by the Anoka County Attorney's Office in 2011.

Auto Theft: The Anoka County Attorney's Office has participated in Minnesota's grant-funded auto theft prevention program since 2004. The aim is to reduce auto thefts through education and tougher prosecution. Our office uses the funds to support a full-time prosecutor dedicated to the auto theft caseload. Funding comes from the Minnesota Department of Commerce. More information can be found at <https://mn.gov/commerce/industries/cfb/prevention-program.jsp>.

Crime Victims Prosecutorial Services: Victim/Witness Services in 2021 was awarded a two-year renewal of this state grant to bolster access to the justice system for underserved victim populations, including elderly and non-English speaking. The funds have supported training, public education efforts, and staff who focus on the grant-supported work.

Direct Client Assistance: With the help of state and federal funding, the Victim/Witness Services unit is able to offer 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 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 eleventh year, has been highly successful in reducing domestic homicides.

Sexual Assault Kit Initiative: This federal grant was awarded to the State of Minnesota in an effort to reduce the number of untested rape kits collected by law enforcement. The County Attorney's Office was selected as a sub-recipient of funding in 2021 to provide case review, training, prosecutorial support, and victim/witness services. We work alongside partner agencies, including the Sheriff's Office, the Bureau of Criminal Apprehension, Alexandra House, and the Minnesota Coalition Against Sexual Assault.

Outreach & Partnerships

- Attorneys and staff provided trainings on a variety of subjects to law enforcement, court staff, other Anoka County departments, victim-advocacy organizations, community groups, and attorney associations. Our attorneys are often asked to participate in advisory committees at the state level.
- This office and its staff are involved in multiple cross-agency collaborative committees, including, to name a few, Minnesota County Attorney's Association, Abuse in Later Life, Minnesota Alliance on Crime, Mediation and Restorative Services, Tenth Judicial District Equal Justice Committee, Anoka County Joint Law Enforcement Council, Sexual Assault Kit Initiative multidisciplinary team, and the Violence Prevention Roundtable of Anoka County.
- The County Attorney's Office has 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. In 2021, this committee provided educational events for staff on topics such as antiracism in the legal profession, LGBTQ+ and Pride, and the Indian Child Welfare Act.
- Our staff often volunteer or participate in awareness campaigns for issues and organizations related to our victim-service work. In September we participated in Alexandra House's annual HopeFest, which aims to "raise awareness about domestic and sexual violence, remember those we have lost, and honor the many survivors."
- Throughout the year, staff donated and served meals at HOPE 4 Youth, an Anoka-based youth homeless shelter. In December, our office "adopted" three families (10 individuals) for the shelter's holiday gift drive. We delivered gifts purchased by our staff along with \$850 in cash donations.

Contact us



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Anoka County Attorney
TONY PALUMBO
Justice, Advocacy, Prevention.

***Justice,
Advocacy,
Prevention.***