

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 2005	ACTUAL FY 2006	BUDGETED FY 2007	REQUESTED FY 2008	GOVERNOR'S RECOMMENDED FY 2008	RECOMMENDED INC/(DEC) FY 2008
FUNDING SOURCE:						
General Funds	\$ 5,891,423	\$ 7,055,961	\$ 13,378,532	\$ 9,510,613	\$ 9,685,641	(\$ 3,692,891)
Federal Funds	4,692,393	4,910,391	3,827,366	3,735,767	3,680,014	(147,352)
Other Funds	3,376,609	3,631,762	3,705,984	3,962,259	4,042,420	336,436
Total	\$ 13,960,426	\$ 15,598,114	\$ 20,911,882	\$ 17,208,639	\$ 17,408,075	(\$ 3,503,807)
EXPENDITURE DETAIL:						
Personal Services	\$ 8,531,064	\$ 9,249,495	\$ 9,789,058	\$ 10,158,618	\$ 10,435,430	\$ 646,372
Operating Expenses	5,429,362	6,348,620	11,122,824	7,050,021	6,972,645	(4,150,179)
Total	\$ 13,960,426	\$ 15,598,114	\$ 20,911,882	\$ 17,208,639	\$ 17,408,075	(\$ 3,503,807)
Staffing Level FTE:	140.0	146.9	146.0	153.0	152.0	6.0

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 2005	ACTUAL FY 2006	BUDGETED FY 2007	REQUESTED FY 2008	GOVERNOR'S RECOMMENDED FY 2008	RECOMMENDED INC/(DEC) FY 2008
FUNDING SOURCE:						
General Funds	\$ 3,313,544	\$ 3,560,038	\$ 4,592,506	\$ 4,920,398	\$ 5,122,685	\$ 530,179
Federal Funds	2,548,064	2,754,400	1,442,627	1,145,374	1,168,775	(273,852)
Other Funds	645,226	798,442	680,851	804,832	823,117	142,266
Total	\$ 6,506,834	\$ 7,112,879	\$ 6,715,984	\$ 6,870,604	\$ 7,114,577	\$ 398,593
EXPENDITURE DETAIL:						
Personal Services	\$ 4,497,812	\$ 4,825,254	\$ 5,072,986	\$ 5,197,993	\$ 5,377,164	\$ 304,178
Operating Expenses	2,009,022	2,287,625	1,642,998	1,672,611	1,737,413	94,415
Total	\$ 6,506,834	\$ 7,112,879	\$ 6,715,984	\$ 6,870,604	\$ 7,114,577	\$ 398,593
Staffing Level FTE:	70.8	71.0	73.0	74.0	74.0	1.0

	ACTUAL FY 2005	ACTUAL FY 2006	ESTIMATED FY 2007	ESTIMATED FY 2008
REVENUES				
DENR Legal	40,304	52,889	60,360	60,360
GFP Legal	22,439	24,195	24,195	24,195
Medicaid Fraud Grant	264,610	199,985	225,000	225,000
Drug Task Force Grant	2,341,264	2,218,730	880,000	500,000
Drug Control Fund	515,000	475,000	475,000	475,000
Statistical Analysis Grant	46,554	54,077	50,000	50,000
Total	3,230,171	3,024,876	1,714,555	1,334,555

PERFORMANCE INDICATORS

Legal Services:				
Opinions Issued	16	14	15	15
New Cases Opened/Closed/Pending (Thousands)	1.3/1.2/1.9	1.2/1.2/1.9	1.3/1.3/2.0	1.3/1.3/2.0
Briefs/Mail Docketing	147/12,368	157/11,693	160/13,500	160/13,500
Consumer Protection:				
Complaints Opened/Closed	2,845/2,354	2,777/3,088	2,900/3,000	2,900/3,000
Mail Incoming/Outgoing	7,822/9,489	6,597/9,906	7,000/10,000	7,000/10,000
Phone Calls	18,033	16,998	17,000	17,000
Charitable Solicitation Registrations	341	379	380	380
Buying Club Registrations	3	3	3	3
Value of Consumer Protection				
Complaints Resolved	\$4,704,941	\$11,444,236	\$3,000,000	\$3,000,000
Solicitors	37	41	44	44
Medicaid Fraud:				
Cases Opened/Closed/Pending	26/15/41	17/14/16	15/18/18	15/18/18
Felony/Misdemeanor Convictions	4/0	4/4	5/4	5/4
Recoveries	\$1,678,484	\$538,208	\$600,000	\$600,000
Funded Multi-Jurisdictional:				
Task Forces/Other Funded Projects	1/9	1/5	1/3	1/2
STAT Grant:				
Reports Published/Coordination Activities	5/17	4/20	5/20	5/20
Requests Received	200	225	250	275

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 2005	ACTUAL FY 2006	BUDGETED FY 2007	REQUESTED FY 2008	GOVERNOR'S RECOMMENDED FY 2008	RECOMMENDED INC/(DEC) FY 2008
FUNDING SOURCE:						
General Funds	\$ 2,577,879	\$ 3,495,923	\$ 3,838,568	\$ 4,205,887	\$ 4,013,060	\$ 174,492
Federal Funds	2,144,329	2,155,991	2,384,739	2,590,393	2,511,239	126,500
Other Funds	1,395,481	1,467,989	1,561,786	1,561,786	1,754,087	192,301
Total	\$ 6,117,690	\$ 7,119,903	\$ 7,785,093	\$ 8,358,066	\$ 8,278,386	\$ 493,293
EXPENDITURE DETAIL:						
Personal Services	\$ 3,464,526	\$ 3,826,332	\$ 4,031,622	\$ 4,220,680	\$ 4,350,188	\$ 318,566
Operating Expenses	2,653,163	3,293,571	3,753,471	4,137,386	3,928,198	174,727
Total	\$ 6,117,690	\$ 7,119,903	\$ 7,785,093	\$ 8,358,066	\$ 8,278,386	\$ 493,293
Staffing Level FTE:	58.6	64.7	63.0	66.5	66.5	3.5

	ACTUAL FY 2005	ACTUAL FY 2006	ESTIMATED FY 2007	ESTIMATED FY 2008
REVENUES				
Record Check	247,326	293,647	325,000	325,000
Marijuana Eradication Grant	10,000	2,000	20,000	50,000
Total	257,326	295,647	345,000	375,000
PERFORMANCE INDICATORS				
Investigations Conducted by DCI	580	599	650	700
Polygraph Exams Conducted	110	81	110	125
Criminal Fingerprint Cards Received and Processed	26,582	28,617	29,256	30,256
Noncriminal Background Fingerprint Checks	14,269	19,576	21,700	21,700
Sex Offender Fingerprint Card Processing	1,686	2,204	2,305	2,405
Criminal Record Checks Received and Complied With	68,079	74,345	75,234	76,234
Criminal Records Updated	39,873	42,926	45,789	48,976
Value of Drugs Seized	\$1,600,000	\$1,600,000	\$1,600,000	\$1,600,000
Lab Reports	671	498	700	800
Hours in Court by Lab	774	460	650	800

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 2005	ACTUAL FY 2006	BUDGETED FY 2007	REQUESTED FY 2008	GOVERNOR'S RECOMMENDED FY 2008	RECOMMENDED INC/(DEC) FY 2008
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 384,328	\$ 384,328	\$ 549,724	\$ 165,396
Federal Funds	0	0	0	0	0	0
Other Funds	1,170,030	1,203,461	1,270,464	1,397,508	1,270,850	386
Total	\$ 1,170,030	\$ 1,203,461	\$ 1,654,792	\$ 1,781,836	\$ 1,820,574	\$ 165,782
EXPENDITURE DETAIL:						
Personal Services	\$ 476,047	\$ 502,873	\$ 585,680	\$ 641,175	\$ 605,912	\$ 20,232
Operating Expenses	693,983	700,588	1,069,112	1,140,661	1,214,662	145,550
Total	\$ 1,170,030	\$ 1,203,461	\$ 1,654,792	\$ 1,781,836	\$ 1,820,574	\$ 165,782
Staffing Level FTE:	8.7	9.2	8.0	10.5	9.5	1.5

	ACTUAL FY 2005	ACTUAL FY 2006	ESTIMATED FY 2007	ESTIMATED FY 2008
REVENUES				
Law Enforcement Revolving Fund	2,645,620	2,703,591	2,703,590	2,703,590
Total	2,645,620	2,703,591	2,703,590	2,703,590

	ACTUAL FY 2005	ACTUAL FY 2006	ESTIMATED FY 2007	ESTIMATED FY 2008
PERFORMANCE INDICATORS				
Officers Certified, Basic 520-Hour Course	122	103	135	135
Officers Attending Specialized, Advanced, and Field Courses	2,529	3,504	3,500	3,500
Courses Scheduled	64	58	70	70
Officers Attending Grant Training	311	101	200	200
Grants Awarded	13	3	14	14
Other Groups Conducting Seminars and Meetings Using Training Facilities (People)	2,100	3,000	3,200	3,200
Officers Requesting Reciprocity Certification	9	25	18	18
Officers Receiving Reciprocity Certification	6	13	9	9
Reserve Officers Certified in SD	210	183	210	210
Pending Certification Law Enforcement Officers in South Dakota	66	63	120	120
Officers Certified	1,689	1,682	1,625	1,625
D.A.R.E. Participating Agencies	70	69	70	70
Schools with D.A.R.E.	131	135	161	161
Student Participation	7,093	7,027	10,000	10,000
Cities with D.A.R.E.	67	67	80	80
D.A.R.E. Officers	160	140	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 2005	ACTUAL FY 2006	BUDGETED FY 2007	REQUESTED FY 2008	GOVERNOR'S RECOMMENDED FY 2008	RECOMMENDED INC/(DEC) FY 2008
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 172	\$ 172
Federal Funds	0	0	0	0	0	0
Other Funds	165,871	161,871	192,883	198,133	194,366	1,483
Total	\$ 165,871	\$ 161,871	\$ 192,883	\$ 198,133	\$ 194,538	\$ 1,655
EXPENDITURE DETAIL:						
Personal Services	\$ 92,678	\$ 95,035	\$ 98,770	\$ 98,770	\$ 102,166	\$ 3,396
Operating Expenses	73,193	66,836	94,113	99,363	92,372	(1,741)
Total	\$ 165,871	\$ 161,871	\$ 192,883	\$ 198,133	\$ 194,538	\$ 1,655
Staffing Level FTE:	1.9	2.0	2.0	2.0	2.0	0.0

	ACTUAL FY 2005	ACTUAL FY 2006	ESTIMATED FY 2007	ESTIMATED FY 2008
REVENUES				
911 Law Enforcement Revolving Fund	132,537	135,022	135,000	135,000
Total	132,537	135,022	135,000	135,000
PERFORMANCE INDICATORS				
911 Telecommunicators Certified	53	39	70	70
Telecommunicators Attending Advanced Courses	133	77	90	90
Courses Scheduled	22	30	15	15
Terminal Operators Certified	241	375	300	300
Active Certified 911 Telecommunicators	395	210	470	400
Active Terminal Operators	1,825	1,617	925	1,000
Audits In-State National Crime Info. Center	34	0	0	0

ATTORNEY GENERAL

2914 Callable Bonds (General Funds Only)

	ACTUAL FY 2005	ACTUAL FY 2006	BUDGETED FY 2007	REQUESTED FY 2008	GOVERNOR'S RECOMMENDED FY 2008	RECOMMENDED INC/(DEC) FY 2008
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 4,563,130	\$ 0	\$ 0	(\$ 4,563,130)
Federal Funds	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0
Total	\$ 0	\$ 0	\$ 4,563,130	\$ 0	\$ 0	(\$ 4,563,130)
EXPENDITURE DETAIL:						
Personal Services	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Operating Expenses	0	0	4,563,130	0	0	(4,563,130)
Total	\$ 0	\$ 0	\$ 4,563,130	\$ 0	\$ 0	(\$ 4,563,130)
Staffing Level FTE:	0.0	0.0	0.0	0.0	0.0	0.0