

**PROSECUTION FUNCTIONS WITHIN  
COUNTY ATTORNEY'S OFFICE**

- A. PROSECUTE FELONY, GROSS MISDEMEANOR, AND MISDEMEANOR OFFENSES (Adult and Juvenile) OCCURRING WITHIN FREEBORN COUNTY, MINNESOTA.**
- (1) Receive written investigation reports from the Albert Lea Police Department or Freeborn County Sheriff's Office and review those reports.
  - (2) Draft complaint/petition (warrant/summons/order for detention): a statement of the investigation and a list of charges against a particular defendant/juvenile.
    - a. Refer the report back for further investigation.
    - b. Refuse to charge and notify law enforcement records of that decision.
  - (3) Sign complaint/petition and give to the Albert Lea Police Department or Freeborn County Sheriff's Office for signing and processing by Court Administrator's Office.
  - (4) Appear in court at Rule 5 hearing/Initial hearing.
  - (5) Appear in court at Rule 8 hearing.
  - (6) Notify witnesses of Omnibus hearing. Prepare for hearing.
  - (7) Appear in court and represent State. Present testimony, evidence, and argue at Omnibus hearing. Submit memorandums following hearing.
  - (8) Initiate plea negotiations before or after #6.
    - a. Conference with investigator/agency regarding appropriate plea (if any).
    - b. Conference with individual crime victim(s) regarding appropriate plea - if any.
    - c. Phone conference and/or letter to defense attorney with plea proposal.
    - d. If agreement reached, advise individual victim(s).
    - e. Represent the State in court at plea hearing.

**(9) Preparation for trial/adjudicatory hearing.**

- a. Contact witnesses with date and time.**
- b. Conferences with witnesses about testimony**
- c. View/review physical evidence in custody of investigator or civilian witness.**
- d. Prepare for trial.**

**(10) Trial of case to court or jury.**

**(11) If found guilty or plea obtained:**

- a. Send necessary information concerning victims to Court Services or Minnesota Department of Corrections for inclusion in the pre-sentence investigation.**
- b. Encourage victims to send in or submit victim impact statements.**

**(12) Prepare statement to court at time of sentencing/disposition.  
(If any needed.)**

**(13) Sentencing hearing / Disposition hearing**

**(14) Close file. Correspondence with victims. (Juvenile file remains open.)**