COUNTY OF STEARNS

Department of Highways

PO Box 246 • St Cloud, MN 56302

(320) 255-6180 • FAX (320) 255-6186

MITCHELL A. ANDERSON, P.E
Highway Engineer

JEFF MILLER, P.E.
Asst. Highway Engineer

JODI L. TEICH, P.E.
Asst. Highway Engineer

April 17, 2009

APR 20 2009

Verena M. Weber, Administrator/Clerk
City of Rockville
P.O. Box 93
229 Broadway Street east
Rockville, MN 56369

RE: Stearns County 5 Year Plan

Dear Rena;

I received your letter of April 2, 2009 regarding CSAH 8 between New and Old TH 23 (CSAH 82) in the City of Rockville.

This past winter and spring has been hard on many of our roads. I will ask our maintenance crews to check this section of roadway and patch holes and cracks as is necessary.

I will keep this correspondence for consideration when revisiting our 5 year construction program at our annual meeting usually held in late September/early October. We will begin gathering data and preliminary design functions in advance of the project. At that time we will ask the City to review layouts and proposals including roadway alignment and the possibility for trails within the project limits.

Thank you for your early input on this programmed improvement.

Sincerely,

Mitchell A. Anderson

Mitchell A. Anderson
Stearns County Engineer

cc: Commissioner Schaefer

COPIED TO: CC X
DATE 5-20 PC
STAFF X
P&R
FYI

REQUEST FOR COUNCIL ACTION

Originating Department: Administration Requested By: Amy Goerger Date: 5/20/2009

Update Budget to Reflect Write-off for Bonestroo, Rosene, & Anderlik bill from driveway replacement

E 309-49490-427 Uncollectable Accounts:	Current Budget Amount	$0.00
	Revised Budget Amount	$1450.00

Motion by: _____ 2nd by: _____ Vote: _____

JANELLE P. KENDALL
Stearns County Attorney

May 8, 2009

Mayor Jeff Hagen and City Council
City of Rockville
City Hall
P. O. Box 93
Rockville, MN 56369

Dear Mayor Hagen and Council Members Bill Becker, John Koerber, Susan Palmer, Jerry Schmitt, Randy Volkmuth and Duane Willenbring:

Thank you for participating in the Stearns County Attorney's Office Adult Diversion Program. In 2008 we offered the Adult Diversion Program to 71 adults who met the initial eligibility criteria. The total number of adults admitted to the diversion program was 36 (16 males and 20 females). Currently, 3 adults are pending disposition, 26 successfully completed diversion and 7 were terminated and sent to court.

Most adults (34) entered Diversion for misdemeanor offenses. Two adults entered Diversion for a gross misdemeanor charge and there were 0 felony offenders in Diversion. The most common offense diverted was Shoplifting. Theft was the second, and Criminal Damage was the third most common offense diverted.

Regarding your specific jurisdiction (City of Rockville), there were no adults or juveniles who qualified for diversion. There were no community service hours performed in Rockville in 2008.

We are enclosing a copy of the 2008 admission statistics for the adult and juvenile programs. If you have any comments, please feel free to contact me at barbara.johnson@co.stearns.mn.us or 320-656-3841.

Sincerely,

Barbara Johnson
Diversion Programs Specialist

Janelle Kendall
Janelle P. Kendall
Stearns County Attorney

JPK/BJ:bj
Enclosure

Administration Center, RM 448 • 705 Courthouse Square • St. Cloud, MN 56303-4701
(320) 656-3880 • FAX (320) 656-6695
http://www.co.stearns.mn.us/1220.htm • e-mail: county.attorney@co.stearns.mn.us

ADULT DIVERSION STATISTICAL SUMMARY
2008

Total number of adults
OFFERED Diversion: 71

(98 citations were reviewed by DPS, 71 met initial eligibility criteria, diversion letters were sent to them)
These 71 adults were from 6 different referral agencies.

Total number of adults
ADMITTED to Diversion: 36

(51% of those offered diversion)

These 36 adults were from 3 different referral agencies.

Note: 29 of the 71 adults offered diversion were rejected and sent to court (they either chose court, failed to attend a meeting or were ineligible upon further review).

M: 28 (39%)
F: 43 (61%)

Level of Offense
Felony: 0
GM: 2
M: 69

Type of offense
Shoplifting was the most common (42 cases, 59%) Followed by Theft (18 cases) and Worthless Check (7 cases).

M: 16 (44%)
F: 20 (56%)

Level of Offense
Felony: 0
GM: 2
M: 34

Type of offense
Shoplifting was the most common (24 cases, 67%), followed by Theft (7 cases) and Criminal Damage (3).

Total number of **community service hours** completed: **300.25** by 25 adults.
This is an average of 12 hours per adult. Some CSW forms for 2008 may not be turned in yet.

The number of diversion participants on the Diversion Specialist's active, **daily caseload** on February 3, 2009 was **46** (this estimate includes both adult and juvenile participants that are pending disposition). The average caseload has been 30-40 participants per day.

COMPARISONS TO PAST YEARS: Adult Program

Admissions to Diversion in 2004: 20 (out of 60 offered, 34%)
Admissions to Diversion in 2005: 40 (out of 73 offered, 55%)
Admissions to Diversion in 2006: 37 (out of 73 offered, 49%)
Admissions to Diversion in 2007: 34 (out of 66 offered, 52%)
Admissions to Diversion in 2008: 36 (out of 71 offered, 51%)

Males admitted in 2004: 12
Males admitted in 2005: 10
Males admitted in 2006: 15
Males admitted in 2007: 16
Males admitted in 2008: 16

Females admitted in 2004: 8
Females admitted in 2005: 30
Females admitted in 2006: 22
Females admitted in 2007: 18
Females admitted in 2008: 20

JUVENILE DIVERSION STATISTICAL SUMMARY
2008

Total number of juveniles
OFFERED Diversion: 111

(122 *citations were reviewed by DPS, 111 met initial eligibility criteria, diversion letters were sent to them)*

These 111 juveniles were from 12 different referral agencies.

Note: 22 of the 111 juveniles were rejected and sent to court (they either chose court, failed to attend a meeting or were ineligible upon further review).

M: 62 (56%)
F: 49 (44%)

Level of offense
Felony: 0
GM: 0
M: 111

Type of offense
Shoplifting was the most common (83 cases, 75%), followed by Theft (18 cases) and Criminal Damage (5 cases).

Total number of juveniles
ADMITTED to Diversion: 83

(75% of those offered diversion)

These 83 juveniles admitted were from 10 different referral agencies.

M: 44 (53%)
F: 39 (47%)

Level of offense
Felony: 0
GM: 0
M: 83

Type of offense
Shoplifting was the most common with 65 cases (79%), followed by Theft (12 cases).

Total number of **community service hours** completed: **1095.25 hours** (by 76 juveniles). This is an average of 14.4 hours per juvenile.
Note that not all CSW forms have been turned in at this time.

COMPARISONS TO PAST YEARS

Admissions in 2004: 76 (out of 113 offered diversion, 67%)
Admissions in 2005: 84 (out of 122 offered diversion, 69%)
Admissions in 2006: 79 (out of 105 offered diversion, 75%)
Admissions in 2007: 75 (out of 96 offered diversion, 78%)
Admissions in 2008: 83 (out of 111 offered diversion, 75%)

Males admitted in 2004: 44
Males admitted in 2005: 26
Males admitted in 2006: 37
Males admitted in 2007: 29
Males admitted in 2008: 44

Females admitted in 2004: 32
Females admitted in 2005: 58
Females admitted in 2006: 42
Females admitted in 2007: 46
Females admitted in 2008: 39

JANELLE P. KENDALL
Stearns County Attorney

May 8, 2009

Mayor Jeff Hagen and City Council
City of Rockville
229 Broadway Street East
P.O. Box 93
Rockville, MN 56369

Re: County Attorney's Annual Report of Prosecution Activities

Dear Mayor Hagen and Council Members Becker, Koerber, Palmer, Schmitt, Volkmuth and Willenbring:

Thank you for this opportunity to present the City Council with our annual report regarding our 2008 activities as Rockville's city prosecutor. Enclosed are the following reports:

- Rockville City Prosecution Contract Report 2004 – 2008.
- Rockville City Prosecution Contract Report 2004 – 2007 (for comparison purposes).
- Letter to Mayor and City Council regarding Adult and Juvenile Diversion Programs.

As you can see, your prosecution volume was down and that is consistent with other cities' experiences in 2008. The majority of the decrease in volume in Rockville in 2008 was due to reduced parking violations (37 in 2007; 8 in 2008) as well as 7 fewer Gross Misdemeanor Driving While Under the Influence of Alcohol cases (11 in 2007; 5 in 2008). Three categories of cases increased significantly in 2008: (1) No Driver's License and/or Driving with a Suspended, Cancelled or Revoked License (9 in 2007; 13 in 2008), (2) No Proof of Motor Vehicle Insurance (9 in 2007; 17 in 2008), and (3) Domestic Assault (2 in 2007; 5 in 2008).

In 2008 we increased the number of attorneys who carry cell phones 24 hours per day, 7 days a week to 8 attorneys. We continue to provide all Stearns County law enforcement agencies with no cost training to both improve law enforcement's ability to respond effectively to law violations but also to reduce training costs for municipalities in these tough budgetary times.

Administration Center. RM 448 • 705 Courthouse Square • St. Cloud. MN 56303-4701
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The enclosed diversion report notes that there were no adults or juveniles referred or admitted to diversion from Rockville in 2008. However, the programs remain available to low level property crime offenders who have no prior record and are willing to admit their mistakes and work to repair the harm they have caused.

We will be reviewing prosecution volume again this summer as we prepare a bid for prosecution services for Rockville for years 2010 – 2011. Although our current contract calls for a finalized contract by October 1, 2009, we will provide you with a draft 2010 – 2011 contract at a date most convenient for you but no later than the end of August 2009.

Again, thank you for the opportunity to serve the City of Rockville as your city prosecutor. Please do not hesitate to contact me or Chief Deputy Matthew Quinn if we can be of assistance in any way with questions about these reports or other issues that may arise in the upcoming year.

Sincerely,

Janelle P. Kendall
Stearns County Attorney

JPK/MMQ/lmk

Enclosures

Janelle P. Kendall, Stearns County Attorney

Rockville City Prosecution Contract Report 2004 – 2008

1. ***PROSECUTION VOLUME - YEARLY COMPARISON***

2004	City contracted with private law firm		**Total** 78
2005	City contracted with private law firm		**Total** 78
2006	**Misdemeanors**	**Gross Misdemeanors**	**Total**
	109	6	115
2007	**Misdemeanors**	**Gross Misdemeanors**	**Total**
	125	12	137
2008	**Misdemeanors**	**Gross Misdemeanors**	**Total**
	87	7	94

2. ***PROSECUTION DETAILS***

2008 Misdemeanor Charges			
Driving Violations		**Alcohol**	
DUI/DWI	5	Illegal Possession	2
Under 21 DUI/DWI	1	Illegal Consumption	1
Reckless/Careless Driving	1	**Possession of Drugs and/or Para.**	1
No DL/DAS/ DAC/DAR	13	**Other**	
No Proof of Insurance	17	Obstructing Legal Process	1
Stop Sign	4	Disorderly Conduct	7
Speeding	4	Watercraft Violation	3
No Passing Zone	1	Parking	8
School Bus Stop Arm	1	Fireworks	1
Violation of Instructional Permit	1	False Name to Police	1
Operate Vehicle on County Trail	1	Assault	
Overweight Vehicle	1	Domestic Assault	5
Fail to Change License Address	1	Violation of No Contact Order	1
Expired/Incorrect Plates or Tabs	2	*2008 Gross Misdemeanor Charges*	
No License Plates	1	Gross Misdemeanor DUI/DWI	5
Property		Gross Misd. DAC-Inimical to Safety	2
Theft	2	***2008 GRAND TOTAL***	***94***

3. ***24/7 ACCESS TO LEGAL ADVICE***

Our contract includes adult criminal and juvenile investigative legal advice for all members of Stearns County law enforcement agencies; 8 attorneys carry cell phones 24 hours a day, 7 days a week for law enforcement legal advice, and other services such as review of search warrants, as needed.

4. ***NO COST LAW ENFORCEMENT TRAINING and VICTIM ASSISTANCE***

In 2008-09 our office provided 55 hours of law enforcement training opportunities and legal updates at no cost to all members of Stearns County law enforcement agencies – and we have scheduled an additional 24 hours of training through May 2009. Additionally, we assist victims of crime as allowed by law through personal help, referrals and restitution collection.

Janelle P. Kendall, Stearns County Attorney

Rockville City Prosecution Contract Report 2004 – 2007

1. *PROSECUTION NUMBERS*

2004 Total: 78 (private law firm)

2005 Total: 78 (private law firm)

	Misdemeanors	Gross Misdemeanors	Total
2006 Totals:	109	6	115
2007 Totals:	125	12	137

2. *PROSECUTION DETAILS*

2007 Misdemeanor Charges			
Driving Violations		**Alcohol**	
DUI/DWI	6	Illegal Consumption	8
Under 21 DUI/DWI	1	**Property**	
Inattentive Driving/Due Care	4	Criminal Damage to Property	1
Reckless/Careless Driving	6	**Possession of Drugs and/or Para.**	3
No DL/DAS/ DAC/DAR	9	**Other**	
No Proof of Insurance	9	Violation of Order for Protection	1
Expire/Incorrect License Tabs	1	Fishing	3
Seat Belt	1	Obstructing Legal Process	1
Stop Sign	5	Disorderly Conduct	4
Speeding	2	Trespass	1
Allowing Illegal Oper. of Veh.	1	Watercraft Violations	4
Fail to Transfer Title	2	Parking	37
Overweight Vehicle	3	Fireworks	2
School Bus Stop Arm	2	False Name to Police	1
Unsafe/Unsecured Load	1	Noise	2
Assault		*2007 Gross Misd. Charges*	
Assault	2	Gross Misd. DUI/DWI	11
Domestic Assault	2	School Bus Stop Arm Violation	1

3. *24/7 SERVICE*

Our contract includes criminal investigative legal advice for members of the Stearns County Sheriff's Office; 7 attorneys carry cell phones 24 hours a day, 7 days a week for law enforcement legal advice as needed.

4. *LAW ENFORCEMENT TRAINING and VICTIM ASSISTANCE*

In 2007 we provided 70 hours of law enforcement training and legal updates at no cost to all Stearns County law enforcement agencies -- nearly double the number of training hours of previous years. Additionally, we assist victims of crime as allowed by law through personal help, referrals and restitution collection.