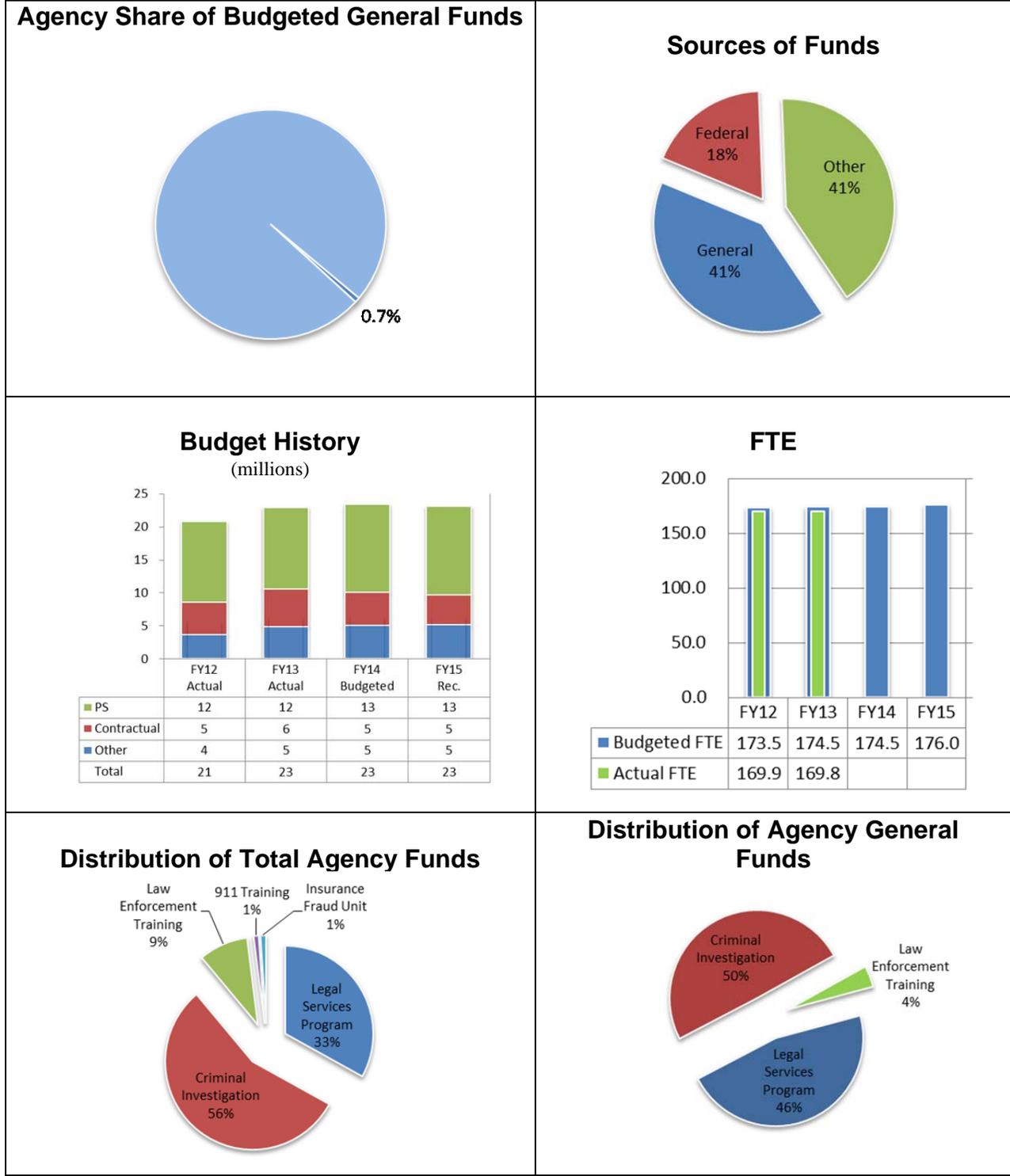


FY15 Budget Briefing

Attorney General

Information contained in this document is based on the Governor's original FY15 recommended budget.
This document may not correspond with the FY15 budget adopted by the Legislature.



Key Personnel

- **Marty Jackley, Attorney General**
- Kay McLain, Business Manager
- Charles McGuigan, Chief Deputy Attorney General
- Bryan Gortmaker, DCI Director

Department Total

The mission of the Attorney General is 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.

	<u>Actual</u>	<u>Actual</u>	<u>Budgeted</u>	<u>Gov Rec</u>	<u>Inc/Dec</u>	<u>Rec % Change</u>
	<u>FY2012</u>	<u>FY2013</u>	<u>FY2014</u>	<u>F20Y15</u>	<u>FY2015</u>	<u>From</u>
						<u>FY2014</u>
Personal Services						
Employee Salaries	9,837,186	9,757,388	10,728,917	10,824,758	95,841	0.9%
Employee Benefits	2,371,022	2,623,726	2,607,704	2,622,930	15,226	0.6%
FTE	169.9	169.8	175.0	176.0	1.0	0.6%
Funding Types						
General	6,854,624	6,909,125	7,360,654	7,360,654	0	0.0%
Federal	1,829,221	1,675,320	1,583,959	1,571,959	(12,000)	(0.8%)
Other	3,524,362	3,796,669	4,392,008	4,515,075	123,067	2.8%
Total PS	12,208,208	12,381,114	13,336,621	13,447,688	111,067	0.8%
Operating Expenses						
Travel	934,784	1,101,659	1,037,543	1,068,443	30,900	3.0%
Contractual Services	4,932,288	5,735,615	5,009,691	4,513,793	(495,898)	(9.9%)
Supplies & Materials	564,294	892,826	909,116	961,116	52,000	5.7%
Grants and Subsidies	1,495,916	2,133,594	2,385,344	2,340,344	(45,000)	(1.9%)
Capital Outlay	643,479	670,999	699,257	734,357	35,100	5.0%
Other	2,487	0	31,884	31,884	0	0.0%
Funding Types						
General	2,387,735	3,059,006	2,602,972	2,036,173	(566,799)	(21.8%)
Federal	2,607,351	2,567,937	2,637,755	2,620,437	(17,318)	(0.7%)
Other	3,578,163	4,907,751	4,832,108	4,993,327	161,219	3.3%
Total OE	8,573,249	10,534,694	10,072,835	9,649,937	(422,898)	(4.2%)
Totals						
Funding Types						
General	9,242,359	9,968,131	9,963,626	9,396,827	(566,799)	(5.7%)
Federal	4,436,573	4,243,257	4,221,714	4,192,396	(29,318)	(0.7%)
Other	7,102,525	8,704,420	9,224,116	9,508,402	284,286	3.1%
Total	20,781,457	22,915,808	23,409,456	23,097,625	(311,831)	(1.3%)

Department Object Detail

Item	Actual FY2012	Actual FY2013	Budgeted FY2014	Governor	Inc/Dec FY2014	% Change FY2014
				Rec FY2015		
PERSONAL SERVICES						
General Funds	6,854,624	6,909,125	7,360,654	7,360,654	0	0.0%
Federal Funds	1,829,221	1,675,320	1,583,959	1,571,959	(12,000)	(0.8%)
Other Funds	3,524,362	3,796,670	4,392,008	4,515,075	123,067	2.8%
Total Personal Services	12,208,207	12,381,115	13,336,621	13,447,688	111,067	0.8%
FTE	169.9	169.8	175.0	176.0	1.0	0.6%
TRAVEL						
General Funds	386,421	458,389	449,282	449,282	0	0.0%
Federal Funds	265,119	234,020	208,181	218,081	9,900	4.8%
Other Funds	283,244	409,251	380,080	401,080	21,000	5.5%
Total Travel	934,784	1,101,660	1,037,543	1,068,443	30,900	3.0%
CONTRACTUAL SERVICES						
General Funds	1,819,653	2,339,846	1,932,639	1,365,840	(566,799)	(29.3%)
Federal Funds	984,965	643,001	822,551	830,233	7,682	0.9%
Other Funds	2,127,670	2,752,768	2,254,501	2,317,720	63,219	2.8%
Total Contractual Services	4,932,288	5,735,615	5,009,691	4,513,793	(495,898)	(9.9%)
SUPPLIES AND MATERIALS						
General Funds	126,016	167,832	182,157	182,157	0	0.0%
Federal Funds	87,654	185,946	260,447	260,447	0	0.0%
Other Funds	350,625	539,048	466,512	518,512	52,000	11.1%
Total Supplies and Materials	564,295	892,826	909,116	961,116	52,000	5.7%
GRANTS AND SUBSIDIES						
General Funds	0	1,159	0	0	0	0.0%
Federal Funds	977,868	1,074,033	1,172,481	1,127,481	(45,000)	(3.8%)
Other Funds	518,047	1,058,403	1,212,863	1,212,863	0	0.0%
Total Grants and Subsidies	1,495,915	2,133,595	2,385,344	2,340,344	(45,000)	(1.9%)
CAPITAL OUTLAY						
General Funds	55,646	91,780	38,894	38,894	0	0.0%
Federal Funds	289,257	430,938	150,182	160,282	10,100	6.7%
Other Funds	298,576	148,282	510,181	535,181	25,000	4.9%
Total Capital Outlay	643,479	671,000	699,257	734,357	35,100	5.0%
OTHER						
General Funds	0	0	0	0	0	0.0%
Federal Funds	2,487	0	23,913	23,913	0	0.0%
Other Funds	0	0	7,971	7,971	0	0.0%
Total Other	2,487	0	31,884	31,884	0	0.0%
TOTAL						
General Funds	9,242,360	9,968,131	9,963,626	9,396,827	(566,799)	(5.7%)
Federal Funds	4,436,571	4,243,258	4,221,714	4,192,396	(29,318)	(0.7%)
Other Funds	7,102,524	8,704,422	9,224,116	9,508,402	284,286	3.1%
Total All Funds	20,781,455	22,915,811	23,409,456	23,097,625	(311,831)	(1.3%)

MAJOR EXPANSIONS AND REDUCTIONS

Budget Item	Governor's Recommendation				FTE
	General Funds	Federal Funds	Other Funds	Total Funds	
All Department:					
A. Bureau Billings	34,693	2,682	27,219	64,594	-
Legal Services Program:					
B. Reduction of Stimulus Authority	-	(12,000)	-	(12,000)	-
C. Investigator Certification	-	-	15,000	15,000	-
D. Consumer Radio Outreach	-	-	30,000	30,000	-
E. Printing	-	-	42,000	42,000	-
Criminal Investigation:					
F. Funding Change	-	-	28,168	28,168	-
G. New DCI Agent in Sioux Falls	-	-	94,899	94,899	1.0
H. Operating Expenses for new DCI Agent	-	25,000	22,000	47,000	-
I. Equipment Service and Maintenance	45,668	-	-	45,668	-
J. Bond Payment Reduction	(647,160)	-	-	(647,160)	-
K. Capital Outlay	-	-	25,000	25,000	-
L. Reduction of Stimulus Authority	-	(45,000)	-	(45,000)	-
Total	(566,799)	(29,318)	284,286	(311,831)	1.0

All Department:

A. Bureau Billings: Increase of **\$34,693** from general funds, **\$2,682** in federal fund expenditure authority, and **\$27,219** in other fund expenditure authority due to changes in the interagency bureau billings for the Attorney General's Office. (For services provided by central governmental bureaus - Bureau of Administration, Bureau of Finance & Management, Bureau of Information & Telecommunications, and the Bureau of Human Resources.)

Legal Services Division:

B. Reduction of Stimulus (ARRA) Funding. Reduction of **\$12,000** in federal fund expenditure authority that was added in FY11 due to available Stimulus (ARRA) funding that has now expired.

C. Consumer Division Investigator Certification. Increase of **\$9,000** in other fund expenditure authority for travel and **\$6,000** in other fund expenditure authority for registration fees. It is the intent of the Consumer Division to achieve certification for fraud investigators. To attend the certification, travel is estimated at \$3,000 and registration fees are estimated at \$2,000 for each investigator. Since there are six investigators, the goal is to have three investigators certified each year, with recertification happening every other year.

- D. Increase for Consumer Radio Outreach.** Increase of **\$30,000** in other fund expenditure authority for radio advertising. For better outreach to consumers, the office had previously contracted with a local Pierre station to play consumer ads during sporting events broadcast by the station. During the broadcast the officials of the game are named and they are the “law of the field or court” whichever is applicable. The Attorney General’s Office Division of Consumer Protection is then named as being a sponsor for the Official’s introduction and then a consumer ad is played. The ads contain messages for consumer awareness and protection. Ads are changed throughout the year to keep consumers aware of current scams and issues. The office has received some encouraging comments from the public regarding these ads and plans to take them statewide.
- E. Increase for Printing.** The office is requesting other fund expenditure authority of **\$30,000** to design and print the new Senior Handbook designed to help our senior’s navigate the ever changes issues they encounter and **\$12,000** to print 10,000 copies of the Privacy Rights book. This book gives consumers information on how to protect them against identity theft and if they become a victim the steps needed to rectify the issue.

Division of Criminal Investigation:

- F. Net Increase in Other Fund Expenditure Authority.** Net increase of **\$28,168** in other fund expenditure authority for FY15. The increase includes:
- a. Increase of \$300,000 in consumer settlement other fund expenditure authority to be used for possible future settlements; and
 - b. Reduction of \$271,832 in Law Enforcement Officer Training Fund expenditure authority that is no longer needed.
- G. New DCI Agent in Sioux Falls.** Increase of **\$94,899** in other fund expenditure authority and **1.0 FTE** for an Internet Crimes against Children (ICAC) agent in Sioux Falls.

In January 2011, the Division of Criminal Investigation (DCI) partnered with the Rapid City Police Department (RCPD) and the Pennington County Sheriff’s Office (PCSO) in a joint internet crime against children (ICAC) task force. This task force is staffed by one detective from PCSO, two detectives from RCPD, and supervised by a DCI Agent. The task force is collocated in the Pennington county Public Safety building in Rapid City. Prior to the formation of this task force, law enforcement agencies worked independently on electronic crimes under the umbrella of the statewide ICAC task force. By combining the resources, the efficiency of the west river electronic crimes investigations greatly increased. As technology, techniques, and tactics of the offenders became more sophisticated, the ICAC members had to broaden their expertise and scope of the crimes they investigated. The amount of child pornography that is discovered during an investigation has greatly increased. Five years ago it was uncommon to find more than several hundred gigabits of images. Now it is not uncommon to find several terabits of images. By using the task force structure, the work tasks can be delegated to streamline the efficiency and productivity of the resources.

These investigators are currently assisting on every type of crime including homicide, arson, suicide, theft by embezzlement, narcotics, missing persons, and child abductions. Their request for assists as well as the complexity of the cases is growing every year. The task forces document their activity in electronic crimes unit (ECU) reports. The follow is the amount of ECU reports by year.

2010 - 59

2011 - 173

2012 - 525

2013 - (as of August 28, 2013) 549 (Projected to be 800)

A major factor in this growth is the efficiency in proper allocation of personnel and equipment to prevent redundancy. This also increases the success rate of all the investigations they are involved with.

In the Sioux Falls / Minnehaha County Area there are currently two local law enforcement officers assigned to the electronic crimes / ICAC investigations, one Sioux Falls Police department (SFPD) detective and one Minnehaha County Sheriff's Office (MCSO) detective. These two detectives work under the umbrella of the statewide ICAC task force but work independent cases.

By adding a DCI Agent specially trained in computer forensic examinations to supervise a task force in the Sioux Falls area we will be able streamline the work flow and be able to provide the region with top of the line assistance in these types of crimes. The two detectives would be deputized as Special Assistant Attorney General's to be able to work investigation outside their parent organization's jurisdictions. This would now become a regional asset.

NOTE: The Attorney General proposes to hire an agent with ICAC specialty without requesting a general fund increase. To accomplish this, a realignment of general funds and consumer settlement funds within the Division of Criminal Investigation is needed. The proposal is to use consumer settlement funds to begin paying the salary and benefits of an existing "white collar crime" agent since that job and funding source go hand in hand. That funding change will free up general funds to be used to hire the new ICAC agent in Sioux Falls.

H. Operating Expenses for New DCI Agent in Sioux Falls. Increase of **\$47,000** for operating expenses for the new DCI Agent. The increase includes:

- a. **Travel** – Increase of \$9,900 in federal fund expenditure authority and \$12,000 in other fund expenditure authority for travel;
- b. **Training** – Increase of \$5,000 in federal fund expenditure authority to attend an ACCESS data training course;
- c. **Police and Security Supplies** – Increase of 10,000 in other fund expenditure authority for supplies; and
- d. **Police and Security Equipment** – Increase of \$10,100 in federal fund expenditure authority for tactical vests, weapons, lights/sirens/ and a radio.

- I. **Equipment Service and Maintenance.** General fund increase of **\$36,668** for maintenance agreement for the SD Connect Project and **\$9,000** for a 3500 Genetic Analyzer in the forensic laboratory.
- J. **Bond Payment Reduction.** Decrease of **\$647,160** from general funds which will eliminate the annual bond payment as part of the Governor's plan to pay off existing bonds. The plan calls for \$6,040,293 in bonds to be paid in full for the Mickelson DCI Building. By paying the bonds in full, there will be an ongoing general fund savings of \$647,160. This is also projected to save the state \$1,618,905 in future interest and fee savings.
- K. **Capital Outlay.** Increase of **\$85,446** in other fund expenditure authority in police and security equipment to support Drug Grant agents and Polygraph machine. There is also a decrease of **\$60,446** in other fund expenditure authority for computer hardware.
- L. **Reduction of Stimulus (ARRA) Funding.** Reduction of **\$45,000** in federal fund expenditure authority due to the completion of the Internet Crimes Against Children ARRA funding and it being removed from this program.

Governor's Recommended Compensation Plan – BFM Pool

For FY15, the Governor recommends the state employee compensation plan be distributed from a pool in the BFM. *Therefore, individual agency budgets do not reflect the changes for the compensation plan.*

	<u>General</u>	<u>Federal</u>	<u>Other</u>	<u>Total</u>
Across the Board Increase and Market Adjustments	\$215,510	\$44,436	\$134,493	\$394,439
Health Insurance	\$131,250	\$26,880	\$81,827	\$239,957
Movement Toward Job Worth (PACE)	\$107,119	\$15,913	\$31,997	\$155,028
Pay for Performance (Career Band Families)	\$0	\$0	\$0	\$0
Targeted Compensation Adjustments	\$0	\$0	\$0	\$0
Total of all Components	\$453,879	\$87,229	\$248,317	\$789,424

- Recommended FY15 - 3.0% PACE; 0%-4.5% Pay for Performance for Career Banding; 3% Across-the-Board/Market; 18.6% Health Insurance; Targeted compensation adjustments for a small number of hard-to-fill, below market vocational jobs.
- FY14 – 3.5% PACE; 0%-4.5% Pay for Performance for Career Banding; 3% Across-the-Board; 3.5%-4% Market Adjustment for Career Banding; 14.7% Health Insurance
- FY13 – 2.5% PACE; up to 7.0% Market Adjustment for Career Banding; 3% Across-the-Board; 3.3% Health Insurance.
- FY12 – 0% PACE; 0% Across-the-Board; 0% Health Insurance. One-time payment to permanent, non-probationary state employees equaling 5%, 3.4%, or 1.7% of the individual's annual salary depending on their longevity. (No increase to base in FY12.)
- FY11 – 0% PACE; 0% Across-the-Board; 6.3% Health Insurance
- FY10 – 0% PACE; 0% Across-the-Board; 0% Health Insurance

Acronyms:

LET – Law Enforcement Training

LEOTF – Law Enforcement Officers Training Fund

CJI – Criminal Justice Initiative

PSIA – Public Safety Improvement Act

AFIS – Automated Fingerprint Identification System

SAVIN – Statewide Automated Victim Information & Notification

SCRAM – Secure Continuous Remote Alcohol Monitor (24/7 bracelets)

ICAC – Internet Crimes Against Children

NCHIP – National Criminal History Improvement Program

EVOC – Emergency Vehicle Operations Course

HIDTA – High Intensity Drug Trafficking Area

SIS – Suspended Imposition of Sentence

SES – Suspended Execution of Sentence

PEPL – Public Entity Pool for Liability

ARRA – American Recovery & Reinvestment Act (Federal Stimulus)

LEGAL SERVICES PROGRAM

The mission of the Legal Service Program is to:

- provide counsel for state agencies, boards, and commissions;
- represent and defend all divisions of the state in all courts of law, including filing court briefs;
- issue official opinions to legislators, county, state, and local officials, along with countless informal opinions;
- mediate complaints regarding merchandise and purchases through the Consumer Protection Division;
- educate consumers on their rights; and
- recover monies for South Dakota consumers in their complaint cases.

	<u>Actual</u> <u>FY2012</u>	<u>Actual</u> <u>FY2013</u>	<u>Budgeted</u> <u>FY2014</u>	<u>Gov Rec</u> <u>F20Y15</u>	<u>Rec % Change</u> <u>Inc/Dec</u> <u>FY2015</u>	<u>From</u> <u>FY2014</u>
Personal Services						
Employee Salaries	5,039,047	5,135,606	4,504,363	4,496,363	(8,000)	(0.2%)
Employee Benefits	1,164,040	1,344,847	1,044,322	1,040,322	(4,000)	(0.4%)
FTE	80.2	82.0	67.0	67.0	0.0	0.0%
Funding Types						
General	4,261,304	4,309,786	3,845,311	3,845,311	0	0.0%
Federal	792,620	813,849	442,527	430,527	(12,000)	(2.7%)
Other	1,149,163	1,356,817	1,260,847	1,260,847	0	0.0%
Total PS	6,203,087	6,480,453	5,548,685	5,536,685	(12,000)	(0.2%)
Operating Expenses						
Travel	257,134	339,241	147,234	156,234	9,000	6.1%
Contractual Services	970,784	1,089,614	631,255	686,515	55,260	8.8%
Supplies & Materials	193,657	287,492	163,562	205,562	42,000	25.7%
Grants and Subsidies	357,814	903,288	967,481	967,481	0	0.0%
Capital Outlay	61,518	368,449	49,145	49,145	0	0.0%
Other	0	0	31,884	31,884	0	0.0%
Funding Types						
General	608,186	634,647	510,946	523,344	12,398	2.4%
Federal	565,928	927,459	525,882	528,546	2,664	0.5%
Other	666,793	1,425,978	953,733	1,044,931	91,198	9.6%
Total OE	1,840,907	2,988,084	1,990,561	2,096,821	106,260	5.3%
Totals						
Funding Types						
General	4,869,490	4,944,433	4,356,257	4,368,655	12,398	0.3%
Federal	1,358,548	1,741,308	968,409	959,073	(9,336)	(1.0%)
Other	1,815,956	2,782,795	2,214,580	2,305,778	91,198	4.1%
Total	8,043,994	9,468,537	7,539,246	7,633,506	94,260	1.3%

Budget Notes

In addition to the *All Department* bureau billings changes:

- B. Reduction of Stimulus (ARRA) Funding.** Reduction of **\$12,000** in federal fund expenditure authority that was added in FY11 due to available Stimulus (ARRA) funding that has now expired.
- C. Consumer Division Investigator Certification.** Increase of **\$9,000** in other fund expenditure authority for travel and **\$6,000** in other fund expenditure authority for registration fees. It is the intent of the Consumer Division to achieve certification for fraud investigators. To attend the certification, travel is estimated at \$3,000 and registration fees are estimated at \$2,000 for each investigator. Since there are six investigators, the goal is to have three investigators certified each year, with recertification happening every other year.
- D. Increase for Consumer Radio Outreach.** Increase of **\$30,000** in other fund expenditure authority for radio advertising. For better outreach to consumers, the office had previously contracted with a local Pierre station to play consumer ads during sporting events broadcast by the station. During the broadcast the officials of the game are named and they are the “law of the field or court” whichever is applicable. The Attorney General’s Office Division of Consumer Protection is then named as being a sponsor for the Official’s introduction and then a consumer ad is played. The ads contain messages for consumer awareness and protection. Ads are changed throughout the year to keep consumers aware of current scams and issues. The office has received some encouraging comments from the public regarding these ads and plans to take them statewide.
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CRIMINAL INVESTIGATION

The mission of the Criminal Investigation program is to:

- provide assistance to local law enforcement agencies and prosecutors in the investigation of major crimes;
- conduct and coordinate investigations of criminal violations for state, local, and federal governments;
- collect and disseminate criminal intelligence information to support the investigative functions;
- maintain identification records and criminal history information;
- provide scientific examinations of evidence and expert court testimony;
- enhance the quantity, quality, and timeliness of crime statistical data to better serve the needs of investigators and policymakers;
- provide public education and prevention of internet crimes;
- facilitate internet criminal investigations; and
- provide computer forensics expertise.

	Actual	Actual	Budgeted	Gov Rec	Rec % Change	From
	<u>FY2012</u>	<u>FY2013</u>	<u>FY2014</u>	<u>F20Y15</u>	<u>Inc/Dec</u>	<u>FY2015</u>
Personal Services						
Employee Salaries	4,030,632	3,845,769	5,402,934	5,506,775	103,841	1.9%
Employee Benefits	1,020,504	1,069,171	1,353,726	1,372,952	19,226	1.4%
FTE	73.0	70.7	91.5	92.5	1.0	1.1%
Funding Types						
General	2,593,320	2,599,339	3,515,343	3,515,343	0	0.0%
Federal	1,036,602	861,471	1,141,432	1,141,432	0	0.0%
Other	1,421,214	1,454,131	2,099,885	2,222,952	123,067	5.9%
Total PS	5,051,136	4,914,940	6,756,660	6,879,727	123,067	1.8%
Operating Expenses						
Travel	533,828	630,493	714,120	736,020	21,900	3.1%
Contractual Services	3,014,580	3,578,145	3,378,528	2,807,868	(570,660)	(16.9%)
Supplies & Materials	229,665	390,023	532,385	542,385	10,000	1.9%
Grants and Subsidies	1,106,602	1,223,529	1,332,863	1,287,863	(45,000)	(3.4%)
Capital Outlay	457,075	246,663	617,398	652,498	35,100	5.7%
Other	2,487	0	0	0	0	0.0%
Funding Types						
General	1,463,557	2,061,337	1,734,226	1,144,310	(589,916)	(34.0%)
Federal	2,041,423	1,640,478	2,111,873	2,091,891	(19,982)	(0.9%)
Other	1,839,256	2,367,038	2,729,195	2,790,433	61,238	2.2%
Total OE	5,344,236	6,068,853	6,575,294	6,026,634	(548,660)	(8.3%)
Totals						
Funding Types						
General	4,056,877	4,660,676	5,249,569	4,659,653	(589,916)	(11.2%)
Federal	3,078,025	2,501,948	3,253,305	3,233,323	(19,982)	(0.6%)
Other	3,260,470	3,821,169	4,829,080	5,013,385	184,305	3.8%
Total	10,395,372	10,983,793	13,331,954	12,906,361	(425,593)	(3.2%)

Budget Notes

In addition to the *All Department* bureau billings changes:

- F. Net Increase in Other Fund Expenditure Authority.** Net increase of **\$28,168** in other fund expenditure authority for FY15. The increase includes:
- a. Increase of \$300,000 in consumer settlement other fund expenditure authority to be used for possible future settlements; and
 - b. Reduction of \$271,832 in Law Enforcement Officer Training Fund expenditure authority that is no longer needed.
- G. New DCI Agent in Sioux Falls.** Increase of **\$94,899** in other fund expenditure authority and **1.0 FTE** for an ICAC agent in Sioux Falls.

In January 2011, the Division of Criminal Investigation (DCI) partnered with the Rapid City Police Department (RCPD) and the Pennington County Sheriff's Office (PCSO) in a joint internet crime against children (ICAC) task force. This task force is staffed by one detective from PCSO, two detectives from RCPD, and supervised by a DCI Agent. The task force is collocated in the Pennington county Public Safety building in Rapid City. Prior to the formation of this task force, law enforcement agencies worked independently on electronic crimes under the umbrella of the statewide ICAC task force. By combining the resources, the efficiency of the west river electronic crimes investigations greatly increased. As technology, techniques, and tactics of the offenders became more sophisticated, the ICAC members had to broaden their expertise and scope of the crimes they investigated. The amount of child pornography that is discovered during an investigation has greatly increased. Five years ago it was uncommon to find more than several hundred gigabits of images. Now it is not uncommon to find several terabits of images. By using the task force structure, the work tasks can be delegated to streamline the efficiency and productivity of the resources.

These investigators are currently assisting on every type of crime including homicide, arson, suicide, theft by embezzlement, narcotics, missing persons, and child abductions. Their request for assistance as well as the complexity of the cases is growing every year. The task forces document their activity in electronic crimes unit (ECU) reports. The follow is the amount of ECU reports by year.

2010 - 59
2011 - 173
2012 - 525
2013 - (as of August 28, 2013) 549 (Projected to be 800)

A major factor in this growth is the efficiency in proper allocation of personnel and equipment to prevent redundancy. This also increases the success rate of all the investigations they are involved with.

In the Sioux Falls / Minnehaha County Area there are currently two local law enforcement officers assigned to the electronic crimes / ICAC investigations, one Sioux Falls Police department (SFPD) detective and one Minnehaha County

Sheriff's Office (MCSO) detective. These two detectives work under the umbrella of the statewide ICAC task force but work independent cases.

By adding a DCI Agent specially trained in computer forensic examinations to supervise a task force in the Sioux Falls area we will be able streamline the work flow and be able to provide the region with top of the line assistance in these types of crimes. The two detectives would be deputized as Special Assistant Attorney General's to be able to work investigation outside their parent organization's jurisdictions. This would now become a regional asset.

NOTE: The Attorney General proposes to hire an agent with ICAC specialty without requesting a general fund increase. To accomplish this, a realignment of general funds and consumer settlement funds within the Division of Criminal Investigation is needed. The proposal is to use consumer settlement funds to begin paying the salary and benefits of an existing "white collar crime" agent since that job and funding source go hand in hand. That funding change will free up general funds to be used to hire the new ICAC agent in Sioux Falls.

- H. Operating Expenses for New DCI Agent in Sioux Falls.** Increase of **\$47,000** for operating expenses for the new DCI Agent. The increase includes:
- e. **Travel** – Increase of \$9,900 in federal fund expenditure authority and \$12,000 in other fund expenditure authority for travel;
 - f. **Training** – Increase of \$5,000 in federal fund expenditure authority to attend an ACCESS data training course;
 - g. **Police and Security Supplies** – Increase of 10,000 in other fund expenditure authority for supplies; and
 - h. **Police and Security Equipment** – Increase of \$10,100 in federal fund expenditure authority for tactical vests, weapons, lights/sirens/ and a radio.
- I. Equipment Service and Maintenance.** General fund increase of **\$36,668** for maintenance agreement for the SD Connect Project and **\$9,000** for a 3500 Genetic Analyzer in the forensic laboratory.
- J. Bond Payment Reduction.** Decrease of **\$647,160** from general funds which will eliminate the annual bond payment as part of the Governor's plan to pay off existing bonds. The plan calls for \$6,040,293 in bonds to be paid in full for the Mickelson DCI Building. By paying the bonds in full, there will be an ongoing general fund savings of \$647,160. This is also projected to save the state \$1,618,905 in future interest and fee savings.
- K. Capital Outlay.** Increase of **\$85,446** in other fund expenditure authority in police and security equipment to support Drug Grant agents and Polygraph machine. There is also a decrease of **\$60,446** in other fund expenditure authority for computer hardware.
- L. Reduction of Stimulus (ARRA) Funding.** Reduction of **\$45,000** in federal fund expenditure authority due to the completion of the Internet Crimes Against Children ARRA funding and it being removed from this program.

LAW ENFORCEMENT TRAINING

The mission of Law Enforcement Training is to:

- train all law enforcement officers who are not presently certified according to the standards set by the Law Enforcement Standards and Training Commission;
- provide a program of advanced, specialized, and regional training for all law enforcement personnel;
- provide assistance and information needed by the Law Enforcement Standards and Training Commission to perform their duties; and
- provide assistance to the State Association of States Attorneys in designing and implementing a training program for all prosecuting attorneys.

	<u>Actual</u> <u>FY2012</u>	<u>Actual</u> <u>FY2013</u>	<u>Budgeted</u> <u>FY2014</u>	<u>Gov Rec</u> <u>F20Y15</u>	<u>Rec % Change</u> <u>Inc/Dec</u> <u>FY2015</u>	<u>From</u> <u>FY2014</u>
Personal Services						
Employee Salaries	570,067	581,184	600,362	600,362	0	0.0%
Employee Benefits	129,949	146,392	142,061	142,061	0	0.0%
FTE	11.8	12.5	11.5	11.5	0.0	0.0%
Funding Types						
General	0	0	0	0	0	0.0%
Federal	0	0	0	0	0	0.0%
Other	700,016	727,576	742,423	742,423	0	0.0%
Total PS	700,016	727,576	742,423	742,423	0	0.0%
Operating Expenses						
Travel	100,405	109,764	143,159	143,159	0	0.0%
Contractual Services	878,155	972,580	897,310	916,584	19,274	2.1%
Supplies & Materials	137,259	209,403	188,419	188,419	0	0.0%
Grants and Subsidies	31,500	6,777	85,000	85,000	0	0.0%
Capital Outlay	124,689	47,338	25,064	25,064	0	0.0%
Funding Types						
General	315,992	363,022	357,800	368,519	10,719	3.0%
Federal	0	0	0	0	0	0.0%
Other	956,016	982,841	981,152	989,707	8,555	0.9%
Total OE	1,272,008	1,345,863	1,338,952	1,358,226	19,274	1.4%
Totals						
Funding Types						
General	315,992	363,022	357,800	368,519	10,719	3.0%
Federal	0	0	0	0	0	0.0%
Other	1,656,032	1,710,417	1,723,575	1,732,130	8,555	0.5%
Total	1,972,024	2,073,439	2,081,375	2,100,649	19,274	0.9%

Budget Notes

No budget changes for FY15 except for bureau billings.

911 TRAINING

The mission of the 911 training is to:

- train all 911 telecommunications officers who are not presently certified according to the standards set by the Law Enforcement Standards and Training Commission;
- provide a program of advanced, specialized, and regional training for all 911 telecommunications personnel; and
- provide assistance and information needed by the Law Enforcement Standards and Training Commission to perform their duties.

	<u>Actual</u> <u>FY2012</u>	<u>Actual</u> <u>FY2013</u>	<u>Budgeted</u> <u>FY2014</u>	<u>Gov Rec</u> <u>F20Y15</u>	<u>Rec % Change</u> <u>Inc/Dec</u> <u>FY2015</u>	<u>From</u> <u>FY2014</u>
Personal Services						
Employee Salaries	79,078	66,744	90,001	90,001	0	0.0%
Employee Benefits	22,803	22,108	26,073	26,073	0	0.0%
FTE	2.0	1.7	2.0	2.0	0.0	0.0%
Funding Types						
General	0	0	0	0	0	0.0%
Federal	0	0	0	0	0	0.0%
Other	101,881	88,852	116,074	116,074	0	0.0%
Total PS	101,881	88,852	116,074	116,074	0	0.0%
Operating Expenses						
Travel	27,797	10,361	10,600	10,600	0	0.0%
Contractual Services	65,695	73,288	68,436	68,664	228	0.3%
Supplies & Materials	3,448	5,814	13,250	13,250	0	0.0%
Capital Outlay	198	8,100	5,250	5,250	0	0.0%
Funding Types						
General	0	0	0	0	0	0.0%
Federal	0	0	0	0	0	0.0%
Other	97,138	97,563	97,536	97,764	228	0.2%
Total OE	97,138	97,563	97,536	97,764	228	0.2%
Totals						
Funding Types						
General	0	0	0	0	0	0.0%
Federal	0	0	0	0	0	0.0%
Other	199,019	186,415	213,610	213,838	228	0.1%
Total	199,019	186,415	213,610	213,838	228	0.1%

Budget Notes

No budget changes for FY15 except for bureau billings.

INSURANCE FRAUD UNIT - INFORMATIONAL

The mission of the Insurance Fraud Unit is to confront the problem of insurance fraud in the state of South Dakota by prevention, investigation, and prosecution of fraudulent insurance acts.

	<u>Actual</u> <u>FY2012</u>	<u>Actual</u> <u>FY2013</u>	<u>Budgeted</u> <u>FY2014</u>	<u>Gov Rec</u> <u>F20Y15</u>	<u>Rec % Change</u> <u>Inc/Dec</u> <u>FY2015</u>	<u>From</u> <u>FY2014</u>
Personal Services						
Employee Salaries	118,362	128,086	131,257	131,257	0	0.0%
Employee Benefits	33,726	41,208	41,522	41,522	0	0.0%
FTE	2.9	2.8	3.0	3.0	0.0	0.0%
Funding Types						
General	0	0	0	0	0	0.0%
Federal	0	0	0	0	0	0.0%
Other	152,089	169,294	172,779	172,779	0	0.0%
Total PS	152,089	169,294	172,779	172,779	0	0.0%
Operating Expenses						
Travel	15,620	11,800	22,430	22,430	0	0.0%
Contractual Services	3,074	21,987	34,162	34,162	0	0.0%
Supplies & Materials	266	94	11,500	11,500	0	0.0%
Capital Outlay	0	449	2,400	2,400	0	0.0%
Funding Types						
General	0	0	0	0	0	0.0%
Federal	0	0	0	0	0	0.0%
Other	18,960	34,331	70,492	70,492	0	0.0%
Total OE	18,960	34,331	70,492	70,492	0	0.0%
Totals						
Funding Types						
General	0	0	0	0	0	0.0%
Federal	0	0	0	0	0	0.0%
Other	171,049	203,624	243,271	243,271	0	0.0%
Total	171,049	203,624	243,271	243,271	0	0.0%

Budget Notes

No budget changes for FY15.

Other Fund Balances

Attorney General's Office

Company and Fund Name	Blue Book Page			60-Month Average	Lowest Monthly Cash Balance in Past Five Years	
		FY2012	FY2013	Cash Balance	Amount	Month
Company 3000 - Attorney General Other	283	\$ 5,211,381	\$ 8,946,717	\$ 4,575,530	\$ 2,043,106	July 2009
Company 3000 - 24/7 Sobriety Fund	284	\$ 495,787	\$ 515,933	\$ 323,365	\$ (1,177)	November 2008
Company 3000 - Drug Control Fund	285	\$ 47,270	\$ 387,870	\$ 122,978	\$ (136,776)	February 2012
Company 3000 - Drug Control Fund - (Local Account)	286	\$ 399,191	\$ 348,870	N/A	N/A	N/A
Company 3010 - 911 Telecommunicator Training Fund	287	\$ (93,197)	\$ (170,989)	\$ (23,047)	\$ (170,989)	June 2013
Company 3010 - Law Enforcement Officers Training Fund	288	\$ (324,034)	\$ (257,236)	\$ 91,392	\$ (801,777)	May 2013
Company 6503 - Insurance Fraud Prevention Unit Fund	289	\$ 409,376	\$ 220,748	\$ 267,755	\$ 97,383	August 2008
Company 8302 - Antitrust Special Revenue Fund	290	\$ 543,242	\$ 575,267	\$ 509,275	\$ 436,949	September 2008

Interagency Billings

Below are the sources of funds this agency used in FY13 to pay for services provided by central governmental bureaus (Bureau of Finance and Management, Bureau of Information and Telecommunications, Bureau of Administration, and the Bureau of Human Resources).

FY13 Actual Expenditures	General Funds	Federal Funds	Other Funds	Total Funds
Bureau of Administration	1,101,754.87	192,894.69	771,912.33	2,066,561.89
Bureau of Finance and Management	30,083.60	2,690.67	17,394.64	50,168.91
Bureau of Human Resources	708.75	577.75	205.00	1,491.50
Bureau of Information and Telecommunications	206,471.79	29,594.54	172,358.36	408,424.69
<i>Total Bureau Billings</i>	1,339,019	225,758	961,870	2,526,647