

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Office of the Commissioner

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May 6, 2021

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The Honorable Mark Johnson, Vice Chair
Senate Judiciary and Public Safety Finance
and Policy Committee

The Honorable Carlos Mariani, Chair
The Honorable Heather Edelson, Vice Chair
House Public Safety and Criminal Justice
Reform Finance and Policy Division

Governor, Senators and Representatives:

The 2020 Violent Crime Coordinating Council report is complete and enclosed for your reference in accordance with Minnesota Statutes, section 299A.642, subdivision 15. The 21 Violent Crime Enforcement Teams (VCETs) funded in 2020 span 70 counties across Minnesota and are staffed by more than 200 investigators from 120 agencies. The VCETs made 2,195 drug arrests last year and recovered 880 firearms. The teams saw a continuing rise in Methamphetamine and recovered over half a million grams of meth alone and another 16,000 grams of heroin and cocaine.

On behalf of the Violent Crime Coordinating Council and Department of Public Safety, we thank you for the support we receive from the Minnesota Legislature. If you have questions or concerns related to the council's work or the multijurisdictional entities operating throughout the state, please contact me at 651-201-7160.

Sincerely,

A handwritten signature in blue ink, appearing to read "John M. Harrington".

John M. Harrington
Commissioner- Department of Public Safety

cc: Legislative Reference Library

**Violent Crime Coordinating Council
Report to the Legislature**

Feb. 1, 2021

**Minnesota Department of Public Safety
Office of Justice Programs**

This annual report, covering the period of Jan. 1 through Dec. 31, 2020, details the activities of the Violent Crime Coordinating Council (VCCC), summarizes reviews of multijurisdictional entities, and reports on audits of criminal gang investigative data. It also includes a brief summary of Violent Crime Enforcement Team (VCET) program activities and outcomes for 2020.

VCCC Activities

The Minnesota Legislature established the VCCC in 2010. The VCCC provides guidance related to investigation and prosecution of gang and drug crimes, especially violent crimes associated with gang activity. The council also provides direction and oversight to multijurisdictional VCET grants located throughout the state.

The council's primary duty is to develop an overall strategy to reduce the harm caused to the public by gang and drug crimes in Minnesota. The council works closely with the commissioner of the Department of Public Safety and is responsible for:

- Developing a policy and procedure manual to guide gang and drug investigations.
- Recommending an individual to serve as statewide coordinator.
- Developing grant eligibility criteria and an application review process.
- Recommending termination of funding to VCETs that fail to operate effectively.
- Developing an information-sharing process to improve investigation and prosecution of gang and drug offenses.
- Developing impartial policing policies that prohibit improper use of personal characteristics to target individuals for law enforcement, prosecution or forfeiture actions.
- Adopting objective criteria and identifying characteristics to determine whether individuals are or may be members of gangs involved in criminal activity.

The Department of Public Safety Office of Justice Programs (DPS-OJP) employs a grant manager to administer law enforcement grant funding. DPS-OJP also employs a statewide gang and drug coordinator (statewide coordinator) to provide training and technical assistance for VCETs. In addition, these staff positions provide administrative support for the VCCC.

Washington County Sheriff's Chief Deputy Brian Mueller serves as the VCCC chair, and Sartell Police Chief Jim Hughes is the vice chair. A list of members is attached as Appendix A.

The only in-person meeting of the VCCC was in February, with presentations from U.S. Attorney's Office Project Safe Neighborhood program, City of Minneapolis Group Violence Intervention (GVI) and the Dakota County Drug Task force.

The April meeting was canceled because of COVID-19 restrictions, and the remaining bimonthly meetings were held remotely via Microsoft Teams. VCCC committees—Professional Standards and Accountability, Governance and Legislation, and Community Engagement and Prevention—did not hold separate meetings this year.

Also canceled this year was an annual joint meeting with VCCC members and VCET advisory board chairs. Feedback from past meetings indicates board members appreciated meeting VCCC members and discussing oversight responsibilities, so we look forward to reconvening that group in the fall of 2021.

In March, 2020, Brian Marquart moved to a new position with the BCA but continued to serve as the acting statewide coordinator through the end of the year while DPS-OJP conducted a recruitment process. The VCCC Executive Committee was involved in screening and interviewing applicants for the statewide coordinator position and made a recommendation to the DPS commissioner.

At the December VCCC meeting, members conducted the bi-annual review of the Minnesota 9-Point Gang Criteria and recommended its continuation for the next two years with the addition of social media.

DPS-OJP staff continue to collaborate with other state and federal agencies on the Industrial Hemp Pilot Project, the Drug Monitoring Initiative, the Anti-Heroin Task Force, and the High Intensity Drug Trafficking Area (HIDTA) program.

A new statewide gang and drug coordinator will begin work in Jan. 2021 and will plan a training workshop for VCET commanders, peer review site visits, and coordination of VCETs involved in the HIDTA program. DPS-OJP staff will issue a competitive RFP for 2022 funding and make recommendations for revisions to the Guidelines Manual based on feedback from commanders and peer review site visits.

VCET Funding and Audits

DPS-OJP managed a competitive application process in 2019 that resulted in the funding of 21 multijurisdictional VCET grants in 2020 with state and federal Justice Assistance Grant funds. A VCET list is attached in Appendix B.

DPS-OJP contracted with Alliant Consulting, Inc., to conduct an operations audit of the 21 VCET grantees in 2020. This detailed procedural review of multijurisdictional law enforcement grantees was designed to accomplish the following objectives:

- Audit the VCET practices implemented to ensure assets are adequately safeguarded and controlled.
- Assure the VCET has practices implemented that ensure the chain of custody for seized property is documented and provide for adequate security and accountability from intake to disposition.
- Provide a gauge on the compliance levels at each location, noting each team's reasoning for any "off-practice" situations.

A December 2020 report summarized the operations audit approach, key findings and observations that would benefit the VCET and the Guidelines Manual.

Audit Overview

The 21 VCETs reviewed serve vastly different geographical areas and population densities. The task forces draw agents from surrounding public safety agencies who must use both the task force's and home agencies' evidence intake and record-keeping procedures, which can be dissimilar. Each task force has worked to develop procedures that provide the flexibility to meet both needs.

The 2020 VCET procedural review started Sept. 1, 2020, and concluded on Dec. 8, 2020. To conduct the review, a stratified sampling of case files was chosen from both buy-fund records and forfeiture tracking files that occurred during the 2019 calendar year and first quarter of 2020. The case file list was sent to the task force two working days prior to the review. Two hundred fifty-two case files were reviewed during the four-month period.

The review focused on:

- Confidential buy-fund transaction documentation including method, buy-fund forms, receipts, and auditing processes.
- Chain-of-custody documentation and verification for narcotics evidence obtained by undercover purchase or arrest.
- Chain-of-custody documentation and verification of seized weapons, vehicles, cash, jewelry or other personal items.
- Confirmation of timely transfer and deposit of seized cash.
- Confirmation that closed forfeiture cases had appropriate disposition and reporting to the Office of the State Auditor.
- Confirmation that all firearms seized or recovered are traced using approved Bureau of Alcohol, Tobacco and Firearms (ATF) forms and methods.

Audit Observations and Results

The 2020 procedural audit identified fewer documentation errors than 2018. As in 2018, all 2020 buy-fund transactions and property forfeitures reviewed had appropriate chain-of-custody documentation. Following are observations from the review:

Confidential Buy-Fund Accounts

Task forces use a variety of methods for maintaining their buy-fund accounts. Eleven task forces maintain a cash-only fund; 10 use debit cards; and two that use debit cards, have a combination of both. The task forces that reported using both cash and debit cards were reportedly for agents located farther from the task force office with less access to the bank holding the operational accounts.

The review included 126 buy-fund transactions with a purchase of a narcotic that included both undercover purchases and those made by confidential informants. All related documentation appeared to have good internal and external oversight and tracking of buy-fund accounts by the commander, fiscal agent and oversight board. *

Key observations included:

- The amount of cash or debit card funds available to an officer ranged from zero (centrally located distribution) to a \$1,500 limit.
- Nine task forces maintain their cash-only funds centrally, and limit access to the safe to just the commander and/or specified team leaders.
- Buy-fund accounts are reconciled at least monthly by task force commanders, and audits are conducted quarterly by 16 agencies and monthly by five agencies.
- All task forces require the commanders to request additional funds either through the fiscal agent or oversight board.

* This determination was made through the interview process with each commander and did not include review of the task force's written policies and procedures.

Narcotics Case Evidence

Over 120 cases with narcotic evidence were reviewed. For all but two cases, the chain-of-custody documentation of the narcotic being entered into evidence was complete. The two exceptions involved an agency that was no longer with the task force, so documentation was not available for review. Key observations included:

- Ten task forces maintain narcotic and property seizures at one site. In 11 agencies, the task force investigators check evidence into their home agency.
- All task forces provided chain-of-custody documentation for all narcotic and property seizures.

Property Seizure and Forfeitures

One hundred and twenty-six cases involving a seizure of cash, vehicles, and/or weapons were reviewed. Chain of custody was documented to evidence or deposit for every forfeiture. Key observations included the following for each type.

Cash Seizures

The threshold policy for cash forfeitures for 19 task forces is \$300, and \$1,000 for two.

- For 15 task forces, the commander takes the cash from evidence to the fiscal agent, while four commanders take cash directly to the bank. In two task forces, the evidence technician, with patrol support, brings cash seizures to the bank.
- All cash seizures reviewed had appropriate forfeiture forms, receipt to suspects, and deposit verification, either with the fiscal agent or bank.
- One cash seizure did not have a cash-counting form. It was seized federally. One cash seizure had \$200 of counterfeit funds later identified by the bank. One cash seizure was counted and sealed without officer signatures.
- Two closed forfeiture cases were not entered timely into the State Auditor's Form Entry System (SAFES), but had been distributed correctly. All closed cash forfeitures had an accompanying releases from the attorney, and distribution letter.
- Along with cash, one case had a seizure of gold and silver coins/bars seized and documented into evidence.

Vehicle Seizures

The threshold policy for vehicles ranges from take all (6) to proceeding with forfeiture only if the vehicle has clear title and an estimated value ranging from \$1,000 to \$3,000 (15). A few commanders discourage their officers from proceeding with forfeiture for vehicles. Key observations included:

- Only two task forces had vehicles on site that were able to be viewed.
- There appeared to be fewer vehicle forfeiture cases to review in 2020 than in 2018.
- All task force commanders indicated that holding vehicles for forfeitures rarely, if ever, results in the task force gaining revenue.
- Six task forces check vehicles into evidence, and 15 do not.
- All vehicle cases reviewed had the appropriate forfeiture forms (two were released) and receipt to suspects, and maintained towing records unless the vehicle was driven by the officer.

Weapon Seizures

Twenty task forces had cases with at least one weapon seizure. Thirteen task forces indicated they destroy weapons when released by the attorney, unless used by the task force, and eight sell weapons where allowed. Key observations included:

- All weapon forfeitures had an ATF trace completed where possible. Four ATF trace forms were submitted following the review.

Summary of 2020 Procedural Audit

- No buy-fund documentation errors were noted.
- There was one cash documentation error (no signature on sealed cash bag).
- All weapons seizures had an ATF trace attempted. Some documented instances of defaced serial number or the age/type of weapon could not be traced.
- Twenty VCET routinely maintain chain of custody on all evidence, or were able to directly access data from the officer's home agency. One VCET that did not, recently changed their policy to have all evidence checked into the commander's home agency.
- One VCET did not enter closed forfeiture into SAFES within 30 days, and the process was corrected.
- One task force had cash seizures that were not being deposited in a timely manner due to a personnel change by the fiscal agent. This process was identified and corrected.

At the completion of this audit process, 2020 VCET grants were extended to 2021.

BCA Criminal Gang Investigative Data System Audit

The BCA conducts random audits of data in the Gang Pointer File and reports annually to the DPS commissioner. All subject records are reviewed during the audit process to determine if they have a qualifying conviction for a gross misdemeanor or felony offense within the previous three-year review period.

The most recent audit of the Gang Pointer File was conducted from October 2019 to September 2020, and included data from the following entities:

- The Metro Gang Strike Force (subjects transferred to BCA Investigations).
- The Minnesota Fusion Center.

- The Minnesota Department of Corrections Fugitive Unit.
- The Minnesota Department of Corrections Central Office.
- The Kandiyohi County Sheriff's Office.

BCA Training and Auditing staff reviewed 75 criminal histories on those entries that are within the required three-year auditing period.

Out of the 75 records reviewed, 29 subjects did not have any additional qualifying criminal convictions and were accordingly purged from the Minnesota Gang File.

As of Sept. 1, 2020, 201 subjects are in the Gang Pointer File.

2020 VCET Program Activities and Outcomes

The 21 VCETs funded in 2020 span 70 counties across Minnesota and are staffed by more than 200 investigators from 120 agencies. Each VCET provides extensive data and narrative reports on a quarterly basis. This information assists DPS-OJP in allocating funds and analyzing drug and violent crime trends throughout the state.

Select VCET activities and reported data for 2020 and comparative data from 2015:

ACTIVITY	2015	2020
Total number of drug arrests	3,015	2,195
Total number of non-drug arrests	1,134	958
Percentage of violent crimes (Part 1)	18%	25%
Number of arrests involving cocaine	267	197
Number of arrests involving heroin	334	293
Number of arrests involving methamphetamine	2,028	1,435
Number of arrests involving prescription drugs	734	247
Number of children removed during arrest	399	315
Number of guns seized	934	880
Amount of cocaine seized (grams)	5,849	8,982
Amount of heroin seized (grams)	8,213	7,348

Amount of meth seized (grams)	104,473	522,762
Amount of prescription drugs seized (dosage units)	17,717	30,064
Number of cases coordinated with other agencies	1,546	1,404
Number of community presentations given	417	156
Number of people in attendance at community mtgs.	20,036	4,294
Number of community outreach events*		499

*added in 2016

2020 VCET data showed a general decrease in the number of cases and seizures from 2019, but most indicators remain significantly higher than they were five years ago. COVID-19 restrictions caused changes in investigative techniques, reduced in-person contact with informants and targets, and increased use of electronic resources for tracking and surveillance. VCET staff were often redeployed to cover shifts when local agency staff were on sick leave or quarantined. Some jurisdictions also redeployed VCET investigators to assist with civil unrest following the death of George Floyd in Minneapolis. There were also VCET on leave to serve in the Minnesota National Guard. By the fall of 2020, most VCET units were fully staffed and operational.

Methamphetamine continues to be the most prevalent drug investigated and seized across the state. Opioids, including heroin, prescription drugs and synthetic narcotics like fentanyl are also a priority for VCET investigations. Other drug trafficking trends highlighted in VCET reports include:

- Methamphetamine labs are down from 410 in 2003 to less than 20 in the last several years.
- Overall, the prices of methamphetamine, cocaine and heroin are down significantly, and availability has increased. Note: COVID-19 has caused the price to increase as availability has decreased, but that trend is expected to reverse in 2021 as the U.S. returns to normal pre-COVID-19 operations.
- Large shipments of narcotics via Mexican drug trafficking organizations (DTO's) have been increasing over the past few years. It is common to seize 30 or more pounds of narcotics when in the past, a seizure of a few pounds was significant.
- Minnesota has evolved from a destination to a distribution hub for the Midwest.
- Traffickers now using trackers and other electronic devices to follow their loads and communication apps to avoid detection by law enforcement.
- Cryptocurrency and pay services such as Venmo and PayPal have begun to grow in popularity. This allows traffickers to be paid and move large amounts of wealth in private without the risk of robbery or detection.

Conclusion

The VCCC will continue the bimonthly meetings, including a joint fall meeting with VCET Advisory Board chairs. DPS-OJP will continue to manage VCET grants, provide training and technical assistance, and present multi-year data on emerging drug trends. There will be a spring VCET commanders' meeting, summer peer review site visits, and fall review of 2022 VCET grant applications. The BCA will continue to manage the Gang Pointer File, and an external review of VCET operations will be planned for 2022.

Appendix A: VIOLENT CRIME COORDINATING COUNCIL MEMBERS - 2020

TITLE	NAME	AGENCY	STATUTORY REPRESENTATION
Chief Deputy (Vice Chair)	Brian Mueller	Washington County Sheriff's Office	Minnesota Sheriff's Association (Metro)
Chief (Vice Chair)	Jim Hughes	Sartell Police Department	Minnesota Chief's Association (Greater MN)
Superintendent	Drew Evans	Bureau of Criminal Apprehension	Minnesota Department of Public Safety
U.S. Attorney	Erica MacDonald (Andy Dunne)	District of Minnesota	United States Attorney's Office
Attorney General	Keith Ellison (David Voigt)	Office of the Attorney General	Office of the Attorney General
Chief	Todd Axtell (Axel Henry)	St. Paul Police Department	St. Paul Police Department
Chief	Medaria Arradondo (Bruce Folkens)	Minneapolis Police Department	Minneapolis Police Department
Chief	Jeff Tate	Shakopee Police Department	Minnesota Chief's Association (Metro)
Sheriff	Bob Fletcher (Mike Martin)	Ramsey County Sheriff's Office	Ramsey County Sheriff's Office
Sheriff	Dave Hutchinson (Pat King)	Hennepin County Sheriff's Office	Hennepin County Sheriff's Office
Sheriff	Scott Hable	Renville County Sheriff's Office	Minnesota Sheriff's Association (Greater MN)
Director	John Melvin	Office of Special Investigations	Minnesota Department of Corrections
Asst. County Attorney	Richard Dusterhoft	Ramsey County Attorney's Office	Minnesota County Attorney's Association (Metro)
County Attorney	Kristen Nelsen	Mower County Attorney's Office	Minnesota County Attorney's Association (Greater MN)
Chief	Darwin Melin	Lower Sioux Indian Community	Tribal Police Representative
Executive Director	Rosa Tock	Minnesota Council on Latino Affairs	Minnesota Council on Latino Affairs
Executive Director	Sia Her	Council on Asian Pacific Minnesotans	Council on Asian Pacific Minnesotans
Executive Director	Linda Sloan	Council for Minnesotans of African Heritage	Council for Minnesotans of African Heritage
Dr.	John Littlewolf	Shakopee Mdewakanton Sioux Community	Minnesota Indian Affairs Council
Asst. Attorney General	John Gross	Office of the Attorney General	Legal Counsel

Appendix B: MINNESOTA VIOLENT CRIME ENFORCEMENT TEAMS – 2020

VCET	COMMANDER	FISCAL AGENCY	ADVISORY BOARD CHAIR
Anoka-Hennepin Task Force	Lt. Brent Erickson	Anoka County Sheriff's Office	Fridley Chief Brian Weierke
Brown-Lyon-Renville-Redwood Task Force	Cmd. Joel Bills	New Ulm Police Department	Redwood Falls Chief Jason Cotner
Buffalo Ridge Task Force	Lt. Christopher Lewis	Pipestone County Sheriff's Office	Pipestone Co. Chief Deputy Mike Hamann
Cannon River Drug and Violent Crimes Task Force	Cmd. Paul LaRoche	Rice County Sheriff's Office	Faribault Chief Andy Bohlen
CEE-VI Task Force	Sgt. Ross Ardoff	Kandiyohi County Sheriff's Office	Meeker Co. Sheriff Brian Cruze
Central Minnesota Violent Offender Task Force	Sgt. Jay Salzer	Central Minnesota MCIU	Sartell Chief Jim Hughes
Dakota County Task Force	Capt. Christopher Melton	City of Eagan	Apple Valley Sgt. James Gummert
East Central Drug Task Force	Inv. Drew Abrahamson	Pine County Sheriff's Office	Kanabec Co. Sheriff Brian Smith
Hennepin County Violent Offender Task Force	Lt. Matt Stephens	Hennepin County Sheriff's Office	Major Pat King
Lakes to River Task Force	Lt. Brad Penas	Moorhead Police Department	Moorhead Chief Shannon Monroe
Lake Superior Drug and Gang Task Force	Lt. Jeff Kazel	Duluth Police Department	Duluth Deputy Chief Laura Marquardt
Minnesota River Valley Task Force	Lt. Jeff Wersal	Blue Earth County Sheriff's Office	Sheriff Brad Peterson
Northwest Metro Drug Task Force	Sgt. Shawn Grande	Plymouth Police Department	Public Safety Director Mike Goldstein
Paul Bunyan Drug and Gang Task Force	Sgt. Joe Kleszyk	Beltrami County Sheriff's Office	Bemidji Chief Mike Mastin
Pine to Prairie Task Force	Sgt. Aeiiso Schrage	Crookston Police Department	East Grand Forks Chief Mike Hedlund
Ramsey County Violent Crime Enforcement Team	Cmd. Ryan O'Neill	Ramsey County Sheriff's Office	Ramsey Undersheriff Mike Martin
South Central Drug Investigative Unit	Sgt. Andy Drenth	Owatonna Police Department	Owatonna Chief Keith Hiller
Southeast Minnesota Gang and Drug Task Force	Capt. Vince Scheckel	Olmsted County Sheriff's Office	Wabasha Co. Sheriff Rodney Bartsh
Southwest Metro Task Force	Sgt. Matt Carns	Shakopee Police Department	Carver Co. Sheriff Jason Kamerud
Washington County Task Force	Sgt. Michael Pearson	Washington Co Sheriff's Office	Washington Co. Sheriff Dan Starry
West Central Task Force	Cmd. Jason Roshia	Douglas County Sheriff's Office	Douglas Co. Sheriff Troy Wolbersen