




City Attorney's Office

August 6, 2014

Updated 8/21/2014

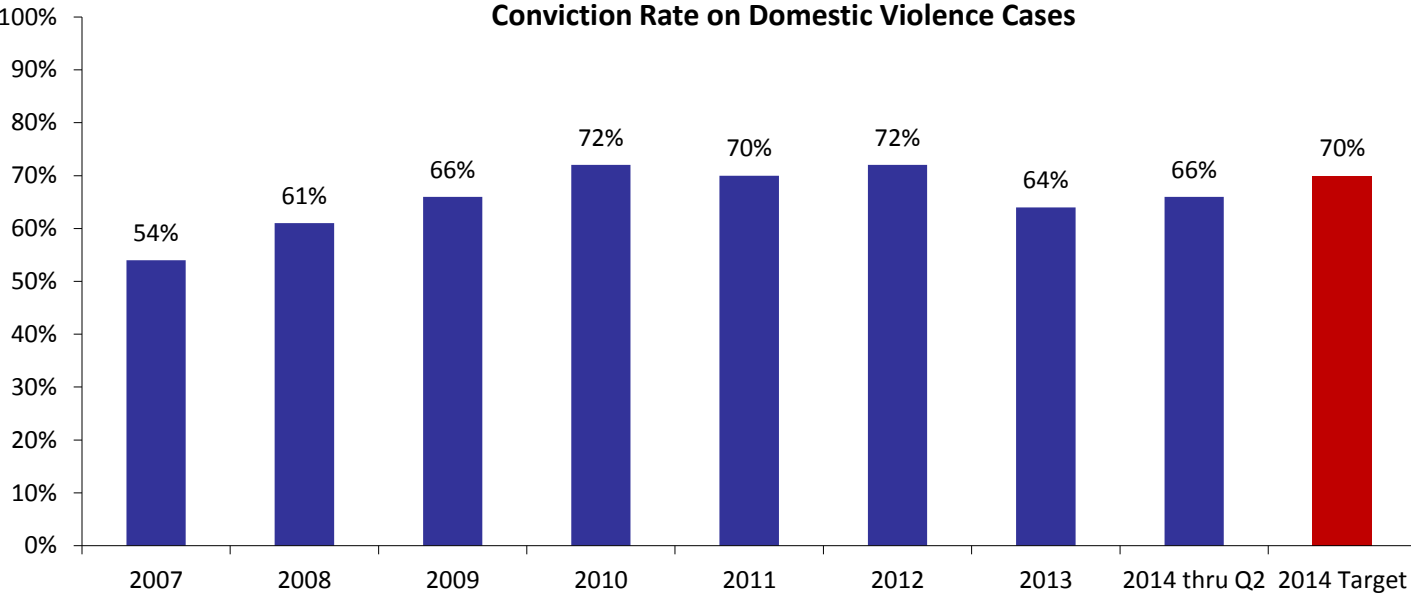
Table of Contents: City Attorney

Performance Measures	Page
1. Deter Domestic Violence Through the Minneapolis Model	
Domestic Violence Conviction Rate	5
-911 Violence Related Calls to 911	6
-Number of Revocations Obtained and Days Revoked for Probation Violations Following a Domestic Incident	6
-Enhanced Domestic Violence Felonies Charged by Hennepin County After Minneapolis City Attorney's Office Referral and Number of Individuals on Felony Enhancement List (Cumulative)	6
-"Gone on Arrival" Domestic Violence Cases Charged by Offense Level	7
-Difference in Average Time from Case Review to Case Filing in Court & Case Resolution after Implementation of Violence Against Women Act (VAWA) Grant	7
	
2. Reduce Livability Crime to Create Welcoming Neighborhoods and a Thriving Downtown	
Recidivism "Citywide 200" and "Downtown 100"	9
-Number of "Citywide 200" Offenders Convicted and/or Participating in Problem Solving Courts and/or on Active Probation	10
-Number of Revocations Obtained and Days Revoked for Probation Violations for "Citywide 200" Offenders	11
-Number of Geographic Restrictions Obtained for "Citywide 200" Offenders	11
-Reasons for Recidivism for Citywide Top 200 Offenders	12
-Number of "Downtown 100" and "Focus 18-24" Offenders Convicted and on Active Probation	13
-Geographic Restrictions Obtained, Probation Enforcement and Social Service Referrals for "Downtown 100" and "Focus 18-24" Offenders	13
-"Downtown 100" and "Focus 18-24" Reduction in New Offenses	14
3. Hold Offenders Accountable	
Trials to Verdict and Conviction Rate at Trial	16
- Criminal Division Caseload	16
- Driving Under Influence (DUI) Final Case Outcomes	17
-Gross Misdemeanor Weapons Cases Charged by the City Attorney's Office that Result in Conviction	17
-Gun Cases Prosecuted by Hennepin County Attorney's Office	18
-Gross Misdemeanor Trespass Cases Charged	18
Results Minneapolis: City Attorney	August 6, 2014
	2

Performance Measures	Page
4. Provide meaningful consequences for low level non-repeat offenders	
Participation in Problem Solving Courts	20
<i>-Participation in Diversion Programs</i>	21
5. Help Lead City Efforts to Prevent Juvenile Sex Trafficking	
Numbers of Cases Reported and Charged and Victims Rescued	23
6. The Work of the Civil Division is Results-driven and Customer Focused, Assisting Clients in Maximizing Desired Outcomes, While Minimizing Risks of Liability	
Customer Focus: Civil Division Survey Measures Comparison	25
Minimizing Risks of Liability: New Adverse Lawsuits Filed	27
<i>-By Department</i>	27
<i>-Percent of Civil Court Cases Settled</i>	28
<i>-Civil Cases Resolved in Court (Not Settled Wins and Losses)</i>	28
<i>-Liability Payouts</i>	29
<i>-Liability Payouts Resulting from City's Risk Generating Activities</i>	29
<i>-Total Liability Payouts by Department</i>	30
7. Engaged and Talented Employees Reflect Our Community and Have the Resources, Skills and Training Needed to Succeed and to Achieve the CAO's Mission and Vision	
Employee Engagement Trend	33
Performance Excellence Trend	33
<i>-Department Leadership Percent of employees Who Responded Favorable</i>	34
<i>-Ethics Percent of Employees Who Responded Favorable</i>	34
<i>-Employee Engagement Theme Summary: Inclusion</i>	34

Deter Domestic Violence Through the Minneapolis Model

Conviction Rate on Domestic Violence Cases



Source: CAO

Why are these measures important?

Effective intervention at the earlier stages of the cycle of domestic violence prevents more serious crimes and saves lives.

What will it take to make progress?

We will maintain a specialized domestic violence team; continue to focus on improved evidence gathering and compliance with the Minneapolis Police Department (MPD) evidence gathering protocol; maintain and seek to expand domestic advocate and victim witness resources as well as train criminal justice staff and the community on domestic violence issues and related matters; maintain the probable cause felony enhancement list; continue to seek appropriate sanctions for offenders and jail time for defendants who violate the conditions of their probation; and continue increased investigation resources (currently funded through a Violence Against Women Act (VAWA) grant) at the Domestic Abuse Service Center (DASC) so that the number of "Gone on Arrival" (GOA) cases presented for charging will continue to increase and we will be able to obtain positive outcomes on those cases.

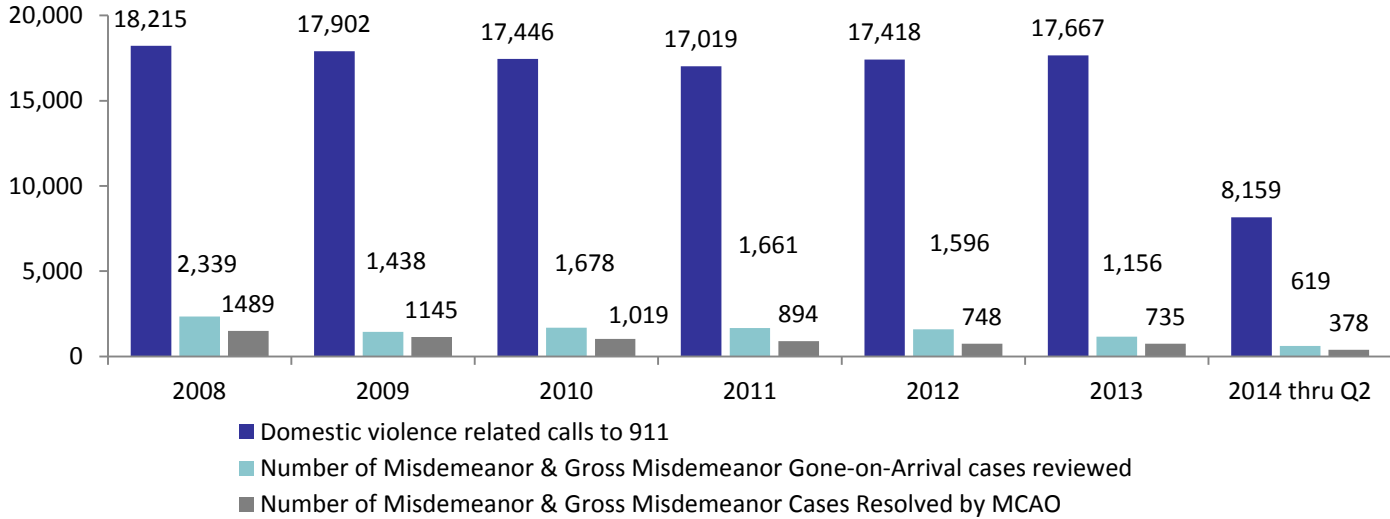
Since 2010, the CAO has maintained a conviction rate on domestic violence cases of 70 percent or higher. While our 2013 conviction rate was slightly lower than the previous few years, we have explored potential causes and, through our continued work with MPD, advocates and other system partners, we expect continued improvement in our response to domestic violence. In comparison, in a 2011 report issued by the court monitoring organization, WATCH, the conviction rate on domestic violence cases for Hennepin County suburbs was 56 percent.

An example of this is the 2014-2016 federal VAWA grant, which the CAO and MPD obtained which placed a police investigator at the DASC to partner with advocates from community based advocacy agencies to investigate misdemeanor gone-on-arrival cases and offer in person services to the victims. Since implementation in January 2014, the number of GOA cases charged at DASC has already exceeded the 2013 (full-year) numbers by 220 percent. The time from case review to case filing in court has also decreased by over 50 percent (See p. 10).

Additional Data on Next Page...

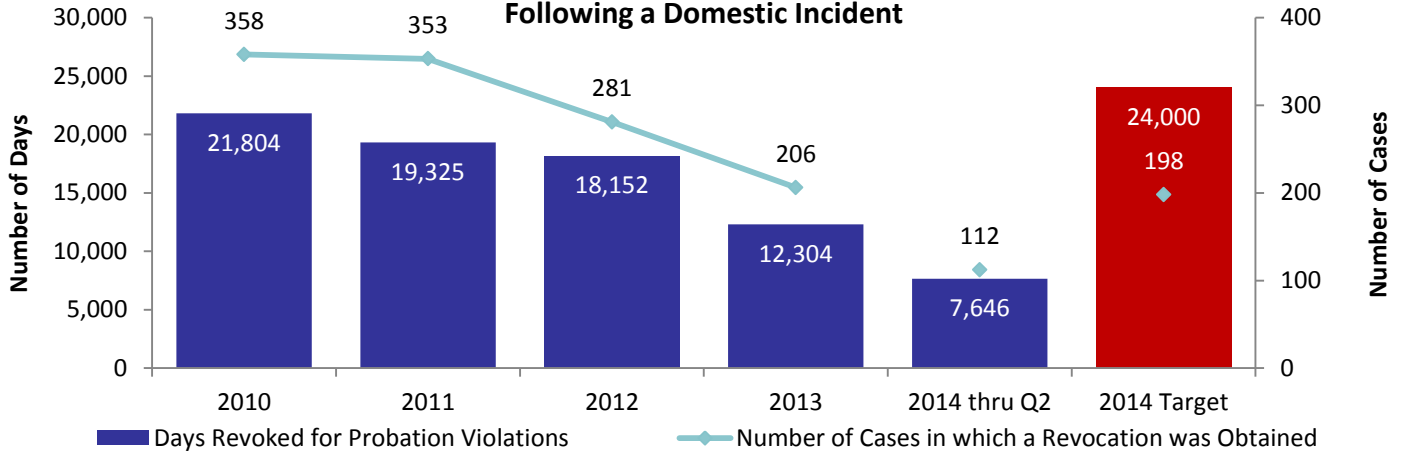
Deter Domestic Violence Through the Minneapolis Model

Domestic Violence Related Calls to 911



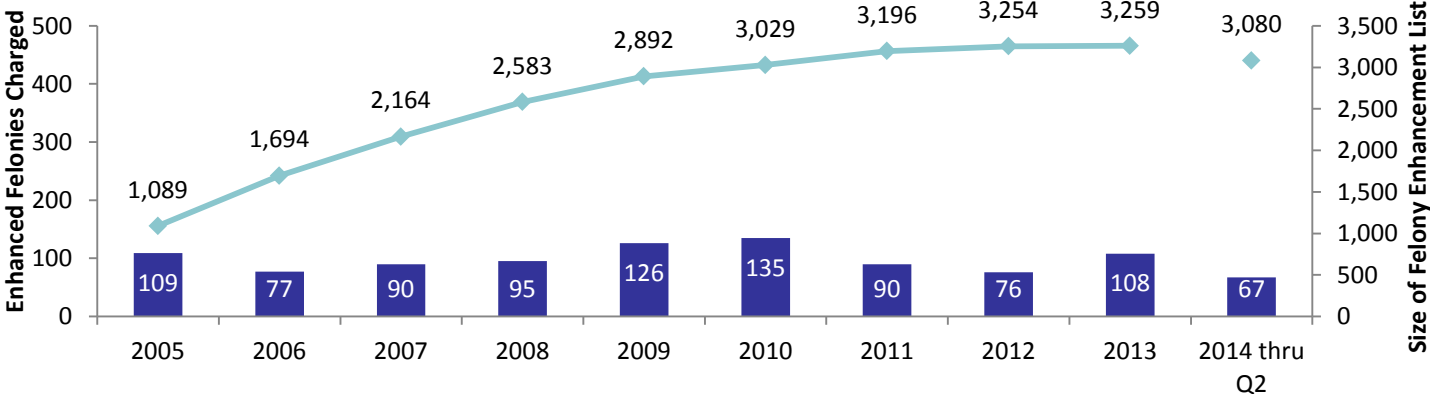
Source: Minneapolis Emergency Communication Center

Number of Revocations Obtained and Days Revoked for Probation Violations Following a Domestic Incident



Source: CAO

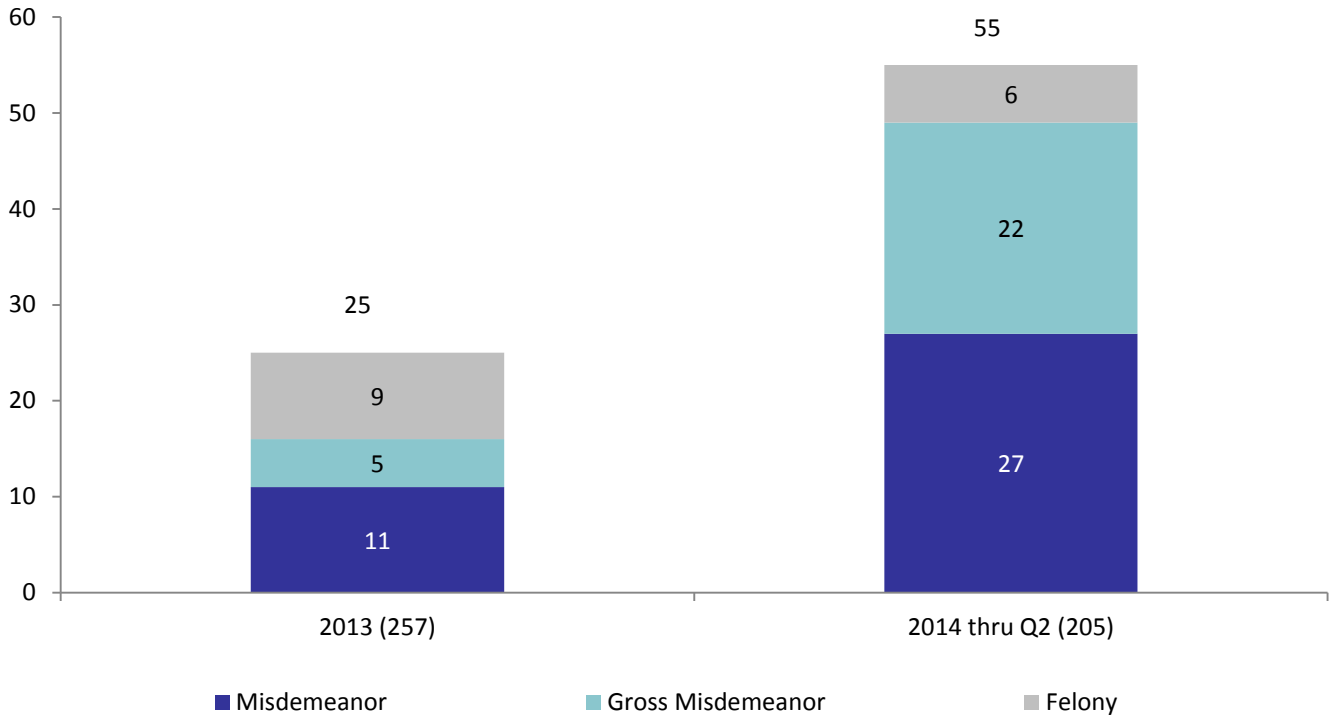
Enhanced Domestic Violence Felonies Charged by Hennepin County after Minneapolis City Attorney's Office Referral and Number of Individuals on Felony Enhancement List (cumulative)



Source: CAO



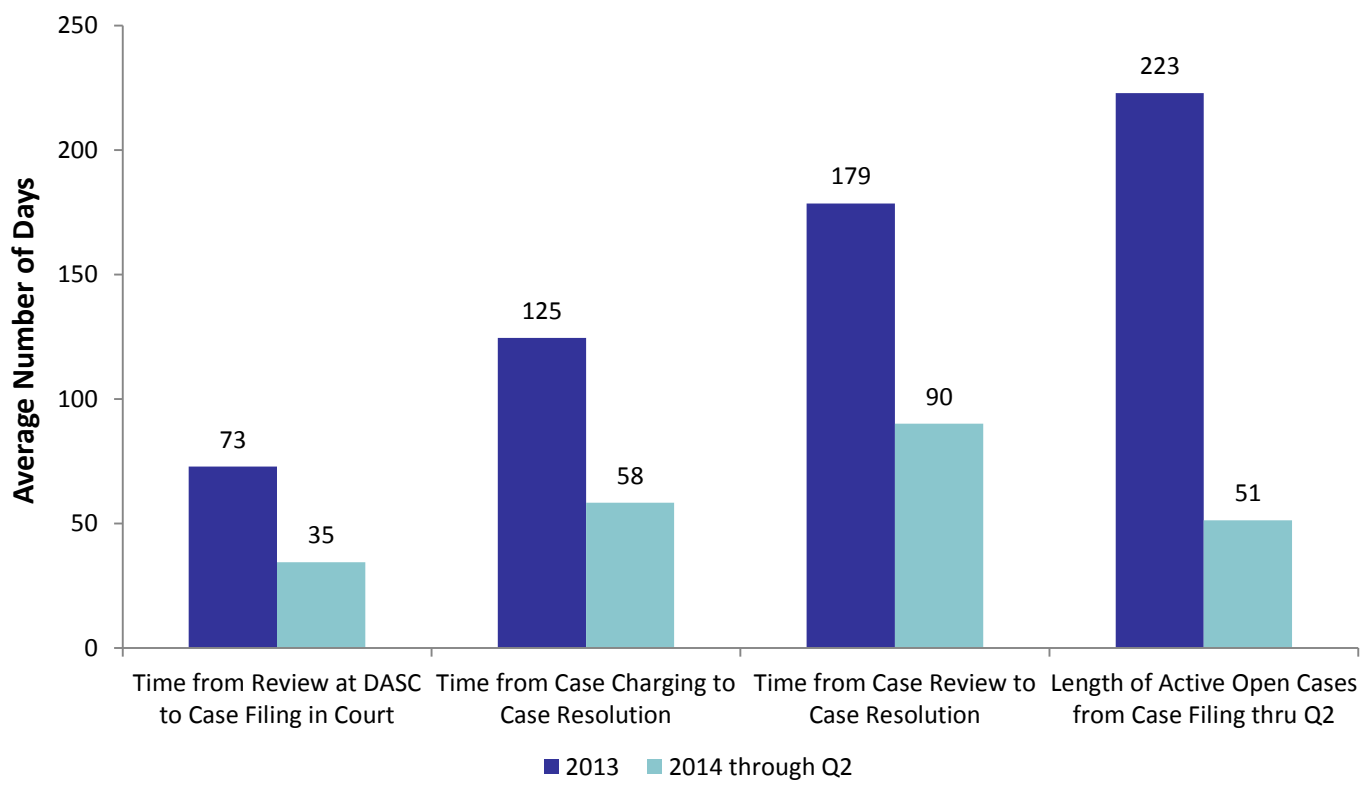
“Gone on Arrival” Domestic Violence Cases Charged by Offense Level



Source: CAO



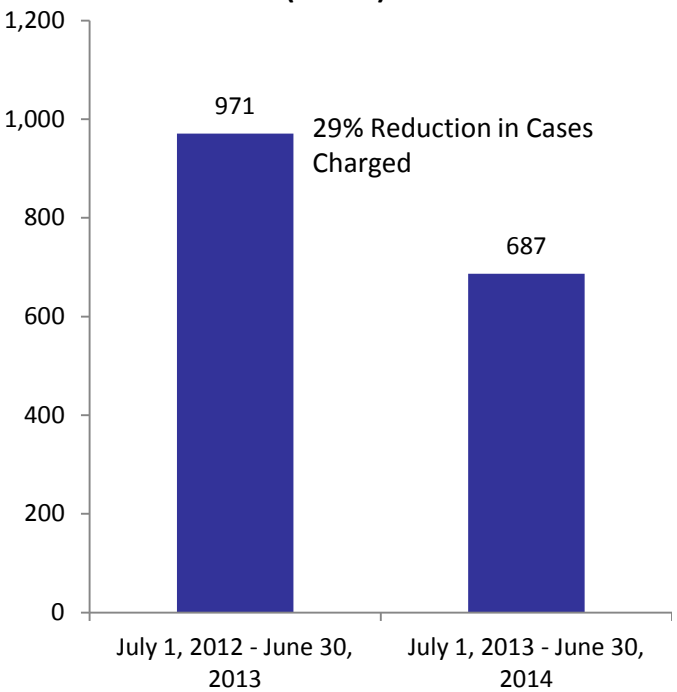
Difference in Average Time from Case Review to Case Filing in Court & Case Resolution after Implementation of Violence Against Women Act (VAWA) Grant



Source: CAO

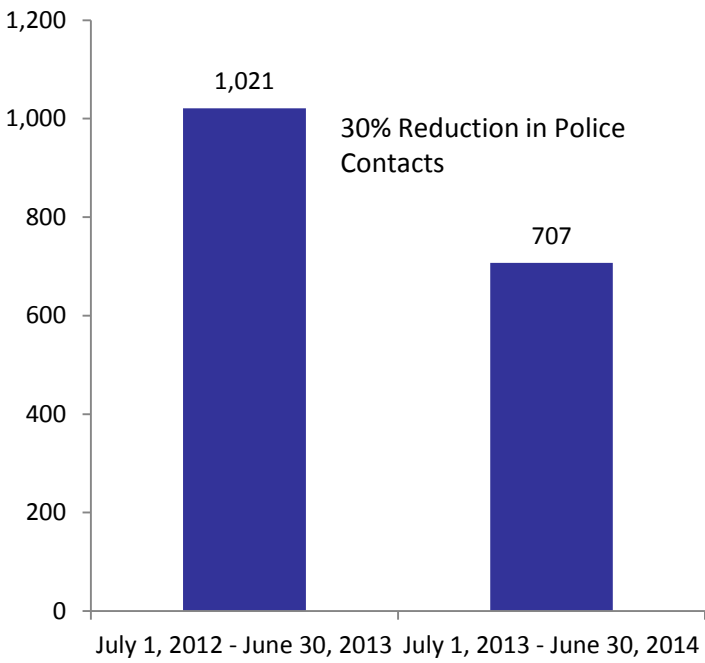
**Reduce Livability Crime to Create Welcoming
Neighborhoods and a Thriving Downtown**

Top Offender: Recidivism "Citywide 200" List as of 6/30/13
Number of Cases Charged
 (n=176)



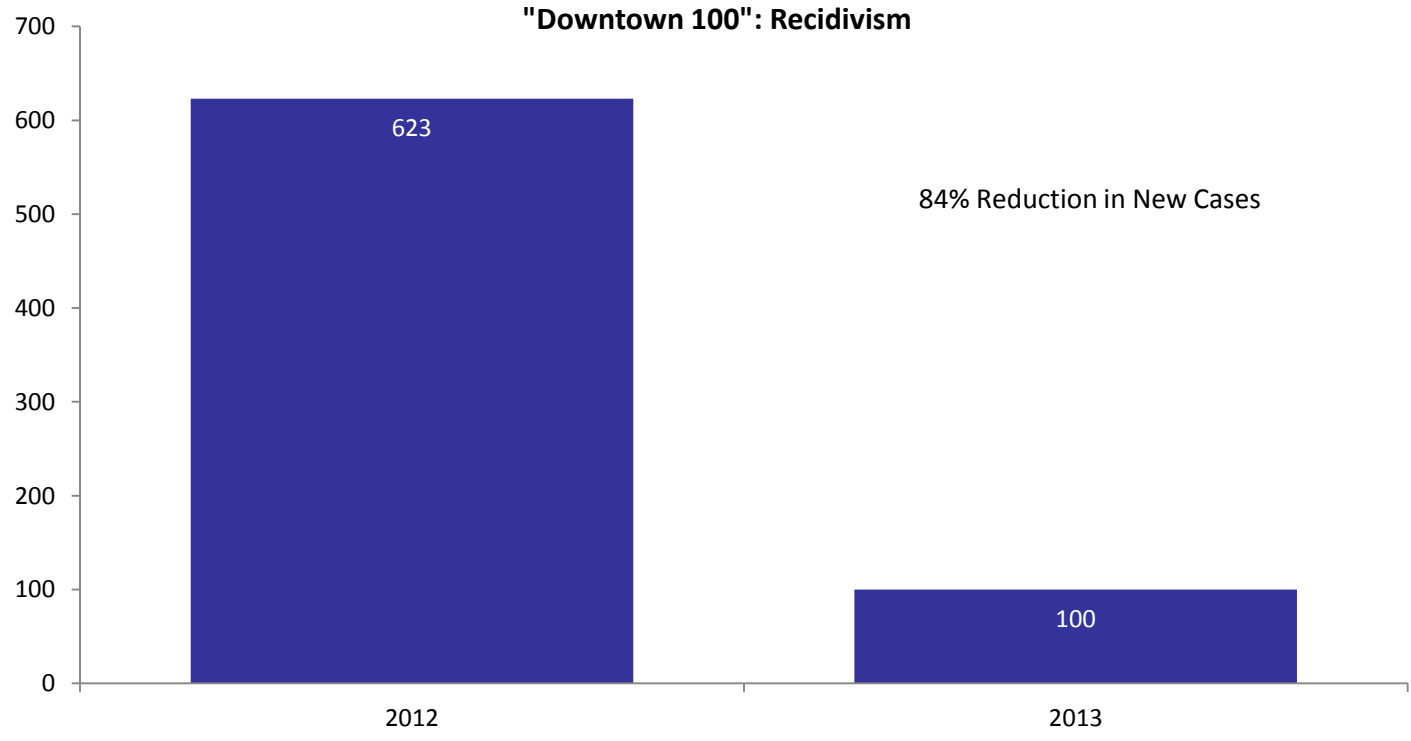
Source: CAO and Hennepin County District Court

Top Offender: Recidivism "Citywide 200" List as of 6/30/13
Number of Police Contacts
 (n=176)



Source: CAO and Minneapolis Police Department (MPD)

"Downtown 100": Recidivism



Note: This data is only updated once annually and new data will be available in the next *Results*.

Source: CAO and Hennepin County District Court

Additional Narrative and Data on Next Page...

Reduce Livability Crime to Create Welcoming Neighborhoods and a Thriving Downtown

Why is this measure important?

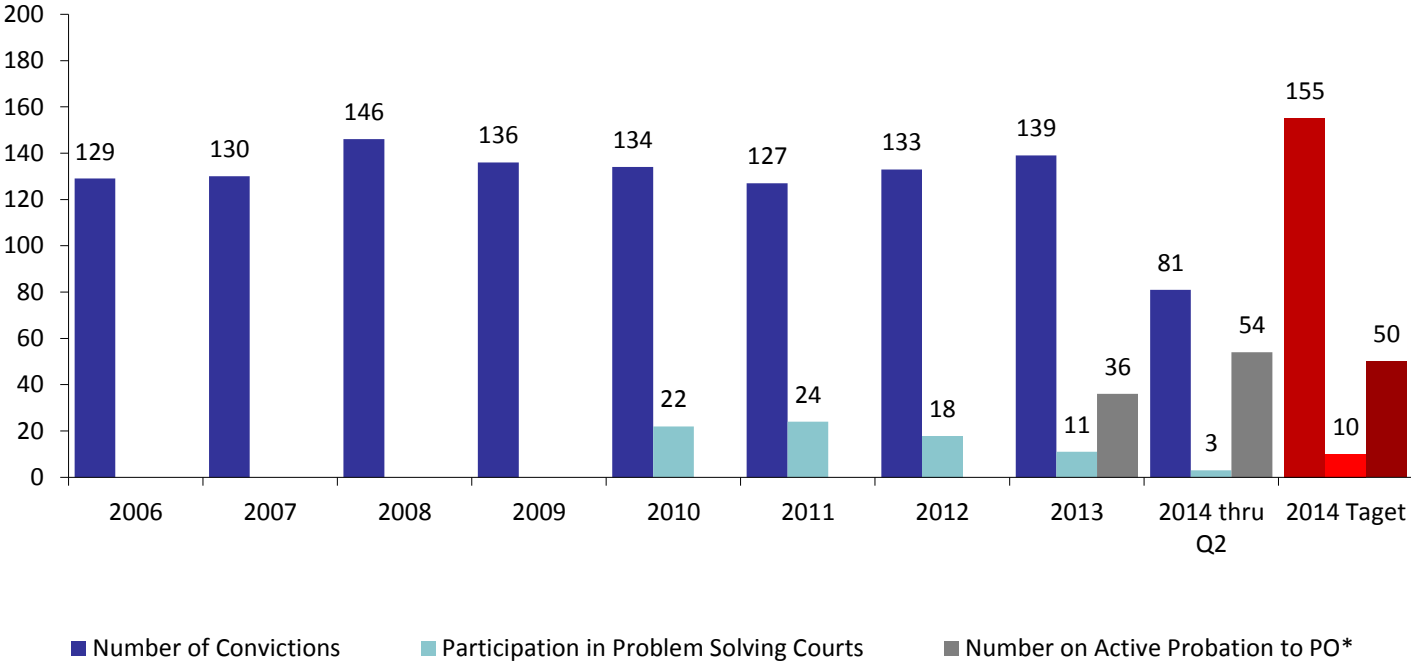
A livability offense is any lower level criminal offense that impacts the quality of life in the City and its neighborhoods. The “Citywide 200” offenders and the “Downtown 100” offenders commit a disproportionately high number of livability crimes in the City of Minneapolis. Recidivism is a measurement of the rate at which offenders commit crimes. The CAO has tracked the recidivism reduction rate for the “Citywide 200” offenders, as well as the “Downtown 100” offenders and the “Focus 18-24” offenders. By using a variety of prosecution tools, such as geographic restrictions, enforcement of probation violations, social services referrals, sending offenders to problem solving courts and assigning offenders to active supervision with a probation officer, the CAO is able to reduce the criminal activity for the offenders on the “Citywide 200”, the “Downtown 100” and the “Focus 18-24”, thereby creating a more welcoming, safe and thriving downtown and city overall.

What will it take to make progress?

It will take continued coordination of the Special Prosecution Team and the “Downtown 100” Team to focus on chronic offenders – to both aggressively prosecute new offenses as well as seek appropriate sanctions when offenders violate their probation; commitment from Hennepin County District Court to maintain and expand the problem solving courts that aid our chronic offenders; continued partnership with other community resources such as St. Stephen’s and other chemical dependency and mental health treatment providers; and collaboration with the new “Citywide 200” probation officer to obtain active and effective probation supervision of select chronic offenders.

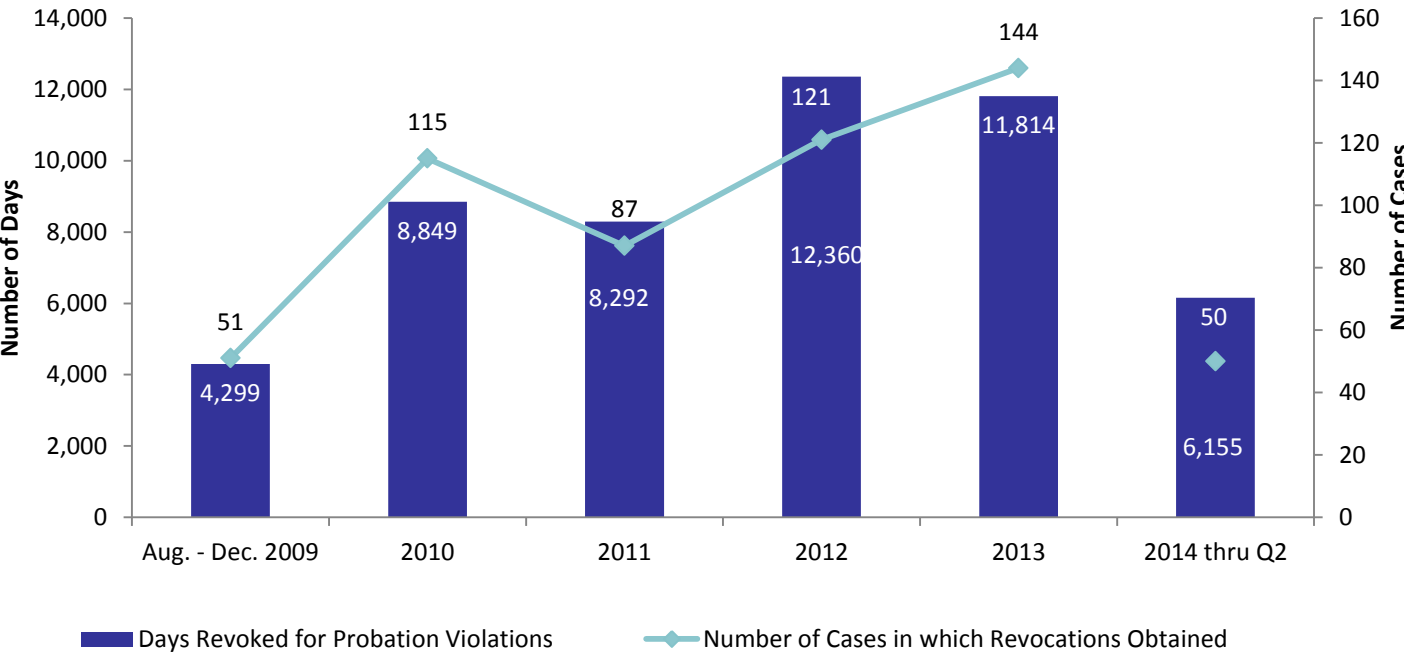
“Citywide 200” Supporting Measures

Number of “Citywide 200” Chronic Offenders Convicted and/or Participating in Problem Solving Courts and/or on Active Probation



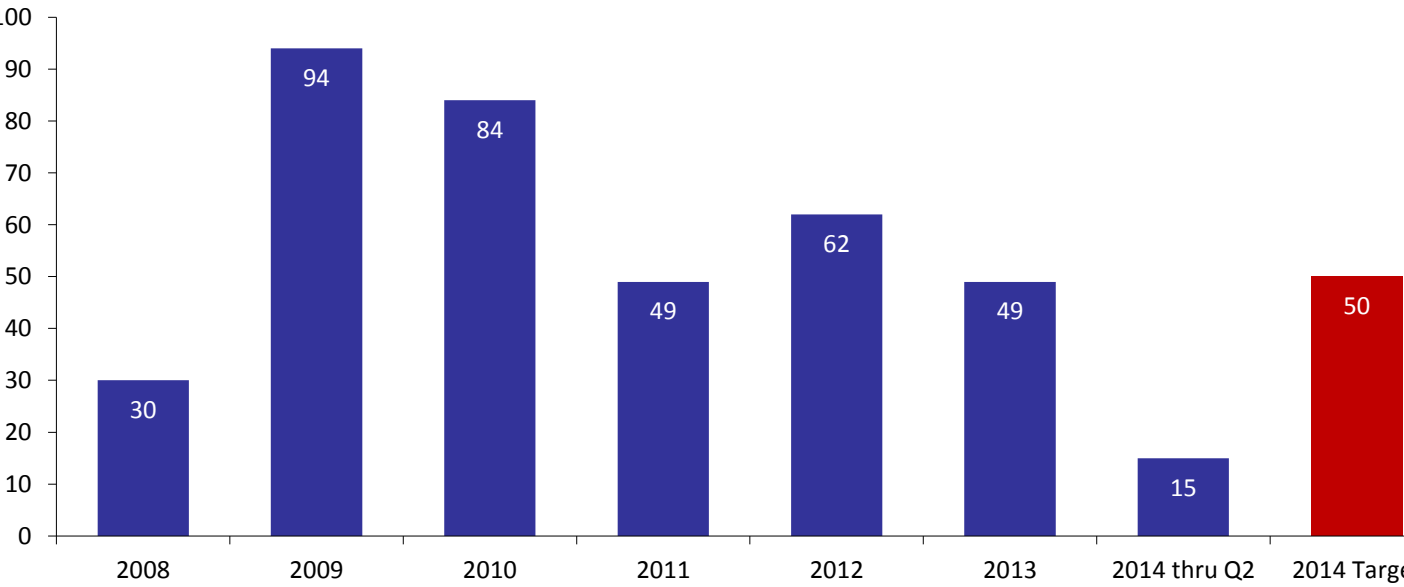
Note: Active Probation to PO began in March of 2013.
Source: CAO

Number of Revocations Obtained & Days Revoked for Probation Violations for "Citywide 200" Chronic Offenders



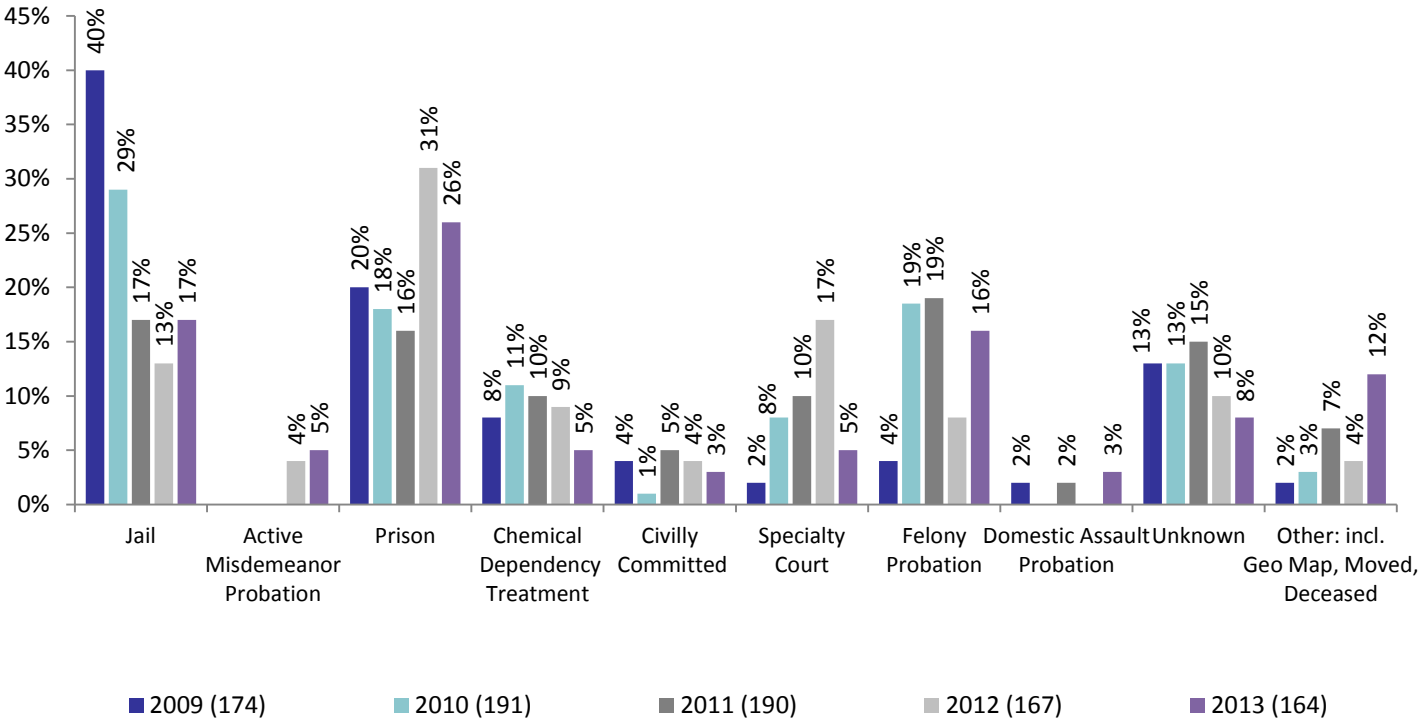
Source: CAO

Number of Geographic Restrictions Obtained for "Citywide 200" Chronic Offenders



Source: CAO

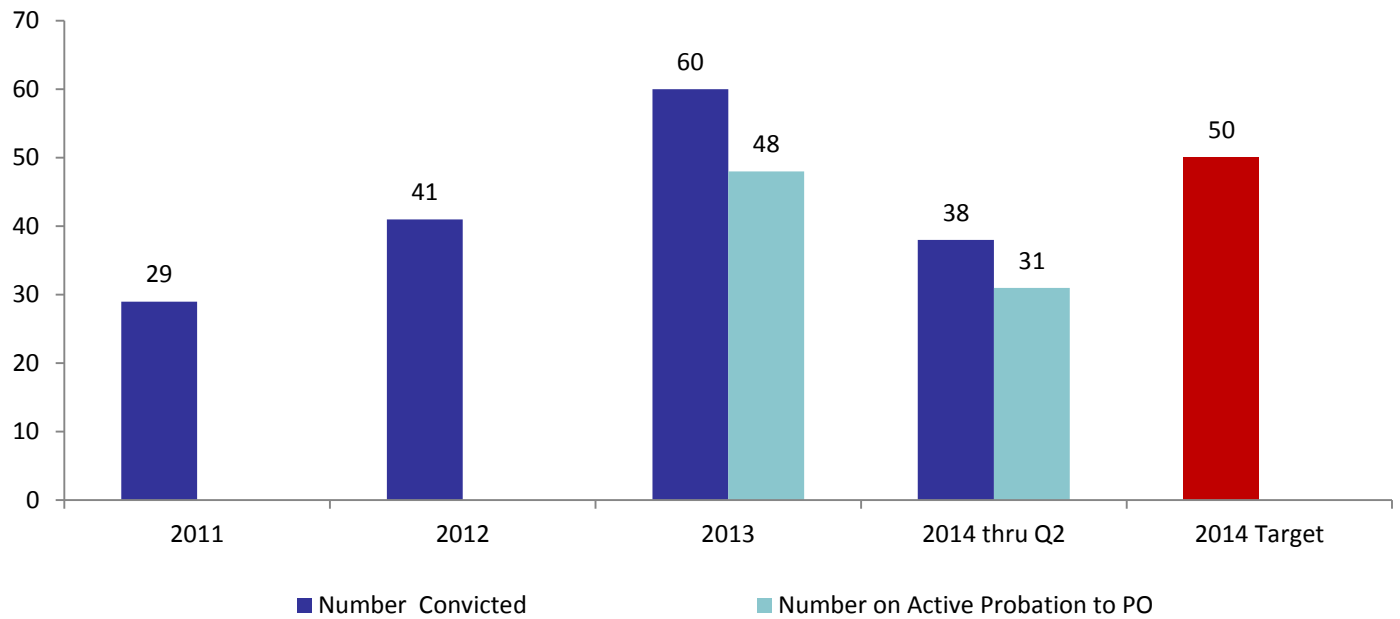
Reasons for Recidivism Reduction for "Citywide 200" Chronic Offenders 2009-2013



Note: Data only updated annually. This data looks at only those top 200 offenders who have had a decrease in criminal activity.
 Source: CAO and Hennepin County District Court

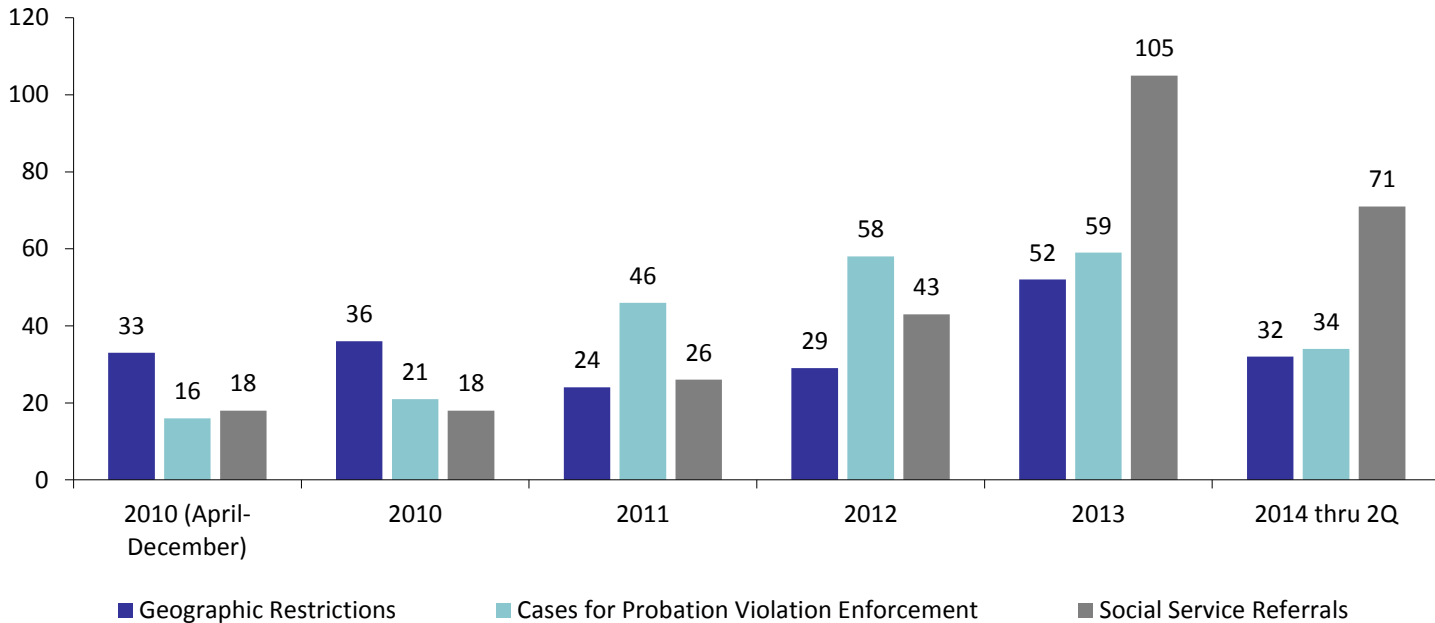
"Downtown 100" and "Focus 18-24" Supporting Measures

Number of "Downtown 100" & "Focus 18-24" Chronic Offenders Convicted and on Active Probation



Source: CAO and Hennepin County District Court

**Geo Restrictions, Probation Enforcement and Social Service Referrals
"Downtown 100" & "Focus 18-24"**



Note: "Focus 18-24" began January 1, 2013. 2010-2012 data only includes "Downtown 100" information.

Source: CAO and Hennepin County District Court

Additional Data on Next Page...



Downtown 100 & Focus 18-24: Long Term Reductions in New Offenses

Year Offender was added to the "Downtown 100"	2009	2010	2011	2012	2013
2010 "Downtown 100" Participant Cases Annually (50 Offenders Tracked)	493*	184	143	166	118
2011 "Downtown 100" Participant Cases Annually (50 Offenders Tracked)		545*	202	143	113
2012 "Downtown 100" Participant Cases Annually (50 Offenders Tracked)			473*	192	168
2013 "Downtown 100" Participant Cases Annually (75 Offenders Tracked)				757*	263

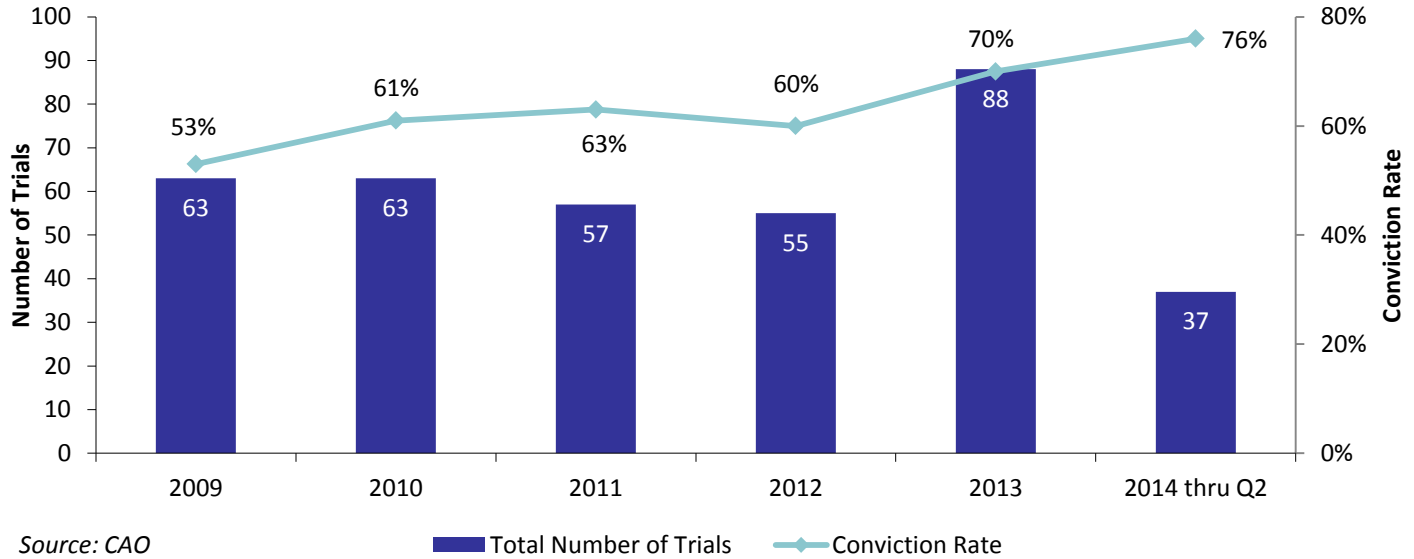
- Notes:
1. 2009 & 2010 data only includes cases from April 1 - December 31
 2. "DT100" stands for "Downtown 100"
 3. There are 50 Offenders tracked from 2010-2012 and 75 in 2013
 4. * These figures were calculated after the offender was added to the "Downtown 100." In order to establish a baseline to measure progress, all offenses committed in the year prior to being added to the "Downtown 100" were combined to create a cumulative total.

Source: CAO and Hennepin County District Court

Hold Offenders Who Commit Violent Crimes Accountable

Hold Offenders Who Commit Violent Crimes Accountable

Criminal Division : Trials to Verdict & Conviction Rate at Trial



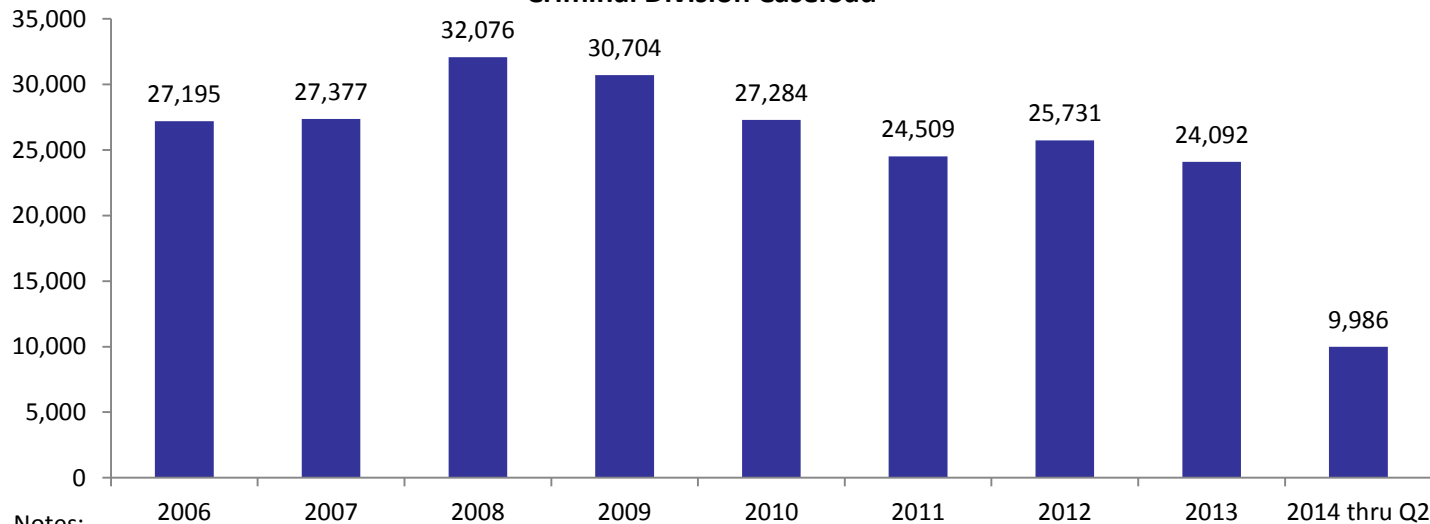
Why is this measure important?

The CAO is committed to aggressively prosecuting cases so that offenders who commit violent crimes, such as driving under the influence, carrying a pistol without a permit, or gross misdemeanor trespass, are held accountable. With the CAO large caseload, it is important that defendants, defense attorneys, and the Courts see that the CAO prosecutors are willing to try cases and are successful at trial.

What will it take to achieve the targets?

The CAO will continue to aggressively prosecute misdemeanors and gross misdemeanor crimes. The CAO will make sure prosecutors attend trial training seminars and conferences designed to improve their trial skills. The continued support of paralegals and victim/witness assistants in trial preparation and victim/witness contact is also key to maintaining the CAO's ability to aggressively take cases to trial.

Criminal Division Caseload

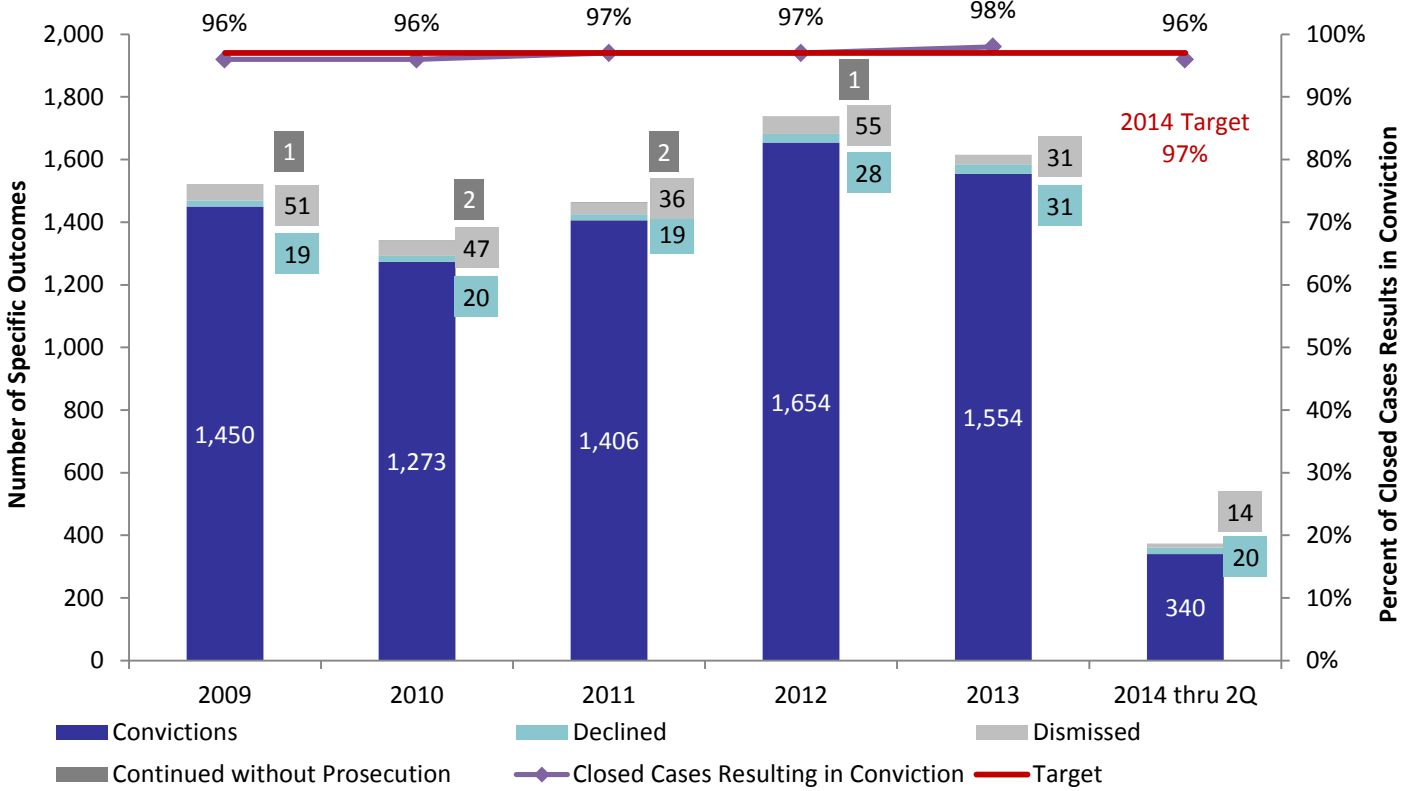


Notes:
1) The ABA recommended caseload for an office of 20 prosecutors is 12,000.

source: CAO and Hennepin County District Court

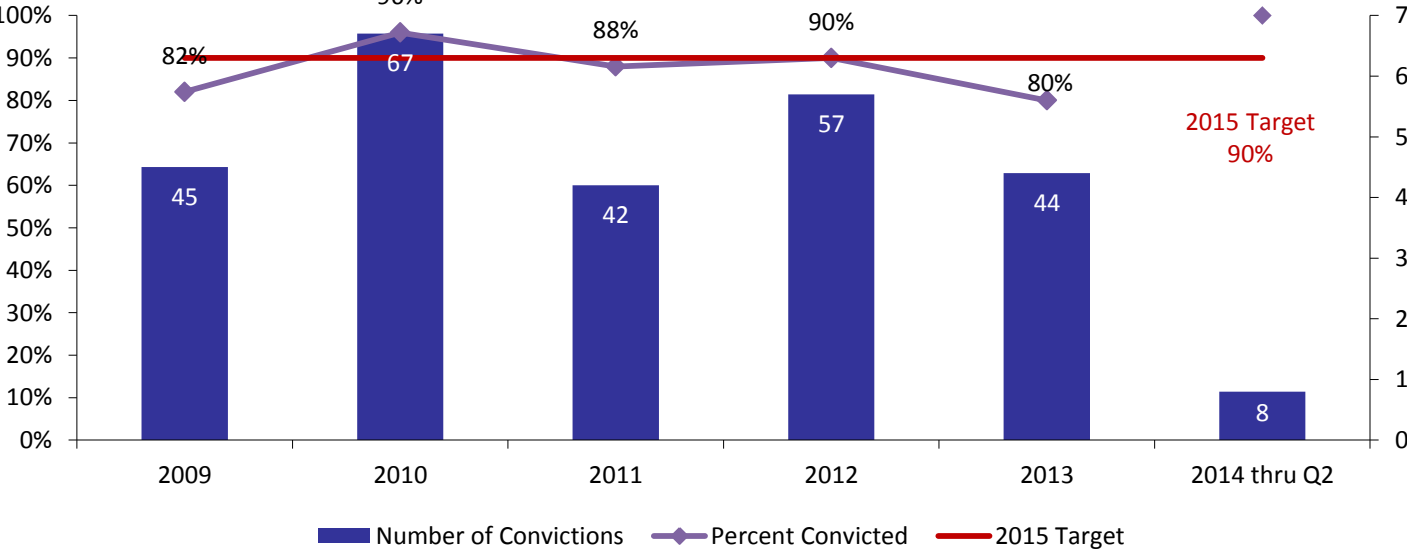
Additional Data on Next Page...

Driving Under the Influence of Alcohol or Drugs: Final Case Outcomes



Source: CAO and Hennepin County District Court

Gross Misdemeanor Weapons Cases Charged by the City Attorney's Office that Result in Conviction



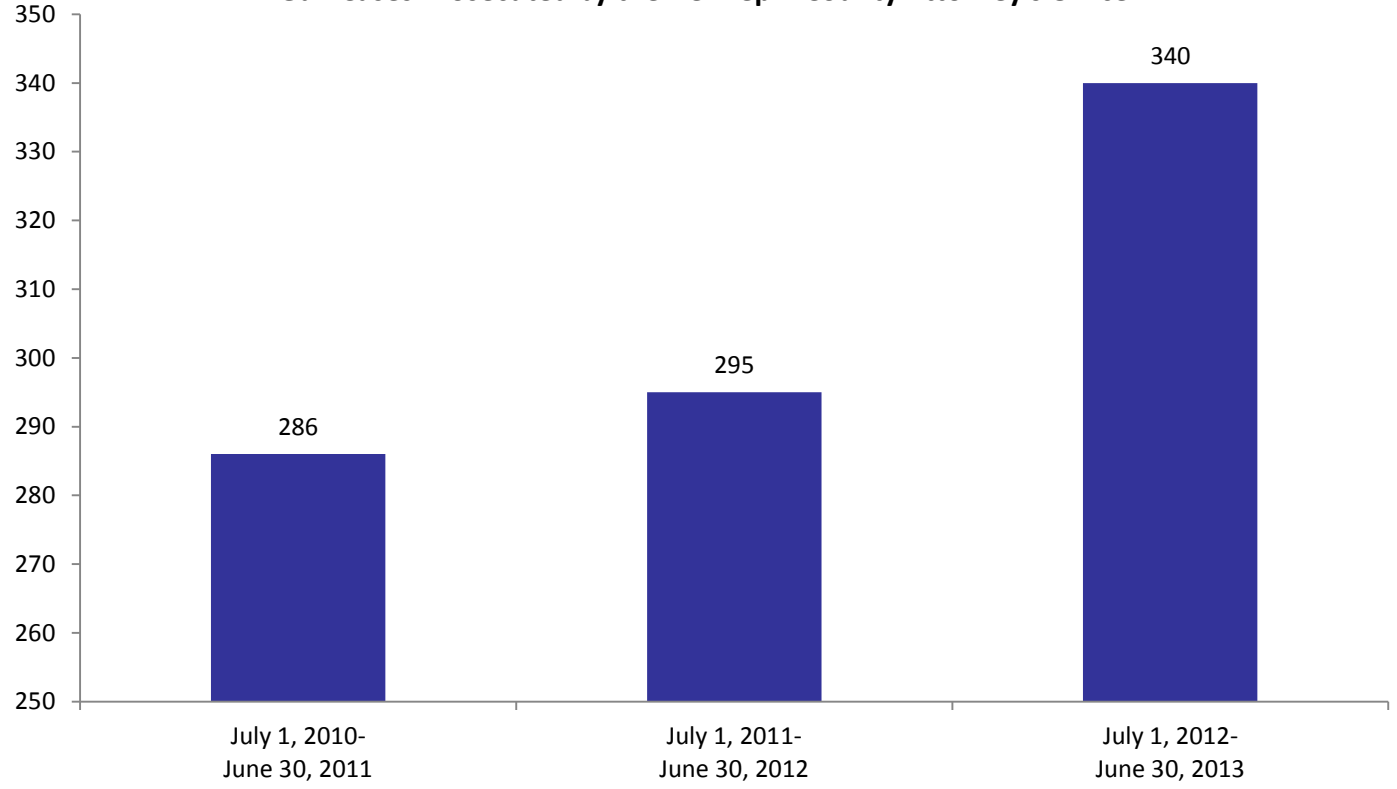
Notes:

1) In April 2009, the U.S. Supreme Court issued a decision that limited the ability of the police to search for weapons in vehicles incident to an arrest; this decision has resulted in lower numbers of cases referred for prosecution.

Source: CAO

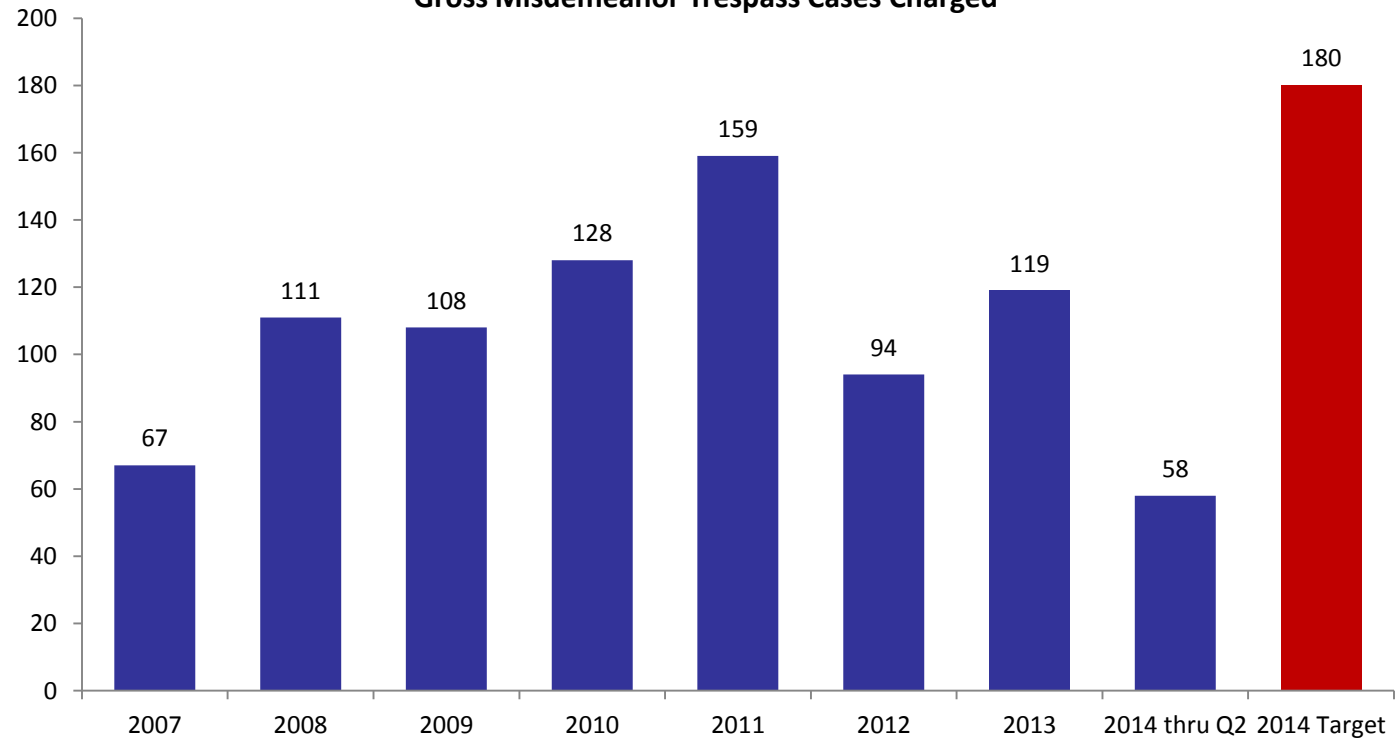
Additional Data on Next Page...

Gun Cases Prosecuted by the Hennepin County Attorney's Office



Source: Hennepin County Attorney's Office

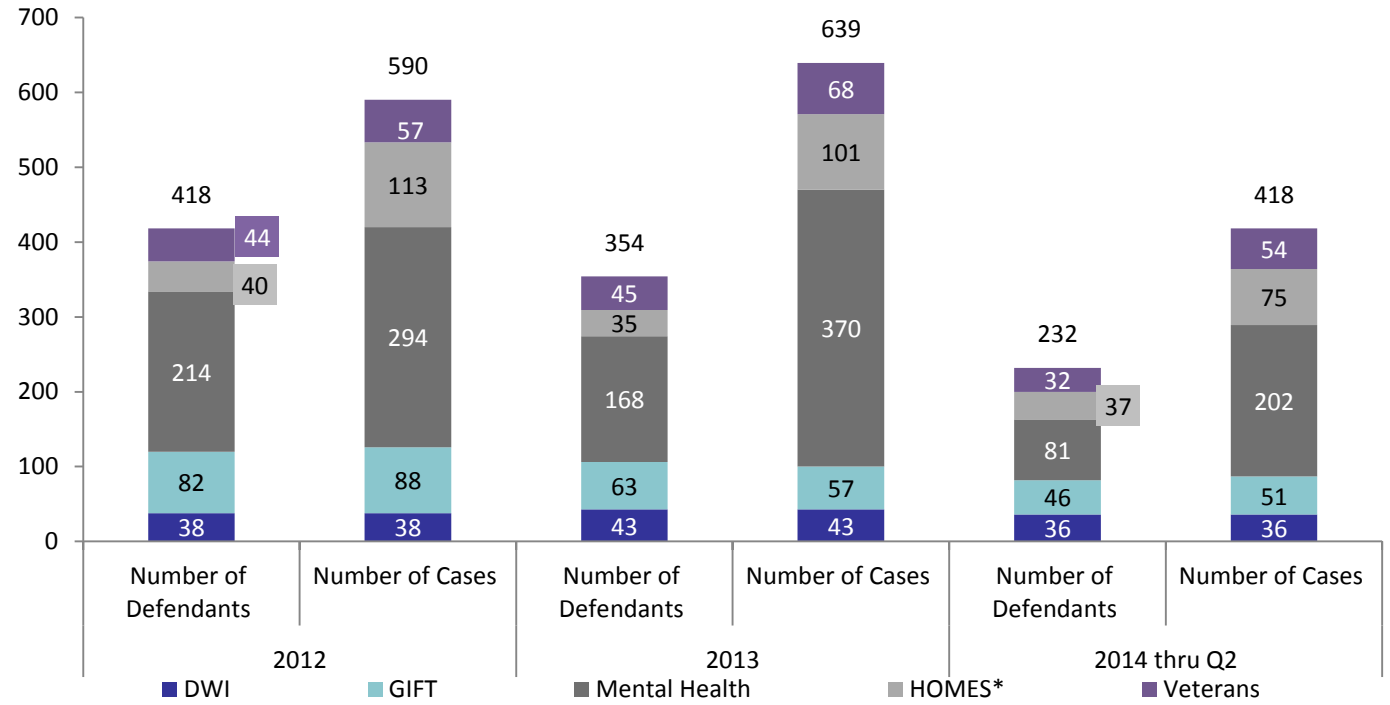
Gross Misdemeanor Trespass Cases Charged



Source: CAO and Hennepin County District Court

**Provide Meaningful Consequences for Low Level
Non-repeat Offenses**

Minneapolis City Attorney's Office Participation in Problem Solving Courts



*Note: HOMES is the new name for the St. Stephens problem solving court.

Source: CAO and Hennepin County District Court

Why is this measure important?

The CAO is an active participant in Hennepin County’s problem solving courts including, DWI, GIFT (prostitution), Mental Health, HOMES Court (formerly St. Stephen’s) and Veterans courts. Problem solving courts offer increased resources and services to the defendants to better address the underlying behavior behind the criminal conduct and achieve longer term law abiding behavior.

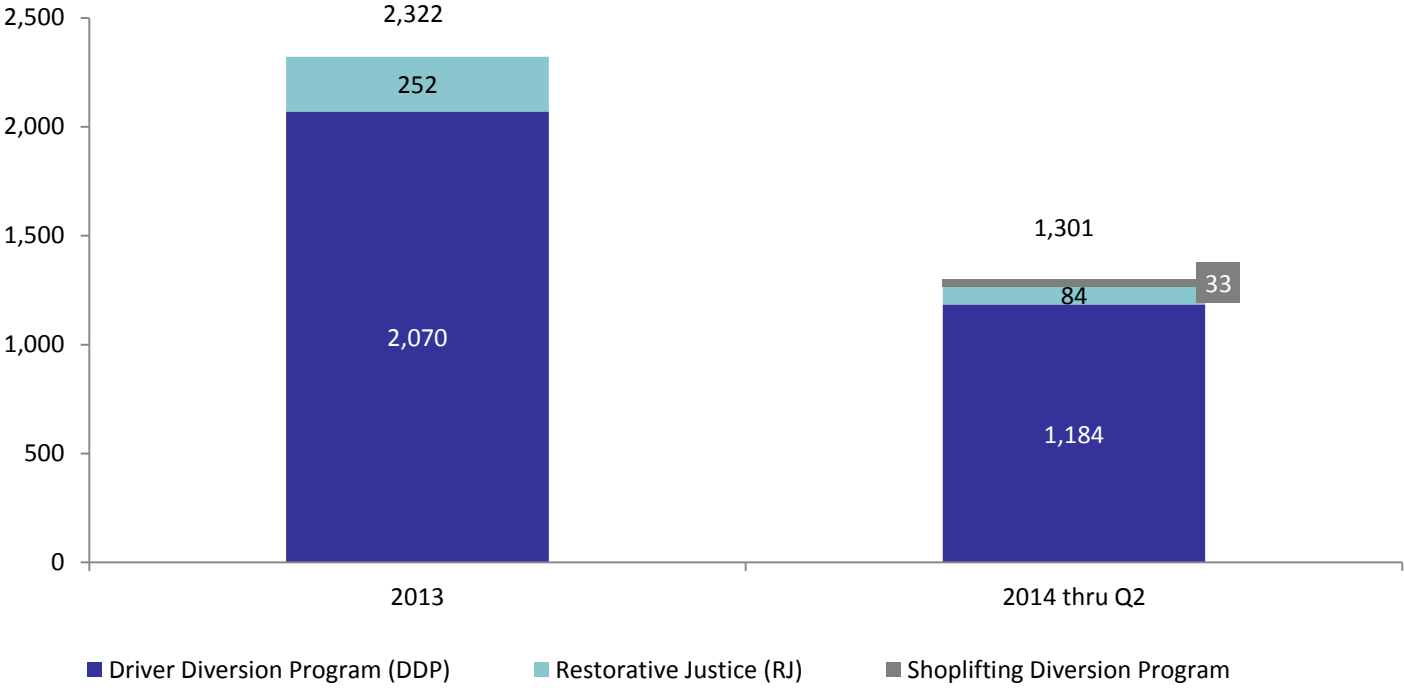
The CAO is also an active participant in various diversion programs. A diversion program provides certain offenders with an alternative way to resolve their case rather than go through the traditional court process. If successful, the offender is able to avoid criminal charges and a criminal record. The CAO offers three diversion programs: Restorative Justice (RJ) - for first time low-level livability offenders; Driver Diversion Program (DDP) - for individuals who had outstanding violations that resulted in suspension or revocation of their driver’s license; and a Shoplifting Diversion Program – for first time theft/shoplifting offenders.

What will it take to make progress?

The CAO will continue to partner with the Hennepin County District Court, Court Administration, Community Corrections and the Hennepin County Public Defender's Office to ensure that problem solving courts continue to be funded and expanded so that all eligible participants can be reached and provided appropriate services. The CAO will remain committed to continuing all existing diversion programs and to expanding them to other appropriate offenses in order to reduce the impact a criminal conviction would have on low-level first time offenders and offenders who have gotten caught up in the cycle of suspension and revocation created by being unable to pay their traffic violations.



Number of Defendatns Referred to Diversion Programs

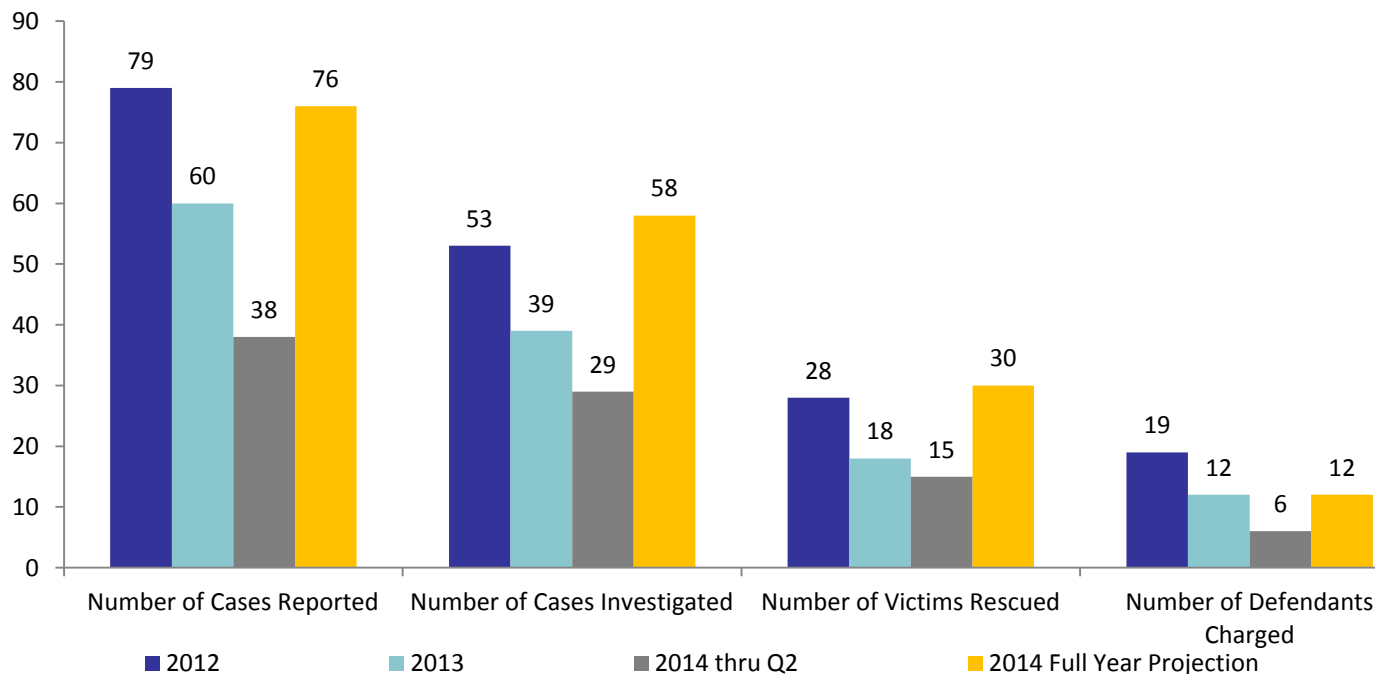


Source: CAO and DDP, RJCA, Shoplifting Diversion Program

**Help Lead City Efforts to Prevent Juvenile Sex
Trafficking**



Numbers of Juvenile Sex Trafficking Cases Reported and Charged and Victims Rescued



Source: CAO

Why is this measure important?

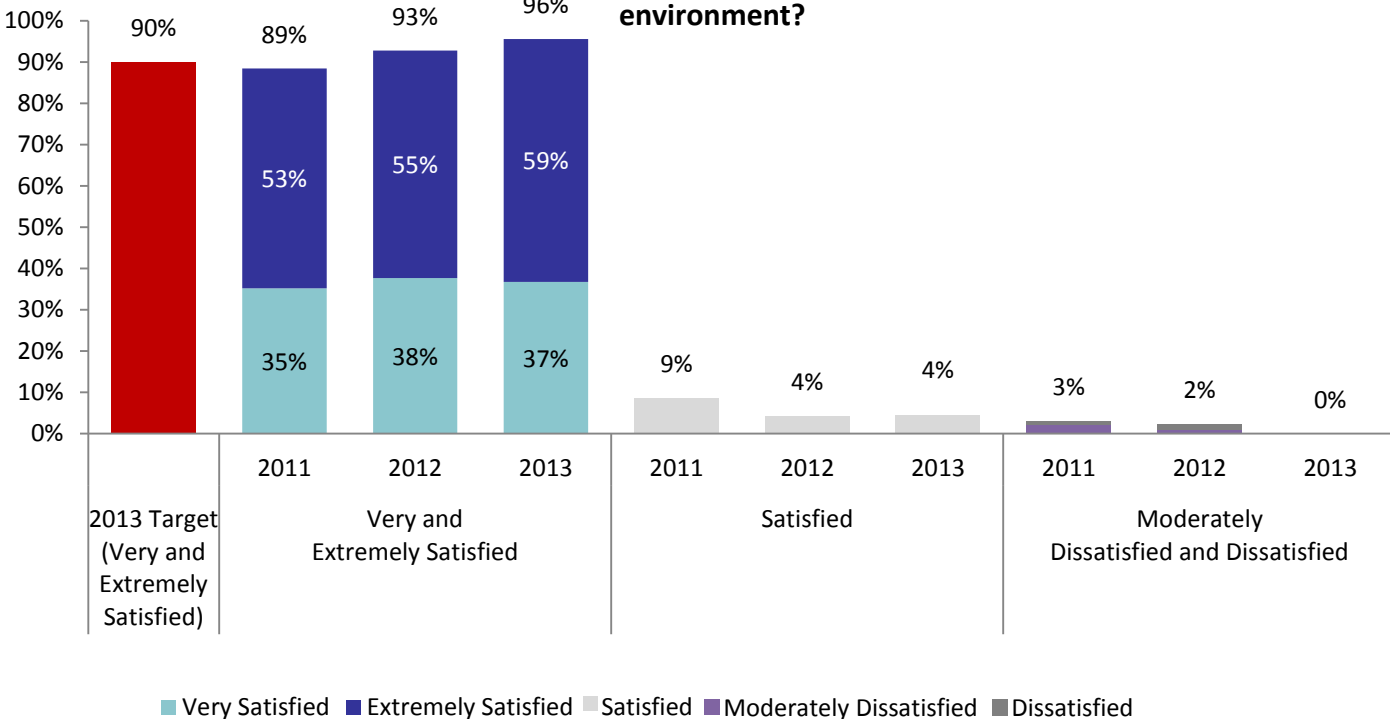
The CAO is responsible for prosecuting prostituted adults and adults (“johns”) who solicit sex for money. While the CAO utilizes a treatment-oriented approach in dealing with prostituted adults, research shows that the average age when prostituted individuals have first traded sex was 13. A November 2010 study showed that each month in Minnesota, at least 213 girls are sold for sex an average of five times per day through the Internet and escort services, not including hotel, street or gang activity. Other research shows that runaway youth are at significant risk of being victims of sex trafficking, typically being approached by a trafficker within the first two days. Minneapolis as the biggest city in the state has an important role to play in preventing this crime, protecting and rescuing exploited youth and bringing traffickers to justice. The City of Minneapolis and the CAO are committed to preventing the sexual exploitation of children so these youth will not become prostituted adults whose path to recovery is much more difficult.

What will it take to achieve the targets?

Through a multi-department staff work group, a work plan, measures and targets are being developed. Success in this area will require City leadership’s commitment of resources for law enforcement investigations, collaboration with other governmental and non-profit partners, including the County and the Regional No Wrong Door Navigator, effective outreach, housing, treatment and support options for victims and potential victims of juvenile sex trafficking, and coordinated efforts of business licensing, among other measures.

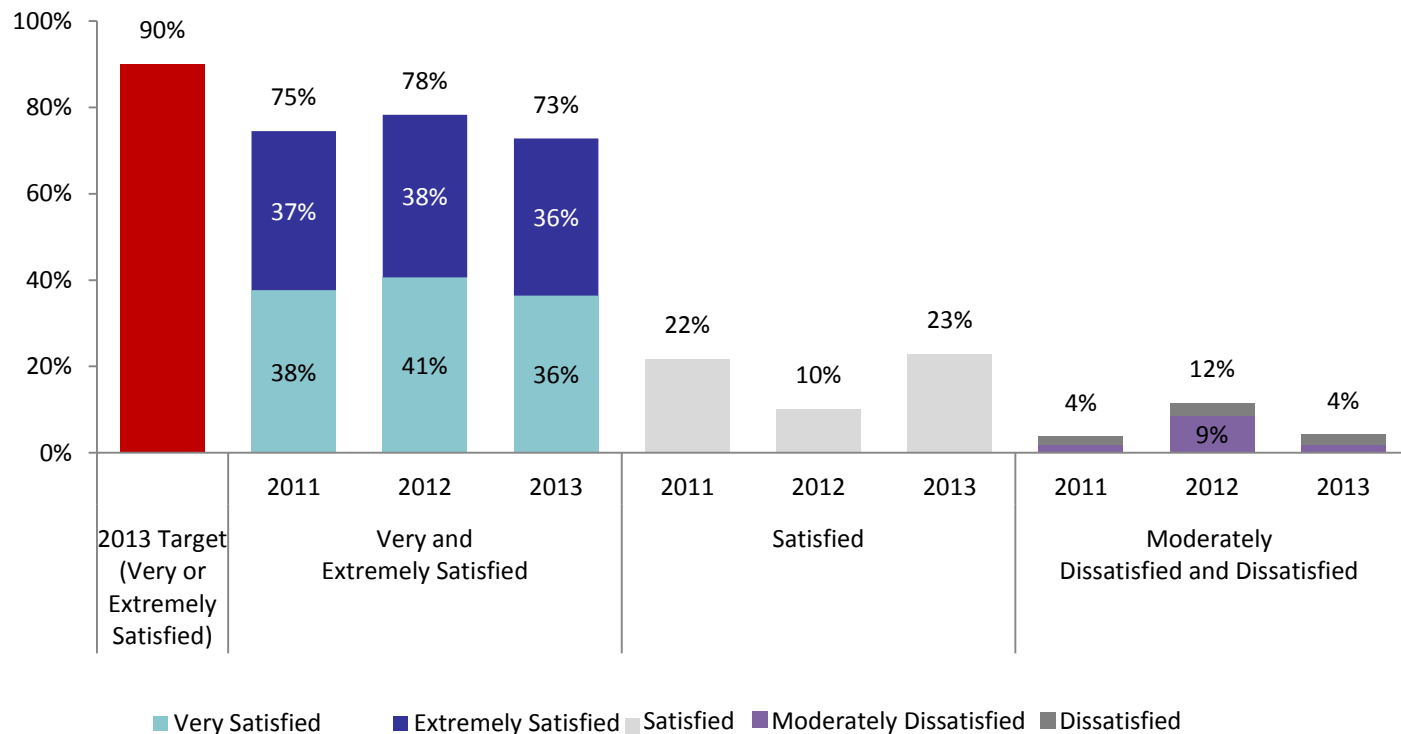
**The Work of the Civil Division is Results-driven
and Customer Focused, Assisting Clients in
Maximizing Desired Outcomes, While Minimizing
Risks of Liability**

Do the Civil Division attorneys working with your department understand the work performed by your department and the surrounding legal and regulatory environment?



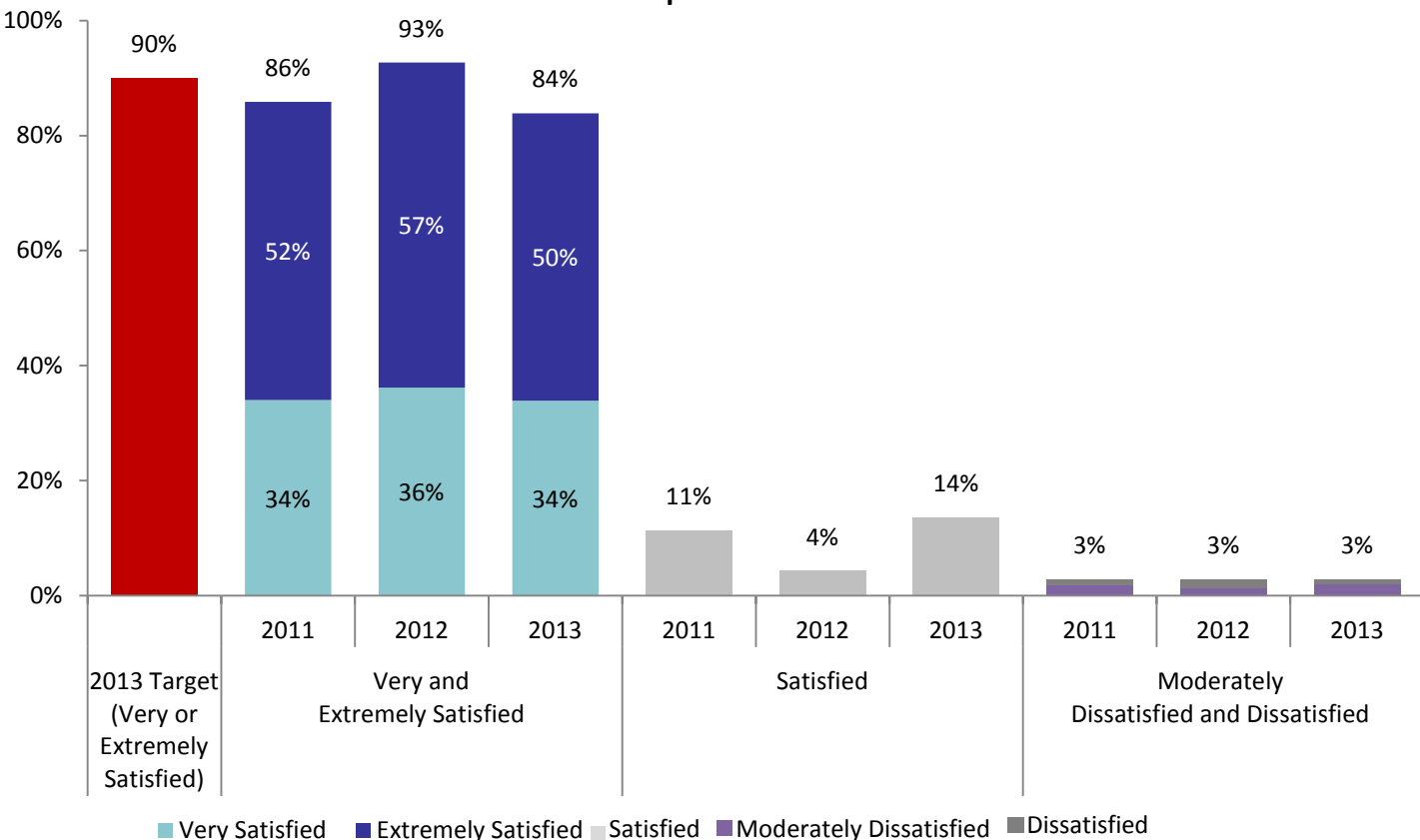
Source: Civil Division Survey

Is the legal work provided in a timely and responsive manner?



Source: Civil Division Survey

Are you satisfied with the skill level of the attorneys performing the work for your department?



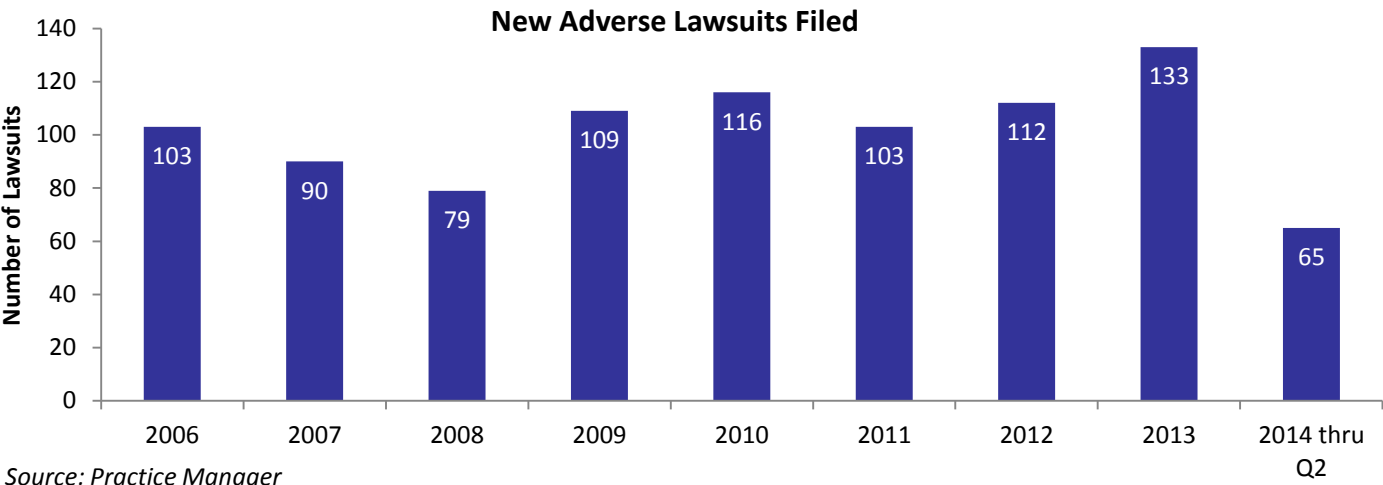
Source: Civil Division Survey

Why is this measure important?

The CAO has conducted annual surveys beginning in 2011 with all City departments. The Civil Division of the CAO is a service department for the City. Client confidence and satisfaction with the knowledge, skill and timeliness of CAO services is critical to our success.

What will it take to achieve the targets?

The Civil Division has received high satisfaction ratings improving each year upon the prior year’s performance. We will conduct the survey on an annual basis with individual department follow-up meetings. Achieving targets will require maintaining engaged, skilled attorneys and staff, adequate staffing levels, continuing skills training and education, regular communication with City clients, and responsiveness to client complaints and concerns.



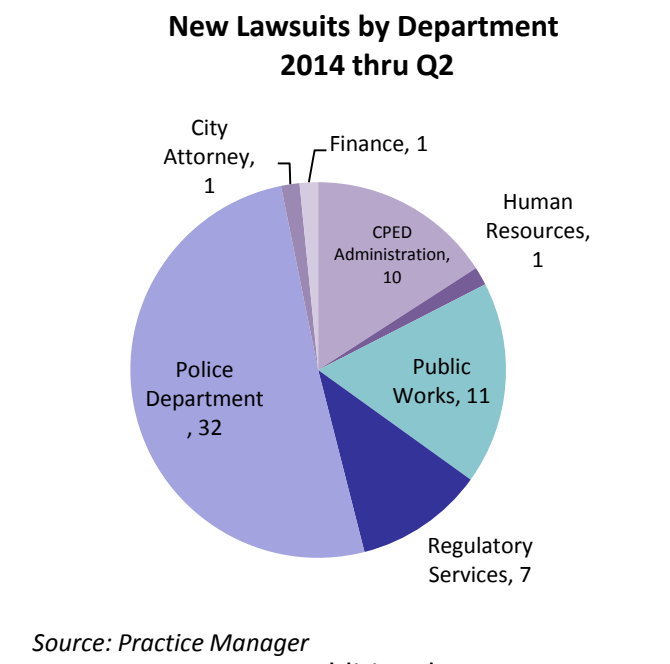
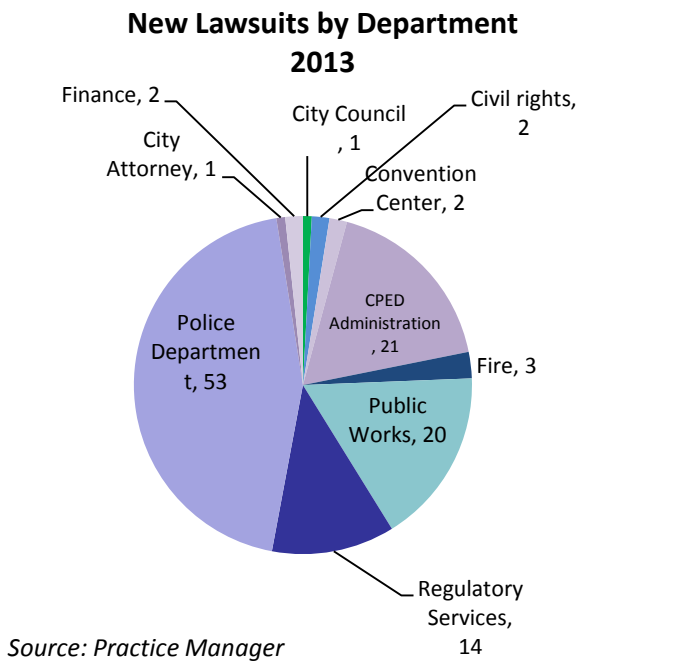
Why are these measures important?

This measure reflects the annual financial impact on the City from its risk generating activities performed in a manner that results in liability.

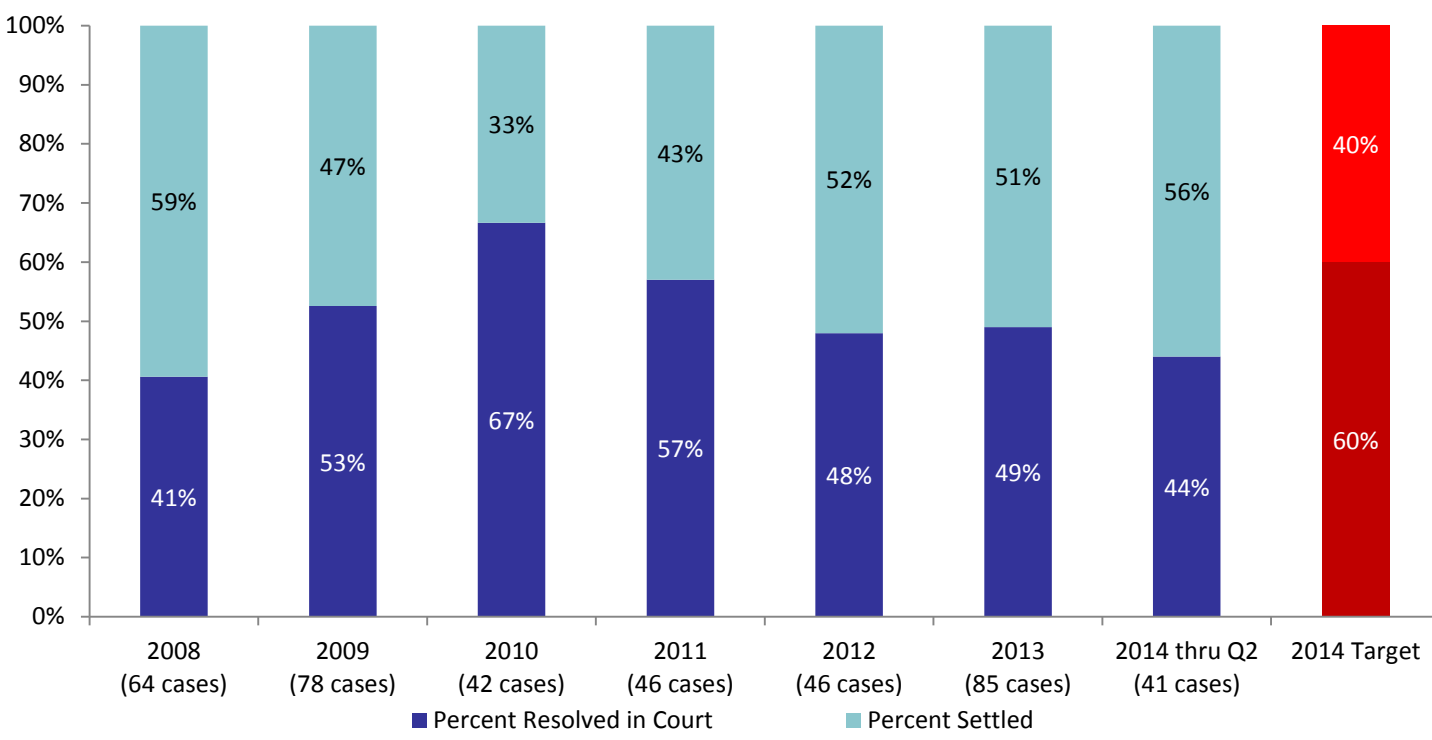
The number of new adverse lawsuits filed is another gauge of the City’s success in preventing liability exposure. While a significant majority of suits are resolved in the City’s favor with no financial exposure, the number of new adverse suits opened does provide a barometer for evaluating risk management activities. Please note, the data provided on pages 28-30 is by date of payout, not date of incident.

What will it take to achieve the targets?

Commitment from City officials, department heads and staff to identify and correct liability generating behavior by City officials, department heads and staff; proactive involvement by CAO to analyze trends and work with the City’s Risk Management Office and departments on solutions.

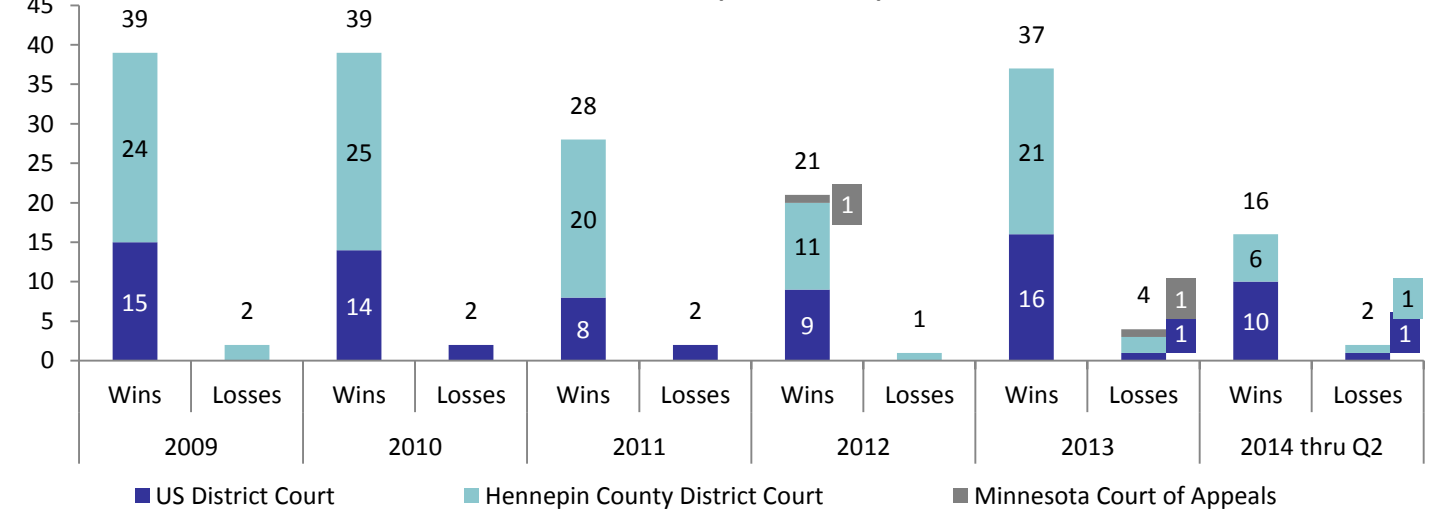


Percent of Civil Court Cases Settled



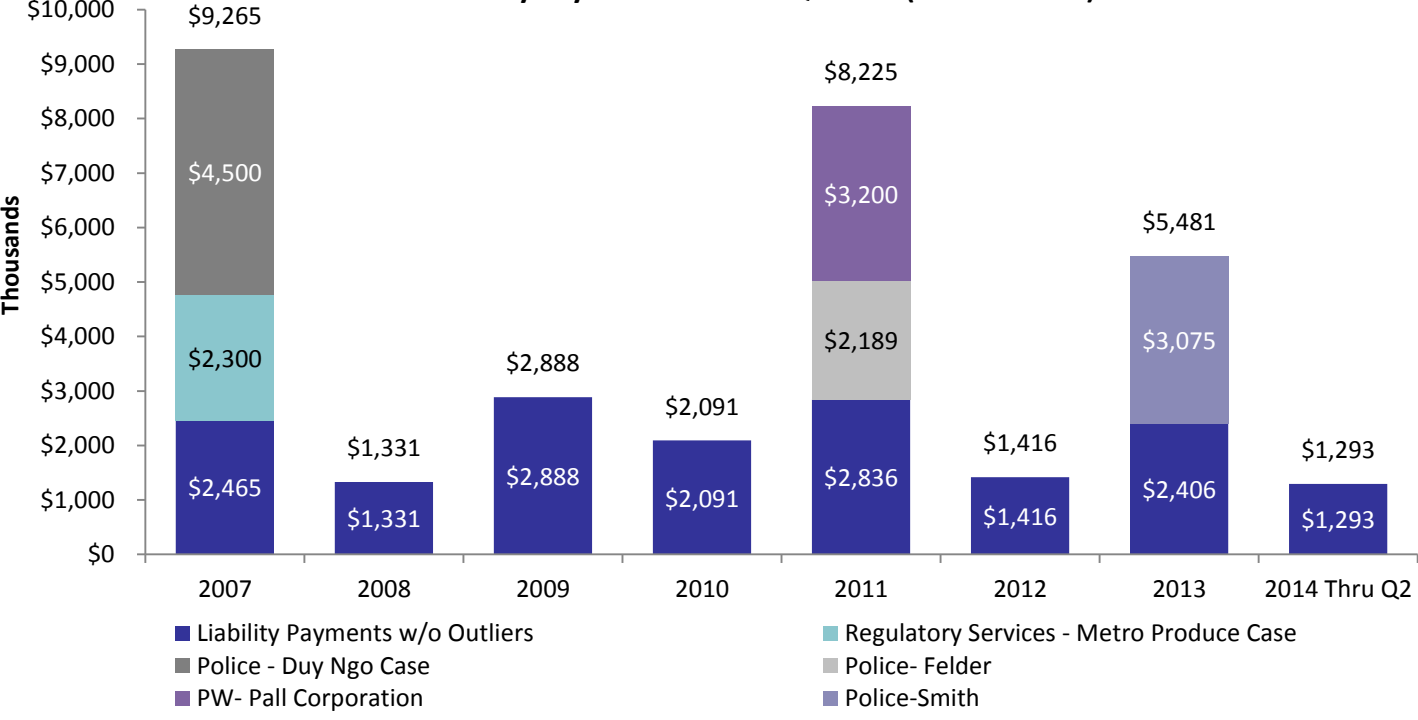
Source: CAO

Civil Cases Resolved in Court (Not Settled) Wins and Losses



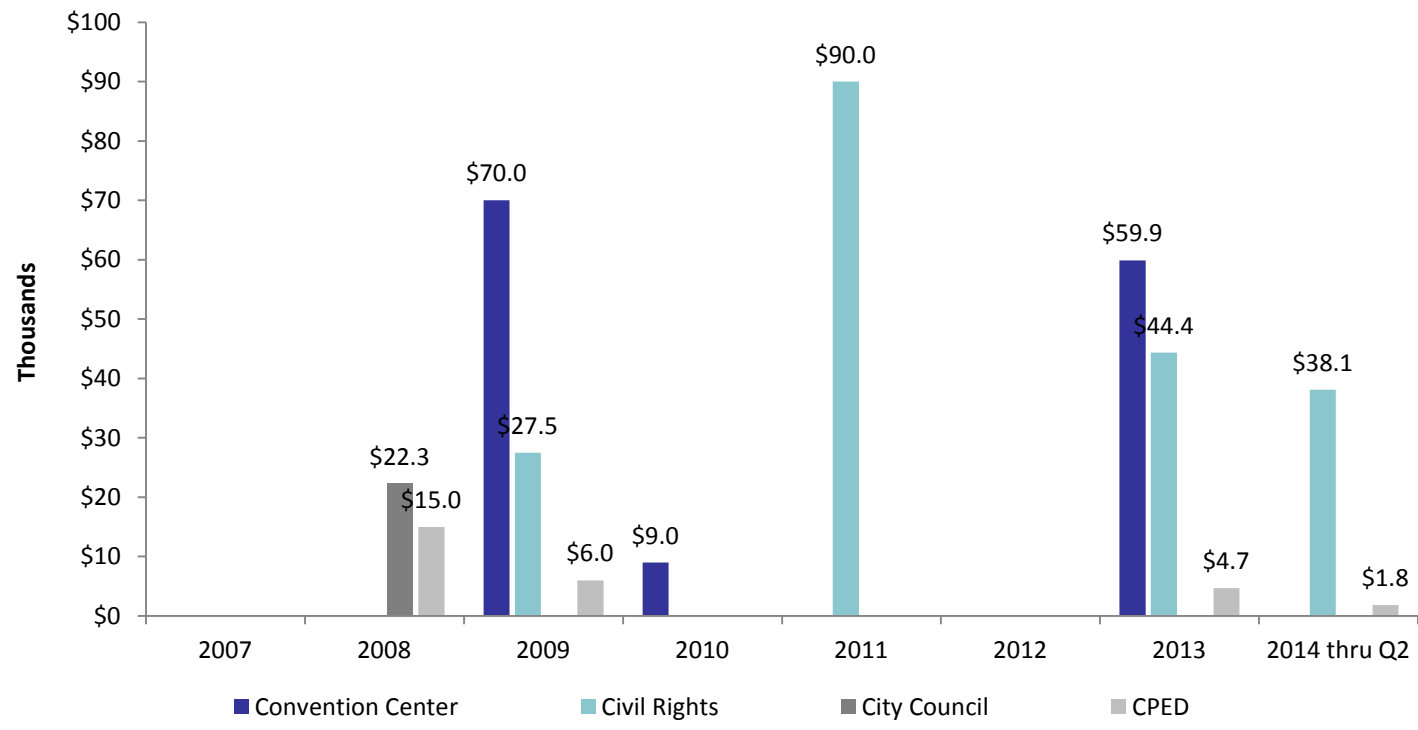
Note:
 2008: 6 cases taken through trial/20 cases resolved through summary judgments/dismissals
 2009: 7 cases taken through trial/34 cases resolved through summary judgments/dismissals
 2010: 6 cases taken through trial/35 cases resolved through summary judgments/dismissals
 2011: 8 cases taken through trial/22 cases resolved through summary judgments/dismissals
 2012: 21 cases resolved through summary judgments/dismissals; 1 Court Verdict for Plaintiff
 2013: 26 cases dismissed; 4 court trials for City; 5 jury trials for City; 2 jury trials against City; 1 court trial lost on appeal; 1 summary judgment motion against City; 1 MN Supreme Court reversed judgment of MNCOA for City
 2014: 1 jury trial verdict for City; 4 court trial verdicts for City; 11 dismissed; 2 jury trials Against City
 Source: CAO

Liability Payouts 2007 thru Q2 2014 (in thousands)



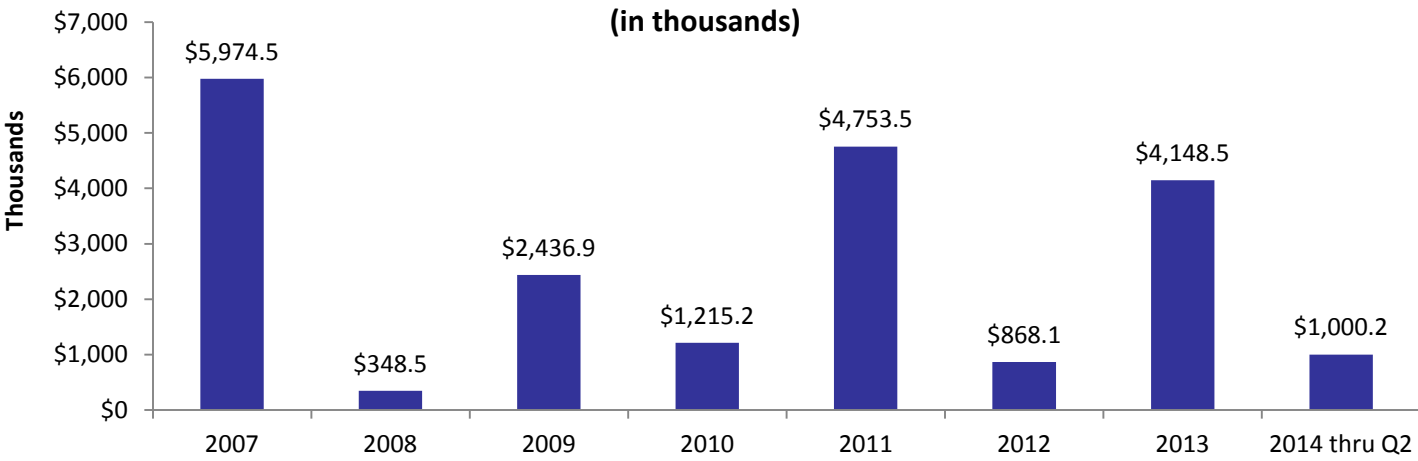
Note: Liability payments include conciliation court judgments, lawsuit judgments for plaintiff, lawsuit settlements, no fault payments and claims settlements
 Source: Practice Manager

Liability Payouts Resulting From Certain of the City's Risk Generating Activities (Other Departments)



Source: Practice Manager

Police - Total Liability Payouts (in thousands)



Notes: 2007 Duy Ngo Case (\$4.5M); 2011 Felder Case (\$2.2 M); 2013 Smith Case (\$3.1 M)

Source: Practice Manager

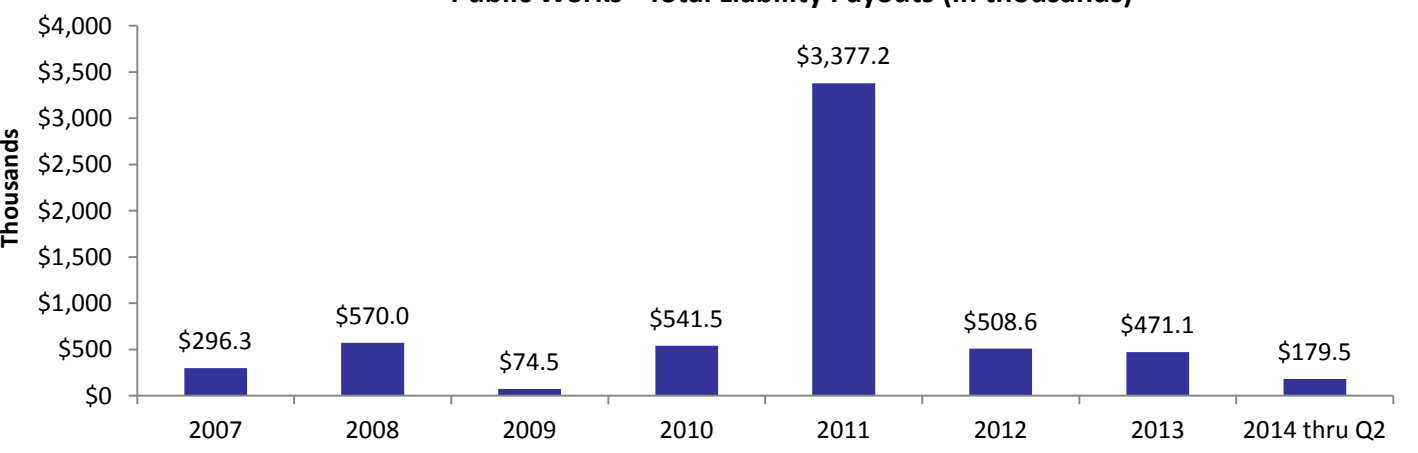
Regulatory Services - Total Liability Payouts (in thousands)



2007 Metro Produce Case (\$2.3M)

Source: Practice Manager

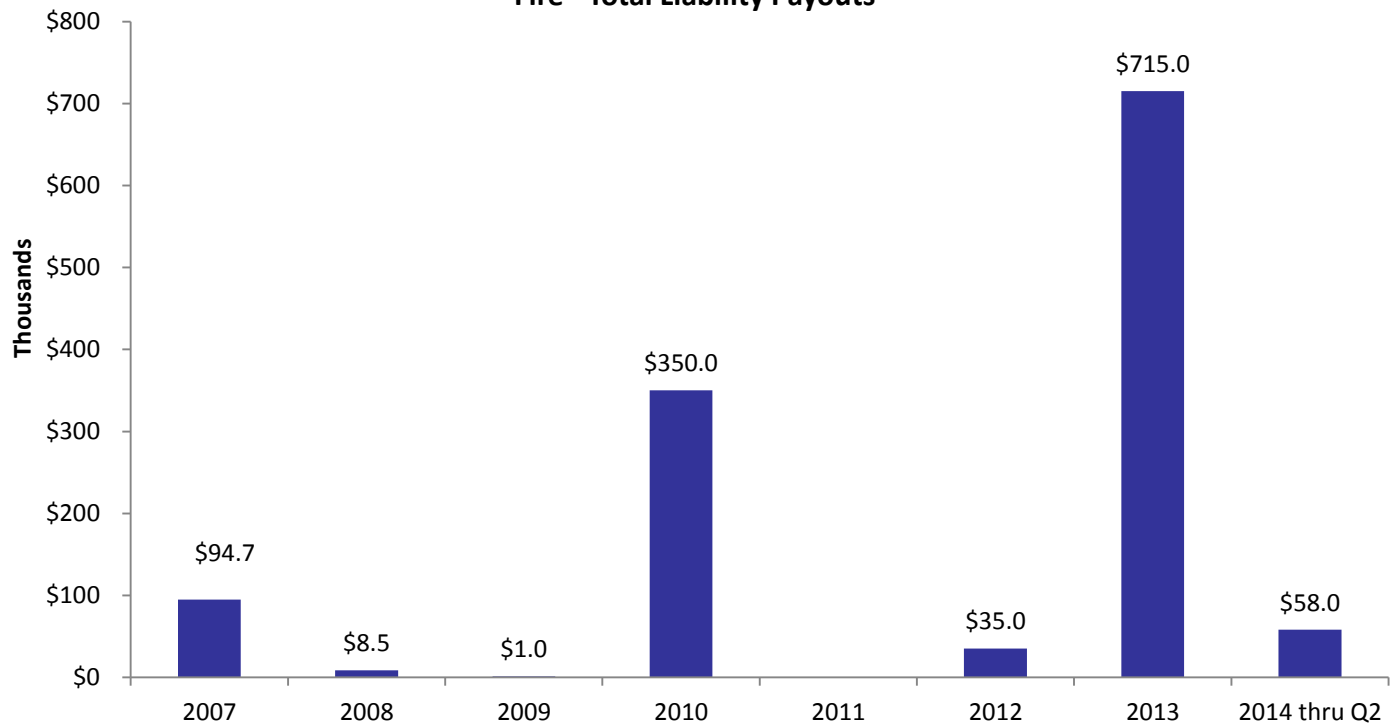
Public Works - Total Liability Payouts (in thousands)



Notes: 2008 Judy Rye Case (\$315,782); 2010 Collins Electrical Systems Case (\$350,161); 2011 Breach of Contract: Pall Corporation Case (\$3.2M)

Source: Practice Manager

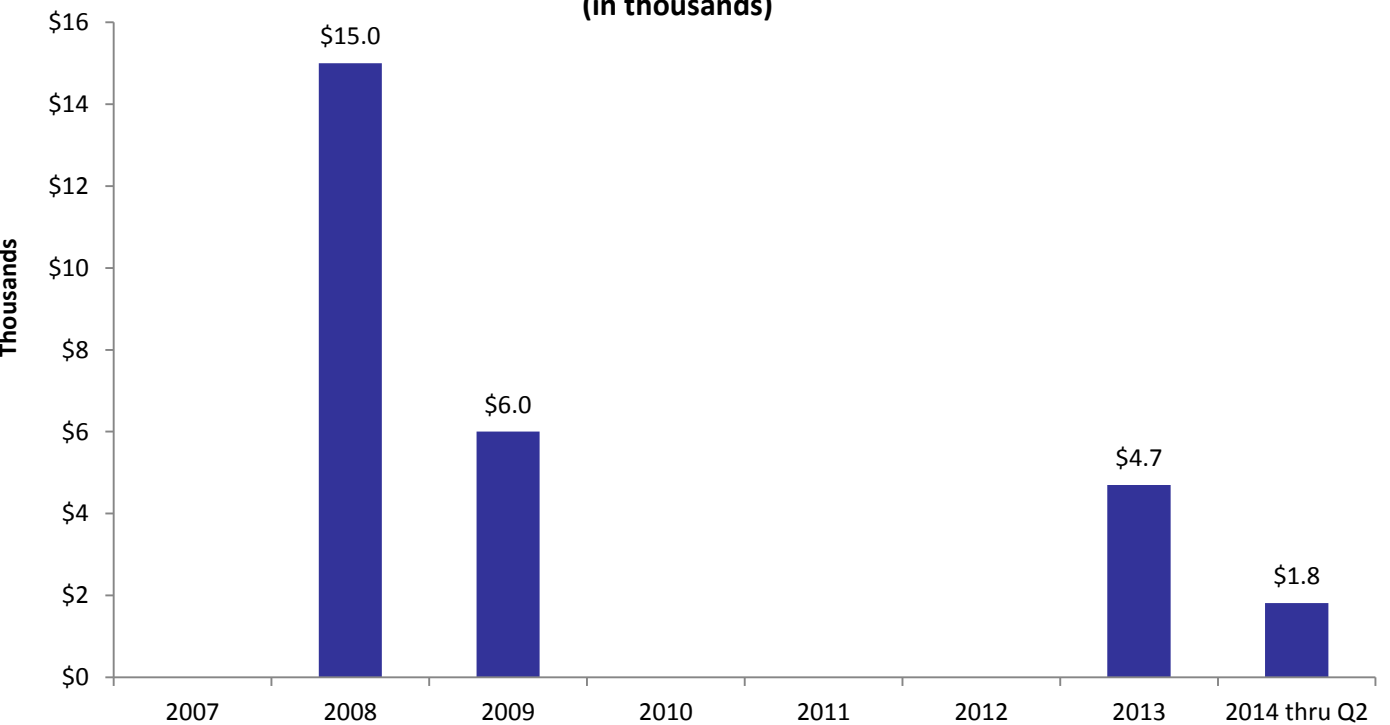
Fire - Total Liability Payouts



Notes: 2010 Lemon Case (\$350,000); 2013 Lemon Case (\$350,000); Kidd Case (\$595,000)

Source: Practice Manager

**CPED - Total Liability Payouts
(in thousands)**

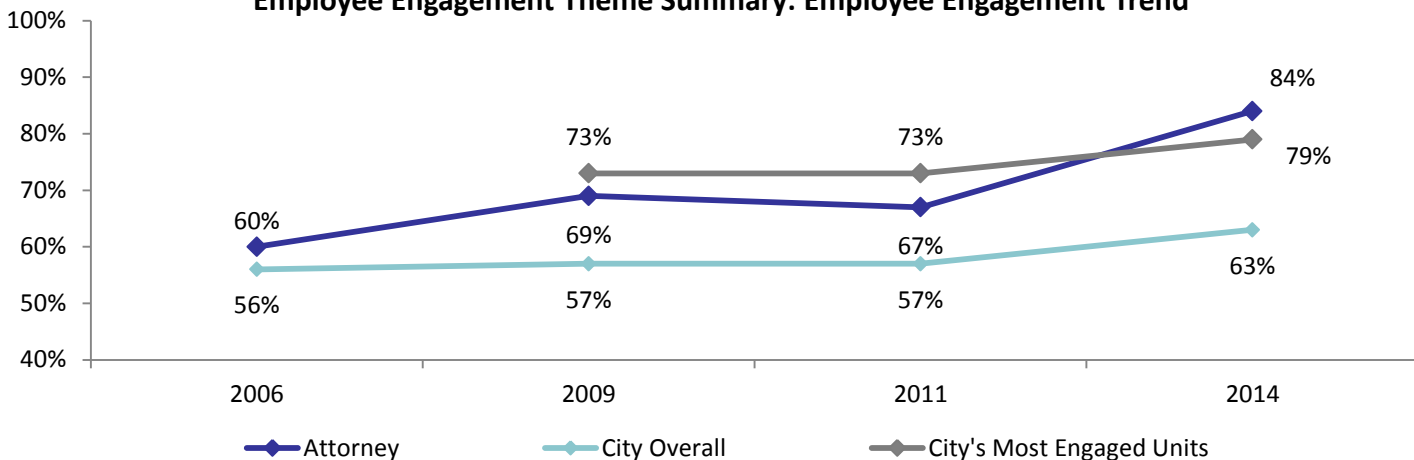


Source: Practice Manager

**Engaged and Talented Employees Reflect Our
Community and Have the Resources, Skills and
Training Needed to Succeed and to Achieve the
CAO's Mission and Vision**

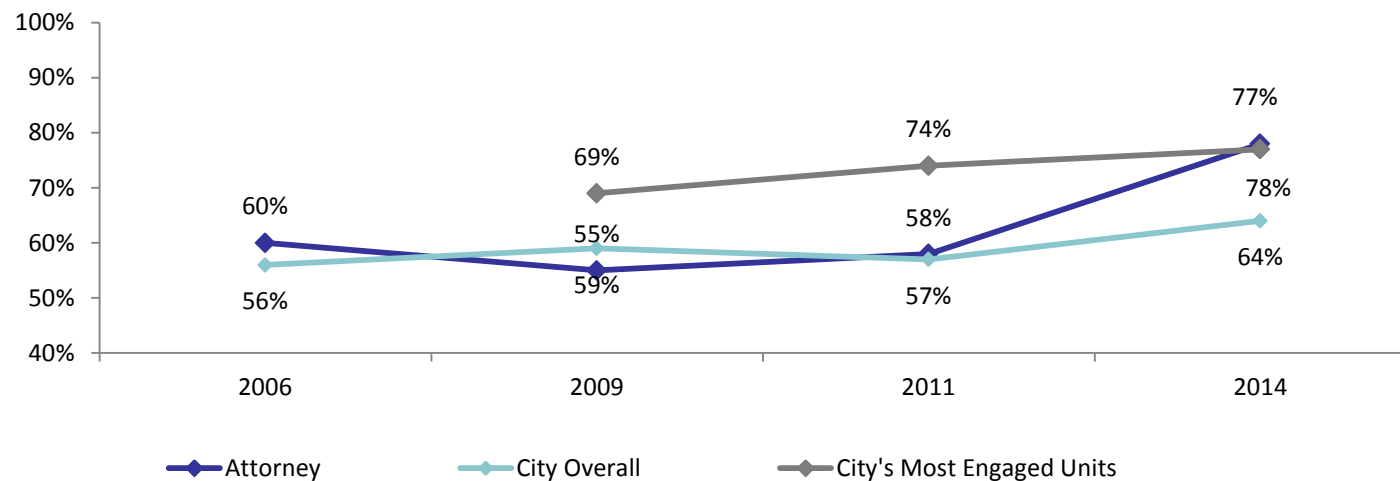
Engaged and Talented Employees Reflect Our Community and Have the Resources, Skills and Training Needed to Succeed and to Achieve the CAO's Mission and Vision

Employee Engagement Theme Summary: Employee Engagement Trend



Source: Employee Engagement Survey

Employee Engagement Theme Summary: Performance Excellence Trend



Source: Employee Engagement Survey

Why is this measure important?

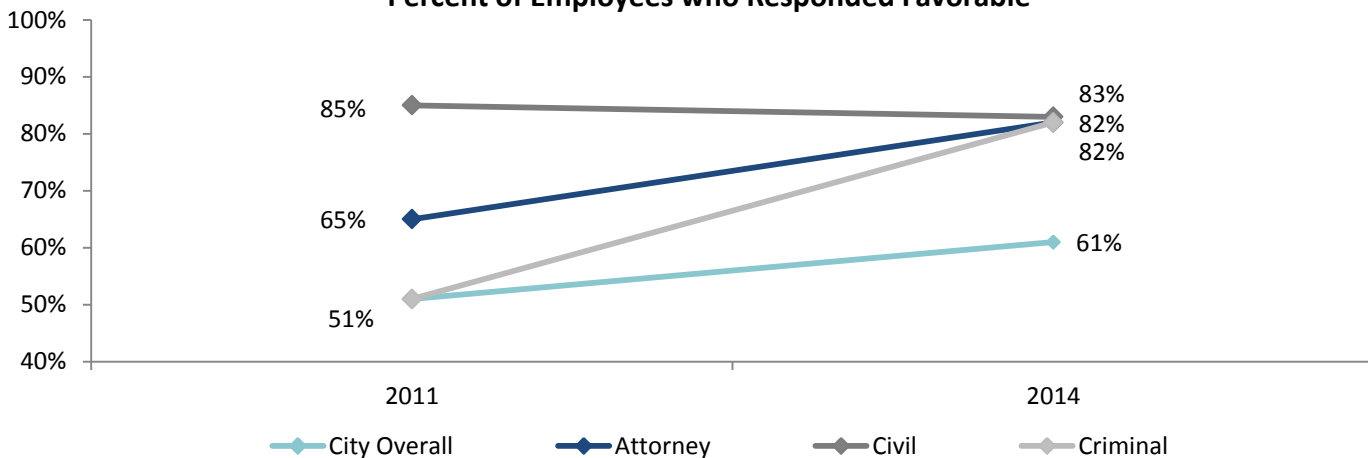
Engaged employees are more productive, more invested in their work, provide better work products, better customer service and provide for a happier, healthier work environment for all.

What will it take to make progress?

While we are very pleased with the 2014 Employee Engagement Survey Results (showing us at or above the rankings for the City's "most engaged units"), we know that successful employee engagement is a continuous work-in-progress. To succeed we need to continue to solicit and listen to employee input, recognize employees, provide equal opportunities for career advancement and development, continue to improve our management skills and make sure that each employee in the office, regardless of position, feels that they are important contributors, that they will be treated with respect and in a fair and even handed manner and that management will be open and responsive to their concerns and needs.

Additional Data on Next Page...

Employee Engagement Theme Summary: Department Leadership
Percent of Employees who Responded Favorable



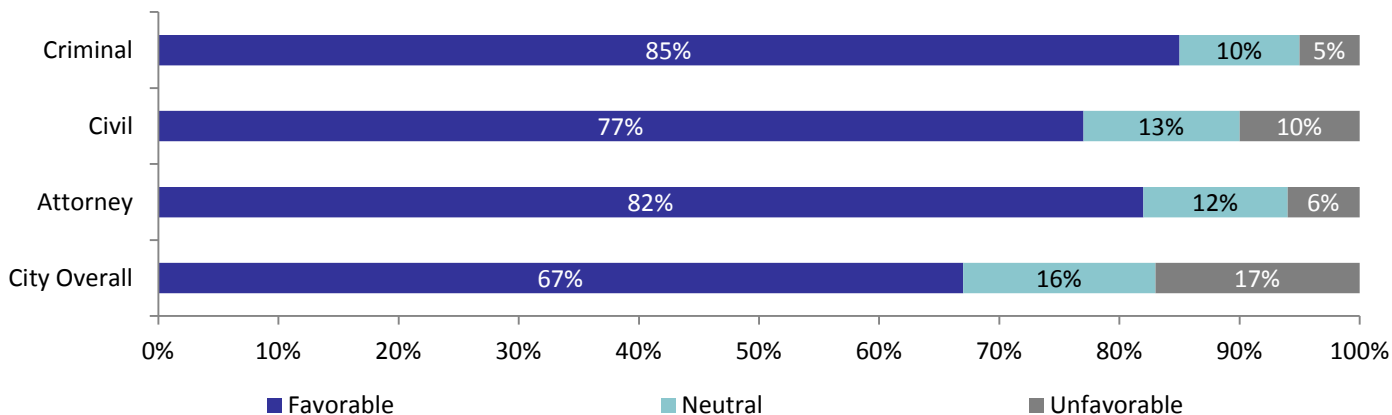
Source: Employee Engagement Survey

Employee Engagement Theme Summary: Ethics
Percent of Employees who Responded Favorable



Source: Employee Engagement Survey

Employee Engagement Theme Summary: Inclusion



Source: Employee Engagement Survey