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*2016 Highlights:
Openness & Accountability*



Throughout my public career, first in the Minnesota Senate, and then as the Hennepin County Attorney, I have believed strongly in sharing as much information as possible with my constituents. That belief, blended with new technology, brought unprecedented daylight to our most difficult decisions in 2016.

Spurred by officer-involved shootings around the country, and then by the tragic death of Jamar Clark in Minneapolis, we discarded a 35-year-old practice of taking those cases to a grand jury. Instead, on all officer-involved shootings, I will make the decision on whether to prosecute the officer and then we will share our decision, analysis and the evidence on our website for all to see.

I am also pleased with our work in 2016 to keep more people out of the criminal justice system. Specifically, we helped convince the legislature to imprison fewer people with small amounts of drugs and turn them over to programs to end their addiction. We also implemented alternative methods to deal with juveniles who break curfew.

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Our office began wrestling with how to make the grand jury process more transparent in 2014 when officer-involved shootings began to receive more attention.





Tragically, officer-involved incidents resulting in the death of civilians are a regular occurrence throughout the nation, and Minnesota is no exception.

Hennepin County experiences one or two each year. For a long time, it seemed reasonable to use 23 randomly chosen individuals to make that decision. But grand jury proceedings are secret and very little can be released about what was presented inside the chambers.

We had pretty much developed a hybrid model when two Minneapolis police officers killed Jamar Clark on Nov. 15, 2015. Protests flared and a significant number of people demanded that I make the charging decision, as the elected official, rather than the grand jury. After meeting personally with a number of community leaders, I decided in the interest of accountability and transparency I would make the decision myself with the help of senior attorneys in my office. Then we could share all of our reasoning and all of the evidence with the public.

On March 30, 2016, in our grand jury room packed with local and national media, as well as community activists, I presided over an announcement of our decision in the Jamar Clark case. I explained the legal standards for charging a police officer who uses deadly force on the job. I laid out the evidence we had considered. We showed the video taken that night. I announced there would be no charges in Jamar Clark's death.

Almost simultaneously, our staff posted our report, the videos and the evidence to our website. Anyone could look at the evidence and draw their own conclusions. And they did.

In one week, more than 80,000 people reviewed the reports and 359,000 watched the videos.

This is how we will handle all officer-involved shootings and that's what we did with two other officer-involved cases in 2016. In those cases, the officers were justified in using deadly force.

A notorious case we couldn't charge

In another case, we could not share as much evidence. After the Minnesota Gopher's opening football game in September, several of the players engaged in sex with a woman who lived in the same apartment building as several players. Police investigated and we reviewed the evidence.

In all cases, we need sufficient evidence to prove the case beyond a reasonable doubt before we can charge a case. Sexual assault cases can be very difficult because our usual tools, such as DNA, often don't matter. The vast majority of sexual assault cases are between people who know each other. Often, the defendant says the sex was consensual. Our task is to prove either that it was not consensual or that the victim was unable to give her consent. At the same time, we want to protect the victim from having details of this most intimate crime splashed across social media.

In the Gophers case, we could not prove beyond a reasonable doubt that any player committed a crime. And to protect the young woman, we did not say much about the evidence. In short, we could not prove that force was used or that she was physically helpless as defined by law.

Keeping addicts out of prison by changing drug laws



During the past five years, our office has led lobbying efforts at the Minnesota Legislature to change the sentences for drug offenses. Our philosophy is simple: reduce the prison terms for low-level users and addicts, but increase the sentences for large volume dealers. We came close to passing this bill several times over the years, but it took until May to finally get the necessary votes.

Now, there will be more treatment for addicts (rather than prison time), freeing up prison beds.

Drug kingpins who bring dangerous narcotics into our communities face much tougher sentences. A case in point: we charged Beverly Burrell with multiple counts of third-degree murder for selling heroin in Hennepin County that resulted in the deaths of four people. If convicted, she faces decades in prison.



Diverting adolescents out of the justice system

Numbers from 2016

With **435** employees, the Hennepin County Attorney's Office is the largest public law office in Minnesota.

9 Divisions, including Adult Prosecution, Adult Services, Civil, Child Protection, Child Support, Community Prosecution, Juvenile Prosecution, Special Litigation and Victim Services

14,996 new cases were opened in 2016

81 convictions out of 202 criminal sexual assault cases

2,649 cases for drug sale/possession as the primary charge

\$10 million potential savings to the state annually as a result of reducing Minnesota prison population related to drug-related crimes



In addition to our work at the Capitol to get more addicts into treatment programs rather than sending them to prison, we also created an initiative to keep youth who violate curfew out of the criminal justice system.

From June through November, our office partnered with The Link, a nonprofit social service agency. All curfew cases were diverted from court unless the young person had a pending juvenile delinquency case. Of 313 cases handled, two-thirds were deferred to The Link who followed up with the child and their parents or guardians.

At a press conference about the successful pilot program, 12-year-old Elzie talked about being picked up downtown for violating curfew. He was connected to The Link. He now enjoys spending time with his case worker Aleisa and gets to do fun things like kayaking and volunteering at Feed My Starving Children. And, he says he is also getting along better with his mom.

For more information, including the number of cases we handled in 2016, visit: hennepinattorney.org/annualhighlights



Mission and overview

We serve justice and public safety through our commitment to ethical prosecution, crime prevention, and through innovative and reasoned client representation.

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