

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 2007	ACTUAL FY 2008	BUDGETED FY 2009	REQUESTED FY 2010	GOVERNOR'S RECOMMENDED FY 2010	RECOMMENDED INC/(DEC) FY 2010
FUNDING SOURCE:						
General Funds	\$ 13,377,381	\$ 9,673,358	\$ 9,745,243	\$ 10,684,296	\$ 10,264,153	\$ 518,910
Federal Funds	3,518,316	3,456,104	4,006,041	3,551,242	3,565,360	(440,681)
Other Funds	3,760,836	4,080,171	4,629,720	4,705,790	5,081,487	451,767
Total	\$ 20,656,532	\$ 17,209,634	\$ 18,381,004	\$ 18,941,328	\$ 18,911,000	\$ 529,996
EXPENDITURE DETAIL:						
Personal Services	\$ 9,729,882	\$ 10,312,620	\$ 11,050,322	\$ 11,358,963	\$ 11,471,765	\$ 421,443
Operating Expenses	10,926,650	6,897,013	7,330,682	7,582,365	7,439,235	108,553
Total	\$ 20,656,532	\$ 17,209,634	\$ 18,381,004	\$ 18,941,328	\$ 18,911,000	\$ 529,996
Staffing Level FTE:	147.2	149.2	155.0	156.0	156.0	1.0

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 2007	ACTUAL FY 2008	BUDGETED FY 2009	REQUESTED FY 2010	GOVERNOR'S RECOMMENDED FY 2010	RECOMMENDED INC/(DEC) FY 2010
FUNDING SOURCE:						
General Funds	\$ 4,591,980	\$ 5,110,625	\$ 5,145,504	\$ 5,601,855	\$ 5,555,730	\$ 410,226
Federal Funds	1,334,198	1,118,342	1,461,775	1,133,059	1,158,187	(303,588)
Other Funds	724,388	712,818	1,012,227	1,045,212	1,139,954	127,727
Total	\$ 6,650,565	\$ 6,941,785	\$ 7,619,506	\$ 7,780,126	\$ 7,853,871	\$ 234,365
EXPENDITURE DETAIL:						
Personal Services	\$ 4,991,457	\$ 5,294,136	\$ 5,670,442	\$ 5,812,746	\$ 5,896,741	\$ 226,299
Operating Expenses	1,659,108	1,647,649	1,949,064	1,967,380	1,957,130	8,066
Total	\$ 6,650,565	\$ 6,941,785	\$ 7,619,506	\$ 7,780,126	\$ 7,853,871	\$ 234,365
Staffing Level FTE:	70.9	72.2	75.0	76.0	76.0	1.0

	ACTUAL FY 2007	ACTUAL FY 2008	ESTIMATED FY 2009	ESTIMATED FY 2010
REVENUES				
DENR Legal	49,549	61,384	50,000	50,000
GFP Legal	25,357	10,578	10,000	10,000
Medicaid Fraud Grant	292,605	251,267	225,000	225,000
Drug Task Force Grant	1,105,515	820,951	600,000	300,000
Drug Control Fund	465,000	450,745	475,000	475,000
Statistical Analysis Grant	56,359	47,950	50,000	50,000
Total	1,994,385	1,642,875	1,410,000	1,110,000

PERFORMANCE INDICATORS

Legal Services:				
Opinions Issued	27	18	20	20
New Cases Opened/Closed/Pending (Thousands)	1.1/1.0/1.9	1.1/1.9/2.0	1.2/1.2/2.3	1.2/1.2/2.3
Briefs/Mail Docketing	144/10,900	150/10,734	150/12,000	160/12,000
Consumer Protection:				
Complaints Opened/Closed	2,531/2,418	2,345/2,594	2,600/2,500	2,600/2,500
Mail Incoming/Outgoing	6,424/8,553	6,590/8,638	6,500/8,500	6,500/8,500
Phone Calls/E-Mail/Hotline	15,663	19,393	19,000	19,000
Charitable Solicitation Registrations	391	395	395	395
Buying Club Registrations	3	3	3	3
Value of Consumer Protection				
Complaints Resolved	\$3,501,772	\$3,188,699	\$3,500,000	\$3,500,000
Solicitors	45	45	45	45
Medicaid Fraud:				
Cases Opened/Closed/Pending	11/9/19	37/25/31	20/15/20	20/15/20
Felony/Misdemeanor Convictions	3/0	5/3	4/3	4/3
Recoveries	\$881,105	\$694,542	\$700,000	\$800,000
Funded Multi-Jurisdictional:				
Task Forces/Other Funded Projects	1/3	1/3	1/3	1/3
STAT Grant:				
Reports Published	2	4	5	5

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 2007	ACTUAL FY 2008	BUDGETED FY 2009	REQUESTED FY 2010	GOVERNOR'S RECOMMENDED FY 2010	RECOMMENDED INC/(DEC) FY 2010
FUNDING SOURCE:						
General Funds	\$ 3,837,943	\$ 4,013,009	\$ 4,117,337	\$ 4,479,025	\$ 4,226,021	\$ 108,684
Federal Funds	2,184,118	2,337,762	2,544,266	2,418,183	2,407,173	(137,093)
Other Funds	1,608,443	1,772,652	1,879,254	1,919,026	2,164,206	284,952
Total	\$ 7,630,504	\$ 8,123,424	\$ 8,540,857	\$ 8,816,234	\$ 8,797,400	\$ 256,543
EXPENDITURE DETAIL:						
Personal Services	\$ 4,054,702	\$ 4,266,308	\$ 4,586,919	\$ 4,752,388	\$ 4,767,785	\$ 180,866
Operating Expenses	3,575,802	3,857,115	3,953,938	4,063,846	4,029,615	75,677
Total	\$ 7,630,504	\$ 8,123,424	\$ 8,540,857	\$ 8,816,234	\$ 8,797,400	\$ 256,543
Staffing Level FTE:	63.1	63.8	67.5	67.5	67.5	0.0

	ACTUAL FY 2007	ACTUAL FY 2008	ESTIMATED FY 2009	ESTIMATED FY 2010
REVENUES				
Record Check	378,111	454,200	470,000	470,000
Marijuana Eradication Grant		5,000	5,000	5,000
Total	378,111	459,200	475,000	475,000
PERFORMANCE INDICATORS				
Investigations Conducted by DCI	534	759	900	900
Polygraph Exams Conducted	52	88	125	125
Criminal Fingerprint Cards Received	26,819	27,329	28,900	31,000
Noncriminal Background Fingerprint Checks	22,960	24,327	28,500	35,000
Sex Offender Fingerprint Card Processing	2,389	2,517	2,590	2,650
Search Warrants	246	248	270	290
Lab Reports	896	765	800	800
Lab Cases Received	452	472	500	520

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 2007	ACTUAL FY 2008	BUDGETED FY 2009	REQUESTED FY 2010	GOVERNOR'S RECOMMENDED FY 2010	RECOMMENDED INC/(DEC) FY 2010
FUNDING SOURCE:						
General Funds	\$ 384,328	\$ 549,724	\$ 482,402	\$ 603,416	\$ 482,402	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	1,282,986	1,419,258	1,534,002	1,536,380	1,570,356	36,354
Total	\$ 1,667,314	\$ 1,968,982	\$ 2,016,404	\$ 2,139,796	\$ 2,052,758	\$ 36,354
EXPENDITURE DETAIL:						
Personal Services	\$ 598,322	\$ 663,016	\$ 686,360	\$ 686,360	\$ 697,971	\$ 11,611
Operating Expenses	1,068,992	1,305,966	1,330,044	1,453,436	1,354,787	24,743
Total	\$ 1,667,314	\$ 1,968,982	\$ 2,016,404	\$ 2,139,796	\$ 2,052,758	\$ 36,354
Staffing Level FTE:	11.1	11.2	10.5	10.5	10.5	0.0

	ACTUAL FY 2007	ACTUAL FY 2008	ESTIMATED FY 2009	ESTIMATED FY 2010
REVENUES				
Law Enforcement Revolving Fund	2,689,300	3,799,727	4,050,000	4,050,000
Total	2,689,300	3,799,727	4,050,000	4,050,000

	ACTUAL FY 2007	ACTUAL FY 2008	ESTIMATED FY 2009	ESTIMATED FY 2010
PERFORMANCE INDICATORS				
Officers Certified, Basic 520-Hour Course	118	105	125	125
Officers Attending Specialized, Advanced, and Field Courses	3,853	4,066	3,800	3,800
Courses Scheduled	60	70	70	75
Officers Attending Grant Training	185	127	185	185
Grants Awarded	6	6	7	8
Other Groups Conducting Seminars and Meetings Using Training Facilities (People)	3,200	3,200	3,200	3,200
Officers Requesting Reciprocity Certification	25	13	25	20
Officers Receiving Reciprocity Certification	15	10	9	10
Reserve Officers Certified in SD	203	180	200	200
Pending Certification Law Enforcement Officers in South Dakota	105	76	100	100
Officers Certified	1,680	1,724	1,730	1,730
D.A.R.E. Participating Agencies	63	60	60	57
Schools with D.A.R.E.	98	105	105	100
Student Participation	6,665	5,855	5,900	5,800
Cities with D.A.R.E.	54	55	55	53
D.A.R.E. Officers	122	102	102	99

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 2007	ACTUAL FY 2008	BUDGETED FY 2009	REQUESTED FY 2010	GOVERNOR'S RECOMMENDED FY 2010	RECOMMENDED INC/(DEC) FY 2010
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	145,019	175,443	204,237	205,172	206,971	2,734
Total	\$ 145,019	\$ 175,443	\$ 204,237	\$ 205,172	\$ 206,971	\$ 2,734
EXPENDITURE DETAIL:						
Personal Services	\$ 85,401	\$ 89,160	\$ 106,601	\$ 107,469	\$ 109,268	\$ 2,667
Operating Expenses	59,618	86,283	97,636	97,703	97,703	67
Total	\$ 145,019	\$ 175,443	\$ 204,237	\$ 205,172	\$ 206,971	\$ 2,734
Staffing Level FTE:	2.0	2.0	2.0	2.0	2.0	0.0

	ACTUAL FY 2007	ACTUAL FY 2008	ESTIMATED FY 2009	ESTIMATED FY 2010
REVENUES				
911 Law Enforcement Revolving Fund	133,839	128,222	135,000	135,000
Total	133,839	128,222	135,000	135,000
PERFORMANCE INDICATORS				
911 Telecommunicators Certified	59	44	60	60
Telecommunicators Attending Advanced Courses	318	329	320	320
Courses Scheduled	28	25	30	30
Terminal Operators Certified	224	174	200	200
Active Certified 911 Telecommunicators	371	387	400	400
Active Terminal Operators	1,753	2,011	2,100	2,100

ATTORNEY GENERAL

2914 Callable Bonds (General Funds Only)

	ACTUAL FY 2007	ACTUAL FY 2008	BUDGETED FY 2009	REQUESTED FY 2010	GOVERNOR'S RECOMMENDED FY 2010	RECOMMENDED INC/(DEC) FY 2010
FUNDING SOURCE:						
General Funds	\$ 4,563,130	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0
Total	\$ 4,563,130	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
EXPENDITURE DETAIL:						
Personal Services	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Operating Expenses	4,563,130	0	0	0	0	0
Total	\$ 4,563,130	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Staffing Level FTE:	0.0	0.0	0.0	0.0	0.0	0.0