



City Attorney's Office 2012 Budget Hearing

Department found on pages 251 – 256 in budget book

**Presentation to Ways and Means/Budget Committee
September 26, 2011**

City Attorney Programs by Goal

CRIMINAL DIVISION

- Two Programs:
 - Criminal Prosecution
 - Community Attorney Program
- City Goal: Safe Place to Call Home
- \$8,123,539 for programs
 - General Fund \$7,758,187
 - Special Revenue \$365,352

City Attorney Programs by Goal

CIVIL DIVISION

- Two Programs:
 - Client Services
 - Civil Litigation
- City Goal: A City that Works
- \$6,052,082 for Self Insurance Fund

Mayor's Recommended Budget for City Attorney's Office

- Criminal Division (General Fund):
 - Reduction of \$302,000
 - Eliminate 2 FTE's – (\$180,000 in savings)
 - Additional position eliminations may be required

- Civil Division (Self Insurance Fund):
 - No change beyond CSL reductions

Impact of Recommended Budget on Key Results

- 2012 Reductions in the Criminal Division may result in additional position loss within the CAO, depending on results of federal grant application:
 - Office-wide seniority list for attorneys and paralegals

Impact of Recommended Budget on Key Results

- 2012 Reductions in the Criminal Division will:
 - Eliminate a prosecutor position (Domestic Violence or Chronic Offender prosecution team)
 - Increase workload on both prosecutors and paralegals and require community attorneys to take on additional regular prosecution duties
 - Difficult to quantify impact on Results measures, but heavier workloads impact quality of work product

Mayor's Recommended Budget

THE BOTTOM LINE – Cumulative Impact

- Cumulative Impact on Criminal Division Budget of 2009 -2012 budget reductions:
 - \$825,000 reduction
 - 6 FTE's eliminated

Mayor's Recommended Budget

THE BOTTOM LINE – Cumulative Impact

- Cumulative Impact on Criminal Division Personnel of 2009 -2012 budget reductions:
 - 3 Prosecutors not replaced
 - 2 Paralegals not replaced
 - (Reduced paralegals in Community Attorney program from 5 to 3)
 - 1 File Room staff not replaced
 - Eliminated all paid law clerks
 - Eliminated all vacant positions

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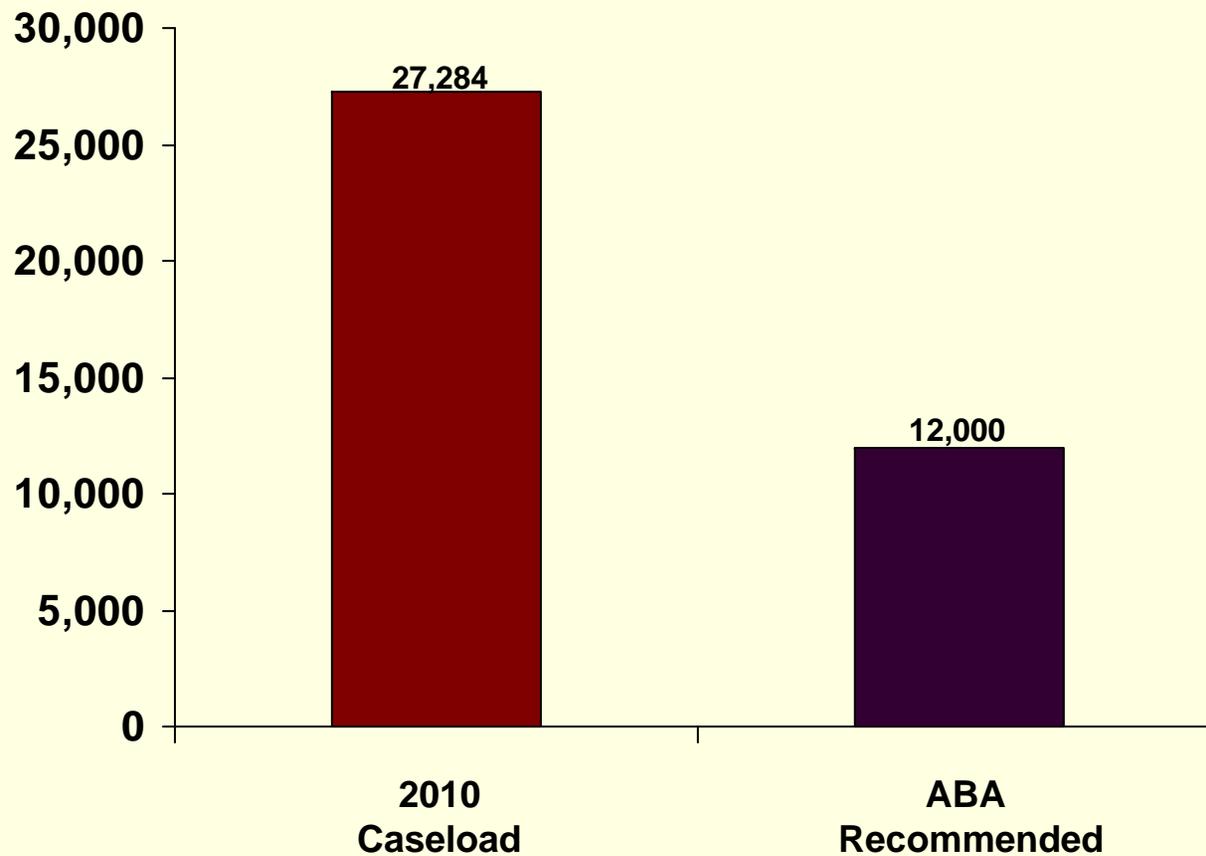
Criminal Division: Revenue

■ Fines and Prosecution Cost Recovery

- ◆ 2010: Total collected = \$7,873,732.80
 - Fine revenue = \$6,934,827.80
 - Prosecution costs = \$938, 905

Impact of Recommended Budget on Key Results

■ Criminal Division caseload:



Impact of Recommended Budget on Key Results

- Civil Division workload:
 - Litigation Section:
 - 30 – 40 active litigation cases per litigator, most in federal court;
 - 100 new lawsuits per year on average

Impact of Recommended Budget on Key Results

- Civil Division workload:
 - Client Services 2011 YTD:
 - 90 commercial and multifamily development projects
 - 106 land acquisition and disposition contracts
 - 275 contracts reviewed and prepared
 - 30 rental license revocation administrative hearings
 - Multiple ordinance amendments, applications for CUP's and variances, ethics officer responsibilities, HR and labor representation, environmental, redistricting and more

Major Contracts in City Attorney's Office

- Hennepin Adult Correctional Facility
 - Two year agreement with County
 - \$892,500 in 2012
- Outside Counsel – Civil Litigation
 - Conflict cases
 - Specialized expertise
- W/MBE Opportunities
 - Restorative Justice CDBG grant
 - Attorney Panel
 - Process Server RFP

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Efficiencies Achieved and Planned

- Business Process Improvements:
 - ◆ File Room – allowed us to eliminate one out of five positions
 - ◆ Victim Witness Function:
 - Eliminated outside contract and brought function in-house
 - Reduced number of staff working on victim issues while increasing job duties
 - Reduced the number of cases dismissed at trial for lack of victim cooperation from 7% to 3.9% since bringing program in-house.
 - VWA staff will contact approximately 4,000 victims (domestic and non-domestic), by phone and mail in 2011
 - ◆ Civil Litigation: Process underway

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Efficiencies Achieved and Planned

■ Driver Diversion Program

- ◆ Permits individuals with a suspended or revoked license to obtain a valid license conditioned on abiding by a payment schedule to pay all fines and fees and complete a life skills course
- ◆ February 2011 implemented program for Minneapolis
- ◆ YTD: Minneapolis has 324 participants enrolled 44 of the 324 have already completed the program
- ◆ To date, \$3,785 has been sent to the City of Minneapolis for unpaid fines and fees
- ◆ No cost to City

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Efficiencies Achieved and Planned

- ◆ Increased use of 311
- ◆ Transfer of vehicle forfeiture cases
 - Since April 2011, the criminal division has obtained approximately 60 vehicles through the forfeiture process
 - The division is currently pursuing the forfeiture of a 1987 Rolls Royce Silver Spur, valued between \$24,000 and \$50,000

CITY ATTORNEY Technology Initiatives

Initiative	Outcome
E-charging	<ul style="list-style-type: none"> ▪ Improvement in administrative processing and fewer data entry errors ▪ More efficient entry of cases into the MNCIS system ▪ Reduction in time spent by law enforcement to transport complaints and obtain signatures
E-Case File Management	<ul style="list-style-type: none"> ▪ Creation of complete electronic files in both the Criminal and Civil Divisions ▪ This project will save resources, enhance comprehensive e-discovery and inter-department file sharing, and define/implement electronic storage and retention
Practice Manager Enhancements	<ul style="list-style-type: none"> ▪ Upgrade to a new version of Practice Manager by the end of 2011 ▪ Look into other improvements such as a case entry wizard and a disposition entry wizard ▪ A trial notification project is being reviewed for consideration as part of PM Enhancements <ul style="list-style-type: none"> -- allowing CAO staff to more easily send and receive confirmation of officer attendance at court proceedings -- possibility of controlling some OT costs for MPD

CITY ATTORNEY Technology Initiatives (cont'd)

Initiative	Outcome
Opportunities for Use of Wireless	<ul style="list-style-type: none">▪ All department laptop devices are wireless enabled▪ Attorneys from our office have access to wireless service when they are at a County buildings through the Hennepin County guest wireless system▪ USI wireless service is not available at City Hall or HCGC
Ongoing Technology Costs	<ul style="list-style-type: none">▪ The CAO currently supports an application support person within the existing BIS rate model. Ongoing costs associated with the above projects are planned to be absorbed within:<ul style="list-style-type: none">▪ Existing application support position and resources▪ Shifting of costs from one source to another (Unisys to Stellent for example)

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Progress: Criminal Prosecution

■ Priorities:

- ◆ **Domestic Violence**
- ◆ **Crimes of violence – DWI, Weapons, victim cases**
- ◆ **Community Prosecution**
 - ◆ **Chronic livability offenders**

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Progress: Criminal Prosecution

Domestic Abuse Team

- **>70% Conviction Rate maintained**
 - **50% increase in conviction rate over 5 years**

- **“Minneapolis Model” protocol**
 - **Conference - October 28**

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Progress: Criminal Prosecution

Domestic Abuse Team – Initiatives

- **Domestic Repeat Offender Project:**
 - **180 Repeat Offenders with 60 domestic violence related cases**
 - **YTD: 30 Offenders charged with 21 convictions**
 - **70% Conviction Rate**

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Progress: Criminal Prosecution

Domestic Abuse Team – Initiatives

■ State OJP Grant:

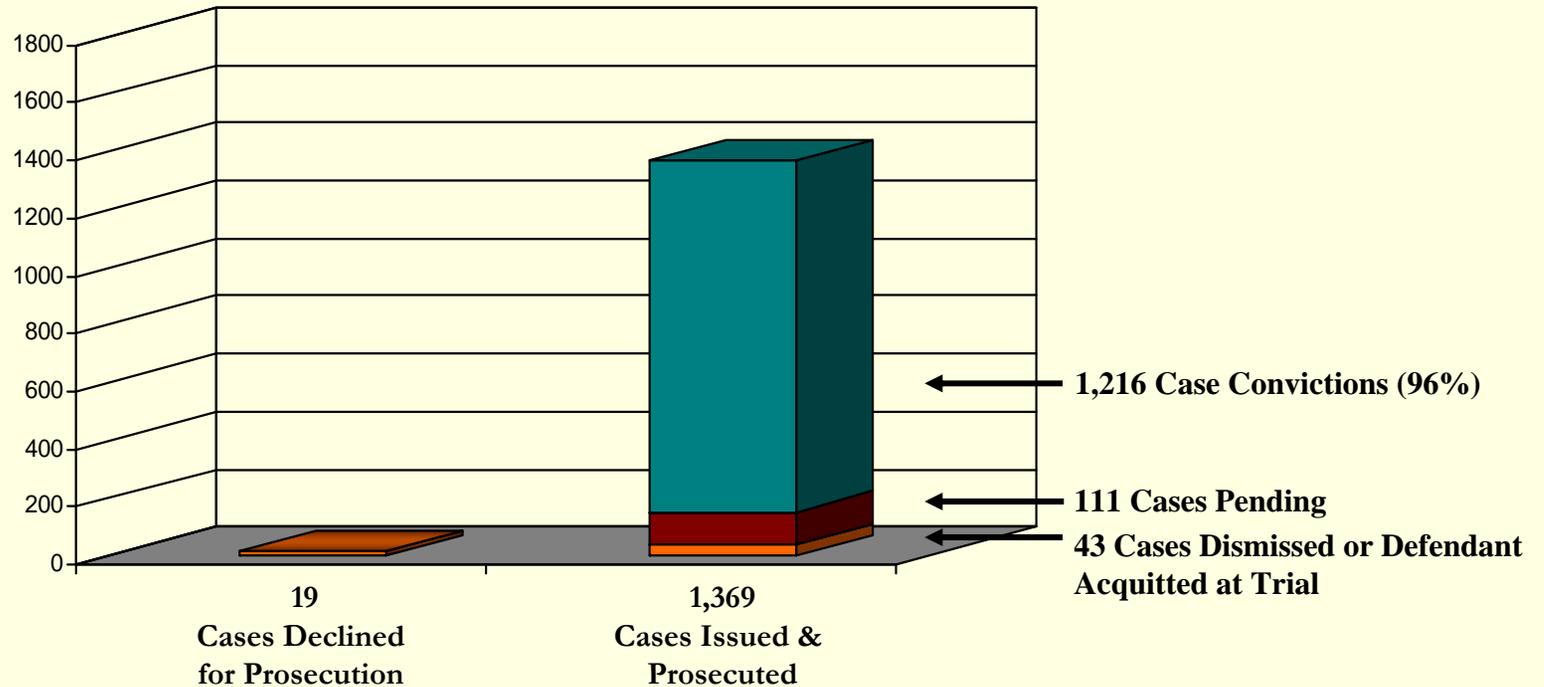
- YTD: Over 300 “knock and talks” for No Contact Orders and High Risk Gone-on-Arrivals**
- 16 defendants arrested for violations of No Contact Orders**

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Progress: Criminal Prosecution

DWI Prosecutions

96% CONVICTION RATE
Total DWI / DRE* Cases for 2010: 1,388



* DRE are driving under the influence of drug cases.
The CAO prosecuted 20 DRE cases in 2010.

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Progress: Criminal Prosecution

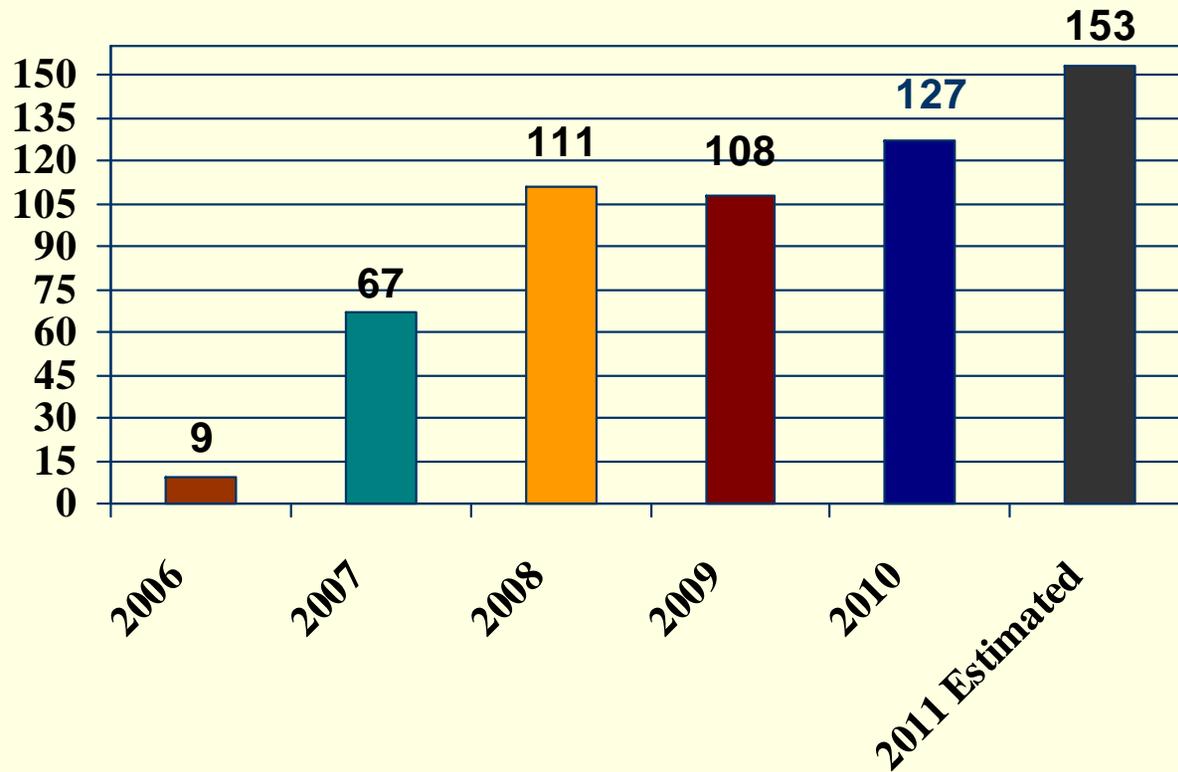
■ Achievements

- ◆ Top 200 Chronic Offenders: 50% reduction in recidivism in 2010
- ◆ Won challenge to the constitutionality of the Minneapolis aggressive solicitation ordinance
- ◆ Won challenge to the right to enforce trespass notices issued by Little Earth housing community

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Progress: Criminal Prosecution

Gross Misdemeanor Trespass
2006 – 2011 Cases Charged



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Progress: Criminal Prosecution

**Community Attorney Update:
The Downtown 100**

Completed Its Inaugural Year

- **DID Funding Renewed for 2011**
 - ◆ Downtown Community Probation Officer
 - ◆ Downtown 100 Prosecutor

Nationally Recognized

Top Ten Innovative Criminal Justice Practice

- **By the Association of Prosecuting Attorneys and**
- **U.S. Department of Justice**

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Progress: Criminal Prosecution

First Year Results

- **74% reduction in new cases in DID**
- **No displacement: 77% reduction in surrounding neighborhoods**
- **36% provided chemical dependency services**
- **32% provided mental health services**
- **50% provided housing**

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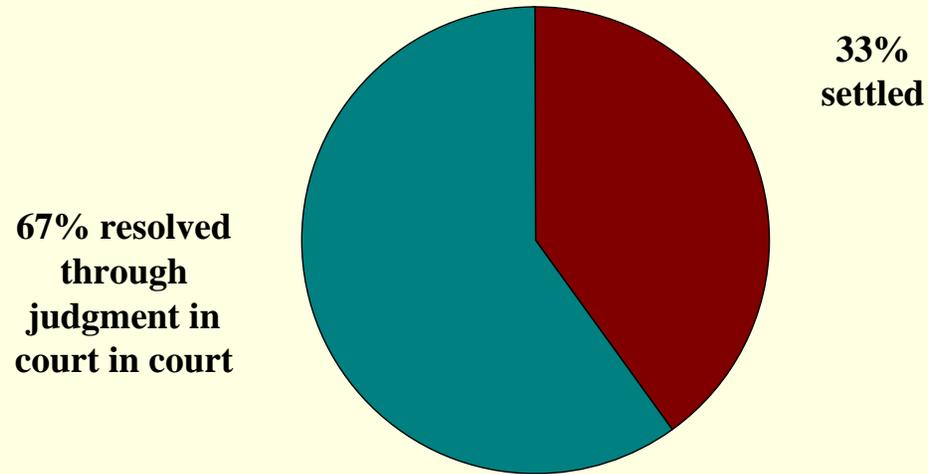
Progress: Criminal Prosecution

■ **Community Attorney Update contd.**

- ◆ Involved in 3 new Court Watch programs:
 - ◆ 2nd Precinct
 - ◆ 3rd and 4th Precincts - Property Court Watch groups
- ◆ Expansion of 4th Precinct Court Watch
- ◆ Cedar Riverside Safety Plan in the 1st Precinct (to reduce crime, enhance livability, and improve the perception of safety in the West bank Community by collaboratively addressing violent crime and youth issues)
- ◆ Creation of the Northeast Strategic team to address community business relations in the up and coming "entertainments districts" in northeast.

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Progress: Civil Division

■ **Civil Litigation**

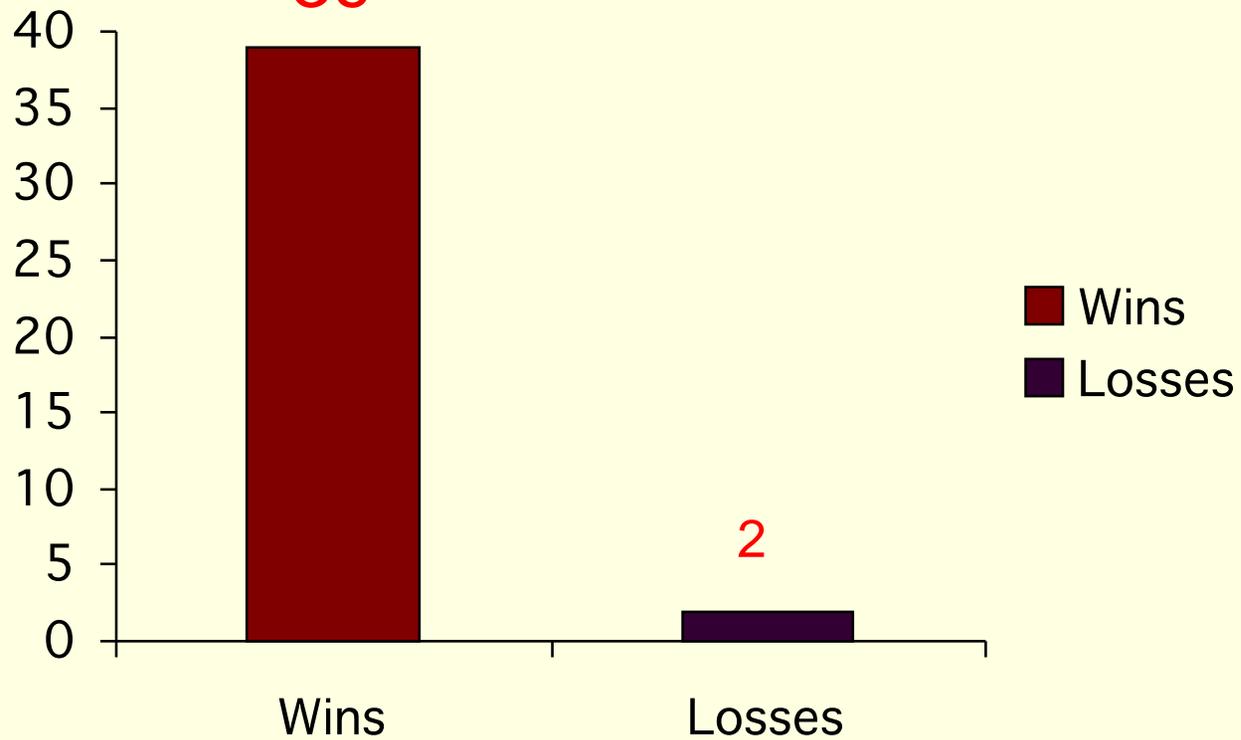


2010

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Progress: Civil Division

■ Civil Litigation - Court Wins vs. Losses - 2010



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Progress: Civil Division

Highlights:

- MPRA/MFRA Pension Fund Consolidation
- Land Use case victories
- Nuisance Abatement Assessments – special benefits test
- Class Action challenge to property tax market valuation methodology

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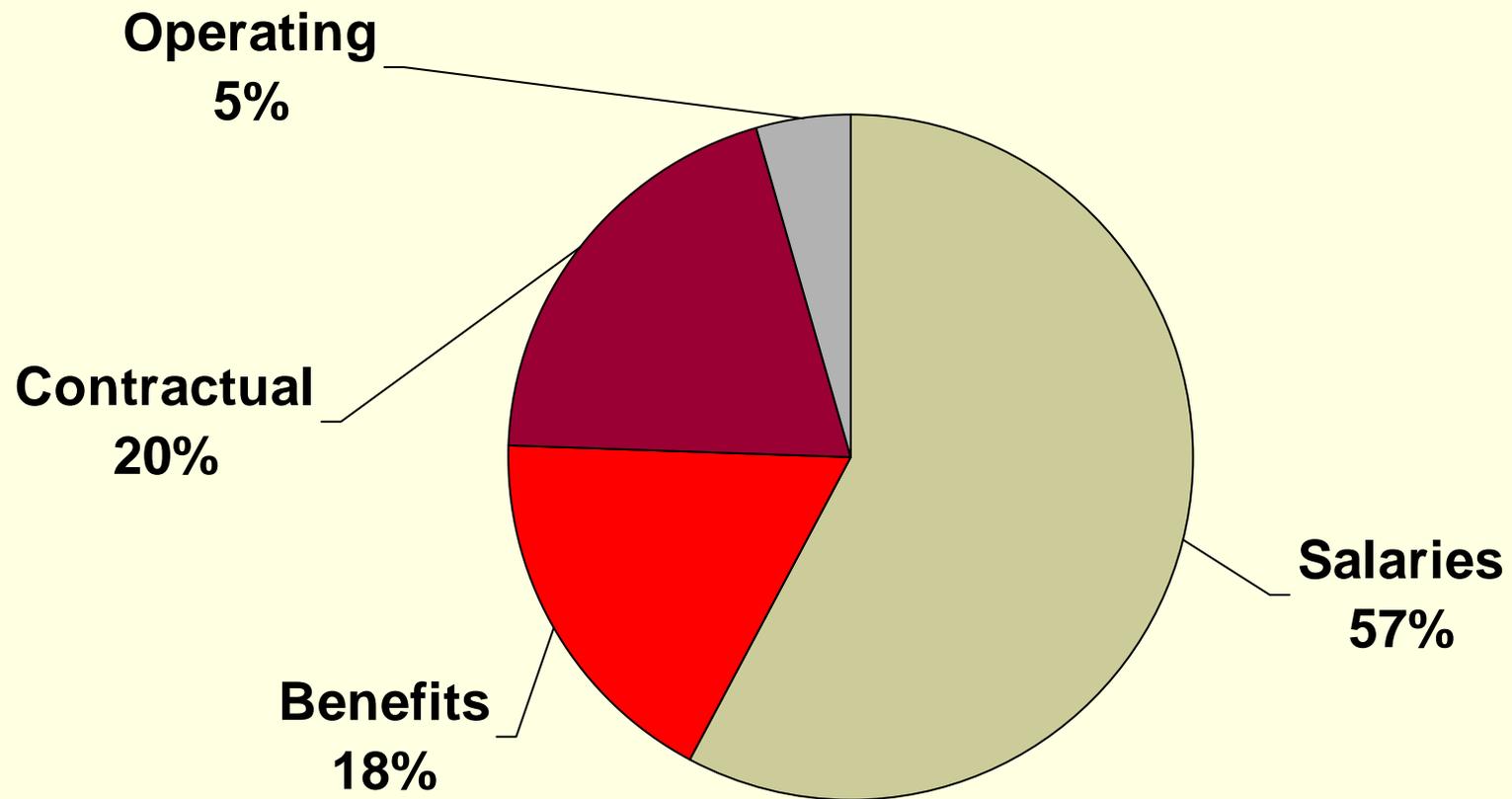
Progress: Civil Division

Rental License Revocations:

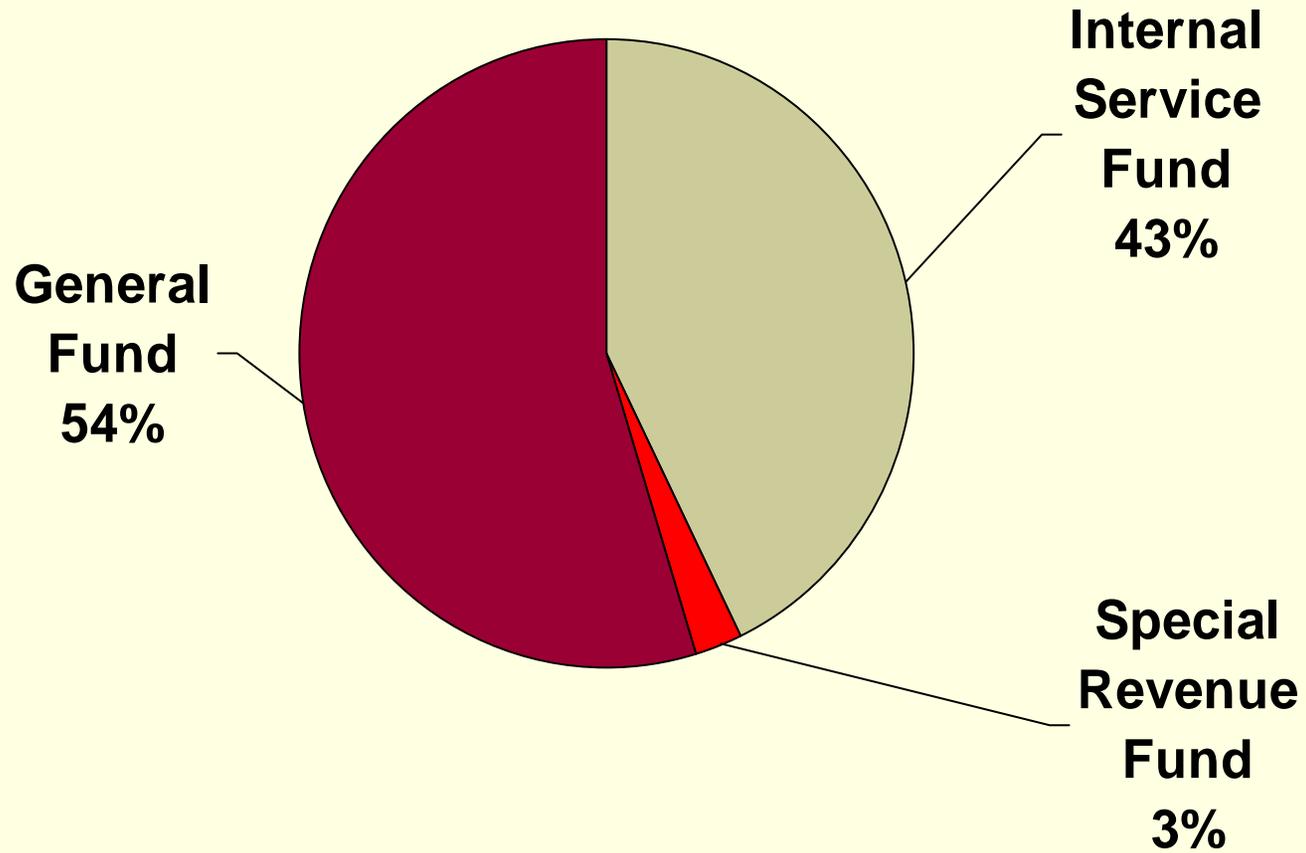
2009 – 2010

- Rental licenses revoked on 100 properties
- 55 properties – revocation appealed to administrative hearing
- 100% of revocation appeals affirmed in favor of City
- 100% success rate in cases appealed to the Minnesota Court of Appeals
- In 2011, CAO obtained a published decision from the Minnesota Court of Appeals upholding the City's administrative hearing process against a due process challenge

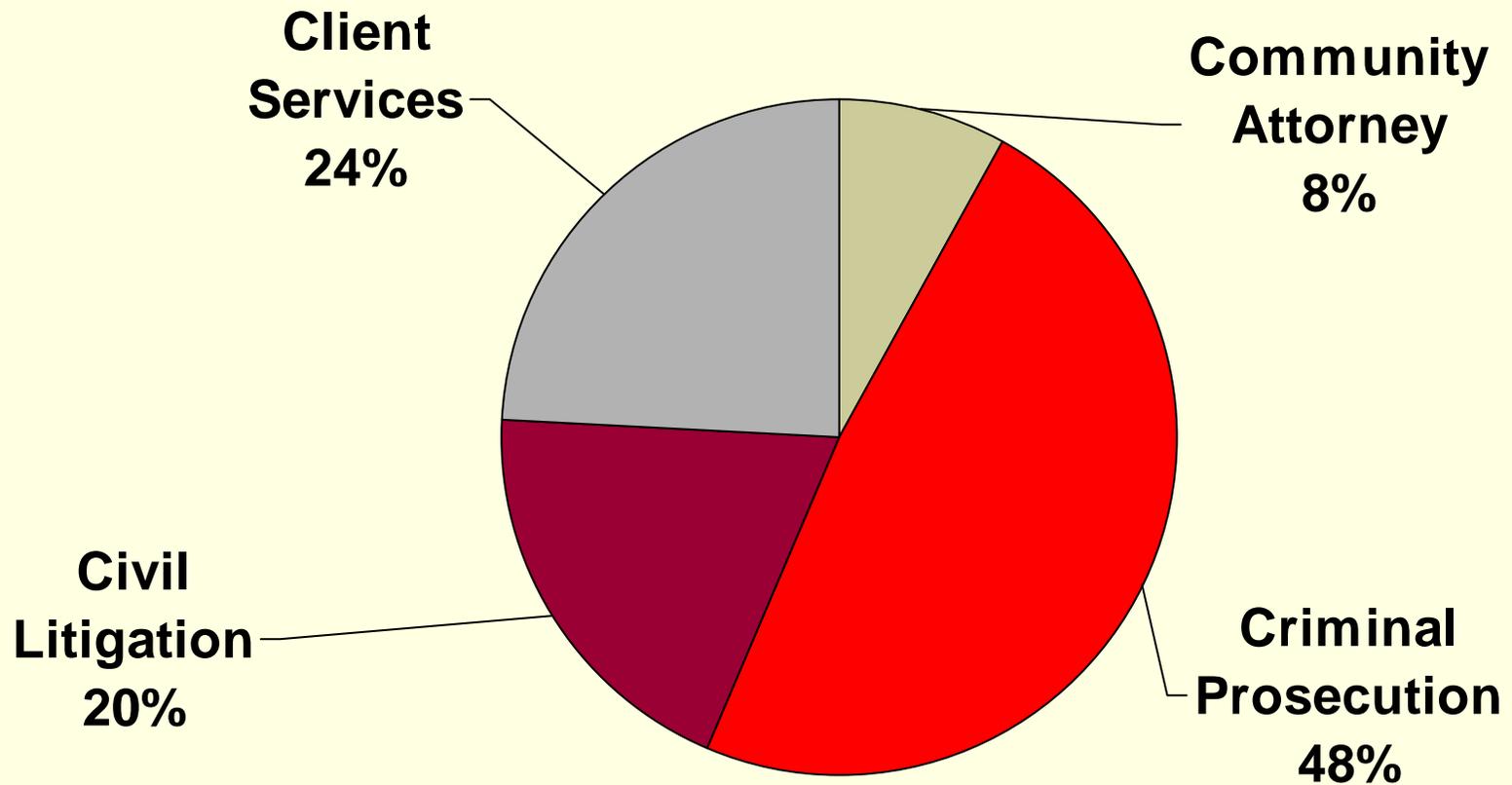
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Expenditures by Type (\$14.2 million)



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Expenditures by Fund (\$14.2 million)



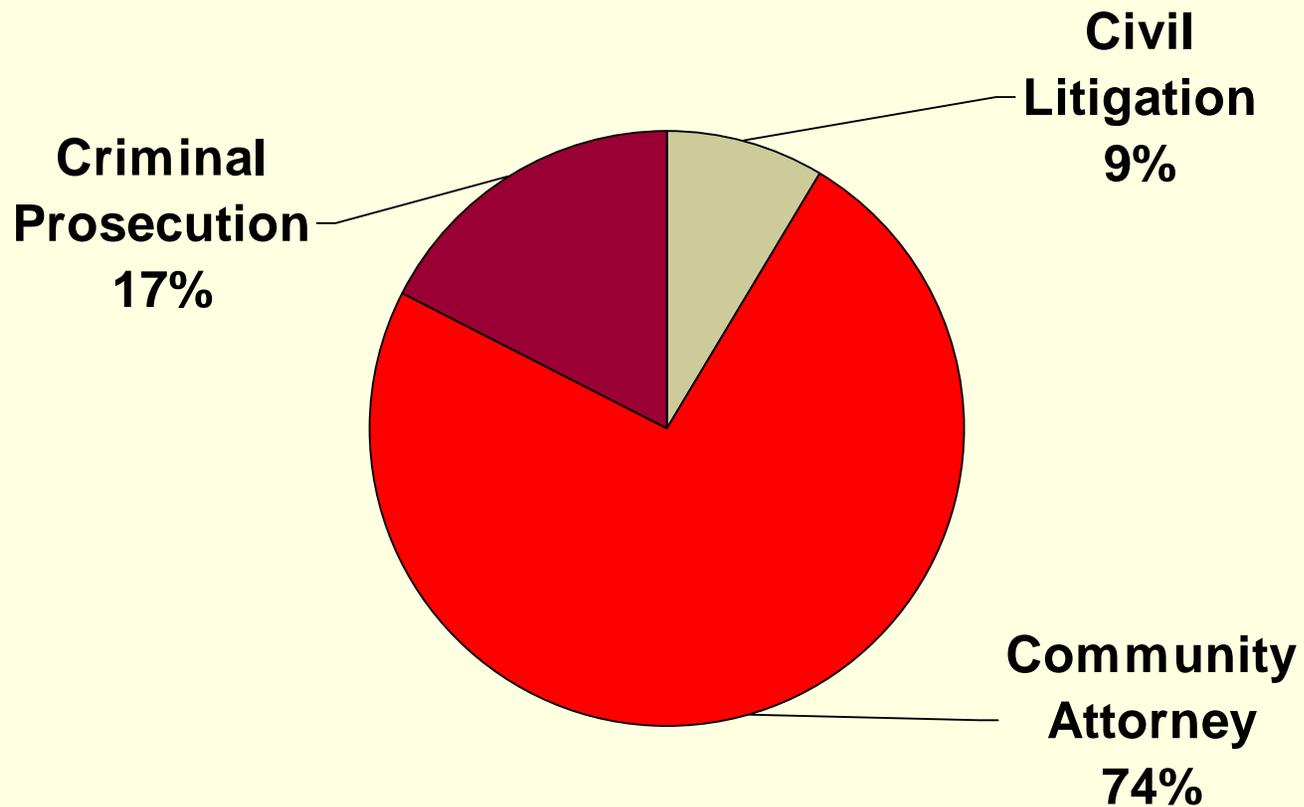
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Expenditures by Program (\$14.2 million)



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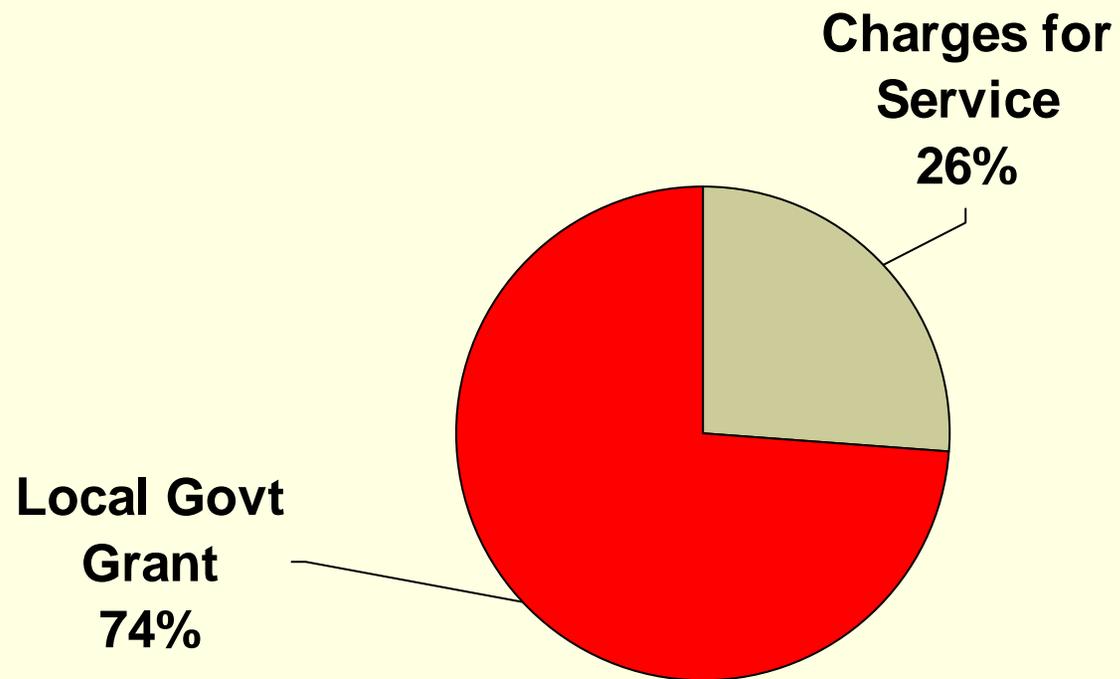
Direct Revenue by Program (\$0.12 million)

(Does not include fine and prosecution cost recovery)



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Direct Revenue by Type (\$0.12 million)



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Positions by Program (102 FTE's)**

