

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 2008	ACTUAL FY 2009	BUDGETED FY 2010	REQUESTED FY 2011	GOVERNOR'S RECOMMENDED FY 2011	RECOMMENDED INC/(DEC) FY 2011
FUNDING SOURCE:						
General Funds	\$ 9,673,358	\$ 9,745,243	\$ 10,045,712	\$ 10,557,610	\$ 9,886,879	(\$ 158,833)
Federal Funds	3,456,104	3,569,585	4,297,456	4,366,819	4,327,481	30,025
Other Funds	4,080,171	4,606,953	5,751,192	6,055,376	6,447,149	695,957
Total	\$ 17,209,634	\$ 17,921,781	\$ 20,094,360	\$ 20,979,805	\$ 20,661,509	\$ 567,149
EXPENDITURE DETAIL:						
Personal Services	\$ 10,312,620	\$ 10,784,316	\$ 11,608,364	\$ 11,897,934	\$ 11,690,352	\$ 81,988
Operating Expenses	6,897,013	7,137,465	8,485,996	9,081,871	8,971,157	485,161
Total	\$ 17,209,634	\$ 17,921,781	\$ 20,094,360	\$ 20,979,805	\$ 20,661,509	\$ 567,149
Staffing Level FTE:	149.2	150.4	157.0	157.0	157.0	0.0

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 2008	ACTUAL FY 2009	BUDGETED FY 2010	REQUESTED FY 2011	GOVERNOR'S RECOMMENDED FY 2011	RECOMMENDED INC/(DEC) FY 2011
FUNDING SOURCE:						
General Funds	\$ 5,110,625	\$ 5,265,504	\$ 5,480,258	\$ 5,618,280	\$ 5,203,058	(\$ 277,200)
Federal Funds	1,118,342	1,370,859	1,842,868	1,858,575	1,848,021	5,153
Other Funds	712,818	1,094,016	1,072,957	1,092,073	1,376,325	303,368
Total	\$ 6,941,785	\$ 7,730,379	\$ 8,396,083	\$ 8,568,928	\$ 8,427,404	\$ 31,321
EXPENDITURE DETAIL:						
Personal Services	\$ 5,294,136	\$ 5,761,359	\$ 6,023,898	\$ 6,166,037	\$ 6,056,819	\$ 32,921
Operating Expenses	1,647,649	1,969,020	2,372,185	2,402,891	2,370,585	(1,600)
Total	\$ 6,941,785	\$ 7,730,379	\$ 8,396,083	\$ 8,568,928	\$ 8,427,404	\$ 31,321
Staffing Level FTE:	72.2	75.3	76.0	76.0	76.0	0.0

	ACTUAL FY 2008	ACTUAL FY 2009	ESTIMATED FY 2010	ESTIMATED FY 2011
REVENUES				
DENR Legal	61,384	113,231	96,700	96,700
GFP Legal	10,578	22,280	15,000	15,000
Medicaid Fraud Grant	251,267	275,365	250,000	250,000
Drug Task Force Grant	820,951	737,510	866,915	500,000
Drug Control Fund	450,745	749,562	475,000	475,000
Statistical Analysis Grant	47,950	48,652	50,000	50,000
Total	1,642,875	1,946,600	1,753,615	1,386,700

PERFORMANCE INDICATORS

Legal Services:				
Opinions Issued	18	21	20	20
New Cases Opened/Closed/Pending (Thousands)	1.1/1.9/2.0	.8/1.1/2.1	1.2/1.2/2.3	1.2/1.2/2.3
Briefs/Mail Docketing	150/10,734	174/9,612	160/10,000	160/10,000
Consumer Protection:				
Complaints Opened/Closed	2,345/2,594	2,656/2,173	2,500/2,100	2,500/2,100
Mail Incoming/Outgoing	6,590/8,638	6,812/8,822	6,500/8,500	6,500/8,500
Phone Calls/E-Mail/Hotline	19,393	21,081	20,000	20,000
Charitable Solicitation Registrations	395	403	400	400
Buying Club Registrations	3	3	3	3
Value of Consumer Protection				
Complaints Resolved	\$3,188,699	\$2,837,830	\$3,000,000	\$3,000,000
Solicitors	45	48	50	50
Medicaid Fraud:				
Cases Opened/Closed/Pending	37/25/31	23/19/35	20/15/20	20/15/20
Felony/Misdemeanor Convictions	5/3	7/1	5/3	5/3
Recoveries	\$694,542	\$1,288,786	\$800,000	\$800,000
STAT Grant:				
Reports Published	4	5	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 2008	ACTUAL FY 2009	BUDGETED FY 2010	REQUESTED FY 2011	GOVERNOR'S RECOMMENDED FY 2011	RECOMMENDED INC/(DEC) FY 2011
FUNDING SOURCE:						
General Funds	\$ 4,013,009	\$ 4,067,337	\$ 4,183,052	\$ 4,556,928	\$ 4,301,419	\$ 118,367
Federal Funds	2,337,762	2,198,726	2,454,588	2,508,244	2,479,460	24,872
Other Funds	1,772,652	1,870,368	2,815,186	3,088,589	3,207,638	392,452
Total	\$ 8,123,424	\$ 8,136,432	\$ 9,452,826	\$ 10,153,761	\$ 9,988,517	\$ 535,691
EXPENDITURE DETAIL:						
Personal Services	\$ 4,266,308	\$ 4,238,310	\$ 4,791,505	\$ 4,932,982	\$ 4,836,828	\$ 45,323
Operating Expenses	3,857,115	3,898,122	4,661,321	5,220,779	5,151,689	490,368
Total	\$ 8,123,424	\$ 8,136,432	\$ 9,452,826	\$ 10,153,761	\$ 9,988,517	\$ 535,691
Staffing Level FTE:	63.8	62.5	68.5	68.5	68.5	0.0

	ACTUAL FY 2008	ACTUAL FY 2009	ESTIMATED FY 2010	ESTIMATED FY 2011
REVENUES				
Record Check	454,200	467,706	470,000	470,000
Marijuana Eradication Grant	5,000	5,000	6,000	6,000
Total	459,200	472,706	476,000	476,000
PERFORMANCE INDICATORS				
Investigations Conducted by DCI	759	772	830	850
Polygraph Exams Conducted	88	70	90	100
Criminal Fingerprint Cards Received	27,329	27,466	28,200	28,900
Noncriminal Background Fingerprint Checks	24,327	22,391	23,000	23,600
Sex Offender Fingerprint Card Processing	2,517	2,564	2,710	2,860
Search Warrants	248	258	280	290
Lab Reports	765	891	935	981
Lab Cases Received	472	517	543	570

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 2008	ACTUAL FY 2009	BUDGETED FY 2010	REQUESTED FY 2011	GOVERNOR'S RECOMMENDED FY 2011	RECOMMENDED INC/(DEC) FY 2011
FUNDING SOURCE:						
General Funds	\$ 549,724	\$ 412,402	\$ 382,402	\$ 382,402	\$ 382,402	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	1,419,258	1,497,002	1,658,745	1,670,253	1,658,219	(526)
Total	\$ 1,968,982	\$ 1,909,404	\$ 2,041,147	\$ 2,052,655	\$ 2,040,621	(\$ 526)
EXPENDITURE DETAIL:						
Personal Services	\$ 663,016	\$ 679,469	\$ 686,360	\$ 692,154	\$ 689,418	\$ 3,058
Operating Expenses	1,305,966	1,229,935	1,354,787	1,360,501	1,351,203	(3,584)
Total	\$ 1,968,982	\$ 1,909,404	\$ 2,041,147	\$ 2,052,655	\$ 2,040,621	(\$ 526)
Staffing Level FTE:	11.2	10.7	10.5	10.5	10.5	0.0

	ACTUAL FY 2008	ACTUAL FY 2009	ESTIMATED FY 2010	ESTIMATED FY 2011
REVENUES				
Law Enforcement Revolving Fund	3,799,727	3,770,982	3,800,000	3,800,000
Total	3,799,727	3,770,982	3,800,000	3,800,000

	ACTUAL FY 2008	ACTUAL FY 2009	ESTIMATED FY 2010	ESTIMATED FY 2011
PERFORMANCE INDICATORS				
Officers Attending Specialized, Advanced, and Field Courses	4,066	2,994	3,800	3,800
Courses Scheduled	70	66	75	75
Officers Attending Grant Training	127	195	185	185
Grants Awarded	6	6	8	8
Other Groups Conducting Seminars and Meetings Using Training Facilities (People)	3,200	3,200	3,200	3,200
Officers Requesting Reciprocity Certification	13	22	20	20
Officers Receiving Reciprocity Certification	10	11	10	10
Reserve Officers Certified in SD	180	171	200	200
Pending Certification Law Enforcement Officers in South Dakota	76	62	100	100
Officers Certified	1,724	1,792	1,730	1,730
D.A.R.E. Participating Agencies	60	66	60	60
Schools with D.A.R.E.	105	84	85	85
Student Participation	5,855	4,553	4,500	4,500
Cities with D.A.R.E.	55	42	42	42
D.A.R.E. Officers	102	97	97	97

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 2008	ACTUAL FY 2009	BUDGETED FY 2010	REQUESTED FY 2011	GOVERNOR'S RECOMMENDED FY 2011	RECOMMENDED INC/(DEC) FY 2011
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	175,443	145,567	204,304	204,461	204,967	663
Total	\$ 175,443	\$ 145,567	\$ 204,304	\$ 204,461	\$ 204,967	\$ 663
EXPENDITURE DETAIL:						
Personal Services	\$ 89,160	\$ 105,178	\$ 106,601	\$ 106,761	\$ 107,287	\$ 686
Operating Expenses	86,283	40,388	97,703	97,700	97,680	(23)
Total	\$ 175,443	\$ 145,567	\$ 204,304	\$ 204,461	\$ 204,967	\$ 663
Staffing Level FTE:	2.0	1.9	2.0	2.0	2.0	0.0

	ACTUAL FY 2008	ACTUAL FY 2009	ESTIMATED FY 2010	ESTIMATED FY 2011
REVENUES				
911 Law Enforcement Revolving Fund	128,222	125,157	126,000	126,000
Total	128,222	125,157	126,000	126,000
PERFORMANCE INDICATORS				
911 Telecommunicators Certified	44	48	50	50
Telecommunicators Attending Advanced Courses	329	381	380	380
Courses Scheduled	25	39	40	40
Terminal Operators Certified	174	581	300	300
Active Certified 911 Telecommunicators	387	440	450	450
Active Terminal Operators	2,011	3,426	3,500	3,500