

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 2010	ACTUAL FY 2011	BUDGETED FY 2012	REQUESTED FY 2013	GOVERNOR'S RECOMMENDED FY 2013	RECOMMENDED INC/(DEC) FY 2013
FUNDING SOURCE:						
General Funds	\$ 10,045,712	\$ 9,886,879	\$ 8,963,331	\$ 8,963,331	\$ 9,208,986	\$ 245,655
Federal Funds	4,172,008	4,305,983	4,815,535	4,344,133	4,403,756	(411,779)
Other Funds	4,993,687	5,493,969	7,202,644	7,795,441	7,879,304	676,660
Total	\$ 19,211,407	\$ 19,686,831	\$ 20,981,510	\$ 21,102,905	\$ 21,492,046	\$ 510,536
EXPENDITURE DETAIL:						
Personal Services	\$ 10,986,392	\$ 11,522,141	\$ 12,172,435	\$ 12,107,938	\$ 12,503,232	\$ 330,797
Operating Expenses	8,225,015	8,164,690	8,809,075	8,994,967	8,988,814	179,739
Total	\$ 19,211,407	\$ 19,686,831	\$ 20,981,510	\$ 21,102,905	\$ 21,492,046	\$ 510,536
Staffing Level FTE:	157.6	165.8	173.5	175.0	174.5	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 2010	ACTUAL FY 2011	BUDGETED FY 2012	REQUESTED FY 2013	GOVERNOR'S RECOMMENDED FY 2013	RECOMMENDED INC/(DEC) FY 2013
FUNDING SOURCE:						
General Funds	\$ 5,480,258	\$ 5,203,058	\$ 4,988,910	\$ 4,691,347	\$ 4,837,282	(\$ 151,628)
Federal Funds	1,731,336	1,530,542	1,841,869	1,360,747	1,385,680	(456,189)
Other Funds	938,900	1,122,862	1,636,792	1,984,355	1,974,914	338,122
Total	\$ 8,150,494	\$ 7,856,463	\$ 8,467,571	\$ 8,036,449	\$ 8,197,876	(\$ 269,695)
EXPENDITURE DETAIL:						
Personal Services	\$ 5,727,521	\$ 5,894,149	\$ 6,045,470	\$ 5,966,403	\$ 6,167,960	\$ 122,490
Operating Expenses	2,422,973	1,962,313	2,422,101	2,070,046	2,029,916	(392,185)
Total	\$ 8,150,494	\$ 7,856,463	\$ 8,467,571	\$ 8,036,449	\$ 8,197,876	(\$ 269,695)
Staffing Level FTE:	76.1	78.3	81.5	82.5	82.5	1.0

	ACTUAL FY 2010	ACTUAL FY 2011	ESTIMATED FY 2012	ESTIMATED FY 2013
REVENUES				
DENR Legal	51,455	9,095	76,700	76,700
GFP Legal	13,030	107,013	15,000	15,000
Medicaid Fraud Grant	221,109	272,555	250,000	250,000
Drug Task Force Grant	554,826	502,682	500,000	500,000
Drug Control Fund	584,000	671,200	475,000	475,000
Statistical Analysis Grant	48,708	54,777	50,000	50,000
Total	1,473,128	1,617,322	1,366,700	1,366,700

PERFORMANCE INDICATORS

Legal Services:				
Opinions Issued	14	15	15	15
New Cases				
Opened/Closed/Pending (thousands)	.8/1.3/2.3	1.0/1.3/2.5	1.1/1.4/2.5	1.1/1.4/2.5
Briefs/Mail Docketing	176/10,724	196/10,762	190/10,500	190/10,500
Consumer Protection:				
Complaints Opened/Closed	2,380/2,102	2,499/1,848	2,350/2,100	2,350/2,100
Mail Incoming/Outgoing	6,400/8,090	6,831/7,436	6,500/8,000	6,500/8,000
Phone Calls/E-Mail/Hotline	19,274	22,123	20,000	20,000
Charitable Solicitation Registrations	405	405	405	405
Buying Club Registrations	3	3	3	3
Value of Consumer Protection:				
Complaints Resolved	\$2,504,365	\$2,554,819	\$2,200,000	\$2,200,000
Solicitors	47	50	50	50
Medicaid Fraud:				
Cases Opened/Closed/Pending	43/41/38	33/34/24	32/25/25	30/25/25
Recoveries	\$1,893,432	\$4,469,383	\$3,000,000	\$2,000,000
STAT Grant:				
Reports Published	4	4	4	4

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 2010	ACTUAL FY 2011	BUDGETED FY 2012	REQUESTED FY 2013	GOVERNOR'S RECOMMENDED FY 2013	RECOMMENDED INC/(DEC) FY 2013
FUNDING SOURCE:						
General Funds	\$ 4,183,052	\$ 4,301,419	\$ 3,658,429	\$ 3,955,992	\$ 4,043,862	\$ 385,433
Federal Funds	2,440,673	2,775,441	2,973,666	2,983,386	3,018,076	44,410
Other Funds	2,114,576	2,412,854	3,489,217	3,734,451	3,787,866	298,649
Total	\$ 8,738,301	\$ 9,489,714	\$ 10,121,312	\$ 10,673,829	\$ 10,849,804	\$ 728,492
EXPENDITURE DETAIL:						
Personal Services	\$ 4,392,718	\$ 4,769,687	\$ 5,173,843	\$ 5,188,413	\$ 5,349,302	\$ 175,459
Operating Expenses	4,345,583	4,720,027	4,947,469	5,485,416	5,500,502	553,033
Total	\$ 8,738,301	\$ 9,489,714	\$ 10,121,312	\$ 10,673,829	\$ 10,849,804	\$ 728,492
Staffing Level FTE:	65.9	72.2	76.5	77.0	76.5	0.0

	ACTUAL FY 2010	ACTUAL FY 2011	ESTIMATED FY 2012	ESTIMATED FY 2013
REVENUES				
Record Check	476,000	489,574	490,000	510,000
Marijuana Eradication Grant	5,000	10,000	5,000	5,000
Total	481,000	499,574	495,000	515,000
PERFORMANCE INDICATORS				
Investigations Conducted by DCI	867	902	925	950
Polygraph Exams Conducted	158	107	125	150
Criminal Fingerprint Cards Received	27,011	26,511	27,000	27,500
Noncriminal Background Fingerprint Checks	20,442	20,829	21,000	21,500
Sex Offender Fingerprint Card Processing	2,716	2,847	3,000	3,150
Search Warrants	257	323	340	350
Lab Reports	1,038	911	1,000	1,025
Lab Cases Received	581	532	580	600

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 2010	ACTUAL FY 2011	BUDGETED FY 2012	REQUESTED FY 2013	GOVERNOR'S RECOMMENDED FY 2013	RECOMMENDED INC/(DEC) FY 2013
FUNDING SOURCE:						
General Funds	\$ 382,402	\$ 382,402	\$ 315,992	\$ 315,992	\$ 327,842	\$ 11,850
Federal Funds	0	0	0	0	0	0
Other Funds	1,574,082	1,593,368	1,645,534	1,645,534	1,676,113	30,579
Total	\$ 1,956,484	\$ 1,975,770	\$ 1,961,526	\$ 1,961,526	\$ 2,003,955	\$ 42,429
EXPENDITURE DETAIL:						
Personal Services	\$ 623,796	\$ 624,567	\$ 689,418	\$ 689,418	\$ 713,234	\$ 23,816
Operating Expenses	1,332,687	1,351,203	1,272,108	1,272,108	1,290,721	18,613
Total	\$ 1,956,484	\$ 1,975,770	\$ 1,961,526	\$ 1,961,526	\$ 2,003,955	\$ 42,429
Staffing Level FTE:	10.6	10.5	10.5	10.5	10.5	0.0

	ACTUAL FY 2010	ACTUAL FY 2011	ESTIMATED FY 2012	ESTIMATED FY 2013
REVENUES				
Law Enforcement Revolving Fund	3,477,176	3,247,501	3,250,000	3,250,000
Total	3,477,176	3,247,501	3,250,000	3,250,000

PERFORMANCE INDICATORS

Officers Certified, Basic 520-Hour Course	86	95	95	95
Officers Attending Specialized, Advanced, and Field Courses	4,061	3,127	3,800	3,800
Courses Scheduled	79	63	75	75
Officers Attending Grant Training	222	261	222	222
Grants Awarded	8	9	8	8
Other Groups Conducting Seminars and Officers Requesting Reciprocity Certification	25	22	20	20
Officers Receiving Reciprocity Certification	5	16	12	12
Reserve Officers Certified in SD	171	161	175	175
Pending Certification Law Enforcement Officers Certified	87	88	100	100
	1,774	1,769	1,730	1,730
D.A.R.E. Participating Agencies	59	54	40	40
Schools with D.A.R.E.	56	35	35	35
Student Participation	3,050	1,387	1,400	1,400
Cities with D.A.R.E.	45	29	29	29
D.A.R.E. Officers	96	79	79	79

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 2010	ACTUAL FY 2011	BUDGETED FY 2012	REQUESTED FY 2013	GOVERNOR'S RECOMMENDED FY 2013	RECOMMENDED INC/(DEC) FY 2013
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	185,496	163,866	204,425	204,425	208,253	3,828
Total	\$ 185,496	\$ 163,866	\$ 204,425	\$ 204,425	\$ 208,253	\$ 3,828
EXPENDITURE DETAIL:						
Personal Services	\$ 96,089	\$ 96,537	\$ 107,287	\$ 107,287	\$ 110,977	\$ 3,690
Operating Expenses	89,408	67,329	97,138	97,138	97,276	138
Total	\$ 185,496	\$ 163,866	\$ 204,425	\$ 204,425	\$ 208,253	\$ 3,828
Staffing Level FTE:	2.0	2.0	2.0	2.0	2.0	0.0

	ACTUAL FY 2010	ACTUAL FY 2011	ESTIMATED FY 2012	ESTIMATED FY 2013
REVENUES				
911 Law Enforcement Revolving Fund	115,854	107,667	110,000	110,000
Total	115,854	107,667	110,000	110,000
PERFORMANCE INDICATORS				
911 Telecommunicators Certified	52	40	50	50
Telecommunicators Attending Advanced Courses	599	234	60	60
Courses Scheduled	40	22	30	30
Terminal Operators Certified	503	275	300	300
Active Certified 911 Telecommunicators	418	322	450	450
Active Terminal Operators	3,337	2,262	2,500	2,500

ATTORNEY GENERAL

2914 Callable Bonds (General Funds Only)

	ACTUAL FY 2010	ACTUAL FY 2011	BUDGETED FY 2012	REQUESTED FY 2013	GOVERNOR'S RECOMMENDED FY 2013	RECOMMENDED INC/(DEC) FY 2013
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0
Total	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
EXPENDITURE DETAIL:						
Personal Services	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Operating Expenses	0	0	0	0	0	0
Total	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Staffing Level FTE:	0.0	0.0	0.0	0.0	0.0	0.0

ATTORNEY GENERAL

2915 Insurance Fraud Unit - Info

MISSION:

To confront the problem of insurance fraud in the state of South Dakota by prevention, investigation, and prosecution of fraudulent insurance acts.

	ACTUAL FY 2010	ACTUAL FY 2011	BUDGETED FY 2012	REQUESTED FY 2013	GOVERNOR'S RECOMMENDED FY 2013	RECOMMENDED INC/(DEC) FY 2013
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	180,632	201,018	226,676	226,676	232,158	5,482
Total	\$ 180,632	\$ 201,018	\$ 226,676	\$ 226,676	\$ 232,158	\$ 5,482
EXPENDITURE DETAIL:						
Personal Services	\$ 146,268	\$ 137,201	\$ 156,417	\$ 156,417	\$ 161,759	\$ 5,342
Operating Expenses	34,364	63,817	70,259	70,259	70,399	140
Total	\$ 180,632	\$ 201,018	\$ 226,676	\$ 226,676	\$ 232,158	\$ 5,482
Staffing Level FTE:	3.0	2.8	3.0	3.0	3.0	0.0

	ACTUAL FY 2010	ACTUAL FY 2011	ESTIMATED FY 2012	ESTIMATED FY 2013
REVENUES				
Company Assessments		349,000	349,000	
Civil Penalties				
Investment Council Interest	13,985	11,500	12,000	
Total	13,985	360,500	361,000	0
PERFORMANCE INDICATORS				
Educational Programs	15	15	16	0
New Fraud Cases	114	95	100	0
Cases Closed--Unfounded	92	75	85	0
Criminal Convictions	2	6	6	0
Civil Convictions	0	1	2	0