

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 2006	ACTUAL FY 2007	BUDGETED FY 2008	REQUESTED FY 2009	GOVERNOR'S RECOMMENDED FY 2009	RECOMMENDED INC/(DEC) FY 2009
FUNDING SOURCE:						
General Funds	\$ 7,055,961	\$ 13,377,381	\$ 9,685,641	\$ 10,047,579	\$ 9,714,137	\$ 28,496
Federal Funds	4,910,391	3,518,316	3,680,014	3,724,080	3,998,603	318,589
Other Funds	3,631,762	3,760,836	4,223,513	4,432,448	4,408,178	184,665
Total	\$ 15,598,114	\$ 20,656,532	\$ 17,589,168	\$ 18,204,107	\$ 18,120,918	\$ 531,750
EXPENDITURE DETAIL:						
Personal Services	\$ 9,249,495	\$ 9,729,882	\$ 10,519,878	\$ 10,943,311	\$ 11,000,236	\$ 480,358
Operating Expenses	6,348,620	10,926,650	7,069,290	7,260,796	7,120,682	51,392
Total	\$ 15,598,114	\$ 20,656,532	\$ 17,589,168	\$ 18,204,107	\$ 18,120,918	\$ 531,750
Staffing Level FTE:	146.9	147.2	153.0	155.0	155.0	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 2006	ACTUAL FY 2007	BUDGETED FY 2008	REQUESTED FY 2009	GOVERNOR'S RECOMMENDED FY 2009	RECOMMENDED INC/(DEC) FY 2009
FUNDING SOURCE:						
General Funds	\$ 3,560,038	\$ 4,591,980	\$ 5,122,685	\$ 5,260,378	\$ 5,126,207	\$ 3,522
Federal Funds	2,754,400	1,334,198	1,168,775	1,186,867	1,457,811	289,036
Other Funds	798,442	724,388	823,117	880,981	799,842	(23,275)
Total	\$ 7,112,879	\$ 6,650,565	\$ 7,114,577	\$ 7,328,226	\$ 7,383,860	\$ 269,283
EXPENDITURE DETAIL:						
Personal Services	\$ 4,825,254	\$ 4,991,457	\$ 5,377,164	\$ 5,590,813	\$ 5,644,796	\$ 267,632
Operating Expenses	2,287,625	1,659,108	1,737,413	1,737,413	1,739,064	1,651
Total	\$ 7,112,879	\$ 6,650,565	\$ 7,114,577	\$ 7,328,226	\$ 7,383,860	\$ 269,283
Staffing Level FTE:	71.0	70.9	74.0	75.0	75.0	1.0

	ACTUAL FY 2006	ACTUAL FY 2007	ESTIMATED FY 2008	ESTIMATED FY 2009
REVENUES				
DENR Legal	52,889	49,549	60,360	60,360
GFP Legal	24,195	25,357	24,195	24,195
Medicaid Fraud Grant	199,985	292,605	225,000	225,000
Drug Task Force Grant	2,218,730	1,105,515	500,000	300,000
Drug Control Fund	475,000	465,000	475,000	475,000
Statistical Analysis Grant	54,077	56,359	50,000	50,000
Total	3,024,876	1,994,385	1,334,555	1,134,555

	ACTUAL FY 2006	ACTUAL FY 2007	ESTIMATED FY 2008	ESTIMATED FY 2009
PERFORMANCE INDICATORS				
Legal Services:				
Opinions Issued	14	27	20	20
New Cases Opened/Closed/Pending (Thousands)	1.2/1.2/1.9	1.1/1.0/1.9	1.2/1.2/2.0	1.2/1.2/2.0
Briefs/Mail Docketing	157/11,693	144/10,900	154/13,500	154/12,000
Consumer Protection:				
Complaints Opened/Closed	2,777/3,088	2,531/2,418	2,600/2,500	2,600/2,500
Mail Incoming/Outgoing	6,597/9,906	6,424/8,553	6,800/9,000	6,800/9,000
Phone Calls/E-Mail/Hotline	16,998	15,663	15,800	15,800
Charitable Solicitation Registrations	379	391	395	395
Buying Club Registrations	3	3	3	3
Value of Consumer Protection				
Complaints Resolved	\$11,444,236	\$3,501,772	\$3,500,000	\$3,500,000
Solicitors	41	45	45	45
Medicaid Fraud:				
Cases Opened/Closed/Pending	17/14/16	11/9/19	12/11/12	12/11/12
Felony/Misdemeanor Convictions	4/4	3/0	4/0	4/0
Recoveries	\$538,208	\$881,105	\$700,000	\$700,000
Funded Multi-Jurisdictional:				
Task Forces/Other Funded Projects	1/5	1/3	1/3	1/3
STAT Grant:				
Reports Published/Coordination Activities	4/20	2/18	6/18	6/18
Requests Received	225	250	260	270

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 2006	ACTUAL FY 2007	BUDGETED FY 2008	REQUESTED FY 2009	GOVERNOR'S RECOMMENDED FY 2009	RECOMMENDED INC/(DEC) FY 2009
FUNDING SOURCE:						
General Funds	\$ 3,495,923	\$ 3,837,943	\$ 4,013,060	\$ 4,237,305	\$ 4,105,528	\$ 92,468
Federal Funds	2,155,991	2,184,118	2,511,239	2,537,213	2,540,792	29,553
Other Funds	1,467,989	1,608,443	1,781,375	1,843,165	1,873,883	92,508
Total	\$ 7,119,903	\$ 7,630,504	\$ 8,305,674	\$ 8,617,683	\$ 8,520,203	\$ 214,529
EXPENDITURE DETAIL:						
Personal Services	\$ 3,826,332	\$ 4,054,702	\$ 4,377,476	\$ 4,579,795	\$ 4,566,265	\$ 188,789
Operating Expenses	3,293,571	3,575,802	3,928,198	4,037,888	3,953,938	25,740
Total	\$ 7,119,903	\$ 7,630,504	\$ 8,305,674	\$ 8,617,683	\$ 8,520,203	\$ 214,529
Staffing Level FTE:	64.7	63.1	66.5	67.5	67.5	1.0

	ACTUAL FY 2006	ACTUAL FY 2007	ESTIMATED FY 2008	ESTIMATED FY 2009
REVENUES				
Record Check	293,647	378,111	350,000	350,000
Marijuana Eradication Grant	2,000		2,000	2,000
Total	295,647	378,111	352,000	352,000
PERFORMANCE INDICATORS				
Investigations Conducted by DCI	599	534	700	700
Polygraph Exams Conducted	81	52	125	125
Criminal Fingerprint Cards Received	28,617	26,819	27,560	30,000
Noncriminal Background Fingerprint Checks	19,576	22,960	28,500	35,500
Sex Offender Fingerprint Card Processing	2,204	2,389	2,405	2,470
Criminal Record Check Inquires	74,345	86,387	90,000	92,400
Lab Reports	498	896	800	800
Hours in Court by Lab	460	830	800	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 2006	ACTUAL FY 2007	BUDGETED FY 2008	REQUESTED FY 2009	GOVERNOR'S RECOMMENDED FY 2009	RECOMMENDED INC/(DEC) FY 2009
FUNDING SOURCE:						
General Funds	\$ 0	\$ 384,328	\$ 549,724	\$ 549,724	\$ 482,402	(\$ 67,322)
Federal Funds	0	0	0	0	0	0
Other Funds	1,203,461	1,282,986	1,419,405	1,507,864	1,530,704	111,299
Total	\$ 1,203,461	\$ 1,667,314	\$ 1,969,129	\$ 2,057,588	\$ 2,013,106	\$ 43,977
EXPENDITURE DETAIL:						
Personal Services	\$ 502,873	\$ 598,322	\$ 663,072	\$ 669,715	\$ 683,062	\$ 19,990
Operating Expenses	700,588	1,068,992	1,306,057	1,387,873	1,330,044	23,987
Total	\$ 1,203,461	\$ 1,667,314	\$ 1,969,129	\$ 2,057,588	\$ 2,013,106	\$ 43,977
Staffing Level FTE:	9.2	11.1	10.5	10.5	10.5	0.0

	ACTUAL FY 2006	ACTUAL FY 2007	ESTIMATED FY 2008	ESTIMATED FY 2009
REVENUES				
Law Enforcement Revolving Fund	2,703,591	2,689,300	4,050,000	4,050,000
Total	2,703,591	2,689,300	4,050,000	4,050,000

	ACTUAL FY 2006	ACTUAL FY 2007	ESTIMATED FY 2008	ESTIMATED FY 2009
PERFORMANCE INDICATORS				
Officers Certified, Basic 520-Hour Course	103	118	125	125
Officers Attending Specialized, Advanced, and Field Courses	3,504	3,853	3,500	3,500
Courses Scheduled	58	60	65	65
Officers Attending Grant Training	101	185	200	200
Grants Awarded	3	6	7	7
Other Groups Conducting Seminars and Meetings Using Training Facilities (People)	3,000	3,200	3,200	3,200
Officers Requesting Reciprocity Certification	25	25	25	25
Officers Receiving Reciprocity Certification	13	15	9	9
Reserve Officers Certified in SD	183	203	210	210
Pending Certification Law Enforcement Officers in South Dakota	63	105	120	120
Officers Certified	1,682	1,680	1,680	1,680
D.A.R.E. Participating Agencies	69	63	70	70
Schools with D.A.R.E.	135	98	105	105
Student Participation	7,027	6,665	7,500	7,500
Cities with D.A.R.E.	67	54	62	62
D.A.R.E. Officers	140	122	125	125

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 2006	ACTUAL FY 2007	BUDGETED FY 2008	REQUESTED FY 2009	GOVERNOR'S RECOMMENDED FY 2009	RECOMMENDED INC/(DEC) FY 2009
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 172	\$ 172	\$ 0	(\$ 172)
Federal Funds	0	0	0	0	0	0
Other Funds	161,871	145,019	199,616	200,438	203,749	4,133
Total	\$ 161,871	\$ 145,019	\$ 199,788	\$ 200,610	\$ 203,749	\$ 3,961
EXPENDITURE DETAIL:						
Personal Services	\$ 95,035	\$ 85,401	\$ 102,166	\$ 102,988	\$ 106,113	\$ 3,947
Operating Expenses	66,836	59,618	97,622	97,622	97,636	14
Total	\$ 161,871	\$ 145,019	\$ 199,788	\$ 200,610	\$ 203,749	\$ 3,961
Staffing Level FTE:	2.0	2.0	2.0	2.0	2.0	0.0

	ACTUAL FY 2006	ACTUAL FY 2007	ESTIMATED FY 2008	ESTIMATED FY 2009
REVENUES				
911 Law Enforcement Revolving Fund	135,022	133,839	135,000	135,000
Total	135,022	133,839	135,000	135,000
PERFORMANCE INDICATORS				
911 Telecommunicators Certified	39	59	60	60
Telecommunicators Attending Advanced Courses	77	318	320	320
Courses Scheduled	30	28	30	30
Terminal Operators Certified	375	224	220	220
Active Certified 911 Telecommunicators	210	371	375	375
Active Terminal Operators	1,617	1,753	1,775	1,775

ATTORNEY GENERAL

2914 Callable Bonds (General Funds Only)

	ACTUAL FY 2006	ACTUAL FY 2007	BUDGETED FY 2008	REQUESTED FY 2009	GOVERNOR'S RECOMMENDED FY 2009	RECOMMENDED INC/(DEC) FY 2009
FUNDING SOURCE:						
General Funds	\$ 0	\$ 4,563,130	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0
Total	\$ 0	\$ 4,563,130	\$ 0	\$ 0	\$ 0	\$ 0
EXPENDITURE DETAIL:						
Personal Services	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Operating Expenses	0	4,563,130	0	0	0	0
Total	\$ 0	\$ 4,563,130	\$ 0	\$ 0	\$ 0	\$ 0
Staffing Level FTE:	0.0	0.0	0.0	0.0	0.0	0.0