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Statutory Authority

ND Constitution Article V, Section 12. North Dakota Century Code Chapters 5-02, 12-60, 12-62, 12.1-34, 18-01, 18-13, 23-15-04, 32-12.2-03, 32-12.2-04, 43-31-14, 51-04-03, 51-15, 51-28, 53-04.1-03, 53-06.1, 53-12.1, 54-6, 54-12, 57-36-02.

Agency Description

The Office of the Attorney General represents and defends the interest of the citizens of North Dakota by executing the responsibilities charged to the North Dakota Attorney General by the North Dakota Constitution, state statutes and administrative rules, North Dakota and federal case law, and common law. The Attorney General is the chief legal counsel and advisor to state government providing legal representation to all facets of state government, including the Governor, all departments of state government, and all state agencies, boards, and commissions. The office consists of 13 divisions: Administration, Bureau of Criminal Investigation, Civil Litigation, Consumer Protection and Antitrust, Crime Laboratory, Criminal and Regulatory, Finance and Administration, Fire Marshal, Gaming, Information Technology, Lottery, Natural Resources and Indian Affairs, and State and Local Government.

Agency Mission Statement

The Attorney General's office consists of dedicated professionals providing vital services necessary to ensure quality government in North Dakota. The office efficiently and impartially provides quality law enforcement, regulatory, investigatory, legal and informational services for the benefit of North Dakota's citizens.

Agency Performance Measures

This agency does not currently use performance measures. Office services provided include:

- Payment of office bills and payroll.
- Office budget preparation, implementation, and management.
- Office receptionist services; filing; information processing.
- Records and forms management.
- Billing for legal and Fire Marshal services.
- Purchasing and printing services for all office divisions
- Support and troubleshoot computer connectivity issues (sometimes with assistance from the state's Information Technology Department) for all office locations through the state's backbone network.
- Support computer applications which enable the various business functions of the office to conduct business.
- Backup and restore computer files as needed, and maintain disaster/recovery and contingency plans.
- Provide strategic planning for the office and address IT needs for all office divisions.
- Evaluate and implement additional computerized services based on current technology trends where applicable.
- Evaluate and provide tools to facilitate information technology effectiveness and efficiencies.
- Aging software and hardware planning and replacement in an effective and efficient manner to enable the office to fulfill its business goals effectively.
- Project management of all IT projects utilizing current market standard methodology.
- Producing software using internal programming staff and contractors to meet the ongoing and future needs of the office when purchasing software is too expensive or it does not meet office needs.
- An IT help desk service for logging and evaluation of computer problems and requests for services.
- Ongoing computer security needs evaluation and planning as industry changes and to meet market demands.
- Development and maintenance of policies and procedures for office IT related areas.
- Critical applications, computer servers, and network support after normal work hours.
- Office discussions about business processes and how computer and software technology can help accomplish office goals.
- Effectively maintaining IT data to easily provide information to the public as needed.
- Support to external IT customers who have access to the office network, servers, and applications.

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- Administrative assistance to other divisions in the agency.
- Support to the Attorney General and coordination of special projects.
- General information provision regarding North Dakota laws to the general public.
- Office representation on various boards and commissions.
- Human resource administration services and public information services to other office divisions.
- Legal advice and representation to state officials, agencies, boards, commissions, and councils.
- Legal defense to state employees as required by state law.
- Advice and consultation for State's attorneys and city attorneys on legal matters.
- Processing business licensing applications.
- Collecting business license fees, miscellaneous types of revenue, and taxes.
- Issuing licenses for wholesale and retail alcoholic beverage establishments, wholesale and retail tobacco dealers, games of chance organizations, gaming equipment distributors and manufacturers, tobacco vendors, polygraph operators, fair boards, transient merchants, coin-operated amusement device machines and operators, and wholesale fireworks dealers.
- Providing assistance to local law enforcement agencies in investigating cybercrime, homicide, sexual assault, child abuse, arson, terrorism, polygraph, photography, and other services.
- Coordination of intelligence services provided by the Statewide Law Enforcement Intelligence Center and assist local law enforcement to target investigations and resources effectively. Gather, analyze, and disseminate information to law enforcement.
- Undercover personnel, confidential funds, special surveillance equipment, intelligence information, and training for local law enforcement agencies.
- Dedicated controlled substance trafficking investigations through participation in 8 narcotics task forces, including supervision for 7 of the 8.
- Forensic examinations of computers involved in criminal activity for state, local, and federal law enforcement agencies.
- Case management system maintenance to document investigations and provide copies to appropriate persons.
- Maintenance of a statewide criminal history record information system, and providing this information to the federal criminal history database.
- Criminal history record checks to criminal justice agencies and courts, numerous non-criminal justice record check requesters, and to the general public.
- Concealed weapon licenses and a system for tracking that information.
- Statewide 24/7 Sobriety program coordination.
- Central Warrant Information System (CWIS), Uniform Crime Reporting (UCR), and a Protection and Restraining Order System maintenance.
- Automated Fingerprint Identification System (AFIS) for identification and criminal investigation purposes.
- Statistical reports to criminal justice agencies, government agencies, and interested persons.
- Assistance to the Drug and Violent Crime Policy Board in setting guidelines for awarding grants, and to local agencies in preparing grant applications.
- Monitoring local drug grant programs, audit expenditures of funds, and maintaining detailed records of all grant activities.
- Law enforcement and corrections officers training, maintaining officer training records and issuance of peace officer licenses.
- Offer training to the general public, businesses, and other agencies on a variety of law enforcement issues including drug awareness issues and other criminal activity.
- A statewide sex offender and offenders against children registration system which requires these offenders to register and verifies their addresses every six months for most offenders and every 90 days for lifetime registrants, and maintaining a registered offender's website for lifetime registrants and high-risk offenders.
- Physical and toxicological evidence examinations provided to local, state, and federal law enforcement agencies, the military, prosecutors, and defense attorneys.
- Analysis of clandestine drug laboratories.
- A DNA database of felony arrestees convicted and registered offenders.
- Follow-up on referrals to local, state, and federal agencies involving death investigations.
- Equipment selection, inspection, repair, and training of law enforcement staff in breath alcohol analysis.
- Expert evidence testimony in courts.

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- Investigating consumer complaints and violations of antitrust, consumer fraud, non-profit corporation, transient merchant, and do-not-call laws, etc., and taking legal action to obtain injunctive relief, civil penalties, restitution and other equitable relief.
- Investigation participation and prosecution of consumer criminal violations.
- Statewide consumer fraud and education presentations to the elderly, students, civic and professional groups, etc., and providing consumer warnings.
- Coordinating consumer protection investigations, enforcement and education with other federal, state and local law enforcement and regulatory agencies, including participation in multi-state investigations and legal actions.
- Consumer fraud training for law enforcement.
- Researching state and federal consumer fraud law and issues and assisting state and federal legislators in the development and implementation of consumer and antitrust issues legislation.
- Administration, regulation, and provision of enforcement for the charitable gaming industry.
- Assistance to local law enforcement officials, gaming organizations, distributors, manufacturers, and the general public regarding gaming laws and rules, recordkeeping, and preparation of tax returns.
- State Gaming Commission assistance in drafting proposed gaming laws and rules and conducting public hearings.
- Conducting outreach gaming training sessions for organization board members, gaming employees and volunteers.
- Developing standard recordkeeping systems and model systems of internal control for gaming organizations.
- A quarterly gaming newsletter.
- Gaming compliance and financial office and field audits of licensees.
- Gaming distributor records and gaming tax returns processing and reviews.
- The collection of delinquent gaming taxes, interest, penalties, and monetary fines.
- Illegal gaming activity and thefts investigations and coordination.
- Criminal history record checks for potential gaming employees.
- Laboratory testing bingo and pull-tab dispensing devices, bingo card marking devices, and bar code reading devices.
- Gaming businesses manufacturing pull tabs and paper bingo cards inspections.
- Gaming legislative research and legislative testimony at hearings.
- Gaming administrative complaints, assesses monetary fines, and imposes appropriate sanctions.
- Indian casinos inspections to ensure compliance with tribal-state Indian gaming compacts.
- Fire inspections in educational facilities, state buildings, child-care facilities, flammable material storage sites, and assembly occupancies.
- On-scene fire investigations.
- Technical support in arson cases.
- Technical support for incidents involving hazardous material releases.
- Compiling fire incident and property loss information to determine statewide fire problem.
- Public fire education programs.
- Interpreting the state fire code.
- Training local officials in fire investigations, hazardous material incident response, and fire prevention.
- Providing National Fire Incident Reporting System training and support to fire departments.
- Processing, testing, enforcement, and oversight activities regarding the Reduced Ignition Propensity for Cigarettes.
- Processing Lottery retailer license applications; collecting application, license, credit check, and record check fees; and selecting eligible retailers.
- Forecasting lottery tickets sales and state general fund revenue transfers.
- Training Lottery retailers to promote games and training retailer employees on sales strategies and how to redeem winning lottery tickets.
- Paying certain lottery tier prizes directly to players.
- Lottery news releases, quarterly retailer newsletters, and quarterly and annual financial statements.

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- New lottery rules and laws proposals and enforcing laws and rules compliance.
- Working with the Lottery Advisory Commission, on-line gaming system vendor, advertising agency, and the security firm.
- Working with 25 state agencies on a lottery prize debt setoff program.
- Applying security policies and procedures to protect Lottery assets.
- Complying with the Multi-State Lottery Association's computer gaming system and computer internal control system requirements, game security standards, system standards for new lottery implementations, and game rules.

Major Accomplishments

1. Established the Take Back Program, which provides disposal units for unused medications. As of May 2012, 2,893 pounds of prescription drugs have been deposited.
2. Received a national commendation for an Office of Internet Crimes Against Children (ICAC) Taskforce cybercrime investigator's role in the investigation and breakup of an international child pornography distribution ring.
3. Implemented a new office Crime Lab Management Information System which provides a single, unified system for tracking evidence, writing reports, reporting statistics, tracking certifications, interfacing with analytical instrumentation and for automatic transfer of data.
4. Provided state, local, tribal and federal law enforcement agencies case support and law enforcement alerts and bulletins through the North Dakota State and Local Intelligence Center (ND SLIC).
5. Implemented a statewide 24/7 Sobriety monitoring program and participants pay the fees associated with their participation. To date, 3,143 offenders have participated, 2,167 successfully completed, and 336 are currently active in the program.
6. Coordinated and participated in a one-stop shop with other state entities for businesses going to Minot to clean up and reconstruct devastated buildings and homes following the 2012 Minot flood.
7. Received a mortgage foreclosure settlement of \$1.9 million, which, along with a \$1.0 million settlement to the Department of Financial Institutions, was transferred to Housing Finance Agency to establish a law enforcement housing subsidy in the North Dakota oil-impacted areas.
8. Pursued Crime Lab certification in the global quality standard for lab testing (ISO ASCLD/LAB) which ensures the Lab's continuity in providing quality service by raising the standards and continually improving Lab effectiveness.

Future Critical Issues**Funding for Stimulus Positions**

The state has benefited greatly from federal stimulus funding, and a number of needed programs have been implemented. These funds are scheduled to end in the next several months, and additional federal funding is not available. These general fund requests are to continue the positions of a special investigator assigned to the 24/7 Sobriety program, a cybercrime investigator, an administrative assistant, two intelligence criminal analysts and two DNA forensic scientists. Without state support, these critical programs will be severely impacted or eliminated. A number of these positions were part of the 2009-11 biennium general fund request when the stimulus program was initiated.

BCI--The North Dakota 24/7 Sobriety program has proven to be very effective as a means to help individuals who have had multiple DUIs, or other violations where drugs or alcohol were involved, refrain from alcohol use and stay out of the prison system. This program is also making the state's roadways safer for its citizens. As of May 2012, 3,143 individuals have participated in the program. The investigator coordinating this program works closely with the alcohol monitoring company providing services to the state and with all local law enforcement agencies to ensure that proper training, reporting, and equipment needs are met. Loss of stimulus funding would result in no program oversight and no liaison between the vendor and the local law enforcement agencies that rely on these services.

The criminal intelligence analyst positions are critical to the success of the State and Local Intelligence Center (SLIC), which was formed to utilize local, state, and federal resources more effectively. This center allows the state to more effectively provide support that leads to identifying, investigating, and prosecuting criminal activities, including drug suppliers from out-of-state sources and homeland security threats. Many crimes typically involve conspiracies, several layers of networks, and individuals

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who utilize the same routes and modes of transportation. The SLIC analysts play a critical role in providing the analyzed information to task forces, analysts across the nation, the northern border International Border Enforcement Teams (IBET), and many local, state, and federal agencies.

The office currently has two staff members assigned to manage federal and special fund grant activities. One administrative assistant is funded from the stimulus grant. While overall funding has declined across the country, the competitive nature of these funding sources has increased reporting and grant management requirements. The grants manager cannot keep up with applications, sub grant monitoring, and reporting requirements and the day-to-day support. This general fund request for this administrative support position helps to ensure proper management of all grants and funding resources.

The cybercrime investigator is one of four throughout the state. This is a critical and growing area of needed services, and the loss of this position would be extremely detrimental to Internet Crimes Against Children enforcement efforts across the state, which local law enforcement agencies rely on.

The general fund request of \$760,657 for these positions and associated operating expenses is to ensure that highly specialized enforcement and support effort continues to be provided to local law enforcement. An additional other funds request of \$58,000 will be used for operating and equipment for these positions.

Crime Lab -- The Crime Lab recognizes the importance of providing adequate and timely services to the law enforcement and justice entities of the state. The goal of the Lab is to provide scientific support to the state's criminal justice system by use of accepted techniques in the analysis, identification, and comparison of physical evidence involved in the investigation and prosecution of criminal offenses. The Lab is requesting general fund monies for a new forensic scientist position for the Lab. The Lab is requesting general fund support for two forensic scientists in the DNA Unit formerly funded from federal stimulus funding. These positions were added during the 2009-2011 biennium and need to be permanently funded. During the last biennium, these two forensic scientists ran over 4,500 exams and processed over 535 cases. The average turn-around time for a biological screening case is 25 days. These positions are critical to keeping the unit current with casework. This general fund request totals \$276,933.

Additional forensic scientist staffing is needed to help alleviate the significant workload increases in the Drug Chemistry and Toxicology disciplines. The increasing use of synthetic drugs is causing a significant increase in turn-around time in the drug unit. Two years ago, the turn-around time of the drug unit has averaged 18 days. The current average turn-around time for a drug chemistry case has increased to 66 days. The increased turn-around time causes delays for law enforcement agencies and the justice system. The number of drug chemistry cases submitted in the past two years has increased by over 20.0 percent. During the same timeframe, toxicology drug screening submissions have increased to 26.0 percent. Increases of over 20.0 percent within the Lab are not sustainable without additional forensic scientists and resources. Current trending charts indicate case submissions will continue to increase in all Lab reporting disciplines. Every discipline within the Lab has experienced some percentage of growth in casework.

Additionally, other funds of \$87,026 are requested for two temporary forensic scientists so the Lab has the flexibility to add a staffing if the workload continues to increase.

Without adequate staffing, the delays will likely increase. Overall, the Crime Lab needs additional staff to provide more timely analysis to law enforcement and justice entities. By adding more staff, Lab services will be enhanced in all areas: investigation, prosecution, and adjudication.

Western ND Work Demands

Increased economic activity in the western part of the state has had a large impact on the Bureau of Criminal Investigation staff. BCI staff is assisting local sheriff and police departments with investigations because the local law enforcement agencies are backlogged and extremely busy answering routine calls. In addition, these agencies have turned to BCI to help with entering statistical information, as they do not have the time. This request totals \$526,796, of which \$457,146 is from the general fund and \$69,650 is from other funds.

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BCI's current staff in the western offices (Minot, Dickinson, & Williston) is 100.0 percent reactive, having to put aside proactive enforcement such as controlled buys and preventative measures such as public presentations. Due to the reactive nature of the increased workload and violent crimes, agents have had to triage their cases and are frequently unable to address less serious crimes as quickly as in the past. Staff scheduling is done on a day-to-day basis, as staff are getting called out at all times of the day and night, which can lead to employee exhaustion.

With the increased population in the western part of the state has come increased drug activity, especially methamphetamines. Transient workers are bringing new cooking methods to the state as well as other types of drugs from their home states.

BCI is also teaming up with the U.S. Marshal Service to address concerns that there may be a large number of unregistered sex offenders that have migrated to the state due to the economic boom.

IT Infrastructure

The BCI depends significantly on the expertise and skills of the IT Division to develop new programs, and maintain and support current and existing projects. In order to accomplish the tasks at hand, BCI recognizes and supports the need for additional IT staff and resources.

It is essential that the IT Division receive the funding, staff and other resources needed to ensure that critical existing programs function efficiently, that project funding deadlines can be met, and delays in development are kept at a minimum.

Criminal History Rewrite Project

The Office of Attorney General funded and partnered with the ND Criminal Justice Information Sharing (CJIS) to complete a Justice Information Framework Study (JIFS) in August 2011. This study and its recommended solutions provide a high level plan to improve the processes by which criminal history information is captured, managed, and shared.

A key JIFS finding was the need for improved identification processes. The initial process is the capture of biometric identification information, such as fingerprints, iris or retinal images, and DNA samples. This project is aimed at improving the efficiency and effectiveness of biometric identification by:

- establishing a protocol that clearly defines each situation in which identification is required
- verifying that all the necessary identification information is being captured, making changes where needed
- evaluating and incorporating new FBI recommendations for identification
- improving the equipment and procedures used to capture biometric information in the field

A key JIFS finding also was the need for improved identification processes, including a re-engineering of existing processes in order to speed up the availability of biometric identification results so that they could be used by downstream justice processes such as prosecution charging decisions and electronic filing of criminal cases.

A major hurdle to obtaining greater operational value from biometric identification is the amount of elapsed time between the submission of fingerprints and the electronic delivery of the result. For jurisdictions where Livescan capture devices are in place, current systems, procedures, and business-hours-only staffing levels provide a response time for fingerprint submissions measured in days or weeks. Because of this, the results of the biometric identification are not available to the arresting agency when they are completing their case report or to the prosecutor deciding whether or not to file charges.

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This project will examine and re-engineer the workflows so that results of biometric identification are available to support the time critical criminal history and person identification activities of law enforcement and prosecution.

One of the recommendations of the study is the replacement of North Dakota's current criminal history system. The replacement of this system is a part of this project request. The North Dakota Criminal History Repository (ND-CHR) was developed and implemented in 1998-1999. Many enhancements have been made over the ensuing years. The technologies upon which the ND-CHR is based are now antiquated. The underlying database software used by the repository is approaching end of life and has limited support in the United States. New federal regulations and processes, coupled with the age of the underlying technologies, necessitate a review and reengineering of current processes and technology.

Criminal history records, consisting of arrest, charge, and disposition information, are assembled in the Criminal History Repository (CHR). With the exception of roughly 75.0 percent of the arrest transactions that are submitted and processed electronically, criminal history records are manually keyed into the CHR. The Supreme Court of North Dakota is intended to begin publishing select court case information electronically. This project will build the processes and software interfaces necessary to consume the electronic court case initiation data and automatically insert it into the CHR.

One of the important uses of criminal history information is the conducting of criminal background checks for various civil purposes, such as employment, housing, adoption, and licensure. Current background checks are based on a "point in time", meaning the criminal record is checked only once, at the time the background check is performed. Rapback is a term used to describe advanced fingerprint-based background check processes in which criminal history records are continually monitored and the appearance of new activity for a background check subject triggers notification to appropriate parties such as the employer requesting the background check or a professional licensing board.

Implementation of Rapback capability involves modifications to recordkeeping systems, procedures, and in some cases, statute, to permit the retention and searching of non-criminal fingerprint records. This project would design and implement processes needed to support Rapback. The Criminal History Rewrite other funds request totals \$2,340,050.

This IT project was recently rated #1 of all non-general fund projects by the State Information Technology Advisory Committee.

Office IT Basic Operations Cost

This general fund request of \$201,184 is for the amount needed to maintain the office's current environment and service to our customers. This includes ITD increases due to FileNet licenses and upgrade costs, SharePoint licenses and upgrade costs, increases to technology fee, and additional cell phone coverage for IT. It includes the increased annual maintenance costs from normal increases, any additional licenses purchased in the 2011-13 biennium, and annual maintenance for the National Incident Based Reporting System crime reporting website. It also includes an increase in the number of monitors to be recycled since the office has moved to 2 monitors per desk.

A firewall is needed at the Crime Lab because several web-based applications have been implemented in the 2011-13 biennium.

Building Space - Bismarck

The expansion of duties of the Bureau of Criminal Investigation requires additional working space which the current building will be unable to accommodate in the near future. More space is needed for the increased and specialized services such as cybercrime, 24/7 Sobriety program, etc. Additional space which is properly ventilated and secure is also necessary for evidence storage, and cybercrime processing and storage. Also needed is a separate, sound-insulated room for conducting polygraphs and interviewing which can be observed via one-way glass. In addition, BCI is in need of a garage to process vehicles that have been used during the commission of a crime, such as homicides, or seized vehicles involving drug transportation.

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Considering the inadequacy of the current space and the increases in rent, the office believes it is imperative to start the planning process to construct a building to meet BCI's unique needs as soon as possible. This general fund request totals \$260,719.

Workforce Safety Insurance Premiums

The office's Workforce Safety Insurance premium went up significantly in the last year. The office has been paying about \$66,000 for a biennium; in fiscal year 2012 alone the office paid \$72,000. The office is requesting \$79,568 from the general fund to be able to pay these premiums in the 2013-15 biennium.

Office IT Programming Staff Needed

The office has advanced from simple to much more sophisticated applications sharing information across area or divisional boundaries. A demand has been growing for the capability to allow data to be entered at the point of origin, rather than mailing or electronically sending documents. This requires the office IT staff to develop more sophisticated applications with higher security requirements and support law enforcement, states' attorneys, and others outside of the office. The number of applications that need to be supported and replaced has grown over the years and the office's IT staff has not grown enough to meet the demands. This is affecting the ability of the different divisions within the office to provide the level of service to customers that is needed.

The office currently has three programmers, a database analyst, and an application architect working full time on application development. Three programmers are able to work with three-four consultants. This is not enough to cover the demands of 12 different divisions within the office. Each division has unique business needs.

Therefore, the office is requesting two additional programmer analysts II and one associate architect to support the current applications and to handle the many projects currently on the office's list of future needs. An increase in IT staff would increase the IT Division's ability to use and manage additional contract personnel. This total includes salaries, equipment, software and remodeling costs to set up office space for the new positions.

This request totals \$583,374, \$507,274 from the general fund and \$76,100 from other funds.

Forensic Scientist for Synthetic Drugs

An additional forensic scientist is needed to help alleviate the significant workload increases in the Drug Chemistry and Toxicology disciplines. The growing use of synthetic drugs is causing a significant increase in turn-around time in the drug unit. Two years ago the turn-around time of the drug unit averaged 18 days. The current average turn-around time for a drug chemistry case has increased to 66 days. The increased turn-around time causes delays for the law enforcement community and the justice system. Also, the number of drug chemistry cases submitted in the past two years has increased by over 20.0 percent. During the same timeframe, toxicology drug screening submissions have increased to 26.0 percent. Increases of over 20.0 percent within the Lab are not sustainable without additional forensic scientist staffing. This general fund request of \$146,039 is for one additional forensic scientist FTE and the associated operating costs.

Organized Crime Investigator

The developing and expanding economic growth in North Dakota has brought many diverse and dynamic changes to this state. With this growth have come challenges, including the introduction of organized crime groups.

Organized crime groups are being established to oversee, market, and expand criminal enterprises throughout North Dakota. One such group from the Fargo area has formed for the purpose of stealing copper for resale. Organized groups are also emerging in the areas of drug trafficking, street gangs, and prostitution (primarily in the oil producing regions of the state). Such groups include outlaw motorcycle gangs, organized crime groups and Mexican drug cartels.

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To combat these threats, this office is requesting an organized crime investigator (OCI) position to be funded from other funds.

The OCI's primary purpose would be to identify, target, track and dismantle these illegal organizations. The investigator would work closely with federal, state, tribal and local law enforcement entities to gather intelligence and plan strategies to combat the expanding threats. The investigator would also work with the North Dakota State and Local Intelligence Center (SLIC) to use proven intelligence gathering systems and techniques to assist law enforcement in addressing organized crime issues.

The organized crime investigator would act as a liaison between the various levels of law enforcement, as well as coordinate intelligence and resources to build a strong knowledge base and develop operational techniques to deal with the criminal enterprises present in North Dakota.

The organized crime investigator will help the state develop a proactive stance against the expanding criminal element that is taking root in North Dakota as the population continues to grow. This other funds request is for \$211,471.

Uniform Crime Reporting Support

Keeping track of crime statistics is essential to ensure North Dakotans and the federal government knows and understands the crime issues our state has recently faced. The information tells the state's story and helps to obtain and target resources more effectively. Currently, one person is tasked with reporting on all of the information gathered from all local agencies across the state. However, as the state grows, there is an ever-increasing amount of information coming into this system, and an even greater demand for subsequent reports. Also, as reporting agencies move to the Law Enforcement Records Management System (LERMS) system, there is a critical need for field training and field auditing to ensure data quality and conformance with reporting rules. This is simply more than one person can do.

This other funds request of \$113,456 is for an administrative assistant to assist the UCR Program Manager with data entry and processing, updating manuals and forms, and assisting with the preparation of reports to address the ongoing need for training and quality control. This will help ensure the state is reporting the most accurate and current crime information.

Loss of Federal Funding

The office depends on federal grant funds to carry out the many law enforcement projects needed by the state. The current trend of reduced federal funding continues to challenge office to stretch every dollar.

The office will see the stimulus funding end in early 2013. In addition, the shift of federal funds away from law enforcement continues and grants for law enforcement initiatives, such as the Justice Assistance Grant and the High Intensity Drug Trafficking funding, have been cut drastically.

Without state support, many critical programs would have to be reduced or eliminated.

Concealed Weapon Licenses

In the 2009-11 biennium, concealed weapon licenses issued grew by 45.0 percent compared to the 2005-2007 biennium, increasing from 5,900 to 8,535. Recent legislation regarding reciprocity of North Dakota's license has caused an even greater increase in workload during the 2011-13 biennium (it is estimated 15,616 new and renewed licenses will be issued). With more states adding North Dakota to their list of acceptable licenses to hold, there are no signs of this workload slowing down. Instead, it seems apparent that the demand for these licenses will continue to grow. To ensure that the office is able to continually meet its obligations and issue the licenses within the 45-day turn-around period mandated by statute, adequate staffing and support is needed. Support is needed for positions that are currently grant funded, as well as FTEs for existing temporary positions.

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After the 2009 legislature extended the length of time a license is valid, the volume of licenses far exceeded any expectations due to reciprocity acceptance in many states across the nation, concerns about the future of gun control, and most recently, the public's growing interest in personal safety. The exploding economy and transient workforce have significantly contributed to the increasing workload, and there are absolutely no signs of this workload slowing down. Also, additional sources of information, such as judicial and mental health records, must now be researched and considered when determining who may or may not possess a license.

The 2011 legislature provided for 1.5 federal grant funded positions to develop and implement a system which incorporates the mental health record and judicial record review into the licensing process. The federal grant, however, is for only one year. The office is cautiously optimistic for an additional year of funding in the 2011-13 biennium; however, funding beyond that is not anticipated and the office will be expected to maintain these activities without the help of the federal government.

During the first 10 months of this biennium, the office issued 7,616 licenses, compared to a total of 8,535 licenses issued during the entire 2009-11 biennium. As of June 30, 2011, a total of 15,420 individuals held active North Dakota concealed weapon licenses, compared to a total active number of only 6,421 just eight years ago.

The sheer volume of licenses and the new review requirements have resulted in one existing staff member taking on more administrative duties along with processing licenses, a temporary staff member is assisting with the day-to-day processing of licenses, and the 1.5 federally funded positions assist with this work as well as gathering and processing mental health and judicial information. To ensure the office can meet its obligations and issue the licenses within the 45-day turn-around period mandated by statute, other funds support of \$240,329 is requested for 2 current positions (1.5 FTEs were added by the 2011 legislature).

Automation of Criminal History Records Checks and Concealed Weapon Licenses

The BCI has seen a large increase in both records check requests and applications for concealed weapon licenses. As a result, staff has a very difficult time meeting statutory deadlines and is unable to complete other duties in a timely manner. An automated, online system is critical to meet the high demand and to increase efficiency in the processes.

Crime Lab Salary Adjustments

Over the past two years, the Crime Lab has had difficulty in hiring and retaining forensic scientists. Seven out of 17 forensic scientist positions have been vacated and filled in just over a year which equates to a 42.0 percent turnover rate. The Crime Lab salaries have suffered significantly in comparison to similar positions in other state agencies and in comparison to similar positions in other crime laboratories. Recruitment and retention in the Lab continues to be a challenging issue. North Dakota salaries for the same positions are significantly below their Midwest counterparts. As a result, when employees leave state employment, the Lab has difficulty attracting equally qualified staff. Consequently, the Lab has become a training ground for new scientists with no forensic experience. Experienced staff must not only monitor the work of the new employees, but also handle the growing workload. The situation has added to casework processing delays, particularly with continued caseload increases, and has had a serious negative impact on employee morale, which in turn causes employees to look elsewhere for employment.

The forensic scientists' salaries must become competitive within the region. In May 2010 a Midwest Crime Laboratory salary survey was completed indicating that, out of the job classifications surveyed, the forensic scientist series was 21.0 percent below the surveyed market salaries. There are currently 4 staff members with over 10 years of state service still below the midpoint of their salary range. This \$85,401 general fund request would allow the Lab to provide a more competitive minimum starting salary and an equitable increase for scientists within the Crime Lab. The requested equity increase for Crime Lab forensic scientists is only 20.0 percent of the cost needed to bring these scientists' salaries in line with the Midwest region average salaries. The increased salaries will hopefully allow the Lab to recruit and retain experienced scientists, thereby allowing the best possible service to the law enforcement and judicial communities.

Equipment Recycling Budget

AGENCY OVERVIEW**125 Office of the Attorney General**

Date: 12/07/2012**Time:** 13:40:34

The Crime Lab has relied on federal funds to purchase major pieces of equipment. Currently, the Lab has over \$2.5 million in capital assets. The Lab has planned to purchase additional capital asset instrumentation in the 2013-2015 biennium. Just as computers, cars, and other equipment are recycled, the Lab is requesting a percentage of its capital assets to be recycled. The Lab is requesting \$208,400 in special funds for this purpose. This equipment will allow the Lab to attain and maintain the level of technology required for casework analysis.

Additional Operating Costs Resulting From Rate and Casework Increases

The Lab continues to see significant rate increases particularly in State Fleet, telecommunications, dues, office supplies, central services (including printing and supplies), postage, state employee travel rates, lab supplies and other private sector costs. Adequate funding for these rate increases has not been approved in past budget cycles. If the Lab is to continue to provide the required services to local law enforcement agencies, fire departments, state agencies, etc., the Lab's budget needs to be increased to address these growing costs. This other funds request totals \$100,000.

The Lab has experienced 15.5 .0 percent growth in casework from in the last two years. To adequately accommodate this growth in casework operating funds must be increased.

REQUEST SUMMARY125 Office of the Attorney General
Biennium: 2013-2015

Bill#: HB1003

Date: 12/07/2012

Time: 13:40:34

Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
By Major Program					
Finance and Administration	1,729,560	2,381,904	(332,118)	2,049,786	578,115
Information Technology	4,356,548	7,165,189	2,311,880	9,477,069	687,611
Attorney General Administration	947,398	1,181,608	7,752	1,189,360	(34,288)
Legal Services	6,461,232	7,080,983	686,172	7,767,155	120,055
Bureau of Criminal Investigation	16,261,988	22,866,062	(3,576,252)	19,289,810	2,214,666
Crime Lab	6,561,099	8,926,019	(209,206)	8,716,813	357,171
Consumer Protection	1,476,557	1,731,542	85,145	1,816,687	(35,636)
Gaming	2,492,535	2,818,487	73,055	2,891,542	(58,407)
Fire Marshal	1,278,064	1,851,061	77,446	1,928,507	(20,123)
Lottery	2,789,811	3,700,242	400,957	4,101,199	0
Total Major Program	44,354,792	59,703,097	(475,169)	59,227,928	3,809,164
By Line Item					
Salaries and Wages	25,678,228	29,506,046	991,640	30,497,686	3,197,976
Operating Expenses	9,273,518	16,498,016	2,964,635	19,462,651	313,188
Capital Assets	1,686,019	2,356,183	(291,106)	2,065,077	298,000
Technology Project Carryover	238,930	553,675	(553,675)	0	0
Grants	1,937,295	3,420,000	(1,046,053)	2,373,947	0
Litigation Fees	79,375	50,000	0	50,000	0
NICS	0	585,859	(585,859)	0	0
Medical Examinations	424,265	660,000	0	660,000	0
North Dakota Lottery	2,789,811	3,700,242	400,957	4,101,199	0
Arrest and Return of Fugitives	1,765	10,000	0	10,000	0
Gaming Commission	6,140	7,368	0	7,368	0
Federal Stimulus Funds - 2009	2,239,446	2,355,708	(2,355,708)	0	0
Lottery Division	0	0	0	0	0
Total Line Items	44,354,792	59,703,097	(475,169)	59,227,928	3,809,164
By Funding Source					
General Fund	29,001,895	31,622,245	166,293	31,788,538	2,794,604
Federal Funds	6,995,693	13,463,481	(4,326,147)	9,137,334	6,008
Special Funds	8,357,204	14,617,371	3,684,685	18,302,056	1,008,552
Total Funding Source	44,354,792	59,703,097	(475,169)	59,227,928	3,809,164
Total FTE	202.50	204.00	(8.50)	195.50	19.00

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2013-2015

Bill#: HB1003

Date: 12/07/2012

Time: 13:40:34

Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
Salaries and Wages					
Salaries - Permanent	18,449,861	20,770,561	67,637	20,838,198	1,761,888
Salaries - Other	0	0	480,717	480,717	889,131
Temporary Salaries	220,934	532,837	82,797	615,634	25,000
Overtime	274,237	216,549	47,772	264,321	0
Fringe Benefits	6,733,196	7,986,099	312,717	8,298,816	774,004
Reduction In Salary Budget	0	0	0	0	(252,047)
Salary Increase	0	0	0	0	0
Benefit Increase	0	0	0	0	0
Total	25,678,228	29,506,046	991,640	30,497,686	3,197,976
Salaries and Wages					
General Fund	21,787,323	24,463,683	558,386	25,022,069	2,553,145
Federal Funds	1,086,863	1,343,591	(42,026)	1,301,565	6,008
Special Funds	2,804,042	3,698,772	475,280	4,174,052	638,823
Total	25,678,228	29,506,046	991,640	30,497,686	3,197,976
Operating Expenses					
Travel	716,367	1,272,356	17,000	1,289,356	24,920
Supplies - IT Software	454,468	566,634	333,000	899,634	147,729
Supply/Material-Professional	96,446	157,989	30,000	187,989	10,890
Food and Clothing	47,958	63,205	0	63,205	8,030
Bldg, Ground, Maintenance	186,472	276,913	28,766	305,679	12,500
Miscellaneous Supplies	146,241	179,495	0	179,495	6,372
Office Supplies	158,956	229,005	0	229,005	16,453
Postage	122,091	171,175	0	171,175	4,861
Printing	87,854	211,350	0	211,350	5,329
IT Equip Under \$5,000	174,819	356,272	20,400	376,672	32,344
Other Equip Under \$5,000	236,529	631,500	0	631,500	4,780
Office Equip & Furn Supplies	179,843	139,236	0	139,236	47,700
Utilities	152,985	240,308	0	240,308	0
Insurance	57,636	98,580	0	98,580	17,590
Rentals/Leases-Equip & Other	469,605	502,125	0	502,125	(1,068)
Rentals/Leases - Bldg/Land	1,045,121	1,083,805	40,000	1,123,805	336,118
Repairs	576,808	715,650	0	715,650	232
IT - Data Processing	613,821	703,669	91,848	795,517	77,766
IT - Communications	330,532	378,067	7,000	385,067	32,878
IT Contractual Svcs and Rprs	1,147,150	2,028,956	2,512,850	4,541,806	(97,583)
Professional Development	269,839	386,414	0	386,414	56,943
Operating Fees and Services	945,040	4,170,396	(218,229)	3,952,167	(336,896)

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2013-2015

Bill#: HB1003

Date: 12/07/2012

Time: 13:40:34

Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
Fees - Professional Services	372,599	997,066	0	997,066	46,100
Medical, Dental and Optical	684,338	937,850	102,000	1,039,850	(140,800)
Total	9,273,518	16,498,016	2,964,635	19,462,651	313,188
Operating Expenses					
General Fund	6,105,507	6,012,912	(79,663)	5,933,249	43,459
Federal Funds	1,915,502	5,275,226	45,771	5,320,997	0
Special Funds	1,252,509	5,209,878	2,998,527	8,208,405	269,729
Total	9,273,518	16,498,016	2,964,635	19,462,651	313,188
Capital Assets					
Other Capital Payments	441,137	765,882	(30)	765,852	0
Extraordinary Repairs	0	0	0	0	0
Equipment Over \$5000	950,692	1,030,338	98,887	1,129,225	0
Motor Vehicles	216,003	367,963	(207,963)	160,000	298,000
IT Equip/Sftware Over \$5000	78,187	192,000	(182,000)	10,000	0
Total	1,686,019	2,356,183	(291,106)	2,065,077	298,000
Capital Assets					
General Fund	1,001,370	1,078,282	(312,430)	765,852	198,000
Federal Funds	334,077	1,099,901	(449,076)	650,825	0
Special Funds	350,572	178,000	470,400	648,400	100,000
Total	1,686,019	2,356,183	(291,106)	2,065,077	298,000
Technology Project Carryover					
Supplies - IT Software	3,200	0	0	0	0
Repairs	39,136	0	0	0	0
IT Contractual Srvcs and Rprs	106,660	553,675	(553,675)	0	0
Fees - Professional Services	89,934	0	0	0	0
Total	238,930	553,675	(553,675)	0	0
Technology Project Carryover					
General Fund	0	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	238,930	553,675	(553,675)	0	0
Total	238,930	553,675	(553,675)	0	0
Grants					
Grants, Benefits & Claims	1,769,502	2,985,775	(676,053)	2,309,722	0

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2013-2015

Bill#: HB1003

Date: 12/07/2012

Time: 13:40:34

Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
Transfers Out	167,793	434,225	(370,000)	64,225	0
Total	1,937,295	3,420,000	(1,046,053)	2,373,947	0

Grants

General Fund	20,415	0	0	0	0
Federal Funds	1,419,805	2,910,000	(1,046,053)	1,863,947	0
Special Funds	497,075	510,000	0	510,000	0
Total	1,937,295	3,420,000	(1,046,053)	2,373,947	0

Litigation Fees

Travel	9,750	8,970	0	8,970	0
Postage	37	8	0	8	0
Rentals/Leases-Equip & Other	340	100	0	100	0
Rentals/Leases - Bldg/Land	0	123	0	123	0
Repairs	86	37	0	37	0
Professional Development	300	0	0	0	0
Operating Fees and Services	36,157	2,252	0	2,252	0
Fees - Professional Services	32,705	38,510	0	38,510	0
Total	79,375	50,000	0	50,000	0

Litigation Fees

General Fund	79,375	50,000	0	50,000	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	79,375	50,000	0	50,000	0

NICS

Salaries - Permanent	0	86,266	(86,266)	0	0
Fringe Benefits	0	55,019	(55,019)	0	0
Travel	0	291	(291)	0	0
Supplies - IT Software	0	7,209	(7,209)	0	0
Supply/Material-Professional	0	250	(250)	0	0
Bldg, Ground, Maintenance	0	187	(187)	0	0
Miscellaneous Supplies	0	750	(750)	0	0
Office Supplies	0	2,913	(2,913)	0	0
Postage	0	500	(500)	0	0
Printing	0	450	(450)	0	0
IT Equip Under \$5,000	0	6,000	(6,000)	0	0
Office Equip & Furn Supplies	0	3,500	(3,500)	0	0

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2013-2015

Bill#: HB1003

Date: 12/07/2012

Time: 13:40:34

Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
Insurance	0	188	(188)	0	0
Rentals/Leases - Bldg/Land	0	11,000	(11,000)	0	0
Repairs	0	375	(375)	0	0
Salary Increase	0	0	0	0	0
Benefit Increase	0	0	0	0	0
IT - Data Processing	0	3,000	(3,000)	0	0
IT - Communications	0	1,440	(1,440)	0	0
IT Contractual Srvcs and Rprs	0	405,521	(405,521)	0	0
Professional Development	0	1,000	(1,000)	0	0
Total	0	585,859	(585,859)	0	0

NICS

General Fund	0	0	0	0	0
Federal Funds	0	585,859	(585,859)	0	0
Special Funds	0	0	0	0	0
Total	0	585,859	(585,859)	0	0

Medical Examinations

Printing	265	300	0	300	0
Fees - Professional Services	424,000	659,700	0	659,700	0
Total	424,265	660,000	0	660,000	0

Medical Examinations

General Fund	0	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	424,265	660,000	0	660,000	0
Total	424,265	660,000	0	660,000	0

North Dakota Lottery

Salaries - Permanent	958,493	1,010,857	46,439	1,057,296	0
Temporary Salaries	23,386	44,100	(4,800)	39,300	0
Overtime	172	0	0	0	0
Fringe Benefits	342,071	399,408	9,318	408,726	0
Travel	69,590	130,000	0	130,000	0
Supplies - IT Software	1,900	20,000	0	20,000	0
Supply/Material-Professional	6	2,000	0	2,000	0
Food and Clothing	171	500	0	500	0
Bldg, Ground, Maintenance	18,107	1,000	0	1,000	0
Miscellaneous Supplies	1,877	5,000	0	5,000	0

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2013-2015

Bill#: HB1003

Date: 12/07/2012

Time: 13:40:34

Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
Office Supplies	18,949	20,000	0	20,000	0
Postage	21,238	40,000	0	40,000	0
Printing	29,705	40,000	0	40,000	0
IT Equip Under \$5,000	2,634	9,000	0	9,000	0
Other Equip Under \$5,000	9,193	2,000	0	2,000	0
Office Equip & Furn Supplies	12,824	3,000	0	3,000	0
Insurance	1,119	4,000	0	4,000	0
Rentals/Leases-Equip & Other	513	1,000	0	1,000	0
Rentals/Leases - Bldg/Land	81,764	102,000	0	102,000	0
Repairs	187	4,000	0	4,000	0
Salary Increase	0	0	0	0	0
Benefit Increase	0	0	0	0	0
IT - Data Processing	43,994	36,000	0	36,000	0
IT - Communications	23,239	25,000	0	25,000	0
IT Contractual Srvcs and Rprs	25,538	15,000	350,000	365,000	0
Professional Development	38,572	45,000	0	45,000	0
Operating Fees and Services	935,836	1,600,000	0	1,600,000	0
Fees - Professional Services	100,533	141,377	0	141,377	0
Equipment Over \$5000	28,200	0	0	0	0
Total	2,789,811	3,700,242	400,957	4,101,199	0

North Dakota Lottery

General Fund	0	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	2,789,811	3,700,242	400,957	4,101,199	0
Total	2,789,811	3,700,242	400,957	4,101,199	0

Arrest and Return of Fugitives

Travel	1,765	1,584	0	1,584	0
Postage	0	8	0	8	0
Operating Fees and Services	0	0	0	0	0
Fees - Professional Services	0	8,408	0	8,408	0
Total	1,765	10,000	0	10,000	0

Arrest and Return of Fugitives

General Fund	1,765	10,000	0	10,000	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	1,765	10,000	0	10,000	0

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2013-2015

Bill#: HB1003

Date: 12/07/2012

Time: 13:40:34

Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
Gaming Commission					
Salaries - Permanent	1,425	2,184	0	2,184	0
Temporary Salaries	0	0	0	0	0
Fringe Benefits	112	160	58	218	0
Travel	2,497	2,355	(58)	2,297	0
Printing	0	465	0	465	0
Rentals/Leases - Bldg/Land	0	0	0	0	0
Salary Increase	0	0	0	0	0
Benefit Increase	0	0	0	0	0
IT - Communications	61	0	0	0	0
Operating Fees and Services	2,045	2,144	0	2,144	0
Fees - Professional Services	0	60	0	60	0
Total	6,140	7,368	0	7,368	0
Gaming Commission					
General Fund	6,140	7,368	0	7,368	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	6,140	7,368	0	7,368	0
Federal Stimulus Funds - 2009					
Salaries - Permanent	465,380	601,745	(601,745)	0	0
Temporary Salaries	15,475	11,000	(11,000)	0	0
Overtime	79,591	44,349	(44,349)	0	0
Fringe Benefits	212,238	234,447	(234,447)	0	0
Travel	30,752	36,000	(36,000)	0	0
Supplies - IT Software	55,231	7,350	(7,350)	0	0
Supply/Material-Professional	0	0	0	0	0
Food and Clothing	1,226	1,300	(1,300)	0	0
Bldg, Ground, Maintenance	7,453	6,000	(6,000)	0	0
Miscellaneous Supplies	2,660	2,700	(2,700)	0	0
Office Supplies	5,773	5,500	(5,500)	0	0
Postage	89	95	(95)	0	0
Printing	682	700	(700)	0	0
IT Equip Under \$5,000	30,011	18,000	(18,000)	0	0
Other Equip Under \$5,000	3,596	3,700	(3,700)	0	0
Office Equip & Furn Supplies	13,375	13,500	(13,500)	0	0
Insurance	302	810	(810)	0	0
Rentals/Leases - Bldg/Land	13,190	16,300	(16,300)	0	0

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2013-2015

Bill#: HB1003

Date: 12/07/2012

Time: 13:40:34

Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
Repairs	30,064	36,200	(36,200)	0	0
Salary Increase	0	0	0	0	0
Benefit Increase	0	0	0	0	0
IT - Data Processing	4,692	3,017	(3,017)	0	0
IT - Communications	8,653	8,800	(8,800)	0	0
IT Contractual Srvcs and Rprs	0	0	0	0	0
Professional Development	8,660	13,800	(13,800)	0	0
Operating Fees and Services	5,942	53,343	(53,343)	0	0
Fees - Professional Services	5,871	14,905	(14,905)	0	0
Medical, Dental and Optical	7,779	8,500	(8,500)	0	0
Equipment Over \$5000	108,063	57,613	(57,613)	0	0
Motor Vehicles	20,818	25,000	(25,000)	0	0
Grants, Benefits & Claims	1,101,880	1,131,034	(1,131,034)	0	0
Total	2,239,446	2,355,708	(2,355,708)	0	0
Federal Stimulus Funds - 2009					
General Fund	0	0	0	0	0
Federal Funds	2,239,446	2,248,904	(2,248,904)	0	0
Special Funds	0	106,804	(106,804)	0	0
Total	2,239,446	2,355,708	(2,355,708)	0	0
Lottery Division					
Fees - Professional Services	0	0	0	0	0
Total	0	0	0	0	0
Lottery Division					
General Fund	0	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	0	0	0	0
Funding Sources					
General Fund	29,001,895	31,622,245	166,293	31,788,538	2,794,604
Federal Funds	6,995,693	13,463,481	(4,230,147)	9,137,334	6,008
Special Funds	8,357,204	14,617,371	3,684,685	18,302,056	1,008,552
Total Funding Sources	44,354,792	59,703,097	(379,169)	59,227,928	3,809,164

CHANGE PACKAGE SUMMARY

125 Office of the Attorney General
Biennium: 2013-2015

Bill#: HB1003

Date: 12/07/2012

Time: 13:40:34

Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds
Base Budget Changes						
One Time Budget Changes						
A-B 16 Crime Lab Integration with Online Training		0.00	0	0	150,000	150,000
A-B 18 Criminal History Rewrite		0.00	0	0	2,340,050	2,340,050
A-B 24 Tobacco Diligent Enforcement Final Orders		0.00	0	0	10,000	10,000
A-B 25 Legal Services Timekeeping and Billing System		0.00	0	0	168,000	168,000
A-B 31 Crime Lab Temporary Salaries		0.00	0	0	87,026	87,026
A-B 4 2013-15 Capital Assets - Base request		0.00	0	650,825	208,400	859,225
A-E 1 Remove Emergency Commission action		0.00	(80,000)	0	0	(80,000)
A-E 3 Remove 2011-13 Biennium Equipment		0.00	(312,400)	(1,099,901)	(178,000)	(1,590,301)
A-E 5 Remove Federal Stimulus line item		0.00	0	(1,464,167)	0	(1,464,167)
A-E 6 Remove National Instant Check System line item		0.00	0	(444,574)	0	(444,574)
A-E 7 Remove Technology Carryover line item		0.00	0	0	(553,675)	(553,675)
Total One Time Budget Changes		0.00	(392,400)	(2,357,817)	2,231,801	(518,416)
Ongoing Budget Changes						
A-A 12 Add Crime Lab bond payments		0.00	765,852	0	0	765,852
A-A 21 Contractual Program Maintenance		0.00	0	0	332,800	332,800
A-A 23 Office Security, Back up, Recovery		0.00	0	0	223,248	223,248
A-A 3 Federal Funds changes		0.00	0	(883,582)	0	(883,582)
A-A 32 Inflation Increases base budget		0.00	279	0	214,429	214,708
A-A 33 Attorney salaries		0.00	0	0	480,717	480,717
A-A 8 Lottery changes		0.00	0	0	350,000	350,000
A-F 11 Remove 2011-13 Crime Lab bond payments		0.00	(765,882)	0	0	(765,882)
Base Payroll Change		(8.50)	558,444	(1,084,748)	(148,310)	(674,614)
Total Ongoing Budget Changes		(8.50)	558,693	(1,968,330)	1,452,884	43,247
Total Base Budget Changes		(8.50)	166,293	(4,326,147)	3,684,685	(475,169)

Optional Budget Changes

CHANGE PACKAGE SUMMARY

125 Office of the Attorney General
Biennium: 2013-2015

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Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds
One Time Optional Changes						
A-D 10 2013-15 General Fund Capital Assets	7	0.00	198,000	0	0	198,000
A-D 100 Oil Impact Assistance	8	0.00	135,090	0	0	135,090
Total One Time Optional Changes		0.00	333,090	0	0	333,090
Ongoing Optional Changes						
A-C 14 Federal Stimulus FTE's	1	7.00	1,037,590	0	58,000	1,095,590
A-C 20 Western Oil Impact Staff	2	3.00	457,146	0	69,650	526,796
A-C 2 Inflation increases	3	0.00	541,471	0	0	541,471
A-C 15 IT Progamming Staff	4	3.00	507,274	0	76,100	583,374
A-C 29 Synthetic Drugs Forensic Scientist	5	1.00	146,039	0	0	146,039
A-C 100 Hay Grade Minimums & Compression	6	0.00	639,944	6,008	0	645,952
A-C 300 Forensic Scientist Increases	9	0.00	85,401	0	0	85,401
A-C 13 National Instant Check System FTE's	10	2.00	307	0	240,022	240,329
A-C 26 Uniform Crime Reporting Assistance	11	1.00	0	0	113,456	113,456
A-C 27 Organized Crime Investigator	12	1.00	0	0	211,471	211,471
A-C 32 Legal staff	13	1.00	0	0	239,853	239,853
Total Ongoing Optional Changes		19.00	3,415,172	6,008	1,008,552	4,429,732
Total Optional Budget Changes		19.00	3,748,262	6,008	1,008,552	4,762,822
Optional Savings Changes						
A-G 9 Required 3% General Fund Reductions		0.00	(953,658)	0	0	(953,658)
Total Optional Savings Changes		0.00	(953,658)	0	0	(953,658)

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Federal Funds changes

This request reflects the anticipated 2013-15 biennium federal fund changes.

Change Group: A	Change Type: A	Change No: 8	Priority:
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Lottery changes

Lottery Division changes reflect an addition of \$350,000 for IT contractual programming services needed for the following purposes:

Tracking of Background Checks, Winning Tickets, and Winners

Phase II of the Text Messaging project

Lottery Website Numbers Checker

Electronic Import of Subscription data into Game Management System

Change Group: A	Change Type: A	Change No: 12	Priority:
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Add Crime Lab bond payments

This general fund request is for \$765,852 to pay the Crime Lab building bond payments for the 2013-15 biennium.

Change Group: A	Change Type: A	Change No: 21	Priority:
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Contractual Program Maintenance

Currently, one of the IT Division's programmers is designated to do small enhancements, fix bugs, and write new reports. As the number of applications in the office increases along with their complexity, it takes more time to maintain and support these applications. Therefore, the office would like to utilize a contractor to work with the support programmer to maintain and make small enhancements to our current applications, while the rest of the staff is working on major projects. This other funds request is for \$332,800.

Change Group: A	Change Type: A	Change No: 23	Priority:
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Office Security, Back up, Recovery

With the increase in web-based applications and the IT Division's customer base increasingly external to the office, there is a need for more security for applications. Since the FBI currently requires the office to protect certain information with a secondary authentication method, the office anticipates this method will become necessary for all of office applications which contain critical law enforcement information.

Reliable security on other mobile devices that connect into the office network, such as iPads, e-readers, external hard drives, etc., is also needed.

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Additionally, the office must provide a secondary location for servers. Currently, backup servers are located at the Crime Lab. The IT Division plans to move these servers into a more secure location at ITD in their new server room with air conditioning and secure access. The servers would be put in a locked cage accessible only to Office of Attorney General IT staff. This other funds request is for \$223,248.

Change Group: A	Change Type: A	Change No: 32	Priority:
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Inflation Increases base budget

Several divisions will be requesting increases in other funds monies:

BCI --The office staff makes every effort to reduce travel costs where possible; however, travel remains a necessity for investigators to investigate crime and respond to requests for training. Based on current spending patterns and an anticipated increase in fuel costs during the 2013-15 biennium, undercover vehicle fuel costs are projected to increase by \$77,000 next biennium. This other funds request of \$28,766 is to help defray the additional fuel costs.

To ensure the safety of the general public, it is imperative that special investigators keep their shooting skills honed. The cost of ammunition has increased substantially over the past few years. Because of this increase, the increased number of investigators, and the need for frequent training, this request of \$25,000 in other funds monies is needed to pay for duty and training ammunition.

Crime Lab -- The 15.5% increased growth in casework in the last two years has magnified the effect of increasing operating costs experienced by the Lab. The Lab continues to see significant rate increases in State Fleet, telecommunications, dues, office supplies, central services (including printing and supplies), postage, state employee travel rates, laboratory supplies, and other private sector costs. Adequate funding for these rate increases has not been approved in past budget cycles. If the Lab is to continue to provide the required services to local law enforcement agencies, fire departments, state agencies, etc., and effectively manage the increased casework, the Lab's budget needs to be increased to address these growing costs. This other funds request is for a \$50,000 increase in operating expenses.

This request is for CPAT inflation increases in the areas of travel, professional supplies, building rent and IT communications totaling \$59,000 from other funds.

This Gaming inflation increases request is for \$45,000 in other funds for postage, printing, building rent, IT communications and professional development costs.

Change Group: A	Change Type: A	Change No: 33	Priority:
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Attorney salaries

Office of Attorney General assistant attorneys general salaries are significantly behind those of other state agencies and institutions. This other funds request of \$480,717 is to address the significant gap in salaries between this office's attorneys and other state agency and institution salaries.

Change Group: A	Change Type: B	Change No: 4	Priority:
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2013-15 Capital Assets - Base request

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This request includes all base budget capital asset changes.

BCI

The office obtained a command vehicle provided by the 2011 legislature which has already proven to be an invaluable enhancement to the tools available when responding to crime scenes. This mobile command post is highly specialized and equipped with technology and supplies necessary to respond to crime scenes on a moment's notice. The vehicle itself is a fully self-contained command center equipped with all the necessary gear needed to properly process a crime scene (including fingerprint kits, portable lighting, blood evidence collection kits, UV light sources, DNA collection kits, computer forensic analyzing equipment, printers, tables, evidence collection tools, communication equipment, and a radio repeater system). While it is a large expenditure, the state's rural areas benefit greatly from it, as the vehicle becomes the base of operation for responding to a critical incident, and it assures the community of a strong and capable police presence.

The current command vehicle is based in Bismarck. This request is for a second vehicle to be housed in Fargo, which will allow for a quicker response time across the state.

The use of undercover surveillance vehicles is critical to conduct effective investigations. These vehicles are shared across the state to help reduce the possibility of them becoming identified, and several have been used for a number of years. The replacement cycle for these vehicles should be every ten years. Two 1991 model vehicles will need replacement in the next biennium, as their age is impacting their effectiveness and increasing the cost to maintain them. These vehicles contain high-tech equipment and are specially designed to operate in a covert and safe manner. With the increased activity in the western part of the state, the office will seek federal funds to add an additional vehicle.

This request is for \$50,000 in federal funds to replace the one of the existing vehicles to keep a minimal number of surveillance vehicles available across the state.

Crime Lab**Intoxilyzers**

The Laboratory would like to purchase 22 replacement instruments at \$7,875 each, for a total request of \$173,250 in federal funds. The Intoxilyzer is used to measure the concentration of alcohol present in a breath sample.

Gas Chromatograph/Headspace Autosampler

The GC/Headspace Autosampler performs blood alcohol analyses. This \$85,000 federal funds request is for a replacement instrument.

9700 Thermocycler

The 9700 Thermocycler is used to amplify DNA to make sufficient quantities of it to visualize it on the genetic analyzer. This \$16,000 federal funds request is for 2 replacement instruments.

Maxwell Extraction

The Maxwell Extraction instrument is used to extract DNA from different substrate. This \$25,000 federal funds request is for a replacement instrument.

QIAcube

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The QIAcube is used to standardize DNA extractions for sexual assault cases. This \$25,000 federal funds request is for a replacement instrument.

Alternate Light Source

Alternate light source is used in forensic science to view evidence under different wavelengths of light. Typically the light will be equipped with a wheel containing a half dozen or so filters, which can be rotated to bring a different filter into the light path. Another alternate light source design utilizes a flexible fiber-optic cable, which is advantageous in examining confined spaces.

For example, the examination of a weapon such as a gun or knife. Finger and palm prints are nearly invisible on such metal surfaces when examined under room light. But, when viewed under a green light and observed through an orange filter, the prints can easily be seen. Similar lighting conditions and special film can be used to photograph prints. Most organic materials can be made to fluoresce. As an example, a fingerprint can be invisible to the naked eye. But, when illuminated using an intense blue-green light from a laser or incandescent source, the organic materials in the fingerprint will fluoresce yellow. The fluorescence is visible without the addition or powders or dyes.

The same principle applies to other organic samples including semen, saliva, fibers from materials, and ink. Furthermore, different organic materials will absorb light and fluoresce at different wavelengths. This means that evidence such as a fingerprint or a bite mark can be detected on materials as diverse as skin, paper, rubber, and cloth fabric.

This \$18,000 federal funds request is for a replacement instrument.

FTIR

The FTIR is an instrument that analyzes drug compounds. In infrared spectroscopy, infrared radiation is passed through a sample. Some of the radiation is absorbed and some is transmitted. The absorption and transmission (fourier mathematics) results in an infrared spectrum; the analysis is similar to a molecular fingerprint for a sample. It can identify unknown materials, determine the quality or consistency of a sample, and it may determine the components of a mixture. This federal and other funds request of \$58,467 is for a replacement instrument.

GC/Mass Spectrometer (Forensic)

GC/MS is used to analyze and identify drug samples which are submitted. This is a \$90,108 federally funded replacement instrument.

GC/Mass Spectrometer (Toxicology)

GC/MS is used to analyze and identify drugs present in biological matrixes which are submitted. This other funds replacement request totals \$123,400.

GC/Headspace Autosampler

The GC/Headspace Autosampler performs blood alcohol analyses. This \$85,000 other funds request is for a new instrument.

Change Group: A	Change Type: B	Change No: 16	Priority:
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This project will allow the office to automate the process between the certification of equipment training for law enforcement done through the Crime Lab's new Laboratory Information Management System (LIMS) and the online training application developed by internal staff. This other funds request is for \$150,000.

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Criminal History Rewrite

In the 2011-13 biennium the legislature appropriated \$450,000 to plan the replacement of the current Criminal History repository along with planning for improvements and the ability to meet new federal mandates. The current Criminal History repository was implemented in 1999 using the best technology at the time to meet the requirements for real-time sharing of information across the United States and the world. This technology, although widely used in Europe, never really caught on in the United States and it has become extremely difficult to find people with the knowledge and experience needed to maintain this technology. When the expertise is found, it is extremely expensive.

Other reasons for the necessity of improving processes in this area are:

- Volume of paperwork handled by criminal records staff has doubled since 1999.
- Volume of record checks being done has increased exponentially from 1999 to today.
- State and federal regulations have changed over the years that require the office to rethink business processes and add new functionality to the application.
- FBI audits have made recommendations that are virtually impossible with the current application.
- The office currently interacts with Minnesota and South Dakota fingerprints. The office needs to look at how it can expand that to other states such as Montana and Nebraska, particularly in the latent fingerprint area.
- There is a need to look at other biometrics to complement fingerprints for positive identification.

The planning project has determined the following priority projects for the 2013-15 biennium to begin to implement the improvements to the process of collecting and disseminating criminal history. As work begins in these areas, it will probably be broken into smaller, more manageable projects.

Biometric Identification Improvement Project - The Office of Attorney General funded and partnered with the ND Criminal Justice Information Sharing (CJIS) to complete a Justice Information Framework Study (JIFS) in August 2011. This study and its recommended solutions provide a high level plan to improve the processes by which criminal history information is captured, managed, and shared.

A key JIFS finding was the need for improved identification processes. The initial process is the capture of biometric identification information, such as fingerprints, iris or retinal images, and DNA samples. This project is aimed at improving the efficiency and effectiveness of the equipment and processes used to capture biometric information.

Person ID Workflow Project

A major hurdle to obtaining greater operational value from biometric identification is the amount of elapsed time between the submission of fingerprints and the electronic delivery of the result. For jurisdictions where Livescan capture devices are in place, current systems, procedures, and business-hours-only staffing levels provide a response time for fingerprint submissions measured in days or weeks. Because of this, the results of the biometric identification are not available to the arresting agency when they are completing their case report or to the prosecutor deciding whether or not to file charges.

This project will examine and re-engineer the workflows so that results of biometric identification are available to support the time critical criminal history and person identification activities of law enforcement and prosecution.

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This project will also:

- Evaluate and re-engineer identification workflows to improve response time;
- Deliver identification results in a form usable by justice partner agencies;
- Provide flexibility in workflows to support future needs, such as FBI National Fingerprint File processing and Rap-back (a system providing a mechanism for retaining fingerprint cards and notifying requesters identified in NDCC section 12-60-24 of any subsequent arrests);
- Improve processes to eliminate operational backlog; and improve hours of service that can be supported.

Criminal History Repository Replacement Project

This project will replace the existing criminal history repository, which no longer meets the needs of the state. The new system will enable new capabilities such as automated disposition reporting, detection of missing fingerprints, electronic charging automation, reporting of custodial bookings to the FBI, and enhanced background checks.

The current Criminal History Application is built on older technology, which has become increasingly difficult and expensive to maintain. Consultants cost \$250 an hour if needed versus \$100-\$125 for .NET (Microsoft) service.

Many of the external system interfaces utilize newer technology, creating unique problems when there is a need to interface with the current system's older technology. Expertise for the older technology within the office's IT staff is very limited.

Interfacing with older technology increases the difficulty and time required to complete programming. The impact will become more severe as efforts are made to move towards more electronic entry of charge and disposition information and electronic requests for background checks. This other funds request is for \$486,500.

This other funds request is for \$2,340,050.

Change Group: A	Change Type: B	Change No: 24	Priority:
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Tobacco Diligent Enforcement Final Orders

Individual state hearings in the multi-state arbitration with the tobacco companies will be held through June 2013. North Dakota's hearing will be held in October 2012. The Panel will issue orders regarding all states after the June 2013 hearings.

The states have a cost sharing agreement to share costs incurred for the benefit of all states. It is not known at this time whether the costs associated with the final orders will be paid under the cost share or by individual states. It is also unknown how much time the Panel will spend drafting its final orders. This request is for \$10,000 in other funds to pay for the estimated final orders cost.

Change Group: A	Change Type: B	Change No: 25	Priority:
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Legal Services Timekeeping and Billing System

The office needs to replace the antiquated (late 1980's) legal services billing system that currently resides on the AS400 at ITD. This other funds request of \$168,000 is to purchase the system.

Change Group: A	Change Type: B	Change No: 31	Priority:
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Crime Lab Temporary Salaries

The Lab has experienced 15.5% growth in casework in the last two years. Such rapid growth has stretched Lab staff resources and has been a contributing cause in the significant increase in turn-around times. In order to effectively manage the increased workload and to provide in a timely fashion the required services needed by local law enforcement agencies and the justice system, additional staff is needed. This other funds request is for \$87,026 to fund temporary salaries for two additional temporary forensic scientists.

Change Group: A	Change Type: C	Change No: 2	Priority: 3
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Inflation increases

IT - This general fund request of \$201,184 is for the amount needed to maintain the office's current environment and service to our customers.

This includes ITD increases due to Filenet licenses and upgrade costs, Sharepoint licenses and upgrade costs, increases to technology fee, and additional cell phone coverage for IT.

It includes the increased annual maintenance costs from normal increases, any additional licenses purchased in the 2011-13 biennium, and annual maintenance for the National Incident Based Reporting System crime reporting website.

It also includes an increase in the number of monitors to be recycled since the office has moved to 2 monitors per desk.

A firewall is needed at the Crime Lab because several web-based applications have been implemented in the 2011-13 biennium.

BCI, IT, and Fire Marshal Divisions -- A number of issues affect the need for additional rent funding in the 2013-15 biennium. The greatest impact is due to a substantial increase in Bismarck rent as a result of a change in building ownership. New rates will bring the lease cost of this space in line with comparable rental space in the community, and will increase BCI rent by \$223,000 in the next biennium. In addition to this increase, the office anticipates a 10% rent increase for office space in field offices across the state.

In addition, It is imperative that specialty surveillance and crime scene vehicles be stored in garages to protect the equipment they contain, protect surveillance vehicle identity, and ensure they are ready to respond on a moment's notice. Additional garage space was recently obtained with federal funds for two surveillance vehicles purchased with federal funds; however, those funds will expire by the end of the 2011-13 biennium. The office is requesting a general fund enhancement to maintain that space and to acquire new space for a second command post vehicle.

This general fund request for \$260,719 is to cover the above costs.

The office's workers compensation premiums increased dramatically in the 2011-13 biennium. The office paid about \$76,000 for this insurance in the 2009-11 biennium. In fiscal year 2012 the office paid over \$72,000 and the initial estimated premium cost is over \$76,000. As a result, this \$79,568 general fund request is to pay for increasing premiums.

Change Group: A	Change Type: C	Change No: 13	Priority: 10
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National Instant Check System FTE's

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After the 2009 legislature extended the length of time a license is valid, the volume of licenses far exceeded any expectations due to reciprocity acceptance in many states across the nation, concerns about the future of gun control, and most recently, the public's growing interest in personal safety. The exploding economy and transient workforce have contributed significantly to the increasing workload, and there are absolutely no signs of this workload slowing down. Also, additional sources of information, such as judicial and mental health records, must now be researched and considered when determining who may or may not possess a license. The 2011 legislature provided for 1.5 federal grant funded positions to develop and implement a system which incorporates the mental health record and judicial record review into the licensing process. The federal grant, however, is for the 2011-13 biennium only. Federal funding beyond that is not anticipated and the office will be expected to maintain these activities without the help of the federal government.

During the first 10 months of this biennium, the office issued 7,616 licenses, compared to a total of 8,535 licenses issued during the entire 2009-11 biennium. As of June 30, 2011, a total of 15,420 individuals held active North Dakota concealed weapon licenses, compared to a total active number of only 6,421 just eight years ago.

The sheer volume of licenses and the new review requirements have resulted in one existing staff member taking on more administrative duties along with processing licenses, a temporary staff member is assisting with the day-to-day processing of licenses, and the 1.5 federally funded positions assist with this work as well as gathering and processing mental health and judicial information. To ensure the office can meet its obligations and issue the licenses within the 45-day turn-around period mandated by statute, other funds support of \$240,329 is requested for the 2 currently federally funded positions received from the 2011 legislature.

Change Group: A	Change Type: C	Change No: 14	Priority: 1
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Federal Stimulus FTE's

The state has benefited greatly from federal stimulus funding, and a number of needed programs have been implemented. These funds are scheduled to end in the next several months, and additional federal funding is not available. These general fund requests are to continue the positions of a special investigator assigned to the 24/7 Sobriety program, a cyber crime investigator, an administrative assistant, two intelligence criminal analysts and two DNA forensic scientists. Without state support, these critical programs will be severely impacted or eliminated.

BCI -- The North Dakota 24/7 Sobriety program has proven to be very effective as a means to help individuals who have had multiple DUIs, or other violations where drugs or alcohol were involved, refrain from alcohol use and stay out of the prison system. This program is also making the state's roadways safer for its citizens. As of May 2012, 3,143 individuals have participated in the program. The investigator coordinating this program works closely with the alcohol monitoring company providing services to the state and with all local law enforcement agencies to ensure that proper training, reporting, and equipment needs are met. Loss of stimulus funding would result in no program oversight and no liaison between the vendor and the local law enforcement agencies that rely on these services.

The criminal intelligence analyst positions are critical to the success of the State and Local Intelligence Center (SLIC), which was formed to utilize local, state, and federal resources more effectively. This center allows the state to more effectively provide support that leads to identifying, investigating, and prosecuting criminal activities, including drug suppliers from out-of-state sources and homeland security threats. Many crimes typically involve conspiracies, several layers of networks, and individuals who utilize the same routes and modes of transportation. The SLIC analysts play a critical role in providing the analyzed information to task forces, analysts across the nation, the northern border International Border Enforcement Teams (IBET), and many local, state, and federal agencies.

The office currently has two staff members assigned to manage federal and special fund grant activities. The administrative assistant is funded from the stimulus grant. While overall funding has declined across the country, the competitive nature of these funding sources has increased reporting and grant management requirements. The grants manager cannot keep up with applications, subgrant monitoring, and reporting requirements and the day-to-day support. This general fund request for this administrative support position helps to ensure proper management of all grants and funding resources.

The cyber crime investigator is one of four throughout the state. This is a critical and growing area of services provided, and the loss of this position would be extremely detrimental to Internet Crimes Against Children enforcement efforts across the state, which local law enforcement agencies rely on.

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The request for these positions is to ensure that highly specialized enforcement and support effort continues to be provided to local law enforcement.

Crime Lab -- Two forensic scientist FTEs were added during the 2009-2011 biennium and need to be permanently funded. During the last biennium, the two forensic scientists ran over 4,500 exams and processed over 535 cases. The average turn-around time for a biological screening case is 25 days. These positions are critical to keeping the unit current with DNA casework. An increase in turn-around time will negatively impact both law enforcement and judicial agencies which rely on the Lab to process DNA requests.

The total request is \$1,095,590, of which \$1,037,590 is from the general fund and \$58,000 is from other funds.

Change Group: A	Change Type: C	Change No: 15	Priority: 4
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IT Programming Staff

The office has advanced from simple to much more sophisticated applications sharing information across area or divisional boundaries. A demand has been growing for the capability to allow data to be entered at the point of origin, rather than mailing or electronically sending documents. This requires the office IT staff to develop more sophisticated applications with higher security requirements and support law enforcement, states attorneys, and others outside of the office. The number of applications that need to be supported and replaced has grown over the years and the office's IT staff has not grown enough to meet the demands. This is affecting the ability of the different divisions within the office to provide the level of service to customers that is needed.

The office currently has three programmers, a database analyst, and an application architect working full time on application development. Three programmers are able to work with three-four consultants. This is not enough to cover the demands of 12 different divisions within the office. Each division has unique business needs.

The office is requesting two additional programmer analysts and one associate architect to support the current applications and to handle the many projects currently on the office's list of future needs. An increase in IT staff would increase the IT Division's ability to use and manage additional contract personnel. This total includes salaries, equipment, software and remodeling costs to set up office space for the new positions.

This request is for \$507,274 from the general fund and \$76,100 in other funds, for a total request of \$583,374.

Change Group: A	Change Type: C	Change No: 20	Priority: 2
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Western Oil Impact Staff

Increased economic activity in the western part of the state has had a significant impact on the BCI's investigative staff. Normally, BCI staff is called in to assist with investigations because of its level of expertise. However, recently, BCI staff has been assisting local sheriff and police departments with most, if not all of their investigations, because the local law enforcement agencies are backlogged and extremely busy answering routine calls.

Along with the increased investigation assistance, the transient population in western North Dakota has resulted in illegal activities including increased drug activity, especially methamphetamines. Transient workers are bringing new methamphetamine cooking methods to the state and other types of drugs from their home states. It is imperative that BCI staff has the time and resources to be proactive with these types of investigations. In addition, there is concern that there may be a large number of unregistered sex offenders that have migrated to the state due to the economic boom. BCI is teaming up with the U.S. Marshal Service to address these concerns, but there are simply not enough staff members to address all of the issues.

BCI's current investigative staff work in the western offices (Minot, Dickinson, and Williston) is mostly reactive, having to put aside proactive enforcement such as controlled drug buys and preventative measures such as public presentations. Due to the reactive nature of the increased workload and violent crimes, the staff has had

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to triage the cases and is frequently unable to address less serious crimes as quickly as has been the practice in the past. Staff scheduling is done on a day to day basis, as staff are being called out at all times of the day and night, which can lead to employee exhaustion.

The office is requesting two criminal investigators and one administrative assistant and associated operating expenses be added to adequately address these issues. The total request is \$526,796, of which \$457,146 is from general fund and \$69,950 is from other funds.

Change Group: A	Change Type: C	Change No: 26	Priority: 11
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Uniform Crime Reporting Assistance

Keeping track of crime statistics is essential to ensure North Dakotans and the federal government know and understand the crime issues this state has recently faced. The information tells the state's story and helps to obtain and target resources more effectively. Currently, one person is tasked with reporting on all of the information gathered from all local agencies across the state. However, as the state grows, there is an ever-increasing amount of information coming into this system, and an even greater demand for subsequent reports. Also, as reporting agencies move to the Law Enforcement Records Management System (LERMS) system, there is a critical need for field training and field auditing to ensure data quality and conformance with reporting rules. This is simply more than one person can do.

This other funds request of \$113,456 is for an administrative assistant to assist the UCR Program Manager with data entry and processing, updating manuals and forms, and assisting with the preparation of reports to address the ongoing need for training and quality control. This will help ensure the state is reporting the most accurate and current crime information.

Change Group: A	Change Type: C	Change No: 27	Priority: 12
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Organized Crime Investigator

The developing and expanding economic growth in North Dakota has brought many diverse and dynamic changes to this state. With this growth have come challenges, including the introduction of organized crime groups.

Organized crime groups are being established to oversee, market, and expand criminal enterprises throughout North Dakota. One such group from the Fargo area has formed for the purpose of stealing copper for resale. Organized groups are also emerging in the areas of drug trafficking, street gangs, and prostitution (primarily in the oil producing regions of the state). Such groups include outlaw motorcycle gangs, organized crime groups and Mexican drug cartels.

To combat these threats, this office is requesting an organized crime investigator (OCI) position to be funded from other funds. This other funds request is for \$211,471.

The OCI's primary purpose would be to identify, target, track and dismantle these illegal organizations. The investigator would work closely with federal, state, tribal and local law enforcement entities to gather intelligence and plan strategies to combat the expanding threats. The investigator would also work with the North Dakota State and Local Intelligence Center (SLIC) to use proven intelligence gathering systems and techniques to assist law enforcement in addressing organized crime issues.

The organized crime investigator would act as a liaison between the various levels of law enforcement, as well as coordinate intelligence and resources to build a strong knowledge base and develop operational techniques to deal with the criminal enterprises present in North Dakota. The organized crime investigator will help the state develop a proactive stance against the expanding criminal element that is taking root in North Dakota as the population continues to grow.

Change Group: A	Change Type: C	Change No: 29	Priority: 5
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Synthetic Drugs Forensic Scientist

BUDGET CHANGES NARRATIVE

125 Office of the Attorney General

Bill#: HB1003

Date: 12/07/2012

Time: 13:40:34

An additional forensic scientist is needed to help alleviate the significant workload increases in the Drug Chemistry and Toxicology disciplines. The growing use of synthetic drugs is causing a significant increase in turn-around time in the drug unit. Two years ago the turn-around time of the drug unit averaged 18 days. The current average turn-around time for a drug chemistry case has increased to 66 days. The increased turn-around time causes delays for the law enforcement community and the justice system. Also, the number of drug chemistry cases submitted in the past two years has increased by over 20%. During the same timeframe, toxicology drug screening submissions have increased to 26%. Increases of over 20% within the Lab are not sustainable without additional forensic scientist staffing. This general fund request of \$146,039 is for one additional forensic scientist FTE and the associated operating costs.

Change Group: A	Change Type: C	Change No: 32	Priority: 13
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Legal staff

The Land Department has requested an additional assistant attorney general to review mineral leases and other legal information. This \$239,853 other funds request includes salaries and wages and related operating expenses for the position.

Change Group: A	Change Type: C	Change No: 100	Priority: 6
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Hay Grade Minimums & Compression

When the new Hay grade salary minimum salary adjustments were made, this caused immediate and serious compression issues between new staff members and staff members who have been with the office for a number of years. As a result, compression increases totaling \$645,952, of which \$639,944 is from the general fund and \$6,008 is from federal funds are requested to address these issues.

Change Group: A	Change Type: C	Change No: 300	Priority: 9
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Forensic Scientist Increases

Over the past two years, the Crime Lab has had difficulty in hiring and retaining forensic scientists. Seven positions (out of 17 forensic scientists the Lab employs) have been vacated and filled in just over a year which equates to a 42% turnover rate. North Dakota salaries for the same positions are significantly below their Midwest counterparts. As a result, when employees leave state employment, the Lab has significant difficulty attracting equally qualified staff. Consequently, the Lab has become a training ground for new scientists with no forensic experience which results in a steep learning curve of up to two years for new forensic scientist staff. Experienced staff must not only monitor the work of the new employees, but also handle the growing workload. The situation has added to casework processing delays, particularly with continued caseload increases, and has had a serious negative impact on employee morale, which causes employees to look elsewhere for employment.

Currently, 4 staff members with over 10 years of state service are still below the midpoint of their salary range. The forensic scientists' salaries must become competitive within the region or the Crime Lab will continue to train and, once trained, lose forensic scientists to other state agencies or regional agencies offering higher salaries. This general fund request is for \$85,401 is to fund increases to current forensic scientists' salaries and to allow beginning forensic scientist salaries to be competitive with salaries for similar positions in state government and in regional agencies. This request is 20% of the total amount needed to bring forensic scientist salaries up to regional agency salary levels.

Change Group: A	Change Type: D	Change No: 10	Priority: 7
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2013-15 General Fund Capital Assets

BUDGET CHANGES NARRATIVE

125 Office of the Attorney General

Bill#: HB1003

Date: 12/07/2012

Time: 13:40:34

The office uses a combination of state fleet and division-purchased vehicles to help maintain a diverse undercover fleet. These vehicles are rotated across the state for investigator safety and undercover effectiveness. These vehicles are replaced every four years or 75,000 miles. For the 2013-15 biennium, the office anticipates replacing 11 vehicles at a cost of \$198,000 in general fund monies.

Change Group: A	Change Type: D	Change No: 100	Priority: 8
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Oil Impact Assistance

Temporary monthly salary increases for staff located in Western North Dakota are requested due to the substantial increase in living costs in Minot, Williston and Dickinson.

Due to the significant increase in housing costs in the oil-impacted areas, this office is providing rental assistance to staff members renting in these areas. This general fund request is to continue to fund the rent assistance.

This general fund request totals \$135,090.

Change Group: A	Change Type: E	Change No: 1	Priority:
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Remove Emergency Commission action

This request removes \$80,000 for Litigation Fees, budgeted in operating expenses, which the Emergency Commission approved during the 2011-13 biennium.

Change Group: A	Change Type: E	Change No: 3	Priority:
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Remove 2011-13 Biennium Equipment

As required the 2011-13 biennium equipment items are removed. This includes decreases in:

BCI-GF equipment of \$282,000 from the general fund.

BCI-FF equipment of \$100,000 from federal funds.

Crime Lab equipment of \$1,016,301; \$30,400 from the general fund, \$807,901 from federal funds, and \$178,000 from other funds.

Change Group: A	Change Type: E	Change No: 5	Priority:
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Remove Federal Stimulus line item

As required, the BCI and Crime Lab federal stimulus funding of \$2,355,708 and 7 FTE's are removed.

Change Group: A	Change Type: E	Change No: 6	Priority:
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Remove National Instant Check System line item

BUDGET CHANGES NARRATIVE

125 Office of the Attorney General

Bill#: HB1003

Date: 12/07/2012

Time: 13:40:34

As required, the National Instant Check System line item of \$585,859 in federal funds, and the associated 1.5 FTE's, are removed.

Change Group: A	Change Type: E	Change No: 7	Priority:
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Remove Technology Carryover line item

The 2011-13 biennium technology carryover amount of \$553,675 from other funds is removed as required.

Change Group: A	Change Type: F	Change No: 11	Priority:
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Remove 2011-13 Crime Lab bond payments

As required, the \$765,882 in Crime Lab bond payments is removed.

Change Group: A	Change Type: G	Change No: 9	Priority:
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Required 3% General Fund Reductions

The total general fund required reduction is \$953,658. The breakdown by division is as follows:

Finance and Administration	\$ 67,837
Information Technology	\$96,948
AG Administration	\$34,287
Legal Services	\$119,798
Bureau of Criminal Investigation	\$355,201
Crime Lab	\$151,201
Consumer Protection	\$ 35,636
Gaming	\$ 58,407
Fire Marshal	\$ 34,343

Change Group: R	Change Type: A	Change No: 1	Priority:
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Federal Stimulus FTE's

Continues 7.00 FTE that were previously funded with ARRA funding with \$1,037,590 in general fund funding and \$58,000 in special funds. These positions include: 1.00 FTE Bureau of Criminal Investigation (BCI) agent for the 24/7 Sobriety program, 1.00 FTE BCI agent for the Internet Crimes Against Children enforcement program, 1.00

BUDGET CHANGES NARRATIVE

125 Office of the Attorney General

Bill#: HB1003

Date: 12/07/2012

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FTE Admin Assistant to assist in the management of federal and special fund grant activities, 2.00 FTE State and Local Intelligence Center (SLIC) criminal intelligence analyst positions, and 2.00 FTE Crime Lab forensic scientist positions. The recommendation includes the associated operating and vehicle costs.

Change Group: R	Change Type: A	Change No: 2	Priority:
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Western Oil Impact Staff

Authorizes 3.00 FTE and related operating and vehicle costs with general fund funding of \$457,146 and special funds of \$69,650 to address law enforcement concerns in western North Dakota. The positions include: 2.00 FTE BCI criminal investigator positions to be located in western North Dakota and 1.00 FTE admin assistant position to be located in Bismarck.

Change Group: R	Change Type: A	Change No: 3	Priority:
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Inflationary Increases

Provides \$461,903 from the general fund to address inflationary cost increases associated with IT costs of \$201,184 and rental costs of \$260,719.

Change Group: R	Change Type: A	Change No: 4	Priority:
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IT Programming Contracted Services

Provides \$500,000 from the general fund and \$76,100 in special funds for IT contractual services to address the demand for more sophisticated IT applications, higher security requirements to support law enforcement, states attorneys, and others.

Change Group: R	Change Type: A	Change No: 5	Priority:
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Synthetic Drugs Forensic Scientist

Authorizes 1.00 FTE and \$146,039 from the general fund for a forensic scientist position and related operating expenses to address the growing synthetic drug problem in North Dakota.

Change Group: R	Change Type: A	Change No: 6	Priority:
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Forensic Scientist Equity Increases

Approves \$85,401 for salary equity increases for forensic scientists in the Crime Lab to address the high turn-over rates experiences by the agency in this area.

Change Group: R	Change Type: A	Change No: 7	Priority:
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National Instant Check System FTE's

Authorizes 2.00 FTE admin assistant positions and related operating expenses with general fund funding of \$307 and special funds of \$240,022 for processing concealed weapons permits in association with the National Instant Check System.

BUDGET CHANGES NARRATIVE

125 Office of the Attorney General

Bill#: HB1003

Date: 12/07/2012

Time: 13:40:34

Change Group: R	Change Type: A	Change No: 8	Priority:
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Uniform Crime Reporting

Authorizes 1.00 FTE admin assistant position and related operating expenses with \$113,456 in special funds to address the increased workload associated with the Uniform Crime Reporting program.

Change Group: R	Change Type: A	Change No: 9	Priority:
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Organized Crime Investigator

Authorizes 1.00 FTE organized crime investigator position and related operating and motor vehicle costs with \$211,471 in special funds to address the increased organized crime presence in North Dakota.

Change Group: R	Change Type: A	Change No: 10	Priority:
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Legal Staff

Authorizes 1.00 FTE attorney and related operating costs with \$239,853 in special funds for an additional assistant attorney general requested by the Dept. of Trust Lands to review mineral leases and other legal information.

Change Group: R	Change Type: A	Change No: 100	Priority:
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Executive Compensation Package Adjustment

This budget change provides funding for recommended 2013-15 compensation adjustments. Compensation adjustment for each agency were calculated following the recommendations of the Hay Group developed through the 2011 study of the state's classified employee compensation system. Pursuant to those recommendations, compensation adjustments were calculated to provide funding to allow for both performance-based salary adjustments and market-based salary adjustments. This funding allows for increases of 2% to 4% for employees in the first quartile of the pay range and 1% to 2% for those in the second quartile of the range. For employees in the third and fourth quartiles, which are above the market policy position, no market policy increase is funded. Performance-based increases are assumed to be 3% for employees meeting performance standards and up to 5% for employees exceeding performance standards. No performance-based increases are provided for employees that fail to meet performance standards.

Change Group: R	Change Type: B	Change No: 1	Priority:
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Undercover Vehicles

Provides \$198,000 in one-time general fund funding to replace 11 undercover vehicles.

Change Group: R	Change Type: B	Change No: 2	Priority:
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Oil Impact Assistance

Provides \$135,090 in one-time general fund funding for oil patch salary add-ons and housing assistance for employees located in oil impacted areas.