

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 2016	ACTUAL FY 2017	BUDGETED FY 2018	REQUESTED FY 2019	GOVERNOR'S RECOMMENDED FY 2019	RECOMMENDED INC/(DEC) FY 2019
FUNDING SOURCE:						
General Funds	\$ 10,337,060	\$ 11,515,251	\$ 11,554,558	\$ 11,591,964	\$ 11,510,701	(\$ 43,857)
Federal Funds	3,713,639	3,179,882	4,103,335	4,022,072	4,022,072	(81,263)
Other Funds	9,474,236	10,151,913	10,769,716	10,769,716	10,588,524	(181,192)
Total	\$ 23,524,935	\$ 24,847,046	\$ 26,427,609	\$ 26,383,752	\$ 26,121,297	(\$ 306,312)
EXPENDITURE DETAIL:						
Personal Services	\$ 13,588,234	\$ 14,891,555	\$ 16,185,218	\$ 16,082,861	\$ 15,820,406	(\$ 364,812)
Operating Expenses	9,936,701	9,955,491	10,242,391	10,300,891	10,300,891	58,500
Total	\$ 23,524,935	\$ 24,847,046	\$ 26,427,609	\$ 26,383,752	\$ 26,121,297	(\$ 306,312)
Staffing Level FTE:	176.3	180.0	189.0	190.0	188.0	(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 2016	ACTUAL FY 2017	BUDGETED FY 2018	REQUESTED FY 2019	GOVERNOR'S RECOMMENDED FY 2019	RECOMMENDED INC/(DEC) FY 2019
FUNDING SOURCE:						
General Funds	\$ 4,769,055	\$ 5,052,131	\$ 5,063,150	\$ 5,063,150	\$ 5,063,150	\$ 0
Federal Funds	848,469	706,632	832,501	832,501	832,501	0
Other Funds	2,258,658	2,401,551	2,555,250	2,555,250	2,555,250	0
Total	\$ 7,876,182	\$ 8,160,314	\$ 8,450,901	\$ 8,450,901	\$ 8,450,901	\$ 0
EXPENDITURE DETAIL:						
Personal Services	\$ 5,800,112	\$ 6,125,943	\$ 6,302,144	\$ 6,302,144	\$ 6,302,144	\$ 0
Operating Expenses	2,076,071	2,034,371	2,148,757	2,148,757	2,148,757	0
Total	\$ 7,876,182	\$ 8,160,314	\$ 8,450,901	\$ 8,450,901	\$ 8,450,901	\$ 0
Staffing Level FTE:	66.5	66.3	70.0	70.0	70.0	0.0

	ACTUAL FY 2016	ACTUAL FY 2017	ESTIMATED FY 2018	ESTIMATED FY 2019
REVENUES				
Non-traditional Legal Services	455,591	437,591	460,000	460,000
Medicaid Fraud Grant	325,017	314,348	325,000	325,000
Drug Task Force Grant	919,412	707,834	400,000	400,000
Drug Control Fund	1,452,234	1,724,088	1,450,000	1,500,000
Consumer Protection Fund	1,195,964	2,959,192	500,000	500,000
Total	4,348,218	6,143,053	3,135,000	3,185,000

PERFORMANCE INDICATORS

Legal Services:				
Opinions Issued	6	4	6	6
New Cases				
Opened/Closed/Pending (thousands)	2.1/1.8/2.1	1.0/2.0/2.0	1.5/2.0/2.0	1.5/2.0/2.0
Briefs/Mail Docketing	143/11,307	153/11,455	160/12,000	160/12,000
Consumer Protection:				
Complaints Opened/Closed	1,643/2,371	1,571/1,415	1,800/1,600	1,800/1,600
Mail Outgoing	5,265	6,553	7,000	7,000
Phone Calls/E-Mail/Hotline/Correspondence	32,670	30,156	30,000	30,000
Charitable Solicitation Registrations	497	459	400	400
Buying Club Registrations	3	5	3	3
Debt Adjustment Bonds	20	26	20	20
Value of Consumer Protection:				
Complaints Resolved	\$2,457,252	\$1,307,595	\$2,200,000	\$2,200,000
Solicitors	45	43	43	43
Medicaid Fraud:				
Cases Opened/Closed/Pending	45/43/64	27/28/44	25/25/40	25/25/45
Felony/Misdemeanor Convictions	1/0	2/0	2/1	1/1
Recoveries	\$1,991,823	\$498,115	\$500,000	\$500,000
STAT Grant:				
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 2016	ACTUAL FY 2017	BUDGETED FY 2018	REQUESTED FY 2019	GOVERNOR'S RECOMMENDED FY 2019	RECOMMENDED INC/(DEC) FY 2019
FUNDING SOURCE:						
General Funds	\$ 5,087,275	\$ 5,974,999	\$ 5,993,329	\$ 6,030,735	\$ 5,949,472	(\$ 43,857)
Federal Funds	2,865,169	2,473,249	3,270,834	3,189,571	3,189,571	(81,263)
Other Funds	4,950,055	5,332,626	5,766,006	5,766,006	5,584,814	(181,192)
Total	\$ 12,902,500	\$ 13,780,874	\$ 15,030,169	\$ 14,986,312	\$ 14,723,857	(\$ 306,312)
EXPENDITURE DETAIL:						
Personal Services	\$ 6,688,253	\$ 7,627,574	\$ 8,700,666	\$ 8,598,309	\$ 8,335,854	(\$ 364,812)
Operating Expenses	6,214,247	6,153,299	6,329,503	6,388,003	6,388,003	58,500
Total	\$ 12,902,500	\$ 13,780,874	\$ 15,030,169	\$ 14,986,312	\$ 14,723,857	(\$ 306,312)
Staffing Level FTE:	91.3	95.4	102.5	100.5	98.5	(4.0)

	ACTUAL FY 2016	ACTUAL FY 2017	ESTIMATED FY 2018	ESTIMATED FY 2019
REVENUES				
Record Check	711,154	958,540	710,000	710,000
Total	711,154	958,540	710,000	710,000
PERFORMANCE INDICATORS				
Investigations Conducted by DCI	1,063	963	1,000	1,050
Polygraph Exams Conducted	90	100	120	150
Criminal Fingerprint Cards Received	32,504	31,850	33,000	36,000
Noncriminal Background Fingerprint Checks	26,128	35,253	40,000	45,000
Sex Offender Registered	3,489	3,680	3,740	3,840
Search Warrants	515	403	450	475
Lab Reports	2,054	2,035	2,050	2,100
Lab Cases Received	1,204	1,014	1,100	1,200

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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 2016	ACTUAL FY 2017	BUDGETED FY 2018	REQUESTED FY 2019	GOVERNOR'S RECOMMENDED FY 2019	RECOMMENDED INC/(DEC) FY 2019
FUNDING SOURCE:						
General Funds	\$ 480,730	\$ 488,121	\$ 498,079	\$ 498,079	\$ 498,079	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	1,828,205	1,977,486	1,954,800	1,954,800	1,954,800	0
Total	\$ 2,308,935	\$ 2,465,607	\$ 2,452,879	\$ 2,452,879	\$ 2,452,879	\$ 0
EXPENDITURE DETAIL:						
Personal Services	\$ 779,472	\$ 816,926	\$ 859,986	\$ 859,986	\$ 859,986	\$ 0
Operating Expenses	1,529,463	1,648,681	1,592,893	1,592,893	1,592,893	0
Total	\$ 2,308,935	\$ 2,465,607	\$ 2,452,879	\$ 2,452,879	\$ 2,452,879	\$ 0
Staffing Level FTE:	13.6	13.6	11.5	14.5	14.5	3.0

	ACTUAL FY 2016	ACTUAL FY 2017	ESTIMATED FY 2018	ESTIMATED FY 2019
REVENUES				
Law Enforcement Revolving Fund	4,575,899	4,057,999	4,096,108	4,178,658
Total	4,575,899	4,057,999	4,096,108	4,178,658

	ACTUAL FY 2016	ACTUAL FY 2017	ESTIMATED FY 2018	ESTIMATED FY 2019
PERFORMANCE INDICATORS				
Officers Certified, Basic 520-Hour Course	122	134	140	140
Officers Attending Specialized, Advanced, and Field Courses	3,033	2,926	3,500	3,500
Courses Scheduled	85	83	90	90
Officers Attending Grant Training	268	174	300	300
Grants Awarded	7	6	10	10
Other Groups Conducting Seminars and Officers Requesting Reciprocity Certification	42	31	55	55
Officers Receiving Reciprocity Certification	15	13	50	50
Reserve Officers Certified in SD	124	138	150	150
Pending Certification Law Enforcement Officers Certified	120	111	100	100
Officers Certified	1,867	1,911	1,900	1,900
D.A.R.E. Participating Agencies	52	53	55	55
Schools with D.A.R.E.	69	72	75	75
Student Participation	4,407	4,183	6,800	6,800
Cities with D.A.R.E.	45	49	55	55
D.A.R.E. Officers	100	95	140	140

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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 2016	ACTUAL FY 2017	BUDGETED FY 2018	REQUESTED FY 2019	GOVERNOR'S RECOMMENDED FY 2019	RECOMMENDED INC/(DEC) FY 2019
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	218,215	196,883	228,530	228,530	228,530	0
Total	\$ 218,215	\$ 196,883	\$ 228,530	\$ 228,530	\$ 228,530	\$ 0
EXPENDITURE DETAIL:						
Personal Services	\$ 119,559	\$ 101,913	\$ 128,807	\$ 128,807	\$ 128,807	\$ 0
Operating Expenses	98,656	94,970	99,723	99,723	99,723	0
Total	\$ 218,215	\$ 196,883	\$ 228,530	\$ 228,530	\$ 228,530	\$ 0
Staffing Level FTE:	2.0	1.8	2.0	2.0	2.0	0.0

	ACTUAL FY 2016	ACTUAL FY 2017	ESTIMATED FY 2018	ESTIMATED FY 2019
REVENUES				
911 Law Enforcement Revolving Fund	108,000	100,729	101,736	102,754
Total	108,000	100,729	101,736	102,754

	ACTUAL FY 2016	ACTUAL FY 2017	ESTIMATED FY 2018	ESTIMATED FY 2019
PERFORMANCE INDICATORS				
911 Telecommunicators Certified	50	50	50	50
Telecommunicators Attending Advanced Courses	500	721	500	500
Courses Scheduled	50	24	50	50
Terminal Operators Certified	450	414	450	450
Active Certified 911 Telecommunicators	250	316	300	300
Active Terminal Operators	2,500	2,860	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 2016	ACTUAL FY 2017	BUDGETED FY 2018	REQUESTED FY 2019	GOVERNOR'S RECOMMENDED FY 2019	RECOMMENDED INC/(DEC) FY 2019
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	219,103	243,367	265,130	265,130	265,130	0
Total	\$ 219,103	\$ 243,367	\$ 265,130	\$ 265,130	\$ 265,130	\$ 0
EXPENDITURE DETAIL:						
Personal Services	\$ 200,839	\$ 219,198	\$ 193,615	\$ 193,615	\$ 193,615	\$ 0
Operating Expenses	18,265	24,169	71,515	71,515	71,515	0
Total	\$ 219,103	\$ 243,367	\$ 265,130	\$ 265,130	\$ 265,130	\$ 0
Staffing Level FTE:	3.0	3.0	3.0	3.0	3.0	0.0

	ACTUAL FY 2016	ACTUAL FY 2017	ESTIMATED FY 2018	ESTIMATED FY 2019
REVENUES				
Company Assessments	3,460	338,358	25,000	300,000
Total	3,460	338,358	25,000	300,000
PERFORMANCE INDICATORS				
Informational Reports	21	22	21	21
Investigative Reports	45	26	40	40
Convictions	8	12	10	10