

GOVERNMENTAL OPERATIONS

Agency 100

Office of Attorney General

Recommendation Summary

Dollars in Thousands

	Annual FTEs	General Fund State	Other Funds	Total Funds
2013-15 Expenditure Authority	1,095.5	21,822	222,070	243,892
Total Maintenance Level	1,101.5	22,717	230,819	253,536
Difference	6.0	895	8,749	9,644
Percent Change from Current Biennium	0.5%	4.1%	3.9%	4.0%
Performance Changes				
Economic Crime Unit	1.5		416	416
Increased Legal Services	14.0		3,782	3,782
Consumer Protection Services	(1.8)	(269)		(269)
Legal Services to Agencies	(48.9)		(8,556)	(8,556)
CTS Rate Adjustment		(16)	(162)	(178)
Archives/Records Management		(1)	(6)	(7)
Office of Chief Information Officer		1	8	9
CTS Central Services		11	106	117
DES Central Services		6	51	57
Core Financial Systems Replacement		5	50	55
Fleet Program Rate Reduction			(2)	(2)
Time, Leave and Attendance System		7	68	75
Self-Insurance Liability Premium		(3)	(34)	(37)
State Public Employee Benefits Rate		106	1,366	1,472
Nonrepresented Job Class Specific Increases		110	1,779	1,889
General Wage Increase for State Employees		573	7,331	7,904
Subtotal	(35.2)	530	6,197	6,727
Total Proposed Budget	1,066.3	23,247	237,016	260,263
Difference	(29.2)	1,425	14,946	16,371
Percent Change from Current Biennium	(2.7)%	6.5%	6.7%	6.7%
Total Proposed Budget by Activity				
Administration	74.4	657	17,230	17,887
Civil Commitment of Sexually Violent Predators	26.5	13,568	18,051	31,619
Criminal Investigation and Prosecution	3.0	1,328		1,328
Enforcement of Anti-Trust Laws	7.0		1,612	1,612
Enforcement of Consumer Protection Laws	61.6	6,046	2,518	8,564
Executive Ethics Board	3.2		796	796
Homicide Investigation Tracking System	4.7	1,324		1,324
Investigation and Prosecution of Medicaid Fraud and Resident Abuse	37.5		9,556	9,556
Legal Services to State Agencies	840.8	(380)	187,256	186,876
Representing Ratepayers	7.6		(3)	(3)
Victims Advocacy		704		704

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	Annual FTEs	General Fund State	Other Funds	Total Funds
Total Proposed Budget	1,066.3	23,247	237,016	260,263

PERFORMANCE LEVEL CHANGE DESCRIPTIONS

Economic Crime Unit

The Attorney General is provided additional expenditure authority and staff to prosecute cases related to the Department of Labor and Industries' investigations into the underground economy (businesses that evade regulations and hide their full tax liability from the state). (Legal Services Revolving Account-State)

Increased Legal Services

Increased billing authority is provided to the Attorney General for increased legal caseloads for the Health Care Authority, Department of Natural Resources, and University of Washington. (Legal Services Revolving Account-State)

Consumer Protection Services

Funding for the Consumer Protection Division at the Office of the Attorney General is reduced.

Legal Services to Agencies

Funding for legal services to agencies is reduced. The Attorney General will work with client agencies to implement stricter policies and best practices regarding utilization of Attorney General services to achieve lower legal bills. (Legal Services Revolving Account-State)

CTS Rate Adjustment

Agency budgets are adjusted to reflect changes in Consolidated Technology Services (CTS) rates. Specific changes include a reduction in metered storage rates and elimination of tailored storage rates, elimination of redundant firewalls, reduction in long distance telephone rates, a general rate reduction to reflect administrative efficiencies within CTS, and enhancements to the identity management service.

Archives/Records Management

Agency budgets are adjusted to update each agency's allocated share of charges and to reflect a 10 percent reduction in the number of boxes submitted for records storage.

Office of Chief Information Officer

Agency budgets are adjusted to update each agency's allocated share of charges and to reflect increased billing levels for software subscriptions and office relocation.

CTS Central Services

Agency budgets are adjusted to update each agency's allocated share of charges from Consolidated Technology Services (CTS) to reflect an increase in business continuity/disaster recovery costs and a new allocated charge for state data network costs.

DES Central Services

Agency budgets are adjusted to update each agency's allocated share of charges and to align with anticipated billing levels from the Department of Enterprise Services (DES) in the 2015-17 biennium, including changes to the enterprise systems fee, personnel services, and small agency financial services.

Core Financial Systems Replacement

Agency budgets are adjusted to align with anticipated billings from the Office of Financial Management in the 2015-17 biennium for core financial systems replacement planning through the One Washington project.

Fleet Program Rate Reduction

Agency budgets are adjusted to reflect efficiencies and reduced costs for the Department of Enterprise Services' fleet program.

Time, Leave and Attendance System

Agency budgets are adjusted to align with anticipated billings for the Time, Leave and Attendance system, including debt service and project completion costs.

Self-Insurance Liability Premium

Agency budgets are adjusted to reflect updated premium rates and a reduction in billings for the 2015-17 biennium.

State Public Employee Benefits Rate

Health insurance funding is provided for state employees who are not represented by a union or who are covered by a bargaining agreement that is not subject to financial feasibility determination. Insurance for employees covered by the health insurance coalition is included in funding for their respective collective bargaining agreements. The insurance funding rate is \$913 per employee per month for Fiscal Year 2016 and \$947 per employee per month for Fiscal Year 2017. (General Fund-State, various other accounts)

Nonrepresented Job Class Specific Increases

Funding is provided for classified state employees who are not represented by a union for pay increases in specific job classes in alignment with other employees. (General Fund-State, various other accounts)

General Wage Increase for State Employees

Funding is provided for wage increases for state employees who are not represented by a union or who are covered by a bargaining agreement that is not subject to financial feasibility determination. It is sufficient for a general wage increase of 3 percent, effective July 1, 2015; a general wage increase of 1.8 percent for employees who earn \$2,500 a month or more, effective July 1, 2016; and a general wage increase of 1 percent plus a \$20 per month increase for employees who earn less than \$2,500 per month, effective July 1, 2016. This item includes both higher education and general government workers. (General Fund-State, various other accounts)

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ACTIVITY DESCRIPTIONS

Administration

Administrative functions of the AGO includes the Attorney General's Core Leadership Team, the Solicitor General, executive support, financial services, human resources, IT services, and facilities staff. An administrative function of the AGO is the Solicitor General's issuance of Attorney General Opinions, which answer questions from members of the state Legislature, state elected officials, appointed heads of state agencies, boards and commissions, and county prosecuting attorneys. AGO opinions clarify the interpretation of statutes and regulations when the meaning is in doubt.

Civil Commitment of Sexually Violent Predators

The Sexually Violent Predator Unit (SVPU) protects the public by ensuring that the most dangerous and violent sexual predators in the state are detained, evaluated, and treated until they no longer meet Sexually Violent Predator (SVP) criteria. When a sexual offender is about to be released from confinement and appears to meet SVP criteria, the SVPU acts as the prosecuting agency to classify them as a SVP resulting in Civil commitment. Once committed, the SVPU oversees the extensive post-commitment responsibilities to ensure that SVPs are not being released before being rehabilitated. These responsibilities include appeals, annual reviews, less restrictive alternative placements, and re-commitment hearings and trials.

Criminal Investigation and Prosecution

The Criminal Litigation Unit (CLU) investigates and prosecutes all levels of criminal cases when requested by the Governor or county prosecuting attorneys. The types of cases commonly handled by the CLU include homicide, sexual assault, multi-jurisdictional crime, white-collar crime, governmental corruption cases, environmental crimes, tax fraud cases on behalf of the Department of Revenue, licensing fraud on behalf of the Department of Licensing, insurance fraud on behalf of the Office of the Insurance Commissioner, and fraudulent workers' compensation claims and wage and hour violations on behalf of the Department of Labor and Industries. The CLU assists local prosecutors when they have a conflict of interest or need additional resources for major prosecutions. The CLU occasionally assumes responsibility for the appellate review of a criminal case that were originally brought by a county prosecutor if the case involves fundamental issues affecting the public interest and the administration of justice.

Enforcement of Anti-Trust Laws

The AGO's Antitrust Division (ANT) division protects the residents of Washington State from price-fixing, illegal mergers, monopolization, and other illegal, anticompetitive activities. ANT holds entities accountable when they break the law and engage in unfair competition, and ensures that consumers benefit from a competitive marketplace. By enforcing antitrust laws, ANT ensures that businesses compete fairly with each other. ANT files enforcement actions, responds to consumer complaints, provides advice to state agencies, and provides consumer education and outreach. Through these efforts, ANT ensures that consumers' problems are addressed, money overpaid due to illegal activity is recovered, illegal activity is prevented, and businesses are educated about their responsibilities under the antitrust laws.

Enforcement of Consumer Protection Laws

The AGO's Consumer Protection Division (CPR) protects Washington consumers from deception, scams, and abusive practices. CPR provides a fair marketplace through vigorous civil law enforcement of the Consumer Protection Act (CPA) including education and outreach to consumers. CPR's Consumer Resource Center fields calls and complaints from consumers around the state, informally resolving complaints and recovering millions of dollars for consumers. CPR attorneys promote compliance with the CPA by obtaining injunctions and monetary judgments against violators including direct consumer restitution. CPR's Foreclosure Compliance Program enforces the Foreclosure Fairness Act to help homeowners. CPR also houses the Lemon Law program which promotes timely and effective new motor vehicle warranty service through mandatory arbitration. CPR's Manufactured House Dispute Resolution Unit fosters compliance with the Manufactured Housing Landlord Tenant Act.

Executive Ethics Board

The Executive Ethics Board (EEB) is an independent board with five members appointed by the Governor. The EEB promotes integrity, confidence, and public trust in state government through education, interpretation, and enforcement of the Ethics in compliance with the Public Service Act (Act). The AGO provides staff and administrative support for the EEB. EEB members meet on a regular basis to interpret the Act for all state agencies, provide advice to agencies regarding ethical issues, promulgate rules to implement the Act, and take enforcement action against state employees who violate the Act. EEB staff investigate complaints filed by public employees and citizens, provide ethics training to state agencies, and provide advice regarding ethics in the workplace. Ethics training enables state officers and employees to perform their public responsibilities and conduct the business of the state appropriately.

Homicide Investigation Tracking System

The Homicide Investigation Tracking System (HITS) system provides assistance to law enforcement by providing them with greater access to information, advice, and assistance resulting in enhanced and speedier investigation of violent crimes. As a result, suspects are pursued more quickly leading to better public protections.

Investigation and Prosecution of Medicaid Fraud and Resident Abuse

The Medicaid Fraud Control Unit (MFCU) is federally mandated and 75% federally funded for this investigative and prosecutorial unit staffed by Attorneys, Auditors, Investigators, Paralegals and support personnel. MFCU's mission is to protect patients and taxpayers through civil (including qui tam action) and criminal law enforcement. MFCU investigates and prosecutes fraud by health care providers that illegally divert Medicaid funds. These enforcement efforts curtail and deter similar criminal activity and lead to recoveries for the state and federal government. MFCU also prosecutes the abuse and neglect of residents in Medicaid-funded facilities. MFCU provides valuable assistance to local law enforcement in investigating and prosecuting crimes committed against vulnerable adults. MFCU helps coordinate the efforts of local vulnerable adult task forces, enforces the law, holds criminals accountable, increases public safety, deters fraud, and recovers money for the state. The addition of the Medicaid False Claims Act (FCA) in 2012 allows whistleblower qui tam actions. This increases MFCU's capacity to aggressively combat fraud through civil and criminal means, benefits our state by expanding the AGO's capacity to address fraud, neglect and abuse. This is essential as more Washingtonians become eligible for Medicaid under the Affordable Care Act, and as more people are entering the long-term care system.

Legal Services to State Agencies

By providing high quality legal assistance and representation to Washington's state agencies, boards, and commissions, the AGO improves government services, increases government efficiency, and prevents costly lawsuits. The legal services provided by the AGO saves taxpayer dollars, promotes the public interest, and ensures agencies are able to fulfill their essential missions. The AGO offers excellent, option-based legal advice to help the state promote the public good. In the litigation context, the AGO initiates, defends, and resolves cases effectively and efficiently for the benefit of the state, its agencies, and its citizens.

Representing Ratepayers

The AGO's Public Counsel Unit (PCU) represents residential and small business customers (ratepayers) of electric, natural gas, and telecommunications utilities regulated by the Washington Utilities & Transportation Commission (UTC). PCU advocates on behalf of customers in UTC cases involving utility rates, mergers, energy efficiency programs, service quality, and other policy matters. PCU investigates company requests and retains experts to analyze areas such as accounting, economics, finance, engineering, rate spread/rate design, and service quality. In a rate case or merger evidentiary hearings, PCU will cross-examine other parties' expert witnesses, present its own witnesses, and file legal briefs. In addition to participating as a statutory party in major rate and merger cases, PCU may also present policy recommendations in UTC rulemakings or at bi-weekly UTC business meetings. PCU participates in technical policy and advisory groups, and may provide information to the Legislature and other policymakers.

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Victims Advocacy

The Washington Coalition of Crime Victim Advocates (WCCVA) provides training, certification and support to community-based victim service organizations. This training provides an overview of victim rights and the mandated pre-service core training for crime victim advocates before working professionally with victims of crime in Washington State. In addition, by maintaining web-based resources and ensuring the availability of an electronic distribution list for relevant crime victim advocacy issues and victim rights, WCCVA educates advocates, victims and the community relating to their rights and available services. WCCVA works to educate the public of the impact of crime to individuals and society in order to deter crimes and improve public and private efforts to prevent crimes.