

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 2012	ACTUAL FY 2013	BUDGETED FY 2014	REQUESTED FY 2015	GOVERNOR'S RECOMMENDED FY 2015	RECOMMENDED INC/(DEC) FY 2015
FUNDING SOURCE:						
General Funds	\$ 9,242,359	\$ 9,968,131	\$ 9,963,626	\$ 10,167,056	\$ 9,396,827	(\$ 566,799)
Federal Funds	4,436,573	4,243,257	4,221,714	4,196,317	4,192,396	(29,318)
Other Funds	7,102,525	8,704,420	9,224,116	9,569,940	9,508,402	284,286
Total	\$ 20,781,457	\$ 22,915,808	\$ 23,409,456	\$ 23,933,313	\$ 23,097,625	(\$ 311,831)
EXPENDITURE DETAIL:						
Personal Services	\$ 12,208,208	\$ 12,381,114	\$ 13,336,621	\$ 13,635,904	\$ 13,447,688	\$ 111,067
Operating Expenses	8,573,249	10,534,694	10,072,835	10,297,409	9,649,937	(422,898)
Total	\$ 20,781,457	\$ 22,915,808	\$ 23,409,456	\$ 23,933,313	\$ 23,097,625	(\$ 311,831)
Staffing Level FTE:	169.9	169.8	175.0	177.0	176.0	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 2012	ACTUAL FY 2013	BUDGETED FY 2014	REQUESTED FY 2015	GOVERNOR'S RECOMMENDED FY 2015	RECOMMENDED INC/(DEC) FY 2015
FUNDING SOURCE:						
General Funds	\$ 4,869,490	\$ 4,944,433	\$ 4,356,257	\$ 4,442,215	\$ 4,368,655	\$ 12,398
Federal Funds	1,358,548	1,741,308	968,409	959,065	959,073	(9,336)
Other Funds	1,815,956	2,782,795	2,214,580	2,375,206	2,305,778	91,198
Total	\$ 8,043,994	\$ 9,468,537	\$ 7,539,246	\$ 7,776,486	\$ 7,633,506	\$ 94,260
EXPENDITURE DETAIL:						
Personal Services	\$ 6,203,087	\$ 6,480,453	\$ 5,548,685	\$ 5,698,925	\$ 5,536,685	(\$ 12,000)
Operating Expenses	1,840,907	2,988,084	1,990,561	2,077,561	2,096,821	106,260
Total	\$ 8,043,994	\$ 9,468,537	\$ 7,539,246	\$ 7,776,486	\$ 7,633,506	\$ 94,260
Staffing Level FTE:	80.2	82.0	67.0	68.0	67.0	0.0

	ACTUAL FY 2012	ACTUAL FY 2013	ESTIMATED FY 2014	ESTIMATED FY 2015
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REVENUES

Non-traditional Legal Services	292,690	417,029	443,717	443,717
Medicaid Fraud Grant	286,743	269,388	275,000	275,000
Drug Task Force Grant	286,866	962,524	550,000	500,000
Drug Control Fund	625,807	1,823,634	650,000	650,000
Statistical Analysis Grant	64,251	58,519	55,000	55,000
Consumer Protection Fund	1,721,449	7,686,311	200,000	200,000
Total	3,277,806	11,217,405	2,173,717	2,123,717

PERFORMANCE INDICATORS

Legal Services:				
Opinions Issued	12	10	15	15
New Cases				
Opened/Closed/Pending (thousands)	.85/2.1/1.5	1.2/2.2/1.6	1.5/2.3/1.6	1.5/2.3/1.6
Briefs/Mail Docketing	155/10,386	143/10,106	150/10,500	150/10,500
Consumer Protection:				
Complaints Opened/Closed	2,225/2,968	2,140/1,859	2,350/2,500	2,320/2,500
Mail Outgoing	7,928	6,913	8,000	9,500
Phone Calls/E-Mail/Hotline/Correspondenc	28,143	30,677	25,000	26,000
Charitable Solicitation Registrations	405	329	350	350
Buying Club Registrations	1	3	3	3
Debt Adjustment Bonds	15	18	18	18
Value of Consumer Protection:				
Complaints Resolved	\$7,731,591	\$9,446,810	\$2,200,000	\$2,200,000
Solicitors	50	38	50	43
Medicaid Fraud:				
Cases Opened/Closed/Pending	44/50/30	54/36/43	40/35/30	40/35/30
Felony/Misdemeanor Convictions	1/2	2/2	1/2	1/2
Recoveries	\$2,520,320	\$8,690,648	\$3,000,000	\$2,000,000
STAT Grant:				
Reports Published	3	4	3	3

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 2012	ACTUAL FY 2013	BUDGETED FY 2014	REQUESTED FY 2015	GOVERNOR'S RECOMMENDED FY 2015	RECOMMENDED INC/(DEC) FY 2015
FUNDING SOURCE:						
General Funds	\$ 4,056,877	\$ 4,660,676	\$ 5,249,569	\$ 5,367,041	\$ 4,659,653	(\$ 589,916)
Federal Funds	3,078,025	2,501,948	3,253,305	3,237,252	3,233,323	(19,982)
Other Funds	3,260,470	3,821,169	4,829,080	5,012,953	5,013,385	184,305
Total	\$ 10,395,372	\$ 10,983,793	\$ 13,331,954	\$ 13,617,246	\$ 12,906,361	(\$ 425,593)
EXPENDITURE DETAIL:						
Personal Services	\$ 5,051,136	\$ 4,914,940	\$ 6,756,660	\$ 6,904,378	\$ 6,879,727	\$ 123,067
Operating Expenses	5,344,236	6,068,853	6,575,294	6,712,868	6,026,634	(548,660)
Total	\$ 10,395,372	\$ 10,983,793	\$ 13,331,954	\$ 13,617,246	\$ 12,906,361	(\$ 425,593)
Staffing Level FTE:	73.0	70.7	91.5	92.5	92.5	1.0

	ACTUAL FY 2012	ACTUAL FY 2013	ESTIMATED FY 2014	ESTIMATED FY 2015
REVENUES				
Record Check	447,578	582,551	585,000	585,000
Total	447,578	582,551	585,000	585,000
PERFORMANCE INDICATORS				
Investigations Conducted by DCI	1,012	1,013	1,020	1,030
Polygraph Exams Conducted	114	140	150	160
Criminal Fingerprint Cards Received	28,248	27,973	28,500	28,700
Noncriminal Background Fingerprint Checks	19,377	24,437	25,500	25,800
Sex Offender Fingerprint Card Processing	2,992	3,130	3,300	3,500
Search Warrants	471	602	625	635
Lab Reports	1,262	1,440	1,590	1,650
Lab Cases Received	611	713	800	850

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 2012	ACTUAL FY 2013	BUDGETED FY 2014	REQUESTED FY 2015	GOVERNOR'S RECOMMENDED FY 2015	RECOMMENDED INC/(DEC) FY 2015
FUNDING SOURCE:						
General Funds	\$ 315,992	\$ 363,022	\$ 357,800	\$ 357,800	\$ 368,519	\$ 10,719
Federal Funds	0	0	0	0	0	0
Other Funds	1,656,032	1,710,417	1,723,575	1,723,575	1,732,130	8,555
Total	\$ 1,972,024	\$ 2,073,439	\$ 2,081,375	\$ 2,081,375	\$ 2,100,649	\$ 19,274
EXPENDITURE DETAIL:						
Personal Services	\$ 700,016	\$ 727,576	\$ 742,423	\$ 742,423	\$ 742,423	\$ 0
Operating Expenses	1,272,008	1,345,863	1,338,952	1,338,952	1,358,226	19,274
Total	\$ 1,972,024	\$ 2,073,439	\$ 2,081,375	\$ 2,081,375	\$ 2,100,649	\$ 19,274
Staffing Level FTE:	11.8	12.5	11.5	11.5	11.5	0.0

	ACTUAL FY 2012	ACTUAL FY 2013	ESTIMATED FY 2014	ESTIMATED FY 2015
REVENUES				
Law Enforcement Revolving Fund	3,142,070	2,964,602	2,900,000	2,900,000
Total	3,142,070	2,964,602	2,900,000	2,900,000

PERFORMANCE INDICATORS

Officers Certified, Basic 520-Hour Course	94	103	115	120
Officers Attending Specialized, Advanced, and Field Courses	3,472	3,272	3,500	3,500
Courses Scheduled	67	96	85	85
Officers Attending Grant Training	248	268	270	270
Grants Awarded	10	6	10	10
Other Groups Conducting Seminars and Officers Requesting Reciprocity Certification	28	31	30	30
Officers Receiving Reciprocity Certification	10	9	15	15
Reserve Officers Certified in SD	135	156	160	160
Pending Certification Law Enforcement Officers Certified	78	114	125	125
	1,776	1,790	1,800	1,800
D.A.R.E. Participating Agencies	58	44	45	45
Schools with D.A.R.E.	51	70	70	70
Student Participation	2,821	5,541	5,000	5,000
Cities with D.A.R.E.	34	50	50	50
D.A.R.E. Officers	66	61	70	70

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 2012	ACTUAL FY 2013	BUDGETED FY 2014	REQUESTED FY 2015	GOVERNOR'S RECOMMENDED FY 2015	RECOMMENDED INC/(DEC) FY 2015
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	199,019	186,415	213,610	213,610	213,838	228
Total	\$ 199,019	\$ 186,415	\$ 213,610	\$ 213,610	\$ 213,838	\$ 228
EXPENDITURE DETAIL:						
Personal Services	\$ 101,881	\$ 88,852	\$ 116,074	\$ 116,074	\$ 116,074	\$ 0
Operating Expenses	97,138	97,563	97,536	97,536	97,764	228
Total	\$ 199,019	\$ 186,415	\$ 213,610	\$ 213,610	\$ 213,838	\$ 228
Staffing Level FTE:	2.0	1.7	2.0	2.0	2.0	0.0

	ACTUAL FY 2012	ACTUAL FY 2013	ESTIMATED FY 2014	ESTIMATED FY 2015
REVENUES				
911 Law Enforcement Revolving Fund	103,996	108,622	99,000	99,000
Total	103,996	108,622	99,000	99,000
PERFORMANCE INDICATORS				
911 Telecommunicators Certified	54	37	60	60
Telecommunicators Attending Advanced Courses	199	182	200	200
Courses Scheduled	39	22	30	30
Terminal Operators Certified	210	208	230	230
Active Certified 911 Telecommunicators	370	544	550	550
Active Terminal Operators	2,166	2,423	2,500	2,600

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 2012	ACTUAL FY 2013	BUDGETED FY 2014	REQUESTED FY 2015	GOVERNOR'S RECOMMENDED FY 2015	RECOMMENDED INC/(DEC) FY 2015
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	171,049	203,624	243,271	244,596	243,271	0
Total	\$ 171,049	\$ 203,624	\$ 243,271	\$ 244,596	\$ 243,271	\$ 0
EXPENDITURE DETAIL:						
Personal Services	\$ 152,089	\$ 169,294	\$ 172,779	\$ 174,104	\$ 172,779	\$ 0
Operating Expenses	18,960	34,331	70,492	70,492	70,492	0
Total	\$ 171,049	\$ 203,624	\$ 243,271	\$ 244,596	\$ 243,271	\$ 0
Staffing Level FTE:	2.9	2.8	3.0	3.0	3.0	0.0

	ACTUAL FY 2012	ACTUAL FY 2013	ESTIMATED FY 2014	ESTIMATED FY 2015
REVENUES				
Company Assessments	338,025	10,150	350,000	350,000
Investment Council Interest	10,243	4,846	10,000	10,000
Total	348,268	14,996	360,000	360,000
PERFORMANCE INDICATORS				
Informational Reports	114	120	125	125
Investigative Reports	40	50	55	55
Convictions	2	5	8	8