

# 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 2015	ACTUAL FY 2016	BUDGETED FY 2017	REQUESTED FY 2018	GOVERNOR'S RECOMMENDED FY 2018	RECOMMENDED INC/(DEC) FY 2018
<b>FUNDING SOURCE:</b>						
General Funds	\$ 9,921,203	\$ 10,337,060	\$ 11,372,251	\$ 11,783,526	\$ 11,613,659	\$ 241,408
Federal Funds	3,676,282	3,713,639	4,178,765	4,099,781	4,099,781	( 78,984 )
Other Funds	9,138,544	9,474,236	10,248,358	10,701,521	10,744,861	496,503
<b>Total</b>	<b>\$ 22,736,029</b>	<b>\$ 23,524,935</b>	<b>\$ 25,799,374</b>	<b>\$ 26,584,828</b>	<b>\$ 26,458,301</b>	<b>\$ 658,927</b>
<b>EXPENDITURE DETAIL:</b>						
Personal Services	\$ 13,530,839	\$ 13,588,234	\$ 15,769,805	\$ 16,182,114	\$ 16,354,972	\$ 585,167
Operating Expenses	9,205,190	9,936,701	10,029,569	10,402,714	10,103,329	73,760
<b>Total</b>	<b>\$ 22,736,029</b>	<b>\$ 23,524,935</b>	<b>\$ 25,799,374</b>	<b>\$ 26,584,828</b>	<b>\$ 26,458,301</b>	<b>\$ 658,927</b>
Staffing Level FTE:	176.7	176.3	181.0	186.0	190.0	9.0

# 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 2015	ACTUAL FY 2016	BUDGETED FY 2017	REQUESTED FY 2018	GOVERNOR'S RECOMMENDED FY 2018	RECOMMENDED INC/(DEC) FY 2018
<b>FUNDING SOURCE:</b>						
General Funds	\$ 4,621,022	\$ 4,769,055	\$ 5,052,131	\$ 5,324,148	\$ 5,052,131	\$ 0
Federal Funds	775,459	848,469	909,537	830,553	830,553	( 78,984 )
Other Funds	2,238,525	2,258,658	2,451,807	2,451,807	2,552,439	100,632
<b>Total</b>	<b>\$ 7,635,006</b>	<b>\$ 7,876,182</b>	<b>\$ 8,413,475</b>	<b>\$ 8,606,508</b>	<b>\$ 8,435,123</b>	<b>\$ 21,648</b>
<b>EXPENDITURE DETAIL:</b>						
Personal Services	\$ 5,737,337	\$ 5,800,112	\$ 6,263,409	\$ 6,367,329	\$ 6,296,845	\$ 33,436
Operating Expenses	1,897,669	2,076,071	2,150,066	2,239,179	2,138,278	( 11,788 )
<b>Total</b>	<b>\$ 7,635,006</b>	<b>\$ 7,876,182</b>	<b>\$ 8,413,475</b>	<b>\$ 8,606,508</b>	<b>\$ 8,435,123</b>	<b>\$ 21,648</b>
Staffing Level FTE:	67.3	66.5	68.0	69.0	70.0	2.0

	ACTUAL FY 2015	ACTUAL FY 2016	ESTIMATED FY 2017	ESTIMATED FY 2018
<b>REVENUES</b>				
Non-traditional Legal Services	461,091	455,591	460,000	460,000
Medicaid Fraud Grant	229,945	325,017	325,000	325,000
Drug Task Force Grant	435,995	919,412	475,000	400,000
Drug Control Fund	1,530,000	1,452,234	1,450,000	1,450,000
Statistical Analysis Grant	69,279	34,641		
Consumer Protection Fund	2,413,453	1,195,964	500,000	500,000
<b>Total</b>	<b>5,139,763</b>	<b>4,382,859</b>	<b>3,210,000</b>	<b>3,135,000</b>

### PERFORMANCE INDICATORS

<b>Legal Services:</b>				
Opinions Issued	6	6	6	6
New Cases				
Opened/Closed/Pending (thousands)	1.9/2.0/1.9	2.1/1.8/2.1	2.2/2.0/2.2	2.2/2.0/2.2
Briefs/Mail Docketing	163/11,379	143/11,307	160/12,000	160/12,000
<b>Consumer Protection:</b>				
Complaints Opened/Closed	1,663/2,446	1,643/2,371	2,300/2,500	2,300/2,500
Mail Outgoing	6,478	5,265	7,000	7,000
Phone Calls/E-Mail/Helpline/Correspondence	34,669	32,670	28,000	30,000
Charitable Solicitation Registrations	494	497	400	400
Buying Club Registrations	2	3	3	3
Debt Adjustment Bonds	18	20	20	20
<b>Value of Consumer Protection:</b>				
Complaints Resolved	\$2,632,055	\$2,457,252	\$2,200,000	\$2,200,000
Solicitors	43	45	43	43
<b>Medicaid Fraud:</b>				
Cases Opened/Closed/Pending	41/23/59	45/43/64	40/40/45	40/40/45
Felony/Misdemeanor Convictions	1/1	1/0	2/1	1/1
Recoveries	\$528,651	\$1,991,823	\$600,000	\$600,000
<b>STAT Grant:</b>				
Reports Published	3	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 2015	ACTUAL FY 2016	BUDGETED FY 2017	REQUESTED FY 2018	GOVERNOR'S RECOMMENDED FY 2018	RECOMMENDED INC/(DEC) FY 2018
<b>FUNDING SOURCE:</b>						
General Funds	\$ 4,925,066	\$ 5,087,275	\$ 5,831,999	\$ 5,971,257	\$ 6,073,407	\$ 241,408
Federal Funds	2,900,823	2,865,169	3,269,228	3,269,228	3,269,228	0
Other Funds	4,577,616	4,950,055	5,472,622	5,808,985	5,868,493	395,871
<b>Total</b>	<b>\$ 12,403,505</b>	<b>\$ 12,902,500</b>	<b>\$ 14,573,849</b>	<b>\$ 15,049,470</b>	<b>\$ 15,211,128</b>	<b>\$ 637,279</b>
<b>EXPENDITURE DETAIL:</b>						
Personal Services	\$ 6,681,900	\$ 6,688,253	\$ 8,365,176	\$ 8,633,565	\$ 8,916,907	\$ 551,731
Operating Expenses	5,721,605	6,214,247	6,208,673	6,415,905	6,294,221	85,548
<b>Total</b>	<b>\$ 12,403,505</b>	<b>\$ 12,902,500</b>	<b>\$ 14,573,849</b>	<b>\$ 15,049,470</b>	<b>\$ 15,211,128</b>	<b>\$ 637,279</b>
<b>Staffing Level FTE:</b>	<b>89.6</b>	<b>91.3</b>	<b>96.5</b>	<b>100.5</b>	<b>103.5</b>	<b>7.0</b>

	ACTUAL FY 2015	ACTUAL FY 2016	ESTIMATED FY 2017	ESTIMATED FY 2018
<b>REVENUES</b>				
Record Check	665,429	711,154	711,154	711,154
Total	665,429	711,154	711,154	711,154
<b>PERFORMANCE INDICATORS</b>				
Investigations Conducted by DCI	1,062	1,063	1,100	1,150
Polygraph Exams Conducted	106	90	100	150
Criminal Fingerprint Cards Received	29,928	32,504	35,000	38,000
Noncriminal Background Fingerprint Checks	24,574	26,128	29,000	32,000
Sex Offender Registered	3,394	3,489	3,600	3,700
Search Warrants	529	515	550	575
Lab Reports	1,436	2,054	2,075	3,000
Lab Cases Received	1,010	1,204	1,250	1,275

# 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 2015	ACTUAL FY 2016	BUDGETED FY 2017	REQUESTED FY 2018	GOVERNOR'S RECOMMENDED FY 2018	RECOMMENDED INC/(DEC) FY 2018
<b>FUNDING SOURCE:</b>						
General Funds	\$ 375,115	\$ 480,730	\$ 488,121	\$ 488,121	\$ 488,121	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	1,853,414	1,828,205	1,831,542	1,948,342	1,831,542	0
<b>Total</b>	<b>\$ 2,228,529</b>	<b>\$ 2,308,935</b>	<b>\$ 2,319,663</b>	<b>\$ 2,436,463</b>	<b>\$ 2,319,663</b>	<b>\$ 0</b>
<b>EXPENDITURE DETAIL:</b>						
Personal Services	\$ 778,315	\$ 779,472	\$ 819,246	\$ 859,246	\$ 819,246	\$ 0
Operating Expenses	1,450,214	1,529,463	1,500,417	1,577,217	1,500,417	0
<b>Total</b>	<b>\$ 2,228,529</b>	<b>\$ 2,308,935</b>	<b>\$ 2,319,663</b>	<b>\$ 2,436,463</b>	<b>\$ 2,319,663</b>	<b>\$ 0</b>
<b>Staffing Level FTE:</b>	<b>14.7</b>	<b>13.6</b>	<b>11.5</b>	<b>11.5</b>	<b>11.5</b>	<b>0.0</b>

	ACTUAL FY 2015	ACTUAL FY 2016	ESTIMATED FY 2017	ESTIMATED FY 2018
<b>REVENUES</b>				
Law Enforcement Revolving Fund	3,123,144	4,575,899	4,175,899	4,200,000
<b>Total</b>	<b>3,123,144</b>	<b>4,575,899</b>	<b>4,175,899</b>	<b>4,200,000</b>

<b>PERFORMANCE INDICATORS</b>				
Officers Certified, Basic 520-Hour Course	130	122	140	140
Officers Attending Specialized, Advanced, and Field Courses	3,123	3,033	3,500	3,500
Courses Scheduled	85	85	85	90
Officers Attending Grant Training	248	268	300	300
Grants Awarded	8	7	10	10
Other Groups Conducting Seminars and Officers Requesting Reciprocity Certification	30	42	45	55
Officers Receiving Reciprocity Certification	14	15	40	50
Reserve Officers Certified in SD	140	124	125	150
Pending Certification Law Enforcement Officers Certified	65	120	100	100
D.A.R.E. Participating Agencies	1,843	1,867	1,900	1,900
Schools with D.A.R.E.	52	52	55	55
Student Participation	39	69	70	75
Cities with D.A.R.E.	1,111	4,407	6,400	6,800
D.A.R.E. Officers	29	45	50	55
	100	100	120	140

# 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 2015	ACTUAL FY 2016	BUDGETED FY 2017	REQUESTED FY 2018	GOVERNOR'S RECOMMENDED FY 2018	RECOMMENDED INC/(DEC) FY 2018
<b>FUNDING SOURCE:</b>						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	220,026	218,215	227,700	227,700	227,700	0
<b>Total</b>	<b>\$ 220,026</b>	<b>\$ 218,215</b>	<b>\$ 227,700</b>	<b>\$ 227,700</b>	<b>\$ 227,700</b>	<b>\$ 0</b>
<b>EXPENDITURE DETAIL:</b>						
Personal Services	\$ 122,221	\$ 119,559	\$ 128,641	\$ 128,641	\$ 128,641	\$ 0
Operating Expenses	97,805	98,656	99,059	99,059	99,059	0
<b>Total</b>	<b>\$ 220,026</b>	<b>\$ 218,215</b>	<b>\$ 227,700</b>	<b>\$ 227,700</b>	<b>\$ 227,700</b>	<b>\$ 0</b>
Staffing Level FTE:	2.0	2.0	2.0	2.0	2.0	0.0

	ACTUAL FY 2015	ACTUAL FY 2016	ESTIMATED FY 2017	ESTIMATED FY 2018
<b>REVENUES</b>				
911 Law Enforcement Revolving Fund	95,000	108,000	108,000	108,000
<b>Total</b>	<b>95,000</b>	<b>108,000</b>	<b>108,000</b>	<b>108,000</b>

<b>PERFORMANCE INDICATORS</b>				
911 Telecommunicators Certified	48	50	50	50
Telecommunicators Attending Advanced Courses	490	500	500	500
Courses Scheduled	48	50	50	50
Terminal Operators Certified	431	450	450	450
Active Certified 911 Telecommunicators	242	250	300	300
Active Terminal Operators	2,453	2,500	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 2015	ACTUAL FY 2016	BUDGETED FY 2017	REQUESTED FY 2018	GOVERNOR'S RECOMMENDED FY 2018	RECOMMENDED INC/(DEC) FY 2018
<b>FUNDING SOURCE:</b>						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	248,963	219,103	264,687	264,687	264,687	0
<b>Total</b>	<b>\$ 248,963</b>	<b>\$ 219,103</b>	<b>\$ 264,687</b>	<b>\$ 264,687</b>	<b>\$ 264,687</b>	<b>\$ 0</b>
<b>EXPENDITURE DETAIL:</b>						
Personal Services	\$ 211,066	\$ 200,839	\$ 193,333	\$ 193,333	\$ 193,333	\$ 0
Operating Expenses	37,897	18,265	71,354	71,354	71,354	0
<b>Total</b>	<b>\$ 248,963</b>	<b>\$ 219,103</b>	<b>\$ 264,687</b>	<b>\$ 264,687</b>	<b>\$ 264,687</b>	<b>\$ 0</b>
<b>Staffing Level FTE:</b>	<b>3.0</b>	<b>3.0</b>	<b>3.0</b>	<b>3.0</b>	<b>3.0</b>	<b>0.0</b>

	ACTUAL FY 2015	ACTUAL FY 2016	ESTIMATED FY 2017	ESTIMATED FY 2018
<b>REVENUES</b>				
Company Assessments	342,353	3,460	325,000	325,000
<b>Total</b>	<b>342,353</b>	<b>3,460</b>	<b>325,000</b>	<b>325,000</b>
<b>PERFORMANCE INDICATORS</b>				
Informational Reports	21	21	21	21
Investigative Reports	39	45	45	45
Convictions	8	8	8	8