

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 2013	ACTUAL FY 2014	BUDGETED FY 2015	REQUESTED FY 2016	GOVERNOR'S RECOMMENDED FY 2016	RECOMMENDED INC/(DEC) FY 2016
FUNDING SOURCE:						
General Funds	\$ 9,968,131	\$ 10,187,080	\$ 9,921,203	\$ 11,583,461	\$ 10,567,088	\$ 645,885
Federal Funds	4,243,257	3,440,508	4,279,116	4,328,816	4,279,116	0
Other Funds	8,704,420	9,036,881	9,760,083	8,784,549	9,238,087	(521,996)
Total	\$ 22,915,808	\$ 22,664,469	\$ 23,960,402	\$ 24,696,826	\$ 24,084,291	\$ 123,889
EXPENDITURE DETAIL:						
Personal Services	\$ 12,381,114	\$ 13,303,633	\$ 14,273,363	\$ 14,893,354	\$ 14,358,587	\$ 85,224
Operating Expenses	10,534,694	9,360,836	9,687,039	9,803,472	9,725,704	38,665
Total	\$ 22,915,808	\$ 22,664,469	\$ 23,960,402	\$ 24,696,826	\$ 24,084,291	\$ 123,889
Staffing Level FTE:	169.8	174.9	177.0	180.0	178.0	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 2013	ACTUAL FY 2014	BUDGETED FY 2015	REQUESTED FY 2016	GOVERNOR'S RECOMMENDED FY 2016	RECOMMENDED INC/(DEC) FY 2016
FUNDING SOURCE:						
General Funds	\$ 4,944,433	\$ 4,496,527	\$ 4,621,022	\$ 4,891,433	\$ 4,722,447	\$ 101,425
Federal Funds	1,741,308	842,628	984,316	984,760	984,316	0
Other Funds	2,782,795	2,267,355	2,369,590	2,422,088	2,369,590	0
Total	\$ 9,468,537	\$ 7,606,510	\$ 7,974,928	\$ 8,298,281	\$ 8,076,353	\$ 101,425
EXPENDITURE DETAIL:						
Personal Services	\$ 6,480,453	\$ 5,605,536	\$ 5,867,607	\$ 6,121,421	\$ 5,952,831	\$ 85,224
Operating Expenses	2,988,084	2,000,974	2,107,321	2,176,860	2,123,522	16,201
Total	\$ 9,468,537	\$ 7,606,510	\$ 7,974,928	\$ 8,298,281	\$ 8,076,353	\$ 101,425
Staffing Level FTE:	82.0	67.1	67.0	70.0	68.0	1.0

	ACTUAL FY 2013	ACTUAL FY 2014	ESTIMATED FY 2015	ESTIMATED FY 2016
REVENUES				
Non-traditional Legal Services	417,029	360,778	443,717	443,717
Medicaid Fraud Grant	269,388	296,488	275,000	275,000
Drug Task Force Grant	962,524	276,471	500,000	500,000
Drug Control Fund	1,823,634	1,113,352	650,000	650,000
Statistical Analysis Grant	58,519	75,360	55,000	55,000
Consumer Protection Fund	7,686,311	428,238	1,600,000	400,000
Total	11,217,405	2,550,687	3,523,717	2,323,717

PERFORMANCE INDICATORS

Legal Services:				
Opinions Issued	10	10	10	10
New Cases				
Opened/Closed/Pending (thousands)	1.2/2.2/1.6	2.2/2.9/1.5	2.3/2.9/1.6	2.3/2.9/1.6
Briefs/Mail Docketing	143/10,106	148/10,442	150/10,500	155/10,500
Consumer Protection:				
Complaints Opened/Closed	2,140/1,859	2,003/2,028	2,300/2,500	2,300/2,500
Mail Outgoing	6,913	8,902	9,500	9,500
Phone	30,677	34,838	26,000	27,000
Charitable Solicitation Registrations	329	516	350	350
Buying Club Registrations	3	4	3	3
Debt Adjustment Bonds	18	16	18	18
Value of Consumer Protection:				
Complaints Resolved	\$9,446,810	\$3,400,536	\$2,200,000	\$2,200,000
Solicitors	38	51	43	43
Medicaid Fraud:				
Cases Opened/Closed/Pending	54/36/43	42/51/44	40/40/30	40/40/30
Felony/Misdemeanor Convictions	2/2	2/7	2/4	2/4
Recoveries	\$8,690,648	\$3,556,829	\$850,000	\$1,000,000
STAT Grant:				
Reports Published	4	3	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 2013	ACTUAL FY 2014	BUDGETED FY 2015	REQUESTED FY 2016	GOVERNOR'S RECOMMENDED FY 2016	RECOMMENDED INC/(DEC) FY 2016
FUNDING SOURCE:						
General Funds	\$ 4,660,676	\$ 5,321,484	\$ 4,925,066	\$ 6,051,958	\$ 5,204,571	\$ 279,505
Federal Funds	2,501,948	2,597,880	3,294,800	3,344,056	3,294,800	0
Other Funds	3,821,169	4,521,561	5,143,070	4,379,993	4,886,029	(257,041)
Total	\$ 10,983,793	\$ 12,440,925	\$ 13,362,936	\$ 13,776,007	\$ 13,385,400	\$ 22,464
EXPENDITURE DETAIL:						
Personal Services	\$ 4,914,940	\$ 6,592,511	\$ 7,321,445	\$ 7,687,622	\$ 7,321,445	\$ 0
Operating Expenses	6,068,853	5,848,414	6,041,491	6,088,385	6,063,955	22,464
Total	\$ 10,983,793	\$ 12,440,925	\$ 13,362,936	\$ 13,776,007	\$ 13,385,400	\$ 22,464
Staffing Level FTE:	70.7	89.3	93.5	93.5	93.5	0.0

	ACTUAL FY 2013	ACTUAL FY 2014	ESTIMATED FY 2015	ESTIMATED FY 2016
REVENUES				
Record Check	582,551	621,665	600,000	600,000
Total	582,551	621,665	600,000	600,000
PERFORMANCE INDICATORS				
Investigations Conducted by DCI	1,013	1,077	1,090	1,100
Polygraph Exams Conducted	140	122	150	160
Criminal Fingerprint Cards Received	27,973	28,936	29,500	30,000
Noncriminal Background Fingerprint Checks	24,437	25,968	27,500	30,000
Sex Offender Fingerprint Card Processing	3,130	3,241	3,300	3,400
Search Warrants	602	521	550	575
Lab Reports	1,440	1,193	1,200	1,200
Lab Cases Received	713	576	600	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 State's Attorneys in designing and implementing a training program for all prosecuting attorneys.

	ACTUAL FY 2013	ACTUAL FY 2014	BUDGETED FY 2015	REQUESTED FY 2016	GOVERNOR'S RECOMMENDED FY 2016	RECOMMENDED INC/(DEC) FY 2016
FUNDING SOURCE:						
General Funds	\$ 363,022	\$ 369,069	\$ 375,115	\$ 640,070	\$ 640,070	\$ 264,955
Federal Funds	0	0	0	0	0	0
Other Funds	1,710,417	1,752,085	1,773,095	1,508,140	1,508,140	(264,955)
Total	\$ 2,073,439	\$ 2,121,154	\$ 2,148,210	\$ 2,148,210	\$ 2,148,210	\$ 0
EXPENDITURE DETAIL:						
Personal Services	\$ 727,576	\$ 761,711	\$ 778,315	\$ 778,315	\$ 778,315	\$ 0
Operating Expenses	1,345,863	1,359,443	1,369,895	1,369,895	1,369,895	0
Total	\$ 2,073,439	\$ 2,121,154	\$ 2,148,210	\$ 2,148,210	\$ 2,148,210	\$ 0
Staffing Level FTE:	12.5	13.5	11.5	11.5	11.5	0.0

	ACTUAL FY 2013	ACTUAL FY 2014	ESTIMATED FY 2015	ESTIMATED FY 2016
REVENUES				
Law Enforcement Revolving Fund	2,964,602	2,923,495	2,900,000	2,900,000
Total	2,964,602	2,923,495	2,900,000	2,900,000

PERFORMANCE INDICATORS

Officers Certified, Basic 520-Hour Course	103	115	126	125
Officers Attending Specialized, Advanced, and Field Courses	3,272	3,745	3,500	3,500
Courses Scheduled	96	85	82	85
Officers Attending Grant Training	268	270	487	270
Grants Awarded	6	10	14	10
Other Groups Conducting Seminars and Officers Requesting Reciprocity Certification	31	30	26	30
Officers Receiving Reciprocity Certification	9	15	12	15
Reserve Officers Certified in SD	156	160	135	160
Pending Certification Law Enforcement	114	125	96	125
Officers Certified	1,790	1,807	1,800	1,800
D.A.R.E. Participating Agencies	44	61	45	45
Schools with D.A.R.E.	70	42	70	70
Student Participation	5,541	2,018	5,000	5,000
Cities with D.A.R.E.	50	50	50	50
D.A.R.E. Officers	61	81	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 2013	ACTUAL FY 2014	BUDGETED FY 2015	REQUESTED FY 2016	GOVERNOR'S RECOMMENDED FY 2016	RECOMMENDED INC/(DEC) FY 2016
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	186,415	216,772	220,061	220,061	220,061	0
Total	\$ 186,415	\$ 216,772	\$ 220,061	\$ 220,061	\$ 220,061	\$ 0
EXPENDITURE DETAIL:						
Personal Services	\$ 88,852	\$ 119,090	\$ 122,221	\$ 122,221	\$ 122,221	\$ 0
Operating Expenses	97,563	97,682	97,840	97,840	97,840	0
Total	\$ 186,415	\$ 216,772	\$ 220,061	\$ 220,061	\$ 220,061	\$ 0
Staffing Level FTE:	1.7	2.0	2.0	2.0	2.0	0.0

	ACTUAL FY 2013	ACTUAL FY 2014	ESTIMATED FY 2015	ESTIMATED FY 2016
REVENUES				
911 Law Enforcement Revolving Fund	108,622	97,504	95,000	95,000
Total	108,622	97,504	95,000	95,000
PERFORMANCE INDICATORS				
911 Telecommunicators Certified	37	38	60	50
Telecommunicators Attending Advanced Courses	182	284	200	200
Courses Scheduled	22	19	30	30
Terminal Operators Certified	208	371	230	230
Active Certified 911 Telecommunicators	544	292	550	500
Active Terminal Operators	2,423	2,708	2,600	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 2013	ACTUAL FY 2014	BUDGETED FY 2015	REQUESTED FY 2016	GOVERNOR'S RECOMMENDED FY 2016	RECOMMENDED INC/(DEC) FY 2016
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	203,624	279,108	254,267	254,267	254,267	0
Total	\$ 203,624	\$ 279,108	\$ 254,267	\$ 254,267	\$ 254,267	\$ 0
EXPENDITURE DETAIL:						
Personal Services	\$ 169,294	\$ 224,785	\$ 183,775	\$ 183,775	\$ 183,775	\$ 0
Operating Expenses	34,331	54,323	70,492	70,492	70,492	0
Total	\$ 203,624	\$ 279,108	\$ 254,267	\$ 254,267	\$ 254,267	\$ 0
Staffing Level FTE:	2.8	3.0	3.0	3.0	3.0	0.0

	ACTUAL FY 2013	ACTUAL FY 2014	ESTIMATED FY 2015	ESTIMATED FY 2016
REVENUES				
Company Assessments	10,150	343,000	350,000	350,000
Investment Council Interest	4,846	4,378	4,500	4,500
Total	14,996	347,378	354,500	354,500
PERFORMANCE INDICATORS				
Informational Reports	120	19	25	25
Investigative Reports	50	40	55	55
Convictions	5	13	8	8