



National Prosecutors' Consortium

Survey Highlights

Minnesota



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MINNESOTA REPORT

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BACKGROUND

The National Prosecutors' Consortium (NPC), a collaboration between Justice & Security Strategies (JSS) and the Prosecutors' Center for Excellence (PCE), is designed to collect information on innovative programs employed by prosecutors' offices, to assist prosecutors in developing and deploying new programs, and to expand the research capacities of prosecutors' offices. The team developed a survey that is being administered at the county level across the United States on a state-by-state basis. This survey seeks to accomplish two objectives to support prosecution needs: 1) collection of a thorough baseline of information on the operation of county prosecutors' offices across the country, and 2) identification of those offices that have adopted innovative programs.



METHODOLOGY

NPC conducted focus groups with prosecutors and prosecutor coordinating offices. As part of this effort, NPC identified the desired topic areas and reviewed survey questions. The survey was designed as an agency-based questionnaire intended to collect data on the characteristics and operations within each prosecutor's office. The survey was delivered through an online, secure, cloud-based service using the Qualtrics survey platform. States are being offered this survey on a rolling basis.

As part of the data quality assurance process, we identified a battery of 84 questions that provide the core information requested by the survey. To minimize the proportion of missing data, the weighted number of completed responses was compared to a threshold. Offices in counties where the responses did not pass this threshold will be contacted and additional responses will be requested. This report discusses responses from all partially complete surveys, but there may be changes in the number of valid cases for some questions as follow-ups with agencies continue.

THE CURRENT STATE - MINNESOTA

This report discusses preliminary results from the state of Minnesota. Out of the 87 prosecutors' offices operating in Minnesota, at the time of this report (September 11, 2019), 42 counties (48%) had completed the survey.



TYPES OF CASES

Figure 1 depicts the percentage of prosecutors' offices handling specific types of cases. All responding offices reported handling all or at least some felonies, misdemeanors, and juvenile cases. Thirty-eight offices reported handling infraction cases. All of the responding offices (N = 40) reported handling civil matters. Figure 2 highlights the percentage of prosecutors' offices involved in various types of civil matters. All responding offices reported handling child protection, adult protection, child support matters, civil forfeitures, mental health commitments, and FOIA or other public information requests. Nuisance abatement was reported by 37 offices.

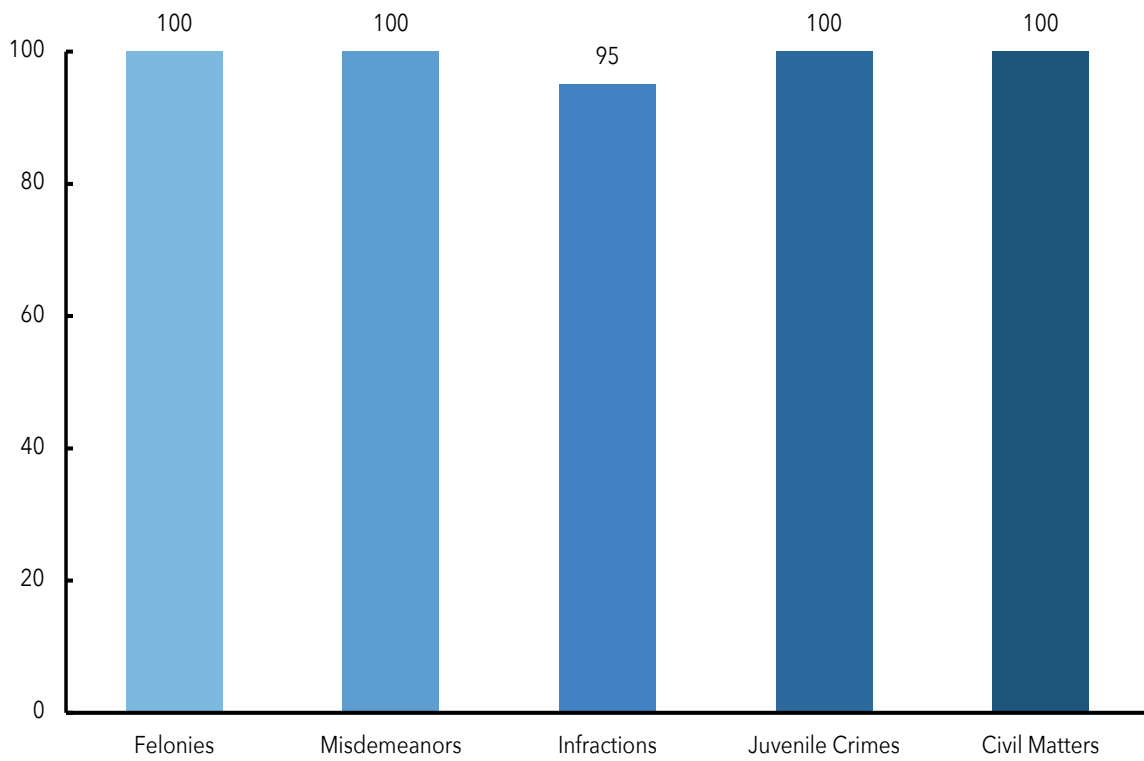


Figure 1. Percentage of Prosecutors' Offices with Jurisdiction over Cases by Type (N =40).

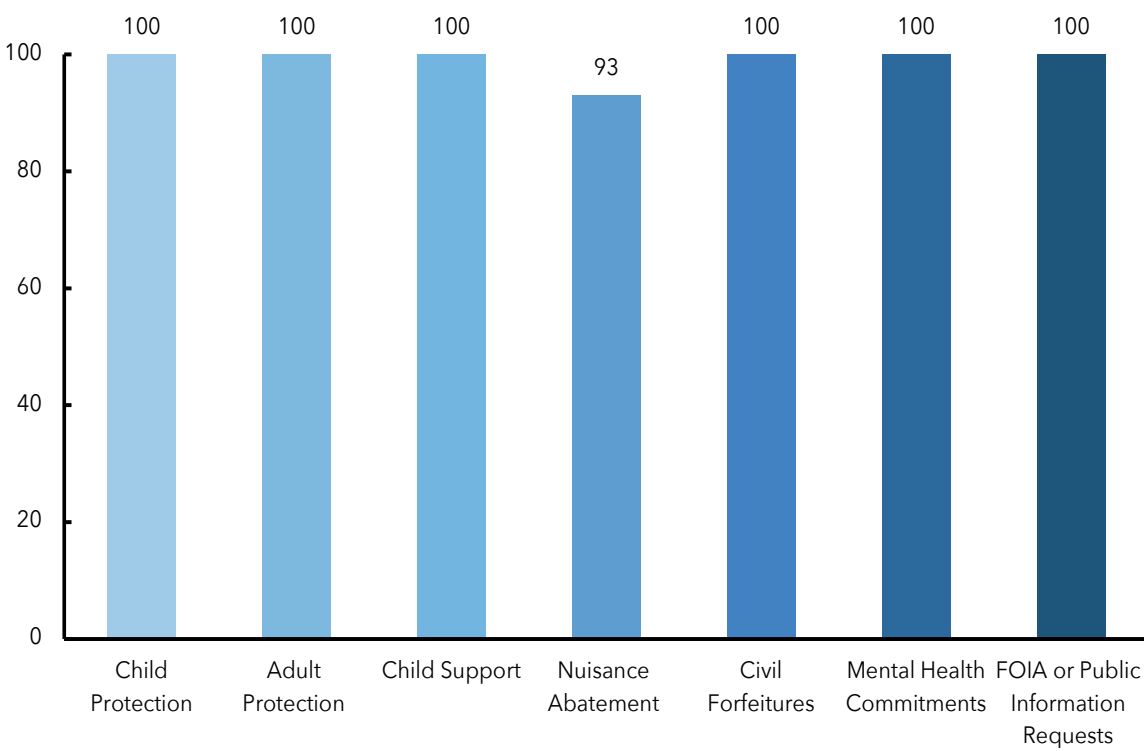


Figure 2. Percentage of Prosecutors' Offices with Jurisdiction over Civil Matters by Type (N = 40).

CHIEF PROSECUTOR

Of the 40 counties that responded to the survey, all indicated that their Chief Prosecutor was elected. On average, Chief Prosecutors had been in office for about 12 years. Their tenure ranged from less than one year to 36 years. As seen in **Figure 3**, 25% of prosecutors had been in office for 3 or fewer years, 20% for 3-8 years, 22% for 9-15 years, and 33% for 16 or more years.

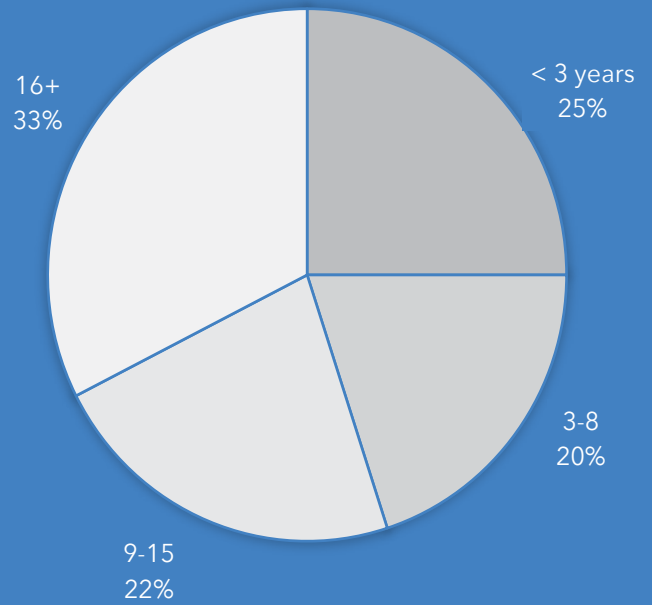


Figure 3. Chief Prosecutor Years in Office (N =40).

OFFICE BUDGET

The average 2018 budget for prosecutors' offices was approximately \$7,448,409. **Figure 4** depicts that 20% of the offices had a budget under \$500,000, 21% had budgets between \$500,000 and about \$999,999, 38% had budgets between \$1,000,000 and about \$4,999,999, and 21% had budgets over \$5,000,000.

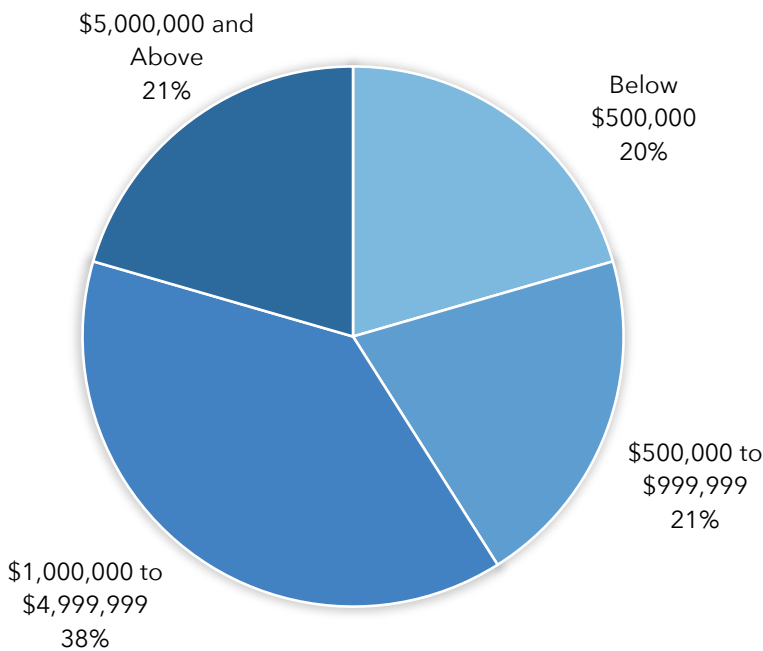


Figure 4. Ranges of 2018 Total Budgets (N = 39).

The average 2018 personnel budget for Minnesota prosecutors' offices was \$6,834,186. **Figure 5** presents the ranges of personnel budgets. Approximately 25% of the offices had a personnel budget under \$500,000, 25% had budgets between \$500,000 and about \$999,999, 31% had budgets between \$1,000,000 and about \$4,999,999, and 19% had budgets over \$5,000,000.

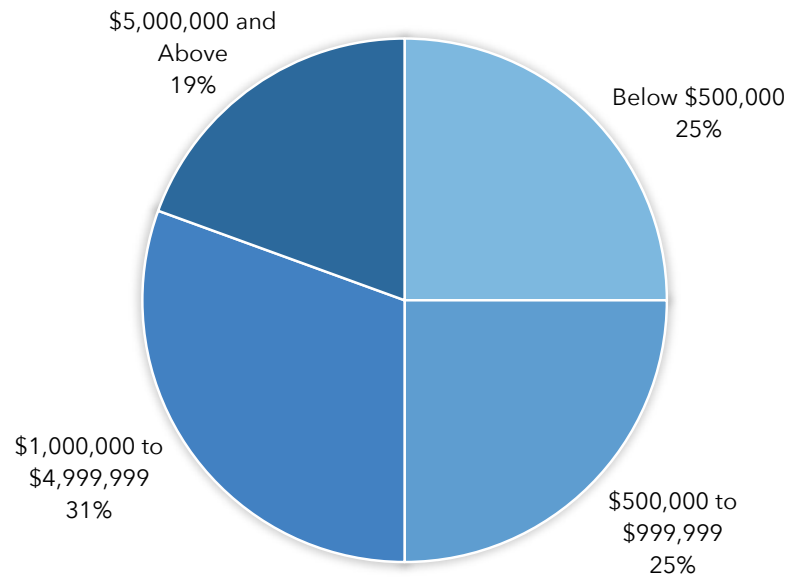


Figure 5. Ranges of 2018 Personnel Budgets (N = 36).

The average percentage of personnel to total budget by budget category is displayed in **Figure 6**. This graph provides a method to determine whether agencies with large budgets spend a disproportionate amount of their budget on personnel costs. From this graph, it appears that average percentage of personnel to total budget was higher for offices with budgets below \$500,000 and offices with budgets between \$1,000,000 and \$4,999,999. Across all budget categories, agencies spent an average of 83% of their total budgets on personnel costs.

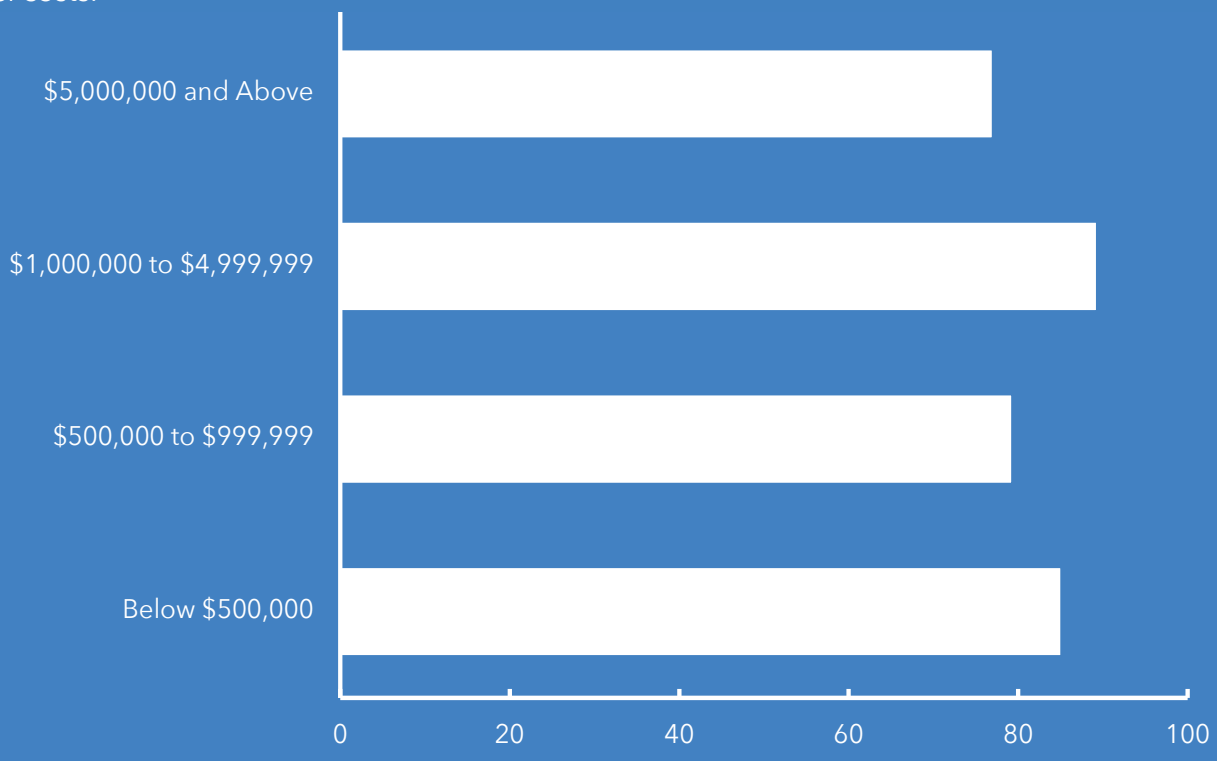


Figure 6. Average Percentage Personnel to Total Budget by Budget Category (N = 33).

STARTING SALARIES

The 2018 starting salaries of recently graduated law students hired as prosecutors in Minnesota ranged from a minimum of \$40,000 to a maximum of \$82,909. The average of the 33 responding offices was \$63,611.

CASE PROCESSING

In 2018, the offices surveyed reviewed on average 1,252 felony cases, resulting in 1,010 cases charged, 907 cases with at least one conviction, and 163 cases diverted. Further, on average, the offices reported reviewing 595 misdemeanor cases, resulting in 531 cases charged, 502 cases with at least one conviction, and 22 cases diverted. Finally, on average, the offices also reviewed 727 juvenile cases, resulting in 438 cases charged, 243 cases with at least one conviction, and 177 cases diverted.

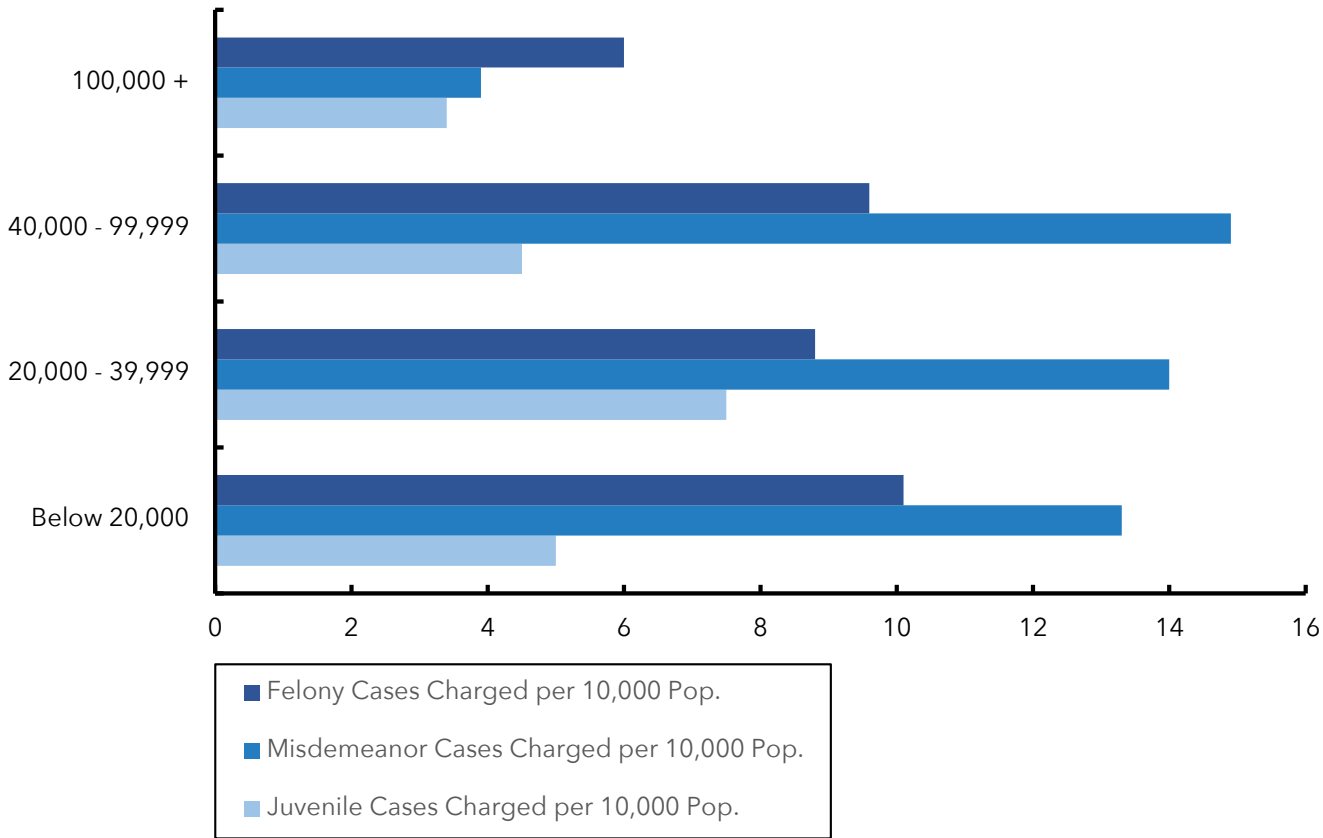


Figure 7. Cases Charged per 10,000 Population by Population Category (N = 28).

Figure 7 depicts the number of felonies, misdemeanors, and juvenile cases charged by county population category. Offices with fewer than 20,000 residents charged the most felony cases per capita. The mid-sized offices (20,000-99,999 residents) charged more misdemeanor cases per capita than the smaller and largest offices, and offices with 20,000 to 39,999 residents charged the most juvenile cases per capita.

Figure 8 presents the average number of reviewed cases per full-time attorney for felonies, misdemeanors, and both felonies and misdemeanors combined. While these data are limited, the estimated workloads can provide a useful benchmark for agencies. Across reporting offices, there were an average of 70 reviewed felony cases per full-time attorney and 86 reviewed misdemeanor cases per full-time attorney. Overall, this resulted in an average of 154 reviewed misdemeanor and felony cases per full-time attorney.

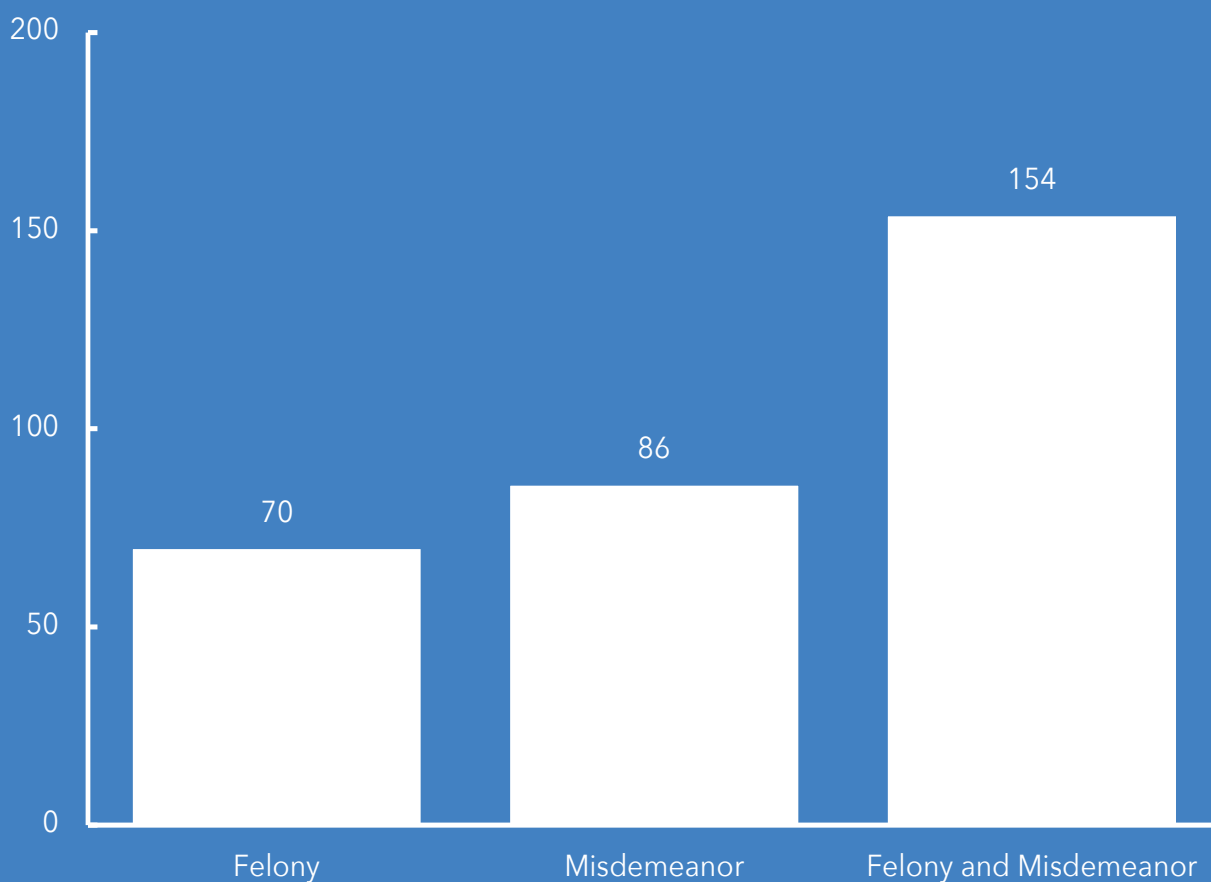
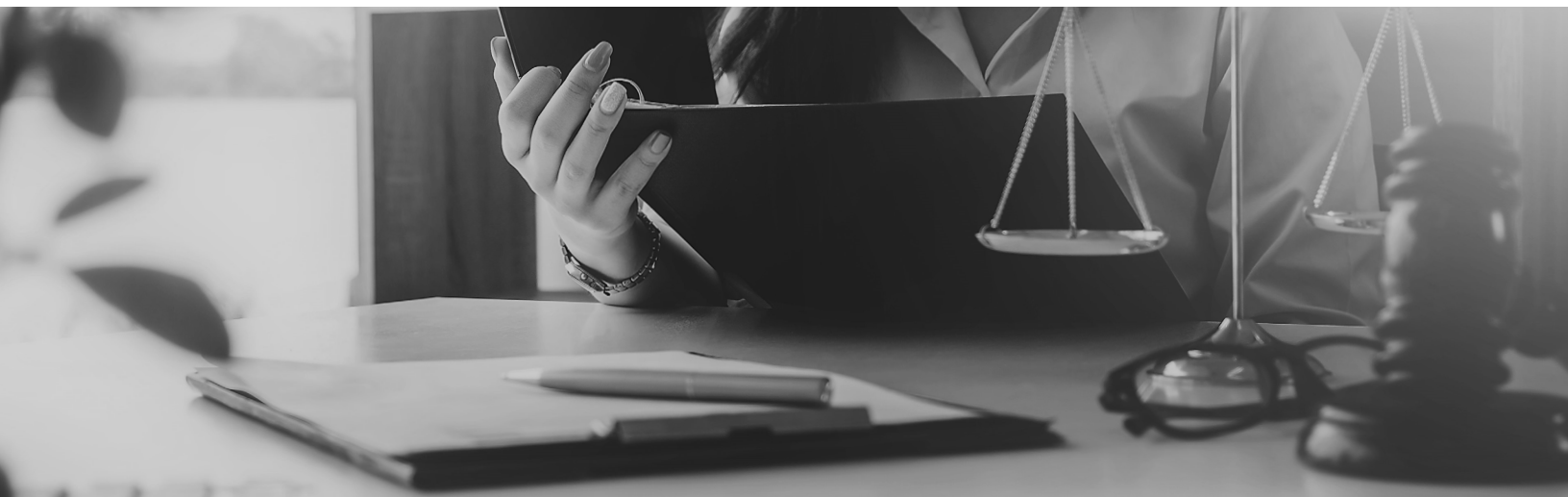


Figure 8. Average Number of Cases per Full-Time Attorney by Type of Case (N =28).



NUMBER OF EMPLOYEES

On average, prosecutors' offices in Minnesota reported employing 17 full-time and 0.4 part-time attorneys. These offices also reported employing 23 full-time and 0.7 part-time non-attorneys.

Figure 9 presents the number of full-time employees per 10,000 population by population category. Offices covering more than 100,000 residents had the highest number of full-time employees and full-time non-attorneys per 10,000 residents. Offices across all population categories had a similar number of full-time attorneys per capita.

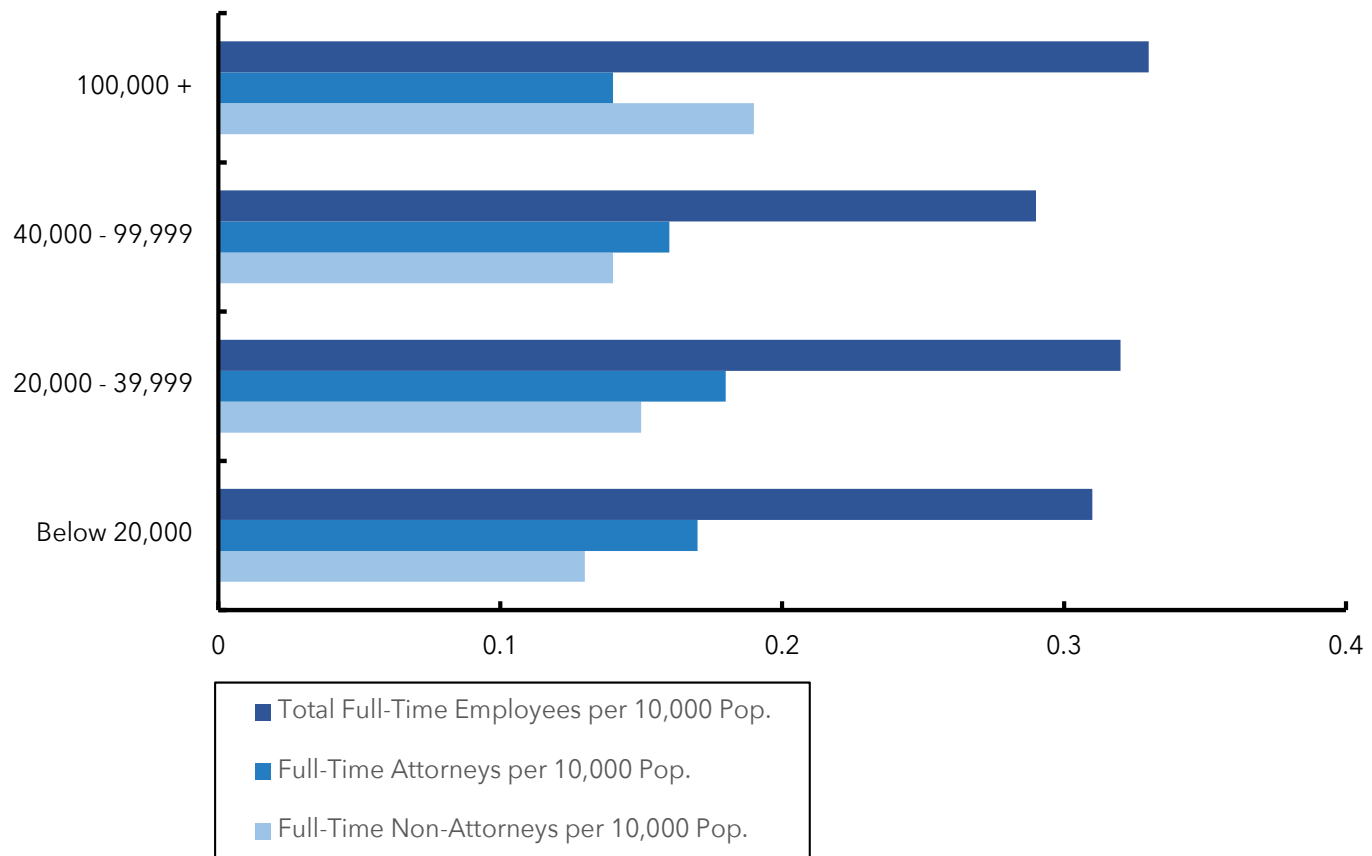


Figure 9. Full-Time Employees per 10,000 Population by Population Category (N = 30).

A different strategy for examining staffing information is to consider the ratio of staff to a measure of workload. **Figure 10** presents the average number of full-time employees per 1,000 felony and misdemeanor cases reviewed. Counties covering 100,000 or more residents had the most full-time attorneys, non-attorneys, and employees overall per 1,000 cases.

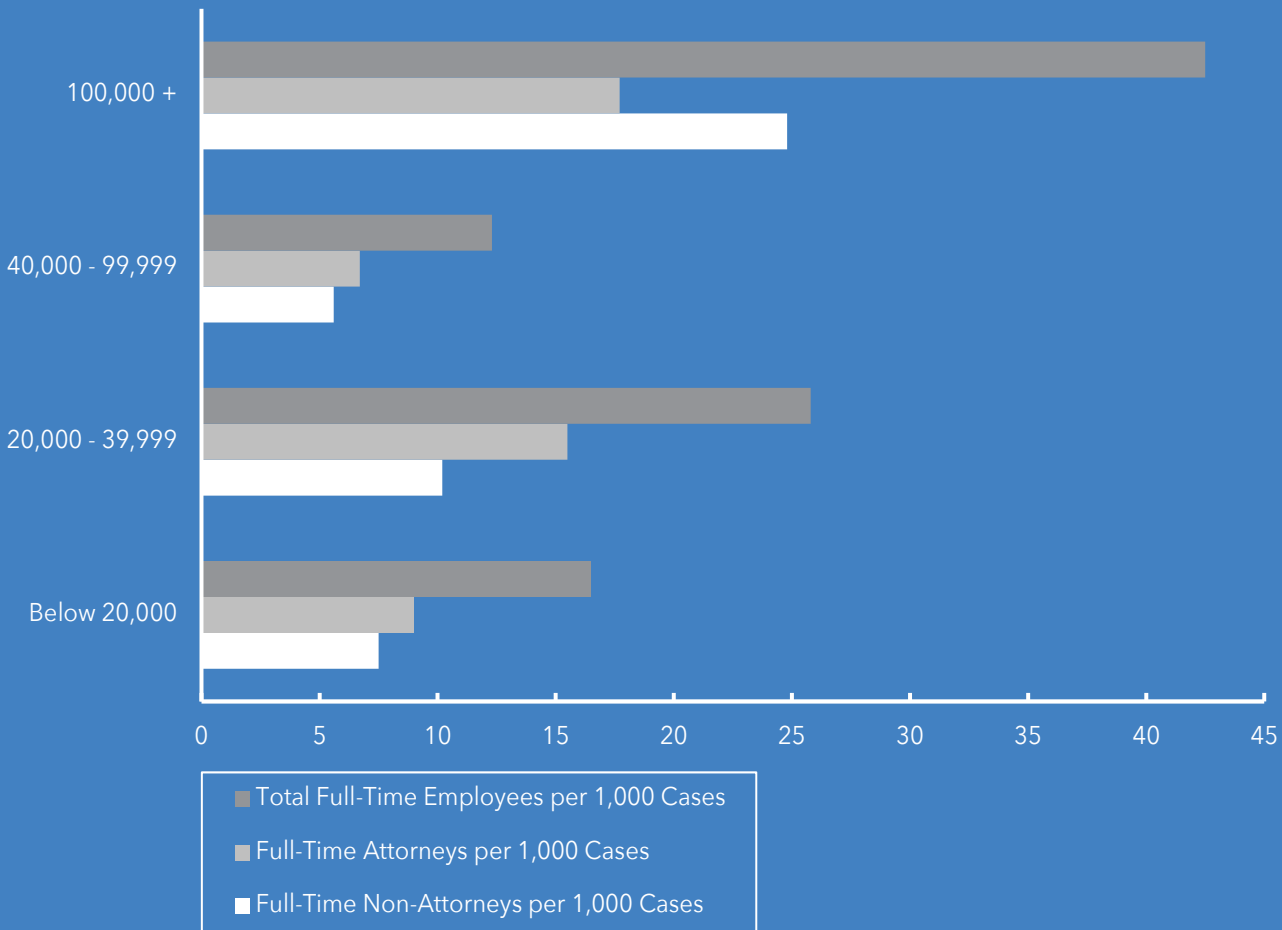


Figure 10. Average Number of Employees per 1,000 Felony and Misdemeanor Cases by Population Category (N = 26).



PROSECUTOR INITIATIVES

A total of 78% of responding offices reported engaging in problem solving courts or other programs that offered alternatives to incarceration in 2018. Half of offices reported that offenders with low-level felonies (50%) were eligible for participation in these programs. Slightly fewer offices reported that non-violent felony offenders (41%) and misdemeanor offenders (35%) were eligible. Significantly fewer offices reported that offenders with violent felonies (15%) were eligible for participation in these programs.

SPECIALTY COURTS

We asked respondents about nine different types of specialty courts: Drug courts, Veterans' courts, Mental Health courts, Human Trafficking courts, Homeless courts, Alcohol/Driving Sobriety courts, Domestic Violence courts, Community courts, and Re-entry courts. **Figure 11** provides the frequency of counties with each type of specialty court in 2018. Forty percent (40%) of offices reported Drug courts. Fewer offices reported Veterans' (21%), Alcohol/Driving Sobriety (17%), Mental Health (10%), Domestic Violence (10%), and Homeless (2%) courts. No offices reported Community, Human Trafficking, or Re-entry courts.

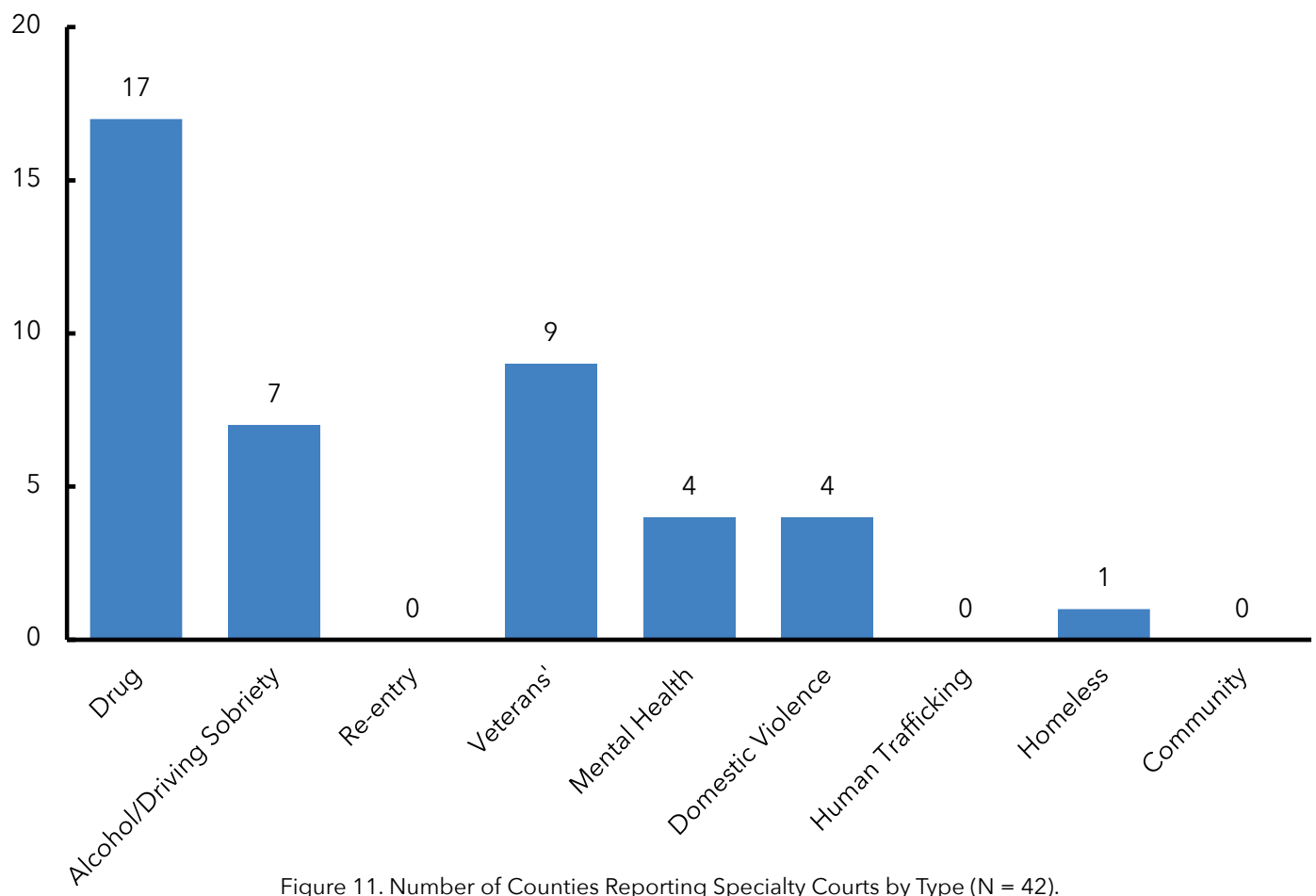


Figure 11. Number of Counties Reporting Specialty Courts by Type (N = 42).

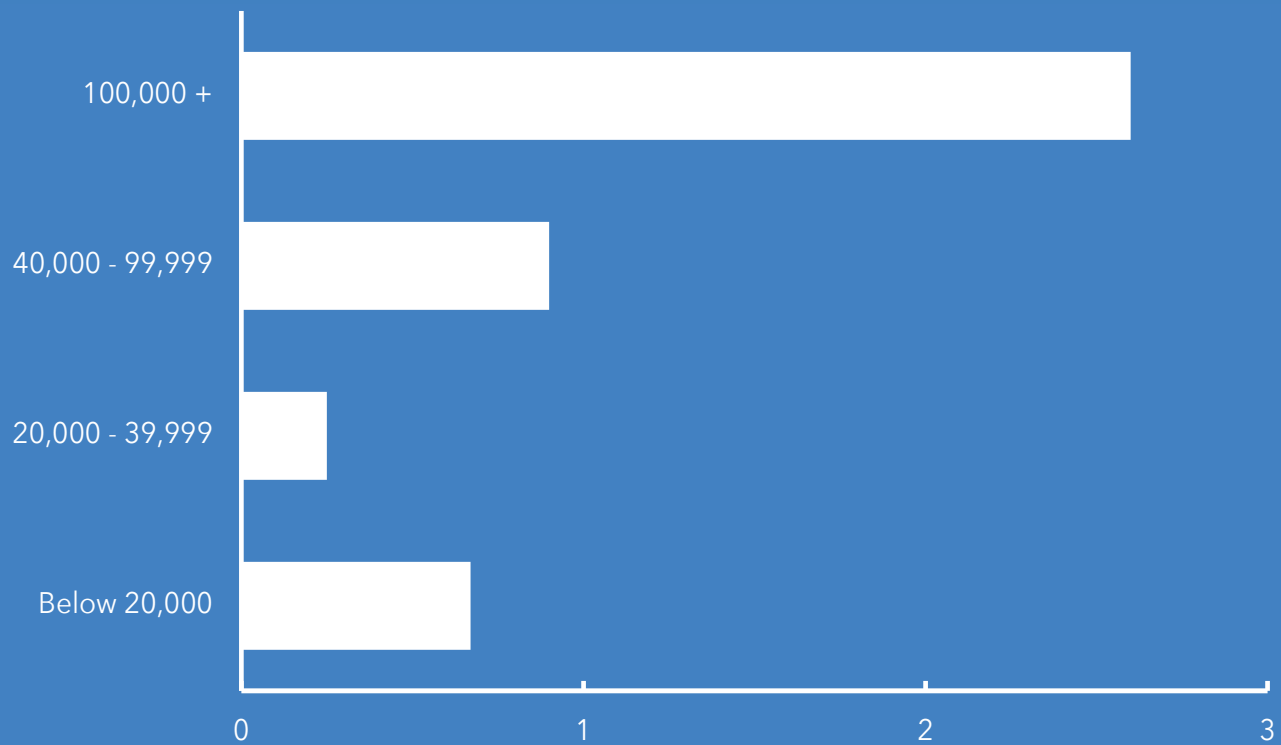
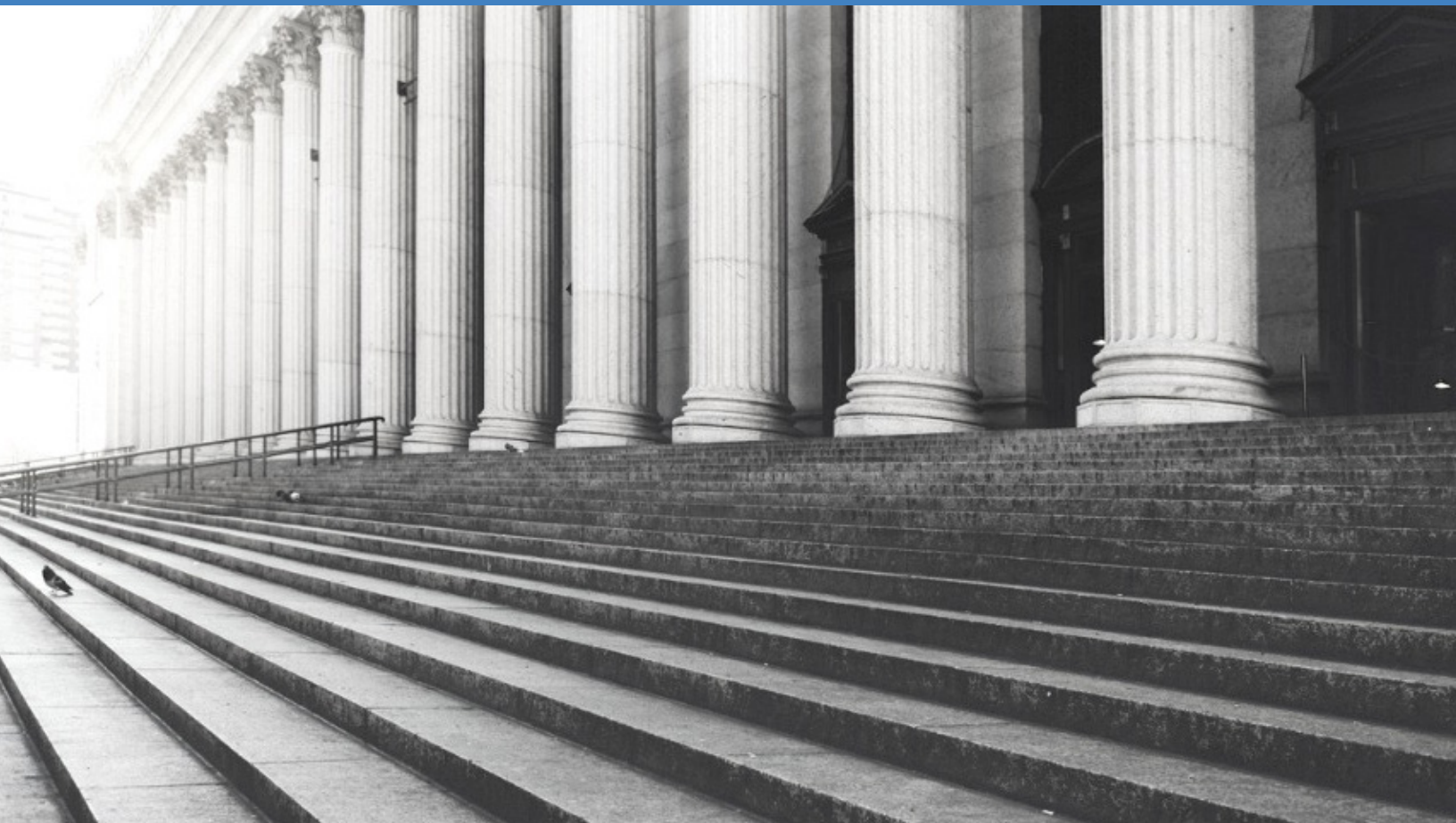


Figure 12. Average Number of Specialty Court Types by Population Category (N = 42).

Figure 12 shows the number of specialty court types compared to the population category of the county. Counties with more than 100,000 residents had on average 2.6 specialty court types compared to about .25 to 1 type for the other population categories.





ALTERNATIVES TO INCARCERATION

We also asked whether the offices in each county offered alternatives to incarceration in 2018, as shown in **Figure 13**. Community service (66%), training/education programs (48%), drug treatment (48%), and mental health services (38%) were the most common offerings. Anger management and restorative justice were offered in 31% of counties. Deflection programs (17%) were the least commonly offered alternatives to incarceration.

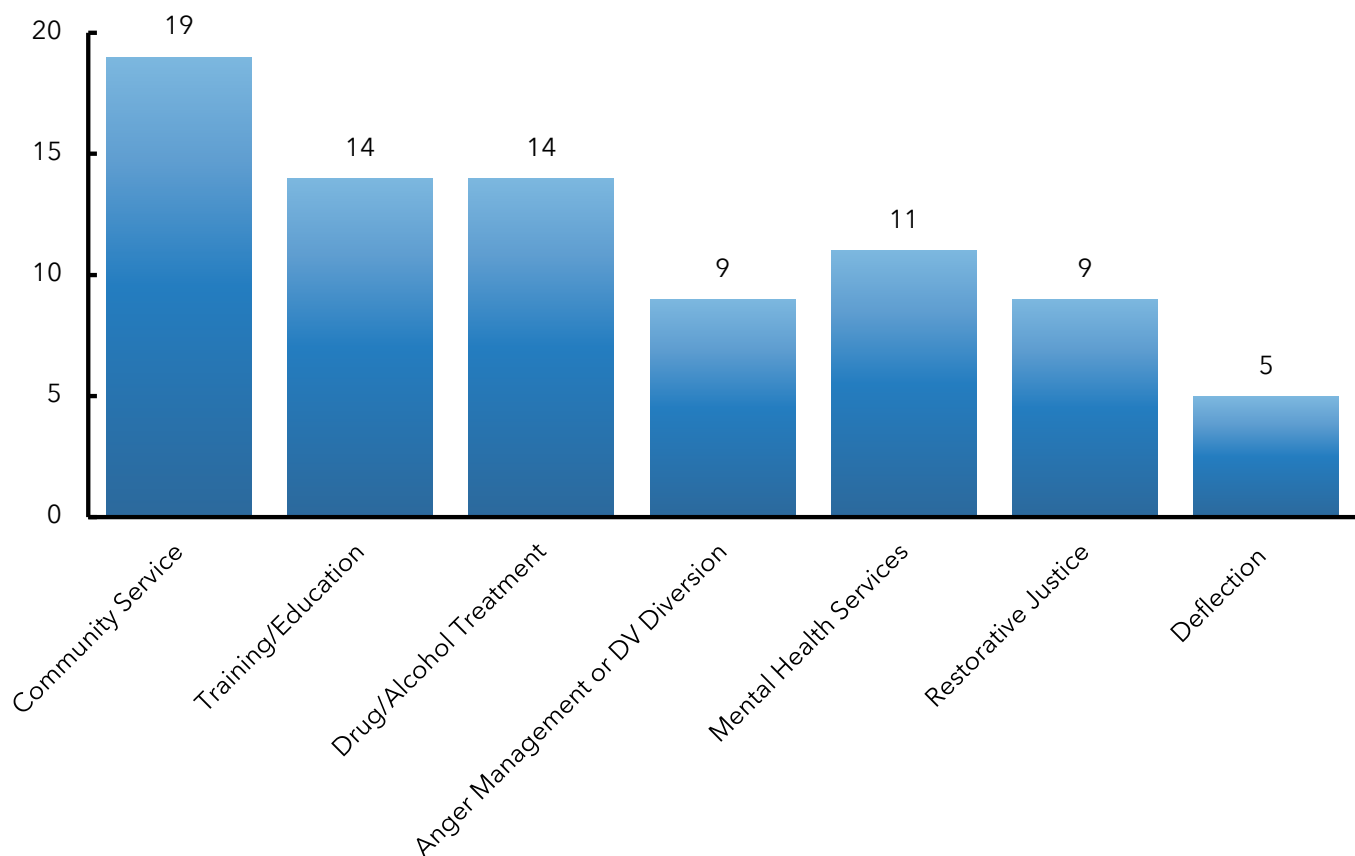


Figure 13. Number of Counties Reporting Alternatives to Incarceration by Type (N = 29).

SPECIALIZED PROGRAMS

Figure 14 presents the number of prosecutors' offices that reported operating specialized programs. The most common types of programs were Victim Assistance (100%), Witness Assistance (86%), Restitution (72%), and Victim Services without Arrest (66%). Slightly less common were Community Affairs Units (24%) and Victim/Witness Relocation (21%). Community Prosecutors programs and Conviction Review Units were offered in 3% of counties. No offices reported running Crime Strategies Units.

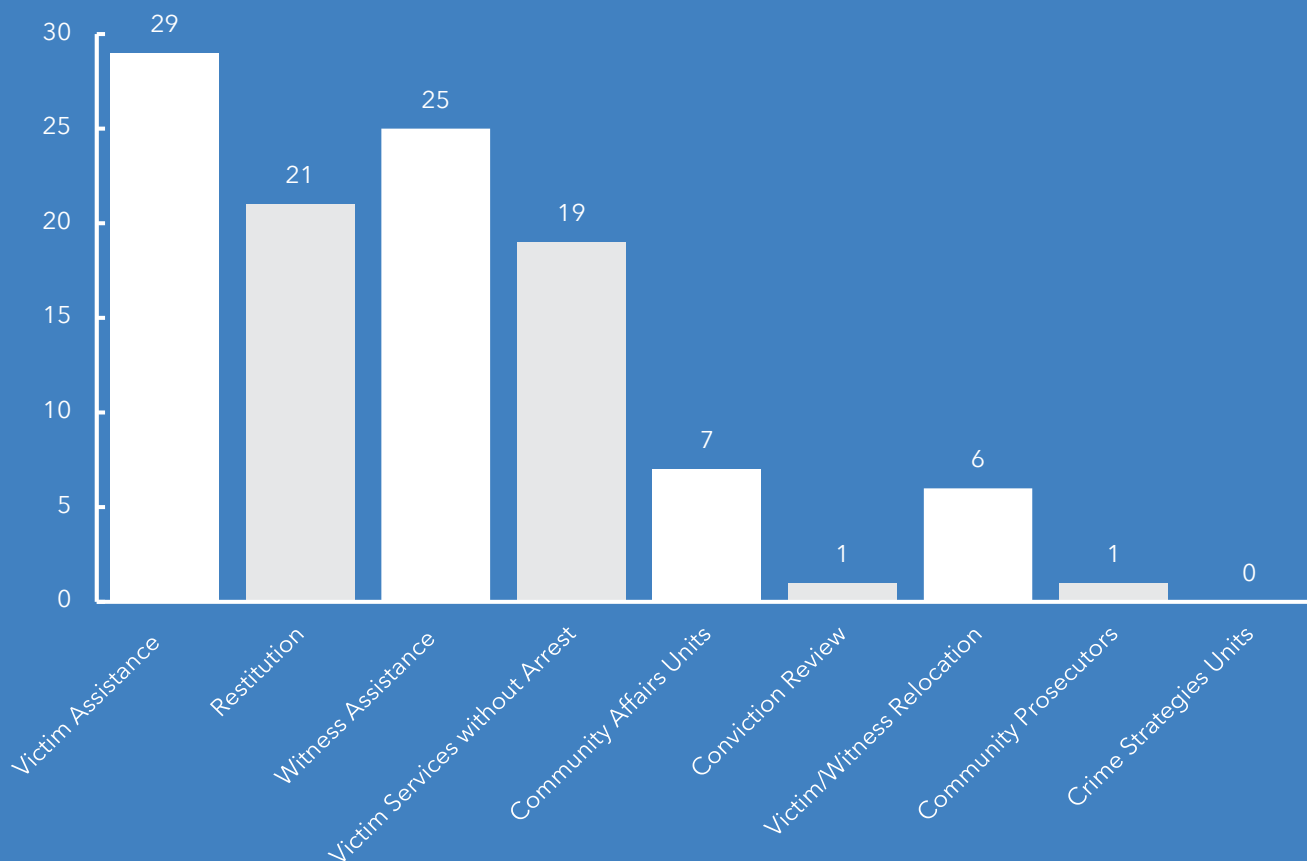


Figure 14. Counties Reporting Specialized Programs by Type (N = 29).



COMMUNITY PROGRAMS

Finally, we asked whether Minnesota prosecutors' offices ran or participated in several different community programs. These results are presented in **Figure 15**. The majority of offices reported participating in Community Engagement (76%) and Co-located Child Abuse (59%) programs. Slightly less common were Youth Education (48%) and Violence Reduction (41%) programs. Truancy programs and Adult Education programs were offered in 38% of counties. Co-located Domestic Violence programs were offered in 31% of counties. Considerably fewer offices reported participating in Neighborhood Courts (10%), Neighborhood Clean-up (7%), Sports programs (3%), Re-entry programs (3%), and Children of Inmates (3%) programs.

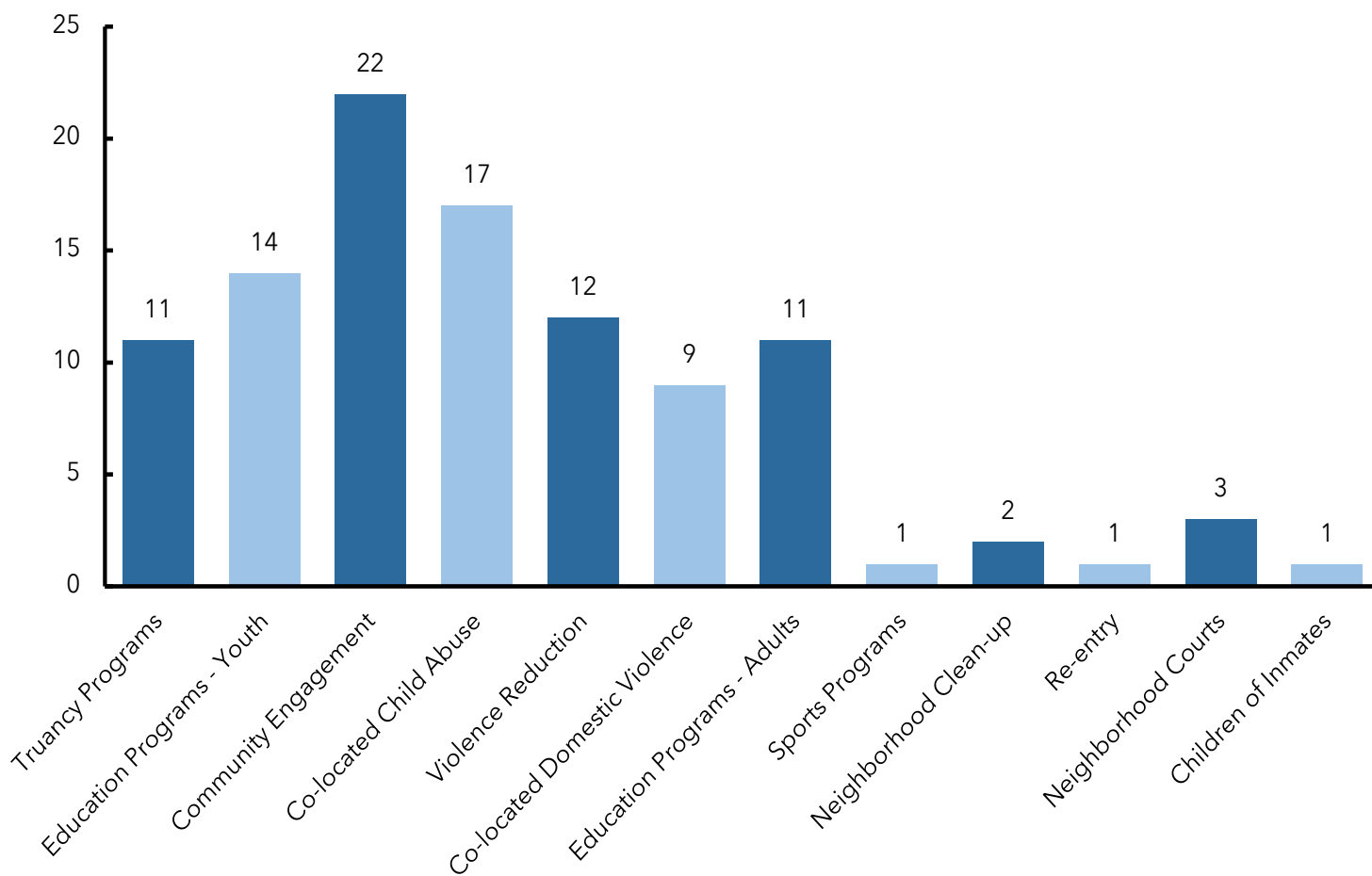


Figure 15. Participation in Community Programs by Type (N = 29).

TECHNOLOGY

In the following section, we asked respondents about the use of technology within their offices. **Figure 16** displays technology use within prosecutors' offices by type. Twenty-seven percent (27%) of the offices responded that they have a technology unit responsible for the computers, data, software, and hardware functioning within their offices. All but one office (97%) reported that they are using an electronic case management system, and 80% of the offices reported using electronic discovery. Ninety-seven percent (97%) of responding offices reported using technology in their courtrooms, and 52% reported having staff to support them with the use of this technology.

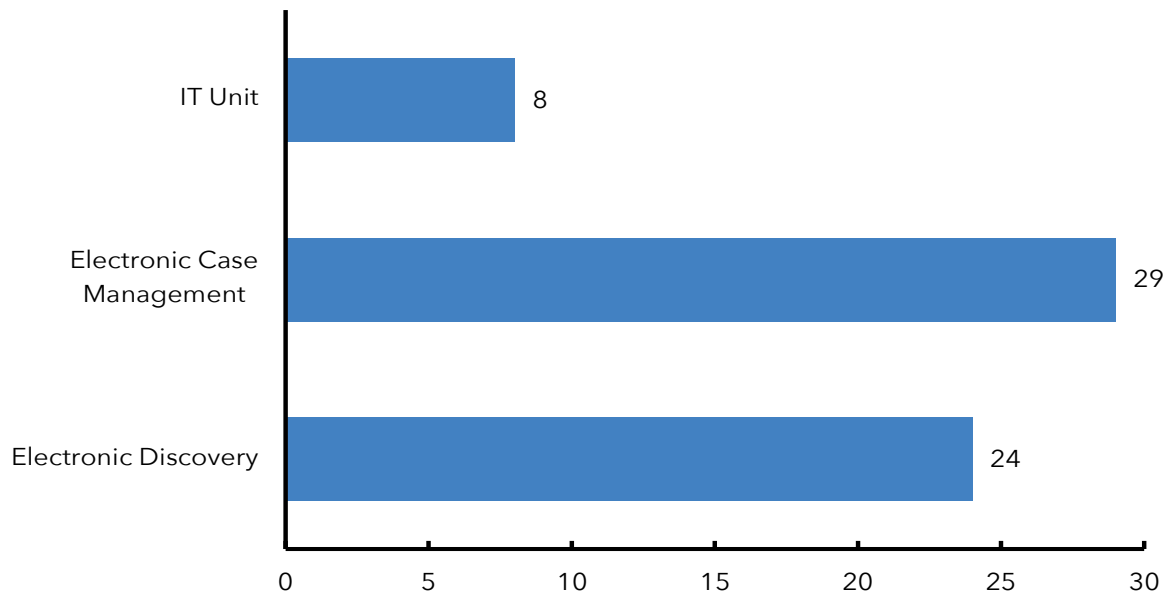


Figure 16. Technology Use within Prosecutors' Offices by Type (N = 30).



BODY-WORN CAMERAS

In addition, 67% of the respondents reported having at least one police agency within their jurisdiction that has implemented a body-worn camera (BWC) program. Figure 17 presents the method of delivery for BWC video. Of those receiving BWC video, 37% are solely using cloud-based interfaces, 26% are using both cloud and DVD interfaces, and 26% reported solely using DVDs. Additionally, 47% of respondents reported needing additional staff to view and manage the evidence collected by BWCs.

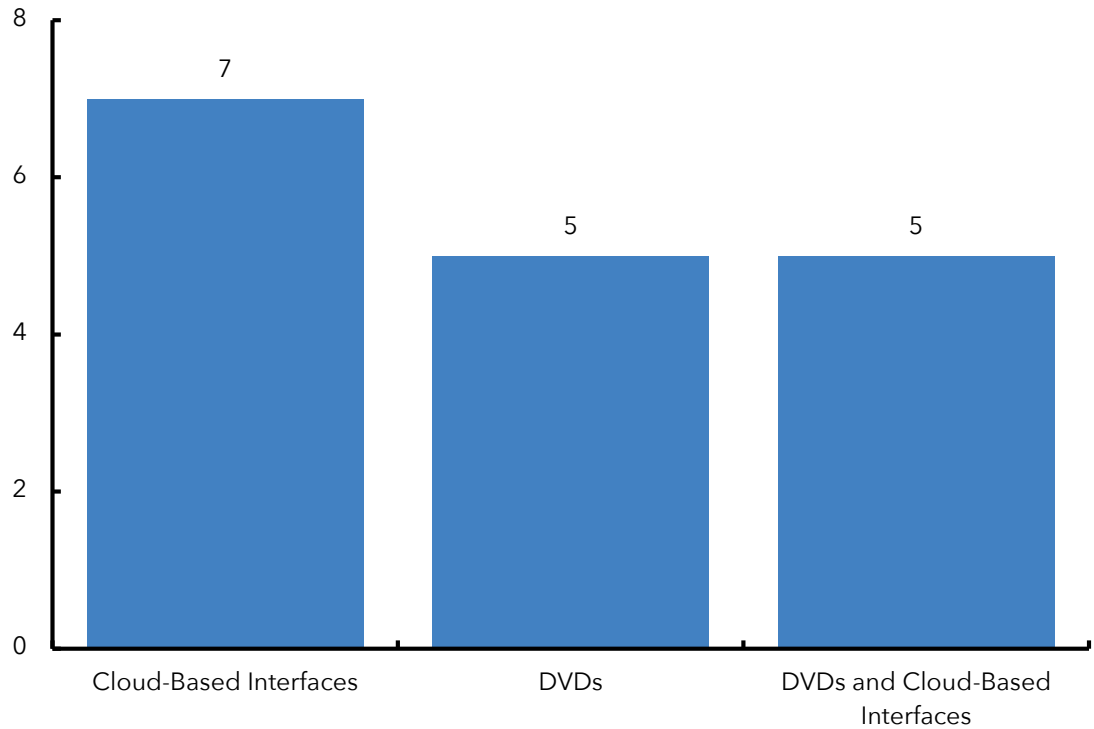


Figure 17. BWC Recordings Received by Prosecutors' Offices by Type (N = 19).

Figure 18 below shows the percentage of offices by jurisdiction size that reported needing additional staff to view and manage BWC footage. All offices with fewer than 40,000 residents stated that they needed additional staff to review BWC footage. Forty-three percent (43%) of offices with 40,000 to 99,999 residents and 63% of offices with more than 100,000 residents reported needing additional staff.¹

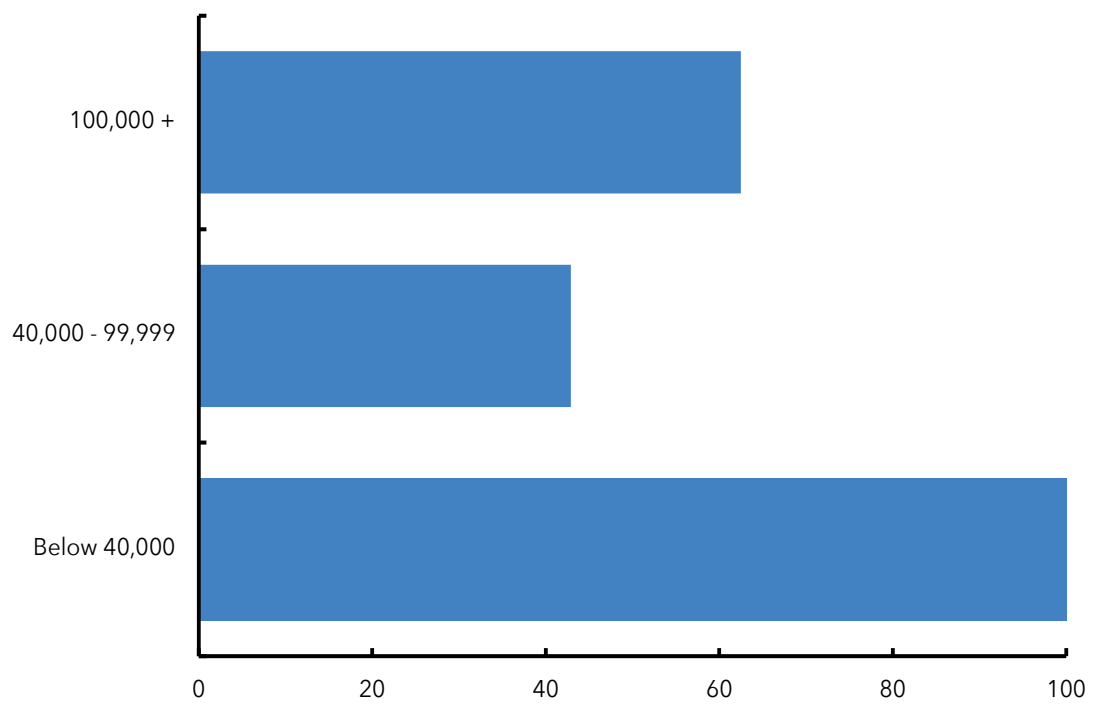


Figure 18. Need for Additional Staff to Review BWC Footage by Jurisdiction Size (N = 19).

¹ For this graph, we collapsed the smallest two population categories (fewer than 20,000 residents and 20,000 to 39,999 residents) because of the large number of missing cases in the "Below 20,000" population category.

WEBSITES

Asked what they share with the public online, 83% of survey respondents reported having office websites and 60% reported updating their websites routinely (monthly, quarterly, or annually).

RESEARCH

A minority of the responding offices reported engaging in research and analysis. Twenty-four percent (24%) of offices reported involvement in a research project in the last two years with a university, college, consultant, or independent research firm.

Forty-four percent (44%) of offices reported analyzing crime data, caseloads, or other types of information routinely on a monthly, quarterly, or annual basis. Twenty-two percent (22%) of offices reported providing an annual report to the public on the work of the office.

Sixty percent (60%) of the responding counties had participated in major U.S. Department of Justice grant-based programs. Of those offices, 61% reported participating in Violence Against Women Act programs. Forty-four percent (44%) reported participating in Federal Victims of Crimes Act programs, and 17% reported participating in Project Safe Neighborhoods programs. Six percent (6%) of offices have participated in a Smart Prosecution Initiative. No offices reported participating in a Violence Reduction Network program.



CONCLUSIONS

The statewide survey administered by JSS and PCE has provided many insights into the day-to-day functioning of Minnesota prosecutors' offices. From the wide range of submissions from Minnesota counties thus far, a number of trends have emerged.

In the survey, the majority of responding Minnesota prosecutors' offices reported handling felonies, misdemeanors, juvenile cases, civil matters, and infractions.

All of the responding prosecutors' offices reported elected Chief Prosecutors with an average tenure of 10 years. Ninety-three percent (93%) of the offices reported budgets under \$5 million. The number of full-time employees per 10,000 population was highest for the largest counties.

The per capita rates of felony and misdemeanor cases reviewed were very similar for counties in the mid-sized and smallest population categories. Offices with 20,000 to 39,999 residents reviewed more juvenile cases per 10,000 residents. Additionally, the largest offices had the highest number of total full-time non-attorneys per capita, but all offices had a similar number of full-time attorneys and total employees per 10,000 residents.

It is apparent that nearly all offices offered specialty or problem solving courts and that some courts were significantly more common than others.

While a majority of offices reported offering Drug courts, fewer offices reported offering Veterans' and Domestic Violence courts, and no offices reported Human Trafficking, Re-entry, or Community courts.

Most offices reported running specialized programs. The most common specialized programs offered fell under the headings of Victim Assistance and Witness Assistance programs. On the other hand, only a few offices had Conviction Review programs and Crime Strategies Units.

The majority of respondents reported providing specific community programs to the areas they serve. The most common offerings were Community Engagement and Co-located Child Abuse programs.

This research has provided great insight into the basic needs of prosecutors' offices. Further research based on these findings should focus on prosecutors' caseloads. Specifically, researchers should continue to investigate ideal caseloads for prosecutors and evaluate proper resource management.

All in all, the Minnesota offices that completed the statewide prosecutor survey provided vital data that increased the knowledge base on the functioning of Minnesota prosecutors' offices as well as on the role of Minnesota prosecutors.