

# City Attorney Office

November 6, 2024

**Presentation of FY25 Budget Recommendations to City Council**  
**Lyndsey Olson, City Attorney**



**SAINT PAUL**  
CITY ATTORNEY

# Agenda

- Department Overview
- Priorities
- Challenges & Opportunities
- Org Chart
- FTEs Summary
- Budget Information
- Budget-to-Actuals
- Budget Highlights
- Activities Summary
- 2025 Proposal
- Divisions and ARP Updates



## Mission and Values

**Mission:** We seek justice through law, balancing accountability and equity and building prosperity while protecting the interests of the entire Saint Paul community.

### Values:

- **Respect** -- We maintain an inclusive culture that honors the rights and experiences of all, encourages dialogue, and fosters patience and humanity.
- **Integrity** -- We act with courage and conviction and speak truth. We are accountable and faithful to the rule of law and professional ethics.
- **Service to Community** -- We work to benefit the community by connecting and engaging with each other



# Priorities

## ***Community First Public Safety***

- Gun Violence Reduction
- ETHOS and Genesis Initiative
- Procedural Justice
  - Individualized Prosecution

## ***Building Prosperity***

- Development Projects
- Legislative Initiatives
- Immigrant and Refugee Program
- Just Deeds





# Challenges & Opportunities

## Challenges

- ARP funded positions
- Grant funded positions
- Technology; Overabundance of digital evidence (BWC, ICC, City Cameras)
- Staffing
- Controlling outside counsel expenses
- Implementation of new programs

## Opportunities

- Grants and Funding
- Technological Innovation
- Community Engagement



# 2025 CAO ORG CHART



**Total FTE 101.75**

\*3.50 FTE are budgeted for the Public Housing Agency

\*\*1.00 FTE is budgeted in the Opioid Settlement fund and 4.0 FTE are budgeted in the Public Safety Aid fund.

**CAO Main FTE: 88**



# CAO MAIN: FTEs Summary

	2020 Adopted Budget FTE	2021 Adopted Budget FTE	2022 Adopted Budget FTE	2023 Adopted Budget FTE	2024 Adopted Budget FTE	2025 Proposed Budget FTE	Change from 2024
100: GENERAL FUND	62.90	61.65	64.65	66.65	67.65	68.65	1.00
200: GRANTS	1.70	2.00	3.50	3.50	2.00	1.00	-1.00
211: SPECIAL FUND	0	0	0	0	0	6.50	6.50
710: CENTRAL SERVICE FUND	10.20	11.45	11.45	11.45	12.45	11.85	-0.60
<b>CAO TOTAL</b>	<b>74.80</b>	<b>75.10</b>	<b>91.1</b>	<b>89.1</b>	<b>89.6</b>	<b>88.0</b>	<b>0.15</b>



# Department Main Divisions (88 FTEs) / Fund Overview(s)

Division	Total	FTEs
<b>Litigation Division</b>	<b>\$ 1,928,091</b>	<b>10.5</b>
100: General Fund	\$ 1,928,091	10.50
<b>Civil Division</b>	<b>\$ 4,912,177</b>	<b>25.5</b>
100: General Fund	\$ 2,510,785	13.65
710: Outside Services	\$ 2,401,392	11.85
<b>Criminal Division</b>	<b>\$ 7,670,448</b>	<b>49.0</b>
100: General Fund	\$ 6,441,667	41.50
200: Grants	\$ 92,491	1.00
211: Special Fund	\$ 1,136,290	6.50
<b>Admin*</b>	<b>\$ 532,292</b>	<b>3.0</b>
100: General Fund	\$ 532,292	3.00

\*City Attorney FTE included in Admin





# Historical General Fund Budget-to-Actual

---

	Adopted Budget	Amended Budget	Actuals	\$ Variance	% Variance
<b>FY2021</b>	9,140,520.00	9,240,164.00	8,682,869.14	557,294.86	6.0%
<b>FY2022</b>	10,622,073.00	10,821,598.00	9,818,987.56	1,002,610.44	9.3%
<b>FY2023</b>	11,696,522.00	11,379,649.00	11,226,937.07	152,711.93	1.3%

---



# Composite Budget Summary

	FY22 Actuals	FY23 Adopted	FY24 Adopted	FY25 Adopted	\$ Change	% Change
Fund 100	9,798,062	11,696,522	12,111,201	13,590,470	1,479,269	12.2%
Fund 200	219,030	445,653	495,366	616,272	120,906	24.4%
Fund 211	0	0	0	1,543,207	1,543,207	100.0%
Fund 710	1,964,453	2,302,423	2,437,499	2,446,601	9,102	0.4%
<b>All Funds</b>	11,981,545	14,444,598	15,044,066	18,196,550	3,152,484	21.0%



## 2025 Proposed Budget Highlights

- **Add: Victim Witness Support Staff (\$95.8K)**
  - \$95,796 for 1.0 FTE shift from grant to General Fund
- **Add: ETHOS line item (\$100K)**
  - \$70,000 - Ongoing
  - \$30,000 - One-time
    - Ongoing creates line item to fund the program
    - One-time allows CAO time to transition administration of program in house

# Criminal Division



## Updates on Recent Initiatives – Criminal Division

- Community Justice Unit (CJU) created in the summer of 2019.
- CJU is dedicated to engaging the people of Saint Paul to ensure that the St. Paul City Attorney’s Office administers justice that is equitable and represents the values of the community we serve.
- CJU guides our non-traditional prosecution efforts
- CJU has accomplished a great deal in the face of substantial challenges
  - COVID pandemic
  - Burgeoning caseloads of the entire Criminal Division
  - The tragic murder of George Floyd in Minneapolis and civil unrest
  - The call from our community to do better in seeking equitable justice



## Updates on Recent Initiatives – Criminal Division

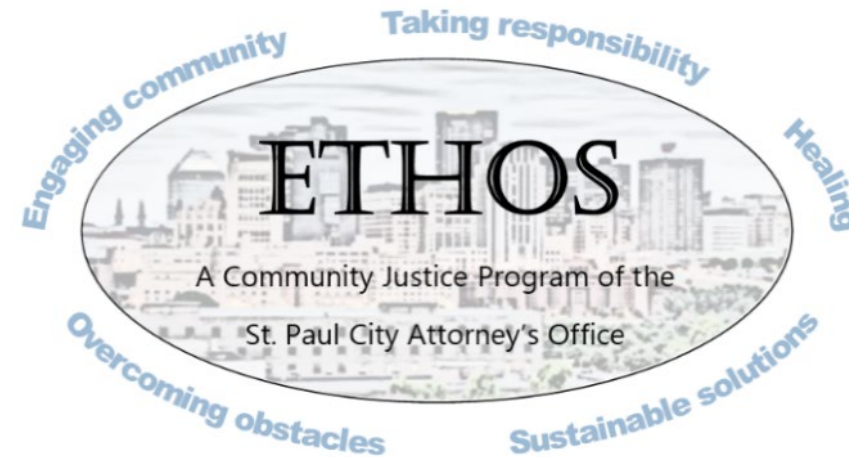
### Alternatives to Traditional Prosecution

- **ETHOS** – a community and victim-centered restorative justice program
  - Engaging Community
  - Taking Responsibility
  - Healing
  - Overcoming obstacles
  - Sustainable solutions
- Began in October 2019
- Prosecutor-created and -led diversion program based on restorative justice principles
- Victim-centered



## Updates on Recent Initiatives – Criminal Division

- Total served since 2020:
  - 2020 – 58
  - 2021 – 112
  - 2022 – 179
  - 2023 – 120
  - 2024 (January – September) - 192



As of June 2024, the recidivism rate for those who completed ETHOS at least 1 year before is 9%. A review of similar cases from the six months prior to the start of ETHOS revealed a recidivism rate of 32%.



## Updates on Recent Initiatives – Criminal Division

### ETHOS – Reflections and feedback from participants, victims, and circle members

- **Participant:** *I really enjoyed the circle session. Speaking with [the circle members] has really helped me better understand my mistakes as the offender and heal from my mistake. . . . Everyone was very open minded and offered wonderful insights on my situation. . . . And, for the attorneys and decision makers, I believe ETHOS should continue because anyone who finds themselves in my shoes deserves a chance to learn from their mistakes, take full responsibility, reflect, and seek the help they need and deserve.*
- **Victim:** *I have a better understanding of what the restorative circle means as a form of justice. I was surprised but very happy the city*





## Updates on Recent Initiatives – Criminal Division

### Alternatives to Traditional Prosecution

- **Diversion**

- Programming and services recommended based on a risk/needs assessment administered by Justice Point, a community organization providing diversion services through a County contract

- Eligible participant meets with Justice Point and completes a risk/needs assessment
- Justice Point recommends diversion conditions based on assessment

11/6/2024 • Prosecutor approves and participant signs Diversionary Agreement



## Updates on Recent Initiatives – Criminal Division

### DIVERSION Stats

- Total served:
  - 2020 – 31
  - 2021 – 203
  - 2022 – 339
  - 2023 – 189
  - 2024 (January – September) – 156



## Updates on Recent Initiatives – Criminal Division

### Alternatives to Traditional Prosecution

- **Gun Diversion: A Rehabilitative approach to reducing gun possession crimes**
  - Began in May 2021; Collaborative project with SPPD’s Gun and Gang Unit
  - Goal: To keep low-level, non-violent gun offenders from re-entering the criminal justice system by offering them an alternative to conviction and sentencing; utilize Diversion and ETHOS restorative circles
  - Included in University of Chicago’s Smart Decarceration Project: Principles of Prosecutor Led Gun Diversion Programming; The National Landscape and Current Trends (Fall 2021)



## Updates on Recent Initiatives – Criminal Division Gun Diversion Stats (May 2021 – September 2024)

Total Cases Reviewed	218
• Declined	187
• Approved	31

<b>Status of Approved Cases</b>	<b>31</b>
• Successful Completion	13
• In 2021	1
• In 2022	3
• In 2023	7
• In 2024 (thru Sept)	2
• Terminated	6
• Active/Good Standing	10
• Pending Offer at Court	2



# Updates on Recent Initiatives – Criminal Division Gun Diversion Demographics

	Approved Cases = 31	Declined Cases = 187
<b>Gender</b>		
Female	1	21
Male	30	166
<b>Race (self-identified)</b>		
Asian	4	17
Black	18	111
White	6	29
Hispanic	0	2
Not disclosed	3	28
<b>Age</b>		
18-25	21	85
26-30	4	39
31-40	1	42
41+	5	21



## Criminal Division Update – Victim Services

- Prosecutors have statutory responsibilities and obligations to crime victims per Minn. Stat. §611A
- CAO Victim Witness Team mission: To protect the rights of crime victims, assist throughout the criminal justice process, and address individual needs brought on by victimization
- Current Victim Witness Team staffing levels = 5.0 FTEs
  - 2 FTEs = CAO general Fund
  - 2 FTEs = Crime Victim Services (CVS) / VOCA Grant (expires 9.30.2025)\*\*
  - 1 FTE = ARP funded (funding expires 12.31.2025)



# Criminal Division Update – Victim Services

YEAR	Total # Victims Served	# FTE Victim Witness Staff	# Victims Served per FTE per year	Total # of Service Contacts provided to crime victims
2018	1989	2.7 (Includes 1.7 VOCA)	737	26,770
2019	2195	2.7 (includes 1.7 VOCA)	813	33,369
2020	1559	4 (includes 2 VOCA)	390	27,149
2021	2247	4.5 (includes 1.5 VOCA and 1.o GOA grant)	499	36,533
2022	2513	6 (includes 2.o VOCA; 1.o GOA grant, and 1.o ARP)	419	40,423
2023	4296	5 (Includes 2.o VOCA and 1.o ARP)	859	35,064
2024 (Jan – June)	2160 (Jan – June)	5 (includes 2.o VOCA and 1.o ARP)	432 (Jan – June)	11,005 (Jan – June)



## Updates on ARP – Criminal Case Backlog

- COVID pandemic created an unprecedented backlog in the criminal justice system.
  - Approved for 5.5 Attorneys and 1.0 Victim Witness Coordinator
    - Total budget: \$2,723,958
    - Remaining: \$1,303,089 (as of 9.24.2024)
- Goals of project:
  - Reduce the delays in justice for victims, defendants, and the community;
  - Allow better delivery of services to crime victims, including those populations who, historically, have been underserved;
  - Address neighborhood safety issues; focus on Mayor's Community First Public Safety effort; and





# Updates on ARP

List any ARP-funded programs or initiatives. Provide an update on project status and spending.

\*As of 9/24/2024

Project Name	ARP Budget Amount	Fund 211 Budget Amount	Total Budget	Total Obligated*	Remaining	FTE's
Criminal Division Backlog	1,180,751.00	1,543,207.00	2,723,958.00	1,420,869.00	1,303,089.00	6.50



# Updates on ARP – Criminal Case Backlog

Saint Paul Cases	May 2021	September 2021	September 2022	June 2023	June 2024
Misdemeanor and Gross Misdemeanor	Approx. 3100	Approx. 2900	Approx. 1900	Approx. 500	Approx. 300



## Criminal Division Stats – with ARP Prosecutors Included

YEAR	Total Cases During Year	# FTE prosecutors in CAO GF budget	# FTE prosecutors in CAO (includes 5 ARP)	Approx. # of cases handled per prosecutor per year	Approx. # of cases handled per prosecutor per year (includes 5 ARP)	# of cases in excess of recom'd 400 per prosecutor per year	# of cases in excess of recom'd 400 per prosecutor per year	% over the recom'd 400 cases per prosecutor per year	% over the recom'd 400 cases per prosecutor per year	Total # court appearances for all cases	Average # Court appearances per prosecutor per year	Average # Court appearances per prosecutor per year (includes ARP)
2018	11,912	17.0		701		301		75%		27,496	1,617	
2019	11,362	17.0		668		268		67%		24,149	1,421	
2020	8,565	16.5		519		119		30%		12,948	785	
2021	9,982	17.5		570		170		43%		18,442	1,054	
2022	9,664	17.5	22.5	552	430	152	30	38%	7.5%	29,335	1,676	1,304
2023	11,920	17.5	22.5	681	530	281	130	70%	32.5%	30,367	1,735	1,350
2024 (Jan – June)	6,932 (Jan – June)	18.5	21.5 Note: 2 vacant	375 (Jan – June)	322 Note: 2 vacant					16,583 (Jan – June)	896 (Jan – June)	771 (Jan – June)

# Civil Division



# Civil Division Updates

## Quality of Life Issues

- **Unsheltered and Encampments** : This CAO team continues to work with both internal and external partners to design solutions to address our homeless and unsheltered residents from both a legal and holistic perspective.
- **Downtown Livability and Skyways**: Continues to partner with internal and external partners to find solutions to issues that impact livability in the City, including downtown livability, downtown foreclosures, and our skyway system.
- **Problem Properties**: Continues to work with internal and external partners to find solutions to address nuisance and problem properties in the City that affect the livability and well-being of the individuals in the community.
- **Familiar Faces**: Provides Legal Advice and support related to this initiatives.



## Civil Division Updates

- **Large Scale Ordinance Changes**
  - Rent Stabilization Ordinance
  - Cannabis Legislation
- **Large Development Projects**
  - Highland Bridge
  - United Village
  - The Heights
  - Central Station
  - Sears site
  - RiversEdge





## Civil Division Updates

### Increased Requests for Legal Advice

- **City Contracts/RFPS**

- In 2022: 422 contracts Issued: 28% Increase from 2021
- In 2023: 797 contracts Issued: 89% Increase from 2022

- **New Administrative Departments/Priorities**

- Office of Neighborhood Safety (ONS)
- Office of Financial Empowerment (OFE)
- Energy Programs/Initiatives
- Rehabilitation/Downpayment Assistance
- American Rescue Plan Funding

- **Adverse Actions**

- Tobacco Shops/Licenses/Flavored Tobacco Sales

11/6/2024 Other Licensed Businesses



# Immigrant and Refugee Program

- **The Immigration Legal Defense Program** – the City contracted with Legal Service Providers to provide immigration legal services and resources to residents of Saint Paul.
- **Cultural Destination Areas Study** – In August 2023, City contracted with Saint Paul based firm, MaKee Company to review and develop a plan to promote the Cultural Destinations Areas as drivers of economic development in the City's Immigrant and refugee communities. Initial study to be complete in November 2024.
- **Naturalization Initiative** – Mission is to increase citizenship among eligible U.S. Lawful Permanent Residents living in the Twin Cities. In partnership with SPP Libraries and the City of Minneapolis, the Initiative holds resource fairs to promote and encourage permanent residents to file for naturalization. In October 2024, City contracted with the International Institute of Minnesota to assist Saint Paul Residents to apply for Naturalization.
- **New Arrivals** - Saint Paul continues to see new arrivals from around the world including the Southern Border. The Immigrant and Refugee Program is working with City, County and State Governmental Officials as well as Community Organizations to collaboratively address newcomers' emergent needs and concerns.





## Just Deeds Initiative

- 2,500: Lots in Saint Paul affected (1910's, 20's, '30's, and '40s).
- April 2023: Launched w/ City Attorney & Mayor press conference & video.
- 260: Properties submitted by residents to the City to-date.
- 230: Property ownership deeds / title certificates.
- 160: Properties have been fully cleared by CAO.
  
- CAO worked with MJF coordinator at Mitchell-Hamline to recruit and train MJF law students volunteers.
- CAO created and distributed step-by-step process maps (for Torrens & or abstract) to guide volunteers.

# Litigation Division



## 2024 Litigation Division Updates

- Litigated 45 active lawsuits against the City, HRA and SPRWS in 2024
- Lawsuits challenging the City's legislative decisions, policies, and authority have increased
- Cases challenging the City's compliance with the MN Data Practices Act have increased
- Significant increase in CAO staff time devoted to compliance with the MN Data Practices Act



# 2024 Litigation Stats

## Lawsuits Pending

- 29% Assessments
- 16% Negligence
- 13% Statutory Violation
- 10% Police Conduct
- 10% Discrimination
- 6% Employment/Labor Relations
- 6% Data Practices
- 6% Constitutional Claims
- 4% Other



## 2024 Litigation Stats, Cont.

### Lawsuits Resolved

- 25% Assessments
- 25% Auto Accidents
- 17% Police Conduct
- 17% Negligence
- 8% Data Practices
- 8% Constitutional Claims



## 2024 Litigation Stats, Cont.

- **Favorable Decisions/Dismissals**
  - 40% Negligence
  - 20% Police Conduct
  - 20% Constitutional Claims
  - 20% Assessments
- **Negotiated Settlements**

• Police Conduct	\$625,000
• Auto Accidents	\$190,000
• Assessments	\$ 91,423
• Data Practices	\$ 2,500



**Questions & Discussion**

**Thank You!**