

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 2017	ACTUAL FY 2018	BUDGETED FY 2019	REQUESTED FY 2020	GOVERNOR'S RECOMMENDED FY 2020	RECOMMENDED INC/(DEC) FY 2020
FUNDING SOURCE:						
General Funds	\$ 11,515,251	\$ 11,660,162	\$ 11,634,500	\$ 11,877,948	\$ 11,940,382	\$ 305,882
Federal Funds	3,179,882	3,195,112	3,855,688	4,000,987	3,855,688	0
Other Funds	10,151,913	11,057,628	11,035,349	11,638,623	11,215,349	180,000
Total	<u>\$ 24,847,046</u>	<u>\$ 25,912,902</u>	<u>\$ 26,525,537</u>	<u>\$ 27,517,558</u>	<u>\$ 27,011,419</u>	<u>\$ 485,882</u>
EXPENDITURE DETAIL:						
Personal Services	\$ 14,891,555	\$ 15,245,553	\$ 16,183,710	\$ 16,247,341	\$ 16,340,852	\$ 157,142
Operating Expenses	9,955,491	10,667,350	10,341,827	11,270,217	10,670,567	328,740
Total	<u>\$ 24,847,046</u>	<u>\$ 25,912,902</u>	<u>\$ 26,525,537</u>	<u>\$ 27,517,558</u>	<u>\$ 27,011,419</u>	<u>\$ 485,882</u>
Staffing Level FTE:	180.0	186.7	189.0	190.0	191.0	2.0

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 2017	ACTUAL FY 2018	BUDGETED FY 2019	REQUESTED FY 2020	GOVERNOR'S RECOMMENDED FY 2020	RECOMMENDED INC/(DEC) FY 2020
FUNDING SOURCE:						
General Funds	\$ 5,052,131	\$ 5,115,419	\$ 5,119,124	\$ 5,221,585	\$ 5,221,585	\$ 102,461
Federal Funds	706,632	406,130	822,197	822,197	822,197	0
Other Funds	2,401,551	2,446,885	2,762,085	3,037,085	2,762,085	0
Total	\$ 8,160,314	\$ 7,968,434	\$ 8,703,406	\$ 9,080,867	\$ 8,805,867	\$ 102,461
EXPENDITURE DETAIL:						
Personal Services	\$ 6,125,943	\$ 6,029,952	\$ 6,534,711	\$ 6,534,711	\$ 6,534,711	\$ 0
Operating Expenses	2,034,371	1,938,482	2,168,695	2,546,156	2,271,156	102,461
Total	\$ 8,160,314	\$ 7,968,434	\$ 8,703,406	\$ 9,080,867	\$ 8,805,867	\$ 102,461
Staffing Level FTE:	66.3	67.7	70.0	70.0	70.0	0.0

	ACTUAL FY 2017	ACTUAL FY 2018	ESTIMATED FY 2019	ESTIMATED FY 2020
REVENUES				
Non-traditional Legal Services	437,591	296,945	400,000	400,000
Medicaid Fraud Grant	314,348	261,682	325,000	325,000
Drug Task Force Grant	707,834	180,937	500,000	500,000
Drug Control Fund	1,724,088	803,058	2,033,266	1,598,988
Consumer Protection Fund	2,959,192	1,416,226	645,000	285,000
Total	6,143,053	2,958,848	3,903,266	3,108,988

PERFORMANCE INDICATORS

Legal Services:				
Opinions Issued	4	6	6	6
New Cases				
Opened/Closed/Pending (thousands)	1.0/2.0/2.0	1.4/1.7/2.3	1.5/1.8/2.3	1.5/1.8/2.3
Briefs/Mail Docketing	153/11,455	154/11,676	160/12,000	160/12,000
Consumer Protection:				
Complaints Opened/Closed	1,571/1,416	1,719/1,184	1,800/1,600	1,800/1,600
Mail Outgoing	6,553	6,139	7,000	5,000
Phone Calls/E-Mail/Hotline/Correspondence	30,156	35,005	30,000	30,000
Charitable Solicitation Registrations	459	404	400	400
Buying Club Registrations	5	5	3	4
Debt Adjustment Bonds	26	31	20	25
Value of Consumer Protection:				
Complaints Resolved	\$9,427,795	\$2,146,964	\$2,200,000	\$2,200,000
Solicitors	43	33	43	35
Medicaid Fraud:				
Cases Opened/Closed/Pending	27/28/44	35/50/27	25/25/50	25/25/50
Felony/Misdemeanor Convictions	2/0	1/5	2/1	2/1
Recoveries	\$498,115	\$500,000	\$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 2017	ACTUAL FY 2018	BUDGETED FY 2019	REQUESTED FY 2020	GOVERNOR'S RECOMMENDED FY 2020	RECOMMENDED INC/(DEC) FY 2020
FUNDING SOURCE:						
General Funds	\$ 5,974,999	\$ 6,046,664	\$ 6,015,869	\$ 6,156,856	\$ 6,219,290	\$ 203,421
Federal Funds	2,473,249	2,788,982	3,033,491	3,178,790	3,033,491	0
Other Funds	5,332,626	6,154,125	5,806,912	6,135,186	5,986,912	180,000
Total	\$ 13,780,874	\$ 14,989,772	\$ 14,856,272	\$ 15,470,832	\$ 15,239,693	\$ 383,421
EXPENDITURE DETAIL:						
Personal Services	\$ 7,627,574	\$ 8,018,486	\$ 8,453,635	\$ 8,517,266	\$ 8,610,777	\$ 157,142
Operating Expenses	6,153,299	6,971,286	6,402,637	6,953,566	6,628,916	226,279
Total	\$ 13,780,874	\$ 14,989,772	\$ 14,856,272	\$ 15,470,832	\$ 15,239,693	\$ 383,421
Staffing Level FTE:	95.4	100.1	100.5	101.5	102.5	2.0

	ACTUAL FY 2017	ACTUAL FY 2018	ESTIMATED FY 2019	ESTIMATED FY 2020
REVENUES				
Record Check	958,540	973,954	983,694	993,530
Total	958,540	973,954	983,694	993,530

PERFORMANCE INDICATORS				
Investigations Conducted by DCI	963	935	970	1,000
Polygraph Exams Conducted	100	53	75	100
Criminal Fingerprint Cards Received	31,850	32,620	33,000	34,000
Noncriminal Background Fingerprint Checks	35,253	35,882	42,000	44,000
Sex Offender Registered	3,680	3,684	3,794	3,904
Search Warrants	403	534	545	555
Lab Reports	2,035	1,811	1,835	1,858
Lab Cases Received	1,014	1,109	1,125	1,140

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 2017	ACTUAL FY 2018	BUDGETED FY 2019	REQUESTED FY 2020	GOVERNOR'S RECOMMENDED FY 2020	RECOMMENDED INC/(DEC) FY 2020
FUNDING SOURCE:						
General Funds	\$ 488,121	\$ 498,079	\$ 499,507	\$ 499,507	\$ 499,507	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	1,977,486	2,033,458	1,968,264	1,968,264	1,968,264	0
Total	\$ 2,465,607	\$ 2,531,537	\$ 2,467,771	\$ 2,467,771	\$ 2,467,771	\$ 0
EXPENDITURE DETAIL:						
Personal Services	\$ 816,926	\$ 838,683	\$ 869,573	\$ 869,573	\$ 869,573	\$ 0
Operating Expenses	1,648,681	1,692,854	1,598,198	1,598,198	1,598,198	0
Total	\$ 2,465,607	\$ 2,531,537	\$ 2,467,771	\$ 2,467,771	\$ 2,467,771	\$ 0
Staffing Level FTE:	13.6	13.9	13.5	13.5	13.5	0.0

	ACTUAL FY 2017	ACTUAL FY 2018	ESTIMATED FY 2019	ESTIMATED FY 2020
REVENUES				
Law Enforcement Revolving Fund	4,057,999	4,148,802	4,187,816	4,229,373
Total	4,057,999	4,148,802	4,187,816	4,229,373

PERFORMANCE INDICATORS				
Officers Certified, Basic 520-Hour Course	134	128	140	140
Officers Attending Specialized, Advanced, and Field Courses	2,926	2,264	2,500	2,500
Courses Scheduled	83	80	85	85
Officers Attending Grant Training	174	158	200	200
Grants Awarded	6	4	6	6
Other Groups Conducting Seminars and				
Officers Requesting Reciprocity Certification	31	32	40	40
Officers Receiving Reciprocity Certification	13	10	30	30
Reserve Officers Certified in SD	138	83	100	100
Pending Certification Law Enforcement	111	89	100	100
Officers Certified	1,911	1,946	1,950	1,950
D.A.R.E. Participating Agencies	53	53	55	55
Schools with D.A.R.E.	72	77	75	75
Student Participation	4,183	4,163	4,500	4,500
Cities with D.A.R.E.	49	49	50	50
D.A.R.E. Officers	95	85	90	90

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 2017	ACTUAL FY 2018	BUDGETED FY 2019	REQUESTED FY 2020	GOVERNOR'S RECOMMENDED FY 2020	RECOMMENDED INC/(DEC) FY 2020
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	196,883	158,490	230,227	230,227	230,227	0
Total	<u>\$ 196,883</u>	<u>\$ 158,490</u>	<u>\$ 230,227</u>	<u>\$ 230,227</u>	<u>\$ 230,227</u>	<u>\$ 0</u>
EXPENDITURE DETAIL:						
Personal Services	\$ 101,913	\$ 120,570	\$ 130,167	\$ 130,167	\$ 130,167	\$ 0
Operating Expenses	94,970	37,920	100,060	100,060	100,060	0
Total	<u>\$ 196,883</u>	<u>\$ 158,490</u>	<u>\$ 230,227</u>	<u>\$ 230,227</u>	<u>\$ 230,227</u>	<u>\$ 0</u>
Staffing Level FTE:	1.8	2.0	2.0	2.0	2.0	0.0

	ACTUAL FY 2017	ACTUAL FY 2018	ESTIMATED FY 2019	ESTIMATED FY 2020
REVENUES				
911 Law Enforcement Revolving Fund	100,729	100,411	101,415	102,429
Total	<u>100,729</u>	<u>100,411</u>	<u>101,415</u>	<u>102,429</u>

PERFORMANCE INDICATORS				
911 Telecommunicators Certified	50	44	50	50
Telecommunicators Attending Advanced Courses	721	589	600	600
Courses Scheduled	24	21	30	30
Terminal Operators Certified	414	547	550	550
Active Certified 911 Telecommunicators	316	332	350	350
Active Terminal Operators	2,860	2,880	2,900	2,900

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 2017	ACTUAL FY 2018	BUDGETED FY 2019	REQUESTED FY 2020	GOVERNOR'S RECOMMENDED FY 2020	RECOMMENDED INC/(DEC) FY 2020
FUNDING SOURCE:						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	243,367	264,669	267,861	267,861	267,861	0
Total	\$ 243,367	\$ 264,669	\$ 267,861	\$ 267,861	\$ 267,861	\$ 0
EXPENDITURE DETAIL:						
Personal Services	\$ 219,198	\$ 237,862	\$ 195,624	\$ 195,624	\$ 195,624	\$ 0
Operating Expenses	24,169	26,807	72,237	72,237	72,237	0
Total	\$ 243,367	\$ 264,669	\$ 267,861	\$ 267,861	\$ 267,861	\$ 0
Staffing Level FTE:	3.0	3.0	3.0	3.0	3.0	0.0

	ACTUAL FY 2017	ACTUAL FY 2018	ESTIMATED FY 2019	ESTIMATED FY 2020
PERFORMANCE INDICATORS				
Informational Reports	22	13	20	25
Investigative Reports	26	24	30	40
Convictions	12	5	10	15