

Oklahoma Attorney General

First Assistant Attorney General: Dawn Cash

Chief Financial Officer: Curt McMurphy

FY'18 Projected Division/Program Funding By Source						
	Appropriations	Federal	Revolving	Local	Other*	Total
Administration	\$1,517,695				\$3,256,445	\$4,774,140
Civil Rights					\$759,035	\$759,035
Consumer Protection			\$434,935		\$1,022,499	\$1,457,434
Cooperative Disability Investigation			\$248,662			\$248,662
Court Appointed Special Advocate			\$60,000			\$60,000
Criminal Appeals	\$975,683				\$1,085,833	\$2,061,516
Criminal Justice			\$771,034		\$2,217,829	\$2,988,863
Information Services					\$1,900,000	\$1,900,000
Insurance Fraud			\$286,290			\$286,290
Justice Reinvestment Grant	\$619,165					\$619,165
Legal Aid Services	\$904,726					\$904,726
Legal Counsel			\$3,383,594		\$87,500	\$3,471,094
Litigation	\$1,214,058				\$1,521,158	\$2,735,216
Medicaid Fraud		\$2,459,094	\$819,698		\$10,000	\$3,288,792
Public Utilities and Environmental	\$334,715		\$200,829		\$1,081,886	\$1,617,430
Solicitor General	\$283,046				\$416,546	\$699,592
Tobacco Enforcement					\$683,923	\$683,923
Victims' Services	\$4,220,098	\$1,790,939	\$586,000		\$420,887	\$7,017,924
Workers' Compensation Fraud			\$286,297		\$70,000	\$356,297
Total	\$10,069,186	\$4,250,033	\$7,077,339	\$0	\$14,533,541	\$35,930,099

Case settlements make up 89% of "Other" funding and approximately 36% of total funding.

FY'17 Carryover and Refund by Funding Source						
	Appropriations	Federal	Revolving	Local	Other*	Total
FY'17 Carryover	\$2,431,777					\$2,431,777

*Source of "Other" and % of "Other" total for each.

What Changes did the Agency Make between FY'17 and FY'18	
1.) Are there any services no longer provided because of budget cuts?	Funding for Safe Oklahoma Grants (Justice Reinvestment Initiative) has been reduced.
2.) What services are provided at a higher cost to the user?	N/A
3.) What services are still provided but with a slower response rate?	N/A
4.) Did the agency provide any pay raises that were not legislatively/statutorily required? If so, please provide a detailed description in a separate document.	See Attached

FY'19 Requested Division/Program Funding By Source						
	Appropriations	Federal	Revolving	Other	Total	% Change
Administration	\$1,500,000			\$3,300,000	\$4,800,000	0.5%
Civil Rights				\$760,000	\$760,000	0.1%
Consumer Protection	\$542,500		\$375,000	\$542,500	\$1,460,000	0.2%
Cooperative Disability Investigation			\$249,000		\$249,000	0.1%
Court Appointed Special Advocate			\$60,000		\$60,000	0.0%
Criminal Appeals	\$1,031,000			\$1,031,000	\$2,062,000	0.0%
Criminal Justice	\$1,452,218			\$1,547,782	\$3,000,000	0.4%
Information Services				\$1,900,000	\$1,900,000	0.0%
Insurance Fraud			\$287,000		\$287,000	0.2%
Justice Reinvestment Grant	\$600,000				\$600,000	-3.1%
Legal Aid Services	\$904,726				\$904,726	0.0%
Legal Counsel			\$3,475,000		\$3,475,000	0.1%
Litigation	\$1,200,000			\$1,550,000	\$2,750,000	0.5%
Medicaid Fraud		\$2,475,000	\$825,000		\$3,300,000	0.3%
Public Utilities and Environmental	\$1,200,000			\$500,000	\$1,700,000	5.1%
Solicitor General	\$280,000			\$420,000	\$700,000	0.1%
Tobacco Enforcement				\$685,000	\$685,000	0.2%
Victims' Services	\$4,220,098	\$1,800,000	\$400,000	\$600,000	\$7,020,098	0.0%
Workers' Compensation Fraud			\$350,000		\$350,000	-1.8%

Total	\$12,930,542	\$4,275,000	\$6,021,000	\$12,836,282	\$36,062,824	0.37%
--------------	---------------------	--------------------	--------------------	---------------------	---------------------	--------------

Other funding is primarily made up of case settlements.

FY'19 Top Five Appropriation Funding Requests	
	\$ Amount
In light of the on-going revenue crisis and the impending budget challenges facing the Legislature and the State of Oklahoma, the Oklahoma Attorney General would request that FY-2019 appropriations are equal to appropriated funds (\$12.9mm) prior to the Oklahoma Attorney General voluntarily taking a one-time appropriation reduction. While this level of appropriation will not fully fund FY-2019 operations it will ensure that pass-through funding for numerous Oklahoma Domestic Violence, Sexual Assault, Human Sex Trafficking, and Children's Services Shelters, the Justice Reinvestment Initiative Grant Program, and Legal Aid Services remain unharmed.	\$12,930,542

Top Five FY'19 Requests \$ 12,930,542

How would the agency handle a 2% appropriation reduction in FY'19?
E q p v k p w g f " c d c v g o g p v " q t " t g f w e v k q p " k p " v j g " Q h h k e g ø u " q r g t c v k q p u " c r r t q r t duties which could result in vacant positions remaining vacant; an increase in the rates for services performed or fees charged for representation by the Office (possibly causing state agencies and government clients to seek outside counsel at significant cost to the State); a reduction in funding for domestic violence services and shelters; a reduction in Justice Reinvestment Grant funding; and/or the inability to fulfill core services.

How would the agency handle a 4% appropriation reduction in FY'19?
E q p v k p w g f " c d c v g o g p v " q t " t g f w e v k q p " k p " v j g " Q h h k e g ø u " q r g t c v k q p u " c r r t q r t duties which could result in vacant positions remaining vacant; an increase in the rates for services performed or fees charged for representation by the Office (possibly causing state agencies and government clients to seek outside counsel at significant cost to the State); a reduction in funding for domestic violence services and shelters; a reduction in Justice Reinvestment Grant funding; and/or the inability to fulfill core services.

How would the agency handle a 6% appropriation reduction in FY'19?
E q p v k p w g f " c d c v g o g p v " q t " t g f w e v k q p " k p " v j g " Q h h k e g ø u " q r g t c v k q p u " c r r t q r t duties which could result in vacant positions remaining vacant; an increase in the rates for services performed or fees charged for representation by the Office (possibly causing state agencies and government clients to seek outside counsel at significant cost to the State); a reduction in funding for domestic violence services and shelters; a reduction in Justice Reinvestment Grant funding; and/or the inability to fulfill core services.

Is the agency seeking any fee increases for FY'18?	\$ Amount
N/A	

What are the agency's top 2-3 capital or technology (one-time) requests, if applicable?
N/A

Federal Government Impact
<p>1.) How much federal money received by the agency is tied to a mandate by the Federal Government? All federal money is tied to mandates.</p> <p>2.) Are any of those funds inadequate to pay for the federal mandate? Yes</p> <p>3.) What would the consequences be of ending all of the federal funded programs for your agency? There would be an approximate 30% reduction in domestic abuse and women and children's shelter funding across the State. The Medicaid Fraud Control Unit would be reduced by approximately 75% which would negatively impact the number of case settlements and thus the annual amount the Office contributes to the State General Revenue Fund. The Cooperative Disability Investigation Unit is funded entirely by the Social Security Administration as conceived by then Senator Tom Coburn. If the funding is lost, the program would cease to exist.</p> <p>4.) How will your agency be affected by federal budget cuts in the coming fiscal year? We are unaware of any federal budget cuts relating to our services.</p> <p>5.) Has the agency requested any additional federal earmarks or increases? We have not requested any earmarks; however, we continue to apply for federal grants when they align with the duties of the Office and are offered.</p>

Division and Program Descriptions

Administration

Administration provides direction and management and houses the centralized functions of the entire agency that are essential to all units and sections, including senior management, finance, accounting, file clerks, and receptionists. Administration meets the day-to-day needs of the agency by ensuring that proper supplies, support, and staff are maintained and by seeking innovative ways to maintain employee morale with an eye to improved work product. Senior management establishes the overall mission and goals of the agency and identifies and implements legal solutions to issues and cases that impact the State and its citizenry as a whole.

Criminal Appeals

The Criminal Appeals Unit upholds the convictions of the guilty and ensures that the punishment imposed by judges and juries are carried out; provides quality responses that will aid the courts in ruling on issues of law and in the development of new legal precedents; provides training to judges and prosecutors to reduce g t t q t u " o c f g " c v " v t k c n = " r t q x k f g u " w r f c v g u " q p " n g i c n " k u u w g u " v j t q w i j " h k g n t g u r q p u g u " v q " r g v k v k q p u " h q t " y t k v " q h " j c d g c u " e q t r w u " h k n g f " k p " h g f g t c n " e prohibition; and informs crime victims on the status of death penalty cases as they progress through the appellate process.

Criminal Justice

The Internet Crimes Against Children Task Force is a national network of task forces representing over 4,500 federal, state, and local law enforcement and prosecutorial agencies. These agencies are engaged in both proactive and reactive investigations, forensic investigations and criminal prosecutions.

The Multi-County Grand Jury Unit serves as legal advisor to the Multi-County Grand Jury and for County Grand Juries when the District Attorney has been disqualified; processes and assigns District Attorney recusals statewide; prosecutes special cases initiated within the Unit; assists in special prosecutions with state District Attorneys and Attorney General investigations; investigates and acts upon Title 51 Citizen Complaints; and represents Medical Examiners in hearings.

The Oklahoma Commission on Opioid Abuse focuses on prevention, intervention, education, treatment, law enforcement and rehabilitation.

The Social Security Fraud Unit investigates and prosecutes fraud on the part of claimants, doctors, attorneys and insurance companies. The unit also investigates fraudulent federal benefits claims.

The Workers' Compensation and Insurance Fraud Unit r q u u g u u g u " g z e n w u k x g " c w v j q t k v { " k p " v j g " U v c v g " v combines efforts with the Workers' Compensation Commission and Insurance Department to provide effective enforcement of fraud statutes against illegal activity by employers and employees.

Legal Services

The Legal Counsel Unit provides legal advice, counsel, representation, and other legal services to a combined total of 117 state officers, agencies, boards and commissions on an ongoing basis. The Unit also represents agencies and officers in administrative and civil actions (including appeals); provides attorneys to serve as administrative hearing officers in administrative proceedings before various state agencies, boards, and commissions; reviews inter-local agreements submitted pursuant to the Inter-local Cooperation Act; and annually reviews bond issues in the Attorney General's capacity as ex officio Bond Commissioner for compliance with the laws of the State, having reviewed 296 bond issues within the last year.

The Tobacco Enforcement Unit-Under the Master Settlement Agreement entered into with major tobacco companies, Oklahoma is projected to receive an annual payment in excess of \$72,000,000, and was required to enact a statute requiring non-participating manufacturers to fund an escrow statute based upon their sales within the State. If Oklahoma fails to enforce the provisions of that statute in any given year, it could lose a substantial portion of its annual payment, a portion of which goes to the General Revenue Fund. The companies that joined the Master Settlement Agreement filed an arbitration proceeding against Oklahoma and other States arguing that those States failed to enforce their escrow statutes and caused the companies to suffer a market share loss. The arbitration panel ruled that, in determining whether a State enforced its escrow statute, the following would be considered: the collection rate of escrow owed; the reliability of data reported by tobacco manufacturers and distributors; resources allocated to enforcement of the escrow statute; lawsuits filed against non-compliant companies; prevention of h w v w t g " u c n g u " d { " p q p / e q o r n k c p v " o c p w h c e v w t g t u = " c p f " g h h q t v u " v q " d g e q o g " and, as a result of that settlement, the State agreed to enhance its enforcement efforts. The Tobacco Enforcement Unit collects monthly cigarette sales reports from tobacco distributors; conducts audits, as necessary, of those reports; conducts inspection of tobacco retailers for non-compliant cigarettes; reviews Pact Act reports u w d o k v v g f " d { " v q d c e e q " r t q f w e v " o c p w h c e v w t g t u = " t g x k g y u " c r r n k e c v k q p u " h t c i c k p u v " p q p / e q o r n k c p v " o c p w h c e v w t g t u = " c p f " d t k p i u " c e v k q p u " c i c k p u v " k p f losing any part of its annual MSA payment by having all cigarette products correctly reported and escrow paid on all sales by non-participating manufacturers.

The Victims Services Unit oversees funding and certification for domestic violence and sexual assault shelters, batterers' intervention, and adult victims of sex trafficking programs across Oklahoma. The Unit provides regional training for law enforcement officers, prosecutors, victim advocates, health care professionals, shelter workers, and various other service providers and also provides appellate notification and advocacy to survivors and victims' families in death penalty cases.

Litigation

The Litigation Unit represents the State, its agencies, officers, and employees when they are sued in civil actions in state and federal courts in Oklahoma and other States. The Unit also assists state agencies in many other ways, such as by providing advice and representation in bankruptcy, real property, and probate proceedings; pursuing the recovery of monies due to agencies as a result of administrative proceedings; and overseeing cases wherein private parties challenge the constitutionality of state statutes.

Public Protection

The Consumer Protection Unit enforces the Oklahoma Consumer Protection Act, the Charitable Solicitations Act, state and federal antitrust laws, and other consumer n c y u = " c f o k p k u v g t u " Q m n c j q o c) u " ð F q " P q v " E c n n ö " t g i k u v t { " c p f " r t q i t c o = " c p consumers from fraudulent and unfair practices through law enforcement and education and protects the public and solves community problems through the education of consumers, fair enforcement of consumer laws, and cooperation and coordination with other law enforcement agencies.

The Conservation Unit serves as liaison counsel to several state environmental agencies (Department of Environmental Quality, Secretary of Energy and Environment, Oklahoma Water Resources Board, and Oklahoma Corporation Commission) and provides general counsel and representation in litigation which involves special expertise in the areas of administrative and environmental law. The unit also serves as General Counsel to the Environmental Quality Board and represents the Secretary of Energy and Environment, who is the trustee for state natural resource damages.

The Medicaid Fraud Control Unit investigates and prosecutes Medicaid provider fraud and the abuse, neglect, and financial exploitation in Oklahoma nursing facilities that receive Medicaid funds. A portion of funds recovered by the Unit are transferred to the General Revenue Fund on an annual basis; over the last five years, more than \$11.6 million has been transferred to the General Revenue Fund.

The Office of Civil Rights Enforcement was created within the Office by the State Legislature to replace the Human Rights Commission and is the only state office with the authority to investigate and enforce the mandates of the Oklahoma Anti-Discrimination Act. The Office of Civil Rights Enforcement services the entire State and promotes awareness and creates educational opportunities for Oklahomans through outreach efforts on the rights and responsibilities under the Oklahoma Anti-Discrimination Act.

The Utility Regulation Unit represents and protects the collective interests of all utility consumers of the State in rate-related matters in state or federal judicial or administrative proceedings involving natural gas, electric power, telecommunications and water services.

Solicitor General

The Solicitor General serves as a top legal adviser to the attorney general and advises other agency lawyers and state officials on complex constitutional and other legal matters. The Solicitor General Unit specializes in state and federal appellate advocacy on matters implicating State interests and defending constitutional e j c n n g p i g u " v q " U v c v g " n c y u . " e j c n n g p i g u " v q " d c n n q v " v k v n g u . " c p f " n c y u w k v u n k v k i c v k q p " c i c k p u v " h g f g t c n " c i g p e k g u . " c f x c p e k p i " v j g " U v c v g ø u " k p v g t g u v

FY'19 Budgeted FTE						
	Supervisors	Classified	Unclassified	\$0 - \$35 K	\$35 K - \$70 K	\$70 K - \$\$\$
Administration	7	0	30	5	15	10
Civil Rights	1	0	8	0	5	3
Criminal Appeals	1	0	20	1	11	8
Legal Counsel	1	0	30	0	9	21
Litigation	1	0	26	2	14	10
Medicaid Fraud	1	0	29	2	20	7
Multi-County Grand Jury	1	0	16	2	11	3
Consumer Protection	1	0	15	2	10	3
Public Utilities	1	0	8	0	4	4
Solicitor General	1	0	5	0	1	4
Tobacco Enforcement	1	0	7	0	6	1
Victims' Services	1	0	9	1	7	1
Workers' Compensation, Insurance Fraud, and CDI	1	0	9	0	9	0
Total	19	0	212	15	122	75

FTE History					
	2018 Budgeted	2017	2014	2011	2007
Administration	30	30	24	22	26
Civil Rights	8	7	0	0	0
Criminal Appeals	20	21	20	17	20
Legal Counsel	30	29	26	22	26
Litigation	26	24	26	18	26
Medicaid Fraud	29	23	23	20	20
Multi-County Grand Jury	16	12	8	10	10
Consumer Protection	15	15	16	16	16
Public Utilities	7	5	5	7	8
Solicitor General	5	6	4	0	0
Tobacco Enforcement	7	7	4	5	5
Victims' Services	9	8	6	7	7
Workers' Compensation, Insurance Fraud, and CDI	9	20	18	17	15
Total	211	207	180	161	179

Performance Measure Review					
	FY'16	FY'15	FY'14	FY'13	FY'12
State Legal Team Continue to be the State's most knowledgeable and economical legal team.					
Legal Liability Training Offer instruction, training, and education to state agencies through seminars and educational material directed at helping agencies avoid legal liability.					

Revolving Funds (200 Series Funds)			
	FY'15-17 Avg. Revenues	FY'15-17 Avg. Expenditures	June '17 Balance
200-Attorney General Revolving Fund 74 O.S. § 20, 62 O.S. § 15, 68 O.S. § 360.4, 74 O.S. § O.S. § 1020.16, - The fund is used to deposit funds from contracts with other agencies, sale of Opinion copies, case settlements. The fund is used for payroll and other expenditures for the OAG.	\$4,378,686	\$6,408,763	\$959,167
205-Telemarketer Revolving Fund 15 O.S. § 775B.7 - This fund is from telemarketing companies that purchase the Do Not Call list. Funds are used for purpose of implementing, administering, and/or enforcing provisions of the Telemarketer Restriction Act.	\$104,466	\$161,716	\$519
210-Charitable Solicitations Revolving Fund 18 O.S. § 552.7 - Fees from registrations of professional fundraisers. 18 O.S. § 552.9 - Fees from registration of working for professional fundraisers. Funds are used to the dozens of statutes governing charitable organizations, contributions, and provide funding for the salaries of a and investigator to perform such duties. Additionally, funds used to provide education and outreach to the charitable community.	\$167,694	\$235,419	\$56,029
220-Workers' Compensation Revolving Fund 74 O.S. § 19.2 - This fund is used strictly for payroll and expenditures in the Workers' Comp Fraud Unit.	\$613,327	\$779,342	\$4,449
225-Insurance Fraud Revolving Fund 74 O.S. § 19.3 - This fund is used strictly for payroll and expenditures in the Insurance Fraud Unit.	\$442,999	\$513,201	\$35,719
230-Law Enforcement Fund 74 O.S. § 19.1 - The Law Enforcement Fund shall consist of monies received from the sale of confiscated property, seizure and forfeiture of confiscated monies, property, bequests, devises or contributions, public or private, in federal funds unless otherwise provided by federal law regulation. All monies accruing to the credit of said fund hereby appropriated and may be budgeted and expended by the Attorney General for the purposes of investigation, enforcement and prosecution of cases involving criminal and forfeiture in this state and the United States of America.	\$327,208	\$261,694	\$392,722

<p>240-Court Appointed Special Advocate 47 O.S. § 1135.5 (OSCN 2012) 12 - Crime Victims Award License Plates funds are used to contract with statewide nonprofit organizations to provide services to crime victims. The amount is given entirely to the CASA programs.</p>	\$35,749	\$71,296	\$21,078
<p>245-Medicaid Fraud Revolving Fund 56 O.S. § 1003E - This fund is used strictly for payroll and operating expenditures in the Medicaid Fraud Unit. Any amount exceeding one-half of the Medicaid Fraud Unit expenses are swept annually, with 75% going to the General Revenue Fund and 25% to the Attorney General Evidence Fund.</p>	\$1,405,056	\$2,004,041	\$1,104,864
<p>250-Legal Services Revolving Fund 12 O.S. § 14 921.1 G - Funds appropriated to provide representation to indigent persons in this State in civil matters.</p>	\$910,028	\$883,615	\$305,766
<p>255-Domestic Violence, Sexual Assault Fund 68 O.S. § 2368.22 - Beginning with the 2011 tax year, income tax returns allowed a donation from tax refund benefit of domestic violence and sexual assault services in Oklahoma to be deposited in this fund. Revenue from the special license plates is also deposited in this fund. All funds are passed through to State shelters.</p>	\$12,602	\$14,061	\$7,447
<p>260-Victims' Services Revolving Fund 28 O.S. Supp 2007 § 153 F - A fund established for the purpose of collecting \$3 fine fees from offenders to be used for domestic violence prevention in the state. Each month the court clerk deposits the fine fees into the fund. The fund is used for services to victims of domestic violence, sexual assault and violent crimes.</p>	\$489,742	\$498,381	\$122,467