



Joint Committee on Appropriations
SENATOR DEB PETERS, CO-CHAIR
REPRESENTATIVE JUSTIN CRONIN, CO-CHAIR

April 1, 2016

Mr. Marty Jackley, Attorney General
Office of the Attorney General
1302 E Hwy 14, Ste 1
Pierre, SD 57501

Letter of Intent Regarding Legislation Approved in the 2016 Session

Dear Attorney General Jackley:

This Letter of Intent sets forth a particular view held by the Joint Committee on Appropriations in approving your appropriation in the 2016 legislative session. As such, this Letter of Intent seeks to supplement that legislation with specific policy guidance as approved on March 29, 2016.

While the guideline does not have the direct force of statutory law, it rests solidly on a long-standing tradition of Legislative-Executive relationships in South Dakota and it will be used by the Joint Committee as one basis for the fiscal oversight of your agency and its continued funding.

The 2016 South Dakota Legislature approved up to and not exceeding 2.0 FTE and \$181,192 in other fund expenditure authority for an Attorney Specialist and an Investigator to support SB54, An Act to adopt the Elder Abuse Task Force's statutory recommendations in order to protect South Dakota seniors and adults with disabilities from abuse, neglect, and exploitation. The \$181,192 funding is to come from the Court Automation Fund.

According to the Elder Abuse Task Force Final Report and Recommendation, December 2015, the Task Force received consistent public testimony on the lack of prosecution of financial exploitation and the difficulties of prosecuting the crime. The Task Force recommended that the Legislature appropriate funds for an attorney-specialist, within the Office of the Attorney General, to prosecute or to assist state's attorneys in prosecuting the abuse, neglect, and financial exploitation of elders or adults with disabilities. The attorney-specialist would also serve as an educational resource and liaison for local and tribal law enforcement. The Task Force also recommended that the Legislature appropriate funds for an investigator specializing in these cases to assist the attorney in bringing criminal charges and providing education on this topic.

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It is the intent of the Joint Committee on Appropriations that the Office of the Attorney General provide quarterly status reports to the Committee regarding the investigations that these two FTE will be working on in relation to abuse, neglect, and exploitation of seniors and adults. In addition, the status report should include an explanation of the benefits that have been derived by the work of the Attorney Specialist and the Investigator.

Thank you for your cooperation.

/S/ Senator Deb Peters
Senator Deb Peters
Co-Chair, Joint Committee on Appropriations

/S/ Representative Justin Cronin
Representative Justin Cronin
Co-Chair, Joint Committee on Appropriations

cc: Marty Guindon, Auditor General
Jason Dilges, Commissioner, Bureau of Finance and Management