



# The Paladin

Washington County Attorney's Office Quarterly Newsletter

## A Message from the County Attorney

By Kevin Magnuson, County Attorney

Dear staff and friends of the office,

It has been a very productive first three months of 2024 in the County Attorney's Office. That is in part due to a host of new laws from the last legislative session that went into effect at the beginning of this year. With new legislation comes not only new processes and training in our office but training for law enforcement and assistance in developing their own new processes. One such law is the Extreme Risk Protection Order Act, commonly referred to as the "red flag law." Minnesota law now allows family or household members to request an order from the court prohibiting a person in crisis and posing a risk to themselves or others from possessing a firearm. In preparation for this new law, our office collaborated with the courts, law enforcement, and other criminal justice partners to prepare a process for handling the requests and providing training on the new law and process. Our training theme continued in February and March with our attorneys presenting to local law enforcement on legal best practices for sex assault investigations. We also did a community presentation on how to spot human trafficking.



Not to be outdone, our innovative civil attorneys collaborated with the assessor's office to develop a new web-based method for taxpayers to serve property tax petitions. This new alternative method of service will be mutually beneficial to the taxpayer and the county. The taxpayer is now able to service their petitions from their computers or phones at home anytime of the day, and the county saves in personnel time.

As we go forward in the year, we want to continue to recognize the talent and tireless efforts of our staff, which is why attorneys and supervisors recently chipped in to celebrated Administrative Professional Day with a luncheon honoring staff at the Lake Elmo Inn. It is a small way to say thank you to our staff for the dedication to the office. The work they do makes a difference in the quality of life for all citizens in Washington County, building a stronger and better future.

Sincerely,

Kevin Magnuson



## East Metro Human Trafficking Task Force

By Scott Haldeman, Assistant County Attorney

The East Metro Human Trafficking Task Force has been putting more emphasis on recoveries of trafficking victims as well as assisting law enforcement agencies with runaway juveniles. A runaway or homeless juvenile is the second leading factor in juvenile sex trafficking. On average, runaway juveniles get solicited for sex within

the first 48 hours.

Recently, a grandmother of a 14-year-old girl from Cottage Grove reported her missing. Sgt. Paul Stenglein and Det. Brian Campbell learned that she was communicating over TextNow, a mobile app that provides free phone numbers and texting. The officers were able to obtain location information provided by TextNow and determined that she was likely at Boyd's Motel in Newport. Officers found the girl alone in the motel, dressed in lingerie. Initially reluctant, she eventually disclosed that she had been at the hotel for several days and was assaulted by a 37-year-old man she met online. Sgt. Stenglein then used the girl's cell phone to communicate with the man and get him to come back to the hotel. Angel Morales Moracho was arrested and is now charged with first degree criminal sexual conduct.

Det. Brian Campbell attended an "internet of things" conference in February. Many household items, like televisions, and even refrigerators, are connected to the internet. Cell phones are constantly looking for wi-fi and Bluetooth connections, including to these everyday household items. Every time connection is made, however brief, a data point is created. Household internet routers, typically owned by internet provider companies and rented to individuals, will also contain this valuable information. This conference was designed to give officers training on how to subpoena and pull location information from these everyday items to provide valuable investigative information.

While at the conference, Det. Campbell also met with representatives from Magnet Forensics, the company that distributes GrayKey. GrayKey is a program that allows law enforcement agencies to crack locked cell phones to execute search warrants for the phone data. Woodbury PD is the only jurisdiction in the county that has this capability. Through this connection, Det. Campbell located grant funding through a group called Operation Underground Railroad. The task force applied for, and was awarded, just over \$11,000 to purchase the GrayKey equipment.

Amanda Fehlen completed training and is now certified by the International Association of Criminal Analysts. Certification came after completing three 12-week online courses focusing on topics such as obtaining and digesting open-source information, crime mapping strategies, and using programs like Microsoft Excel as an analytical tool. Fehlen passed an extensive test to receive her certification.

## Woodbury Chamber of Commerce

County Attorney Kevin Magnuson and Assistant County Attorney Scott Haldeman, photographed with Woodbury City Council member Kim Wilson, met with the Woodbury Chamber of Commerce at the Oak Marsh Golf Course in Oakdale on February 29th to provide an overview on human trafficking.



## Criminal Division Highlights

By Nicholas Hydukovich, Criminal Division Head

The Criminal Division continued to advance the cause of justice in the first quarter of 2024. We tried serious and difficult cases and provided important training for our law enforcement officers and fellow prosecutors.

A jury found Mark Rios guilty of third-degree criminal sexual conduct for the sexual abuse of a child. Rios was sentenced to 72 months in prison, the maximum allowed by law under the circumstances. John Butler was found guilty by a jury of being an ineligible person in possession a firearm and sentenced to 60 months in prison. The prosecutors and staff who worked on these important cases deserve kudos for their tremendous efforts.

Our office was also pleased to bring justice to the final defendants charged in a tragic, senseless shooting at a Woodbury graduation party in 2021 that killed a 14-year-old boy. A jury found Xavier Hudson guilty of aiding and abetting second-degree murder and other charges in Fall 2023. In February, Hudson received a sentence totaling 447 months. Enrique Davila pleaded guilty to aiding and abetting second-degree murder and other charges in February. Davila was sentenced on May 3 to 20 years in prison. Our prosecutors and staff spent an extraordinary amount of time and energy doing justice for those affected by this heinous crime, and we are grateful for their outstanding work.

Criminal Division attorneys also continued to provide frequent training to law enforcement through our revitalized law enforcement training program, which is headed by Assistant County Attorney Wade Kish. We gave well-received presentations on investigations in criminal sexual conduct cases and searches and seizures of electronic evidence.

## Veterans Court Welcomes New Graduates

On Friday, February 2, two program participants graduated from Veterans Court. WCAO operates a Veterans Program (VP) to handle certain presumptive probation cases in which the defendant is a veteran struggling with the effects of his or her service in a hostile area. The program supports veterans and their families through a coordinated effort among the veteran services delivery system, community-based services, and

the court—thereby leaving no veteran behind. The VP identifies veterans, offers them assistance, assesses their needs, and helps them address fundamental problems that limit their ability to live law-abiding, productive lives.



## Civil Division Highlights

By Susan Tice, Civil Division Head

The Washington County Attorney's Office Civil Division started off 2024 with many projects and accomplishments.

Civil Division Staff assisted the Public Works (PW) Department with various projects, including condemnation actions for roadway construction projects, property transactions to expand the County's ability to deliver services to residents, and negotiated cooperative agreements to foster a strong economy.

The PW Department is in the final stages of completing a substantial update to the Washington County Parks Ordinance. Civil Division staff assisted with the final process steps to ensure compliance with statutory requirements for enacting the updates, including holding a Public Hearing, drafting a summary of the ordinance for required publication, drafting the Resolution for County Board consideration, and once passed, updating Court Administration with the new ordinance provisions.

Additionally, Washington County is considering authorizing an additional procurement process—called “Best Value Bidding” (BVB)—on select contracts for construction, building, alteration, improvements, or repairs. Traditionally, Washington County has utilized the “Lowest Responsible Bidder” procurement method for awarding these types of contracts. The BVB method would allow Washington County to consider performance factors such as quality of work, timeliness, technical capabilities, etc. in addition to just cost when awarding a contract. Washington County has authorized the PW Department to utilize the BVB procurement method on a pilot project basis. Civil Division staff is working closely with PW staff to ensure compliance with all legal requirements, such as completion of mandatory training, drafting legally permissible performance factors, and a fair and neutral performance evaluation process that results in vendor selection.

Civil Division Team members continued training efforts in the 1st quarter of 2024 by teaching courses on the MN Government Data Practice Act at the MN Chiefs of Police Association annual Command Academy at Camp Ripley. In addition, Civil Division staff provided Extreme Risk Protection Order (ERPO) training for 216 attorneys

at a MN County Attorneys Association webinar, to Washington County Social Workers and also to 40 investigators from various Washington County law enforcement agencies. The new ERPO legislation is Minnesota's version of a "red flag" law that allows Courts to restrict someone's ability to legally possess a firearm for 6-12 months. Civil Division staff also provided 1st and 4th Amendment training for 55 members of the Mobile Field Force, which is a separate legal entity comprised of law enforcement officers from agencies throughout Washington County, including the Washington County Sheriff's Office.

In 2024, the Civil Division assumed responsibility for handling the criminal appeal caseload and, to date, has handled a number of appeals making appearances and arguing before the MN Court of Appeals and before the MN Supreme Court on a 1st Degree Murder conviction.

Civil Division staff, along with the Washington County Assessor's Office and IT Department created a new online service system which provides a way for taxpayers to electronically serve their tax Petitions through the County website without having to personally serve Washington County. This new and innovative online service option went live 3/1/24 and has been working smoothly to greatly streamline the process.

---

## Training and Development



On January 25, **Criminal Division Head Nick Hydukovich** presented an in-house training on Rule 20.01 and 20.02 related issues. This training included tips for competency hearings and trials and a brief discussion on new legislation.



As part of the new law enforcement training curriculum, **Assistant County Attorney Wade Kish** presented on Criminal Sexual Conduct investigations on March 19 and 21.



**Civil Division Assistant Attorneys Pat Collins, Jim Zuleger, and John Ristad** presented to Washington County social workers in Extreme Risk Protection Orders.

## Welcome Aboard!



**Ben Walz** (left) joined our office in January as our newest law clerk. Ben was raised in Farmington received his degree in Criminal Justice from Iowa State University in 2022. He is currently a second-year law student at the University of St. Thomas and plans on working in the criminal law field after graduation. In his free time, he enjoys working out, watching Iowa State football and basketball games and spending time with friends and family.

**Ali Steger** (center) started in the WCAO on January 29th as our newest office specialist. Ali grew up in Eagan and graduated from the University of Nebraska-Lincoln in May 2023. Ali enjoys singing, playing trombone and ukulele, and volunteering at her mom's church. Ali has a cat who is almost three years old, Perry, and aspires to start law school in the next three years.

**Tami Orput** (right) joined the office on March 5th as a temporary Paralegal Assistant after spending over 30 years in private practice. She will be assisting with the Office's Law Enforcement training program.