

ATTORNEY GENERAL

29 ATTORNEY GENERAL

MISSION:

To supervise, perform, and coordinate all responsibilities vested in the Office of the Attorney General; to provide effective legal counsel and representation to all agencies of state government as well as to political subdivisions; to issue official legal opinions for the clarification of questions pertaining to state law; to provide criminal investigation and prosecution on office initiative and through support of the state's attorneys; to handle all appeals, civil and criminal, in the Supreme Court of South Dakota and all other courts of higher appeal; to provide legal advice, counsel, and representation in all civil, criminal, and administrative matters in which the state is a party or interested; to provide law enforcement officer training and certification; to maintain efficient law enforcement communication between all state law enforcement personnel as well as interstate and national law enforcement agencies; to provide consumer protection through public information, investigation of complaints, and prosecution of violations when necessary; and, to fulfill all of the above goals and statutory responsibilities to the greatest extent possible with the manpower and monetary resources available.

LEGAL CITATION: Article IV, Section 12 of the South Dakota Constitution, SDCL 1-11 and Chapter 5 SL 1979.

	ACTUAL FY 2004	ACTUAL FY 2005	BUDGETED FY 2006	REQUESTED FY 2007	GOVERNOR'S RECOMMENDED FY 2007	RECOMMENDED INC/(DEC) FY 2007
FUNDING SOURCE:						
General Funds	\$ 5,143,178	\$ 5,891,423	\$ 7,056,205	\$ 9,620,113	\$ 9,161,862	\$ 2,105,657
Federal Funds	4,659,702	4,692,393	5,444,981	2,786,198	3,827,366	(1,617,615)
Other Funds	3,634,908	3,376,609	3,541,352	3,630,616	3,705,984	164,632
Total	\$ 13,437,788	\$ 13,960,426	\$ 16,042,538	\$ 16,036,927	\$ 16,695,212	\$ 652,674
EXPENDITURE DETAIL:						
Personal Services	\$ 8,109,108	\$ 8,531,064	\$ 9,199,428	\$ 9,379,783	\$ 9,728,058	\$ 528,630
Operating Expenses	5,328,680	5,429,362	6,843,110	6,657,144	6,967,154	124,044
Total	\$ 13,437,788	\$ 13,960,426	\$ 16,042,538	\$ 16,036,927	\$ 16,695,212	\$ 652,674
Staffing Level FTE:	136.9	140.0	144.0	146.0	146.0	2.0

ATTORNEY GENERAL

2900 Legal Services Program

MISSION:

To provide counsel for state agencies, boards, and commissions; to represent and defend all divisions of the state in all courts of law, including filing court briefs; to issue official opinions to legislators, county, state, and local officials, along with countless informal opinions; to mediate complaints regarding merchandise and purchases through the Consumer Protection Division; to educate consumers on their rights; and, to recover monies for South Dakota consumers in their complaint cases.

	ACTUAL FY 2004	ACTUAL FY 2005	BUDGETED FY 2006	REQUESTED FY 2007	GOVERNOR'S RECOMMENDED FY 2007	RECOMMENDED INC/(DEC) FY 2007
FUNDING SOURCE:						
General Funds	\$ 3,214,812	\$ 3,313,544	\$ 3,560,212	\$ 5,112,601	\$ 4,592,506	\$ 1,032,294
Federal Funds	2,632,199	2,548,064	3,156,812	427,756	1,442,627	(1,714,185)
Other Funds	729,452	645,226	639,161	666,486	680,851	41,690
Total	\$ 6,576,463	\$ 6,506,834	\$ 7,356,185	\$ 6,206,843	\$ 6,715,984	(\$ 640,201)
EXPENDITURE DETAIL:						
Personal Services	\$ 4,392,997	\$ 4,497,812	\$ 4,834,659	\$ 4,892,490	\$ 5,072,986	\$ 238,327
Operating Expenses	2,183,465	2,009,022	2,521,526	1,314,353	1,642,998	(878,528)
Total	\$ 6,576,463	\$ 6,506,834	\$ 7,356,185	\$ 6,206,843	\$ 6,715,984	(\$ 640,201)
Staffing Level FTE:	70.6	70.8	73.0	73.0	73.0	0.0

	ACTUAL FY 2004	ACTUAL FY 2005	ESTIMATED FY 2006	ESTIMATED FY 2007
REVENUES				
DENR Legal	43,071	40,304	60,360	60,360
GFP Legal	22,439	22,439	22,439	22,439
Medicaid Fraud Grant	203,031	264,610	225,000	225,000
Drug Task Force Grant	2,436,299	2,341,264	880,000	880,000
Drug Control Fund	470,000	515,000	470,000	470,000
Statistical Analysis Grant	56,370	46,554	50,000	50,000
Total	3,231,210	3,230,171	1,707,799	1,707,799

PERFORMANCE INDICATORS

Legal Services:				
Opinions Issued	38	16	20	20
New Cases Opened/Closed/Pending (Thousands)	1.5/1.4/1.8	1.3/1.2/1.9	1.4/1.7/2.1	1.4/1.7/2.1
Briefs/Mail Docketing	160/13,654	147/12,368	160/13,500	160/13,500
Consumer Protection:				
Complaints Opened/Closed	2,607/2,186	2,845/2,354	2,600/2,400	2,600/2,400
Mail Incoming/Outgoing	7,182/9,980	7,822/9,489	7,800/10,000	7,800/10,000
Phone Calls	20,691	18,033	18,000	18,000
Charitable Solicitation Registrations	292	341	350	350
Buying Club Registrations	2	3	3	3
Value of Consumer Protection				
Complaints Resolved	\$1,708,018	\$4,704,941	\$3,000,000	\$3,000,000
Solicitors	41	37	40	40
Medicaid Fraud:				
Cases Opened/Closed/Pending	21/17/29	26/15/41	35/30/30	35/30/30
Felony/Misdemeanor Convictions	0/0	4/0	5/4	5/4
Recoveries	\$393,086	\$1,678,484	\$350,000	\$350,000
Funded Multi-Jurisdictional:				
Task Forces/Other Funded Projects	1/12	1/9	1/7	1/5
STAT Grant:				
Reports Published/Coordination Activities	6/14	5/17	7/17	7/17
Requests Received	150	200	225	250

ATTORNEY GENERAL

2911 Criminal Investigation

MISSION:

To provide assistance to local law enforcement agencies and prosecutors in the investigation of major crimes; to conduct and coordinate investigations of criminal violations for state, local, and federal governments; to collect and disseminate criminal intelligence information to support the investigative functions; to maintain identification records and criminal history information; to provide scientific examinations of evidence and expert court testimony; to enhance the quantity, quality, and timeliness of crime statistical data to better serve the needs of investigators and policymakers; to provide public education and prevention of internet crimes, facilitate internet criminal investigations; and, to provide computer forensics expertise.

	ACTUAL FY 2004	ACTUAL FY 2005	BUDGETED FY 2006	REQUESTED FY 2007	GOVERNOR'S RECOMMENDED FY 2007	RECOMMENDED INC/(DEC) FY 2007
FUNDING SOURCE:						
General Funds	\$ 1,928,366	\$ 2,577,879	\$ 3,495,993	\$ 4,094,850	\$ 4,185,028	\$ 689,035
Federal Funds	2,027,504	2,144,329	2,288,169	2,358,442	2,384,739	96,570
Other Funds	1,656,514	1,395,481	1,530,017	1,523,590	1,561,786	31,769
Total	\$ 5,612,383	\$ 6,117,690	\$ 7,314,179	\$ 7,976,882	\$ 8,131,553	\$ 817,374
EXPENDITURE DETAIL:						
Personal Services	\$ 3,165,340	\$ 3,464,526	\$ 3,786,848	\$ 3,886,848	\$ 4,031,622	\$ 244,774
Operating Expenses	2,447,043	2,653,163	3,527,331	4,090,034	4,099,931	572,600
Total	\$ 5,612,383	\$ 6,117,690	\$ 7,314,179	\$ 7,976,882	\$ 8,131,553	\$ 817,374
Staffing Level FTE:	55.7	58.6	61.0	63.0	63.0	2.0

	ACTUAL FY 2004	ACTUAL FY 2005	ESTIMATED FY 2006	ESTIMATED FY 2007
REVENUES				
Record Check	249,386	247,326	250,000	250,000
Marijuana Eradication Grant	77,000	10,000	77,000	50,000
Total	326,386	257,326	327,000	300,000
PERFORMANCE INDICATORS				
Investigations Conducted by DCI	683	580	700	700
Polygraph Exams Conducted	119	110	125	125
Criminal Fingerprint Cards Received and Processed	26,000	26,582	28,000	28,000
Noncriminal Background Fingerprint Checks	15,500	14,269	18,500	18,500
Sex Offender Fingerprint Card Processing	1,625	1,686	1,850	1,850
Criminal Record Checks Received and Complied With	76,800	68,079	75,000	76,000
Criminal Records Updated	40,000	39,873	42,000	42,000
Value of Drugs Seized	\$1,600,000	\$1,600,000	\$1,600,000	\$1,600,000
Lab Reports	752	671	800	800
Hours in Court by Lab	765	774	770	780

ATTORNEY GENERAL

2912 Law Enforcement Training

MISSION:

To train all law enforcement officers who are not presently certified according to the standards set by the Law Enforcement Standards and Training Commission; to provide a program of advanced, specialized, and regional training for all law enforcement personnel; to provide assistance and information needed by the Law Enforcement Standards and Training Commission to perform their duties; and, to provide assistance to the State Association of States Attorneys in designing and implementing a training program for all prosecuting attorneys.

	ACTUAL FY 2004	ACTUAL FY 2005	BUDGETED FY 2006	REQUESTED FY 2007	GOVERNOR'S RECOMMENDED FY 2007	RECOMMENDED INC/(DEC) FY 2007
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	412,662	\$ 384,328	\$ 384,328
Federal Funds	0	0	0	0	0	0
Other Funds	1,114,909	1,170,030	1,183,449	1,251,120	1,270,464	87,015
Total	\$ 1,114,909	\$ 1,170,030	\$ 1,183,449	\$ 1,663,782	\$ 1,654,792	\$ 471,343
EXPENDITURE DETAIL:						
Personal Services	\$ 466,036	\$ 476,047	\$ 482,812	\$ 505,336	\$ 524,680	\$ 41,868
Operating Expenses	648,873	693,983	700,637	1,158,446	1,130,112	429,475
Total	\$ 1,114,909	\$ 1,170,030	\$ 1,183,449	\$ 1,663,782	\$ 1,654,792	\$ 471,343
Staffing Level FTE:	8.6	8.7	8.0	8.0	8.0	0.0

	ACTUAL FY 2004	ACTUAL FY 2005	ESTIMATED FY 2006	ESTIMATED FY 2007
REVENUES				
Law Enforcement Revolving Fund	2,324,015	2,645,620	2,645,620	2,645,620
Total	2,324,015	2,645,620	2,645,620	2,645,620

	ACTUAL FY 2004	ACTUAL FY 2005	ESTIMATED FY 2006	ESTIMATED FY 2007
PERFORMANCE INDICATORS				
Officers Certified, Basic 520-Hour Course	109	122	135	135
Officers Attending Specialized, Advanced, and Field Courses	3,363	2,529	3,465	3,465
Courses Scheduled	50	64	70	70
Officers Attending Grant Training	27	311	200	200
Grants Awarded	2	13	14	14
Other Groups Conducting Seminars and Meetings Using Training Facilities (People)	2,100	2,100	2,100	2,100
Officers Requesting Reciprocity Certification	20	9	18	18
Officers Receiving Reciprocity Certification	14	6	9	9
Reserve Officers Certified in SD	202	210	210	210
Pending Certification Law Enforcement Officers in South Dakota	80	66	120	120
Officers Certified	1,606	1,689	1,625	1,625
D.A.R.E. Participating Agencies	71	70	78	78
Schools with D.A.R.E.	141	131	161	161
Student Participation	7,037	7,093	10,000	10,000
Cities with D.A.R.E.	88	67	80	80
D.A.R.E. Officers	138	160	160	160

ATTORNEY GENERAL

2913 911 Training

MISSION:

To train all 911 telecommunications officers who are not presently certified according to the standards set by the Law Enforcement Standards and Training Commission; to provide a program of advanced, specialized, and regional training for all 911 telecommunications personnel; and, to provide assistance and information needed by the Law Enforcement Standards and Training Commission to perform their duties.

	ACTUAL FY 2004	ACTUAL FY 2005	BUDGETED FY 2006	REQUESTED FY 2007	GOVERNOR'S RECOMMENDED FY 2007	RECOMMENDED INC/(DEC) FY 2007
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	134,034	165,871	188,725	189,420	192,883	4,158
Total	\$ 134,034	\$ 165,871	\$ 188,725	\$ 189,420	\$ 192,883	\$ 4,158
EXPENDITURE DETAIL:						
Personal Services	\$ 84,734	\$ 92,678	\$ 95,109	\$ 95,109	\$ 98,770	\$ 3,661
Operating Expenses	49,300	73,193	93,616	94,311	94,113	497
Total	\$ 134,034	\$ 165,871	\$ 188,725	\$ 189,420	\$ 192,883	\$ 4,158
Staffing Level FTE:	2.0	1.9	2.0	2.0	2.0	0.0

	ACTUAL FY 2004	ACTUAL FY 2005	ESTIMATED FY 2006	ESTIMATED FY 2007
REVENUES				
911 Law Enforcement Revolving Fund	134,124	132,537	132,537	132,537
Total	134,124	132,537	132,537	132,537
PERFORMANCE INDICATORS				
911 Telecommunicators Certified	55	53	70	70
Telecommunicators Attending Advanced Courses	103	133	90	90
Courses Scheduled	19	22	15	15
Terminal Operators Certified	335	241	300	300
Active Certified 911 Telecommunicators	421	395	470	470
Active Terminal Operators	1,343	1,825	925	925
Audits In-State National Crime Info. Center	96	34	0	0