

Attorney General

House Transportation and Justice Subcommittee

Jamie L. Doskocil, Budget Analyst

Legislative Service Commission

February 24, 2005

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LSC Redbook for the Attorney General

House Transportation and Justice Subcommittee

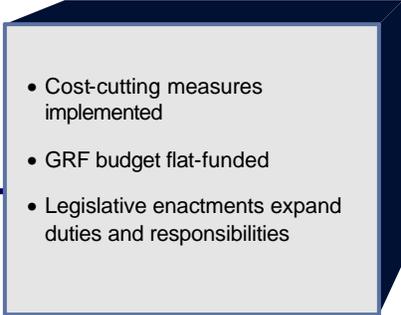
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February 24, 2005

Attorney General

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- Cost-cutting measures implemented
 - GRF budget flat-funded
 - Legislative enactments expand duties and responsibilities

OVERVIEW

Duties and Responsibilities

The Office of the Attorney General is involved in the state's justice and corrections system in a variety of ways including, but not limited to, the following:

- Providing legal representation to and initiating litigation on behalf of statewide elected officials (including the Ohio General Assembly), all state departments, agencies, boards, and commissions.
- Issuing formal opinions on questions submitted by state officials and agencies, as well as county prosecutors.
- Initiating legal proceedings in areas related to environmental protection, consumer fraud, antitrust, Medicaid fraud, Workers' Compensation fraud, and patient abuse and neglect.
- Providing Ohio's 1,200-plus law enforcement agencies with training, investigative, technological, financial, prosecutorial, and other assistance available through such arms as the Ohio Peace Officer Training Academy (POTA), the Bureau of Criminal Identification and Investigation (BCII), the Ohio Organized Crime Investigations Commission (OCIC), and the Capital Crimes Section.
- Administering the state's victim assistance efforts, most notably the Victims of Crime Compensation Program and the federal Victims Assistance Program.

Cost-cutting measures

Over the course of FYs 2004 and 2005, the current Attorney General, Jim Petro, has undertaken a number of measures intended to streamline and consolidate operations, cut costs, and reduce staff. From an overall organizational perspective, the result has been the reorganization or realignment of staff, the redefining of divisions and sections, and the adding or removing of divisions and sections. Specific cost-cutting measures included the following:

- **Satellite office consolidation.** According to the Office of the Attorney General, approximately \$4.5 million will have been saved over a four-year period by consolidating six satellite offices into one location in Columbus. The savings were realized not only by the reduction in lease expenses, but also by eliminating duplicative services provided by administrative units at each location.

- **Automated payroll.** In July 2003, the Office of the Attorney General implemented an automated payroll system, moving from a manual paper-based system requiring data entry by multiple levels of individuals to an on-line payroll system whereby employees could enter and/or approve all payroll information online. According to the Office of the Attorney General, this automated process has eliminated 25,000 staff hours and reduced operational costs by approximately \$450,000 annually.
- **Fleet vehicles.** The Office's vehicle fleet has been reduced by nearly 20%, from 293 to 235 automobiles.
- **Early retirement.** In April 2003, a one-year early retirement incentive (ERI) program was offered to eligible employees. According to the Office of the Attorney General, an estimated 150 employees were eligible for the program with the net annual savings conservatively estimated to be \$2 million.

FYs 2004-2005 Highlights

According to the Office of the Attorney General, some of the agency's more notable accomplishments over the course of FYs 2004 and 2005 included:

- **Debt collection.** Recorded a \$1 million per week increase in the amount of delinquent debt owed the state and posted a record \$22 million in June 2004.
- **Medicaid and health care fraud.** Helped recover \$30 million by actively pursuing Medicaid and health care fraud cases, including serving as lead counsel in at least four national settlements that returned more than \$1 billion to state and federal government health programs.
- **"Do Not Call" list.** Implemented Ohio's "Do Not Call" Law.
- **Antitrust lawsuit.** Joined 49 other states in an antitrust lawsuit with Bristol Myers-Squibb from which Ohio will recover more than \$1.5 million for state agencies and hospitals as part of a \$55 million settlement.
- **Ohio Victims of Crime Compensation.** Saw a 5% increase in new claims under the Ohio Victims of Crime Compensation Program, average processing time was cut by 19 days, and administrative costs were reduced by nearly \$100,000.
- **eSORN.** Created eSORN, an electronic sex offender registration and notification web site.
- **Missing Children.** Implemented the "Truckers Helping Recover Ohio's Missing Children" initiative that works with Ohio's trucking industry and provides an alert that can be issued simultaneously with an AMBER alert.
- **Elder Abuse Task Force.** Created the Ohio Elder Abuse Task Force to identify ways to protect Ohio's senior citizens.
- **OHLEG.** Implemented the Ohio Law Enforcement Gateway (OHLEG), a secure Internet-based tool allowing law enforcement agencies to share information and pool their resources to better fight crime, that includes the eSORN database as well as FinCrime, which tracks information about financial crimes, RxPATROL, a searchable database of prescription-related crimes, and DNA-Link, where law enforcement officials can access the status of evidence submitted to BCII and provide specific instructions to the laboratory.
- **Identity Passport.** Created the Identity Passport, a card to be issued to victims of identity theft to help them regain control of their personal information.

- **BCII.** Implemented major staffing and technology improvements to BCII's DNA laboratory, resulting in reductions in DNA case processing time (from an average of 150 days to an average of 40-50 days) and elimination of a backlog of no-suspect cases.

Notable Legislative Enactments

Over the last few years, the General Assembly has enacted certain bills that have had the potential to notably affect the way the Office does business. Of particular note in that regard, without describing in great detail the degree to which there has been, or will be, any noticeable ongoing fiscal effect, were the following bills.

Substitute House Bill 95 (125th General Assembly). The bill made numerous changes in the Crime Victims Reparations Law, including:

- Defining a "claimant" to include the estate of a deceased victim.
- Permitting a "family member" of a victim who died as a proximate result of criminally injurious conduct to be reimbursed as an "allowable expense," up to a specified maximum, for wages lost and travel expenses incurred to attend criminal justice proceedings arising from that conduct.
- Specifies the circumstances in which an award may be made to a minor dependent of a deceased victim for the dependent's economic loss or for counseling.
- Including generally as an "allowable expense" attorney's fees up to \$2,500, at a maximum allowable rate of \$150 per hour, incurred to successfully obtain a restraining order, custody order, or other order to physically separate a victim from an offender.
- Requiring a health care provider or a medical records company to provide one copy of a patient's medical records without charge to the Attorney General in accordance with the Crime Victims Reparations Awards Law or rules adopted under that Law.

Amended Substitute Senate Bill 5 (125th General Assembly). The bill made numerous changes to the existing Sex Offender Registration and Notification (SORN) Law, including:

- Requiring the Office of the Attorney General's Bureau of Criminal Identification and Investigation (BCII), not later than January 1, 2004, to: (1) establish a searchable, public Internet database of all registered sex offenders in Ohio, and (2) establish and operate an Internet database enabling local law enforcement to remotely search by electronic means certain information maintained by BCII, including the State Registry of Sex Offenders and Child-Victim Offenders.
- Permitting the Office of the Attorney General, subject to certain limitations, to use moneys deposited to the credit of the Victims of Crime/Reparations Fund (Fund 402) for the apprehension, prosecution, and accountability of offenders, and the enhancing of services to crime victims.

Substitute House Bill 525 (125th General Assembly). The bill made numerous changes to the state's existing DNA specimen collection mechanism. Ohio began collecting DNA samples from the most violent convicted felons in 1996. Effective August 2002, Sub. H.B. 427 of the 124th General Assembly increased the list of qualifying offenses to 57. Sub H.B. 525 will require 45,000 current Ohio prison inmates to submit their DNA and increase offender DNA collections from 10,000 to 30,000 annually. Some of the bill's more notable provisions included:

- Expanding existing DNA specimen collection mechanisms to require DNA specimens to be taken from all persons who are convicted of or plead guilty to a felony or specified misdemeanor and from all children who are adjudicated delinquent children for committing acts that would be felonies or a specified misdemeanor if committed by adults and who are committed to or placed in a Department of Youth Services facility or another type of juvenile facility and clarifies who is responsible for collecting the DNA specimen.
- Expanding the list of offenses and delinquent acts for which funds in the Reparations Fund may be used for the payment of costs related to the collection and analysis of DNA specimens to allow that use in relation to all offenses and delinquent acts for which DNA specimens will be collected under the act.
- Allowing any blood relative to submit a DNA sample for inclusion in the Relatives of Missing Persons Database, in addition to the parents and siblings of a missing person.
- Extending by one year the time during which certain inmates may request DNA testing.
- Specifying who collects DNA specimens from a juvenile offender when the juvenile is not committed to the Department of Youth Services or other specified facilities.

Amended Substitute House Bill 512 (124th General Assembly). The bill made changes to the Charitable Gambling Law, including assigning the duty of establishing and maintaining instant bingo licenses for all gaming establishments across the State along with regulatory, investigatory, and audit responsibilities. In July 2004, the Office of the Attorney General signed a Memorandum of Understanding with the Ohio Lottery Commission that transferred the administration of charitable bingo licensing and monitoring responsibilities to the Ohio Lottery Commission. The Memorandum calls for the Office of the Attorney General to pay the Commission \$1.2 million a year for administrative costs and personnel services. The Office of the Attorney General retained oversight responsibility for all of the duties assumed by the Commission.

Amended Substitute House Bill 12 (125th General Assembly). The bill enacted a comprehensive mechanism that permits a person in specified circumstances to obtain a license to carry a concealed handgun, which is valid for four years and may be renewed. Some of the bill's more notable provisions included:

- Requiring the sheriff who receives an application for a standard license to carry a concealed handgun, and the other required materials and information, (or an application for a temporary emergency license to carry a concealed handgun and the other required materials and information) to conduct or cause to be conducted a criminal records check and incompetency records check of the applicant for the license to determine whether the applicant fails to meet any of the eligibility criteria established for the license, and specifies the manners in which the checks must be conducted (either through the use of an electronic fingerprint reading device or, in specified circumstances, by requesting the Bureau of Criminal Identification and Investigation (BCII) to conduct it by using standard fingerprint impression sheets and the applicant's Social Security number).
- Requiring the Ohio Peace Officer Training Commission to: (1) prescribe and make available to sheriffs an application form to be used for applications for standard licenses to carry a concealed handgun and for renewals of such a license, a form for the actual standard license that contains specified information, and a form for the actual temporary emergency license to carry a concealed handgun that contains specified information, (2) prepare a firearms law, dispute resolution, and use of deadly force pamphlet that contains specified information, and make copies available to

persons or entities that provide firearms competency training for distribution to training participants and to sheriffs for distribution to applicants, (3) prescribe a fee, limited by specified criteria, to be paid by applicants for a standard license to carry a concealed handgun (and, implicitly, (4) prescribe a fee to be paid by persons seeking a temporary emergency license to carry a concealed handgun), and (5) maintain statistics with respect to the issuance, renewal, suspension, denial, etc., of standard licenses and temporary emergency licenses to carry a concealed handgun as reported by sheriffs, and annually prepare and submit a statistical report regarding that information.

Executive Recommendations

Budget Request

For the most part, the amounts requested by the Office of the Attorney General for funds in FYs 2006 and 2007 were flat or reduced in comparison to the amounts of those funds estimated to be expended in FY 2005. The few exceptions included: (1) moneys tied to programs where the cash flow activity (revenues and expenditures) over the past several years justified an ongoing need for increased appropriations (Police Officers' Training Academy Fee, BCI Asset Forfeiture and Cost Reimbursement), and (2) moneys tied to programs where recent legislative changes have not only increased revenues but also increased responsibilities of the office to operate those programs (Charitable Foundations, General Reimbursement, Victims of Crime).

The core of the Office of the Attorney General's GRF budget is line item 055-321, Operating Expenses. For FY 2005, the line item's expenditures are estimated at \$52.69 million, while total FY 2005 agency GRF expenditures are estimated at \$54.15 million, a difference of \$1.46 million. The Attorney General requested, and the executive recommended, funding levels of \$52.65 million in FY 2006 and \$52.61 million in FY 2007 for the operating expenses line item, amounts slightly below the estimated FY 2005 expenditure of \$52.69 million. Apparently, the Attorney General has tried to hold the line on GRF-funded operating expenses in order to fully fund the projected costs for statutorily mandated county sheriff and county prosecutor pay supplements (discussed in more detail below).

GRF Pay Supplements

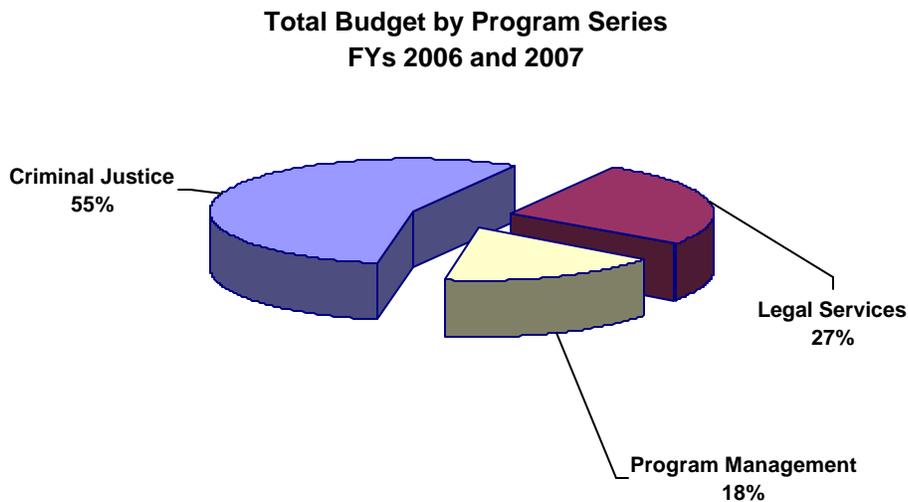
GRF funding totaling \$760,495 and \$779,509 was requested for FYs 2006 and 2007, respectively, to fully cover statutory county sheriff pay supplements. Likewise, GRF funding totaling \$740,704 and \$759,222 was requested for FYs 2006 and 2007, respectively, to fully cover statutory county prosecutor pay supplements. The request was fully funded under the executive recommended budget.

- **County sheriffs.** Under the Revised Code, in addition to the annual compensation that a county sheriff receives under section 325.06 of the Revised Code for performing the duties of sheriff prescribed by law, each county sheriff, in consideration of the impact of Am. Sub. S.B. 2 of the 121st General Assembly on the workload of the county sheriff, receives an additional amount equal to one-eighth of the annual compensation that the county sheriff receives under section 325.06 of the Revised Code. The Office of the Attorney General makes the payments to the counties on a semiannual basis, and in turn, the counties issue the supplemental compensation every two weeks.
- **County prosecutors.** Current law requires that the state pay additional compensation to a prosecuting attorney of a county with a population of less than 70,000 who elects not to engage in the private practice of law. The payment equals 40% of the difference between the prosecuting attorney's compensation under the salary schedule and what the compensation

would be if the prosecuting attorney did engage in the private practice of law. The state payment is in the form of a reimbursement to the county for paying the compensation to the prosecuting attorney. The Office of the Attorney General makes the payments on a semiannual basis, and the payment includes the county's retirement contribution and Medicare Part A payments related to the prosecutor's additional compensation, if the funds are available.

Expense by Program Series Summary

The Office of the Attorney General's budget is categorized into the following three program series: (1) Criminal Justice, (2) Legal Services, and (3) Program Management. This budgetary structure is new to the agency for the FY 2006-2007 biennium. A more detailed description of these programs can be found in the section of this analysis entitled *Analysis of Executive Proposal*. The pie chart immediately below shows the total recommended appropriations (FYs 2006 and 2007) by program series. This information is shown for the GRF and for all funds.



Revenues and Spending

As noted in the table below, the Office of the Attorney General's GRF funding, as measured by spending group, from actual FY 2002 disbursements through recommended FY 2007 appropriations will have decreased by \$5.5 million, or 9.2%. During that same six-year period, the GRF portion of the Office of the Attorney General's budget will have dropped from 39.7% down to 31.5%. The Office of the Attorney General has filled that difference by tapping into other non-GRF funds, most noticeably the revenue-generating capability of its accounts lodged in the State Special Revenue Fund Group.

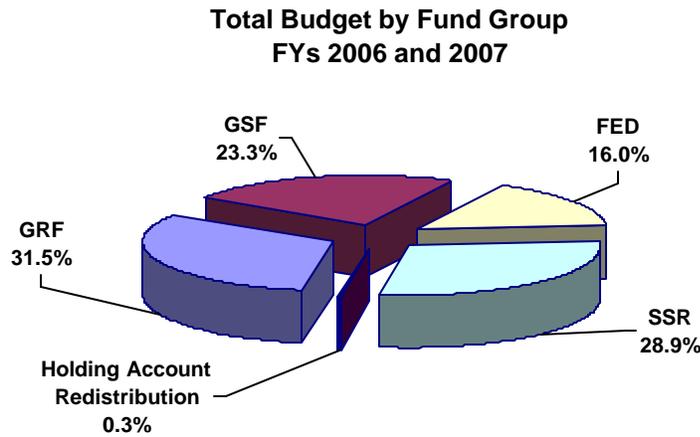
The Office of the Attorney General's total spending will have increased by \$21.9 million, or 14.6%, over the six-year period covering actual FY 2002 disbursements through recommended FY 2007 appropriations.

Office of the Attorney General Spending by Fund Group*						
Fund Group	FY 2002	FY 2003	FY 2004	FY 2005*	FY 2006*	FY 2007*
General Revenue (GRF)	\$ 59,656,979	\$ 57,917,550	\$ 55,320,865	\$ 54,148,887	\$54,148,887	54,148,887
General Services (GSF)	\$ 28,135,670	\$ 34,728,022	\$ 36,034,057	\$ 38,879,535	\$40,105,363	\$40,105,363
Federal Special (FED)	\$ 21,910,299	\$ 23,163,586	\$ 22,432,804	\$ 35,690,108	\$27,452,327	\$27,452,327
State Special (SSR)	\$ 37,619,826	\$ 37,445,829	\$ 41,542,396	\$ 46,132,968	\$49,699,075	\$49,699,075
Holding Account (090)	\$ 2,813,879	\$ 890,118	\$ 1,558,965	\$ 3,776,000	\$ 601,025	\$ 601,025
Totals	\$150,136,653	\$154,145,105	\$156,889,087	\$178,627,498	\$172,006,677	\$172,006,677

*The spending amounts in FY 2005 are estimates, while those for FYs 2006 and 2007 are based on the next biennial budget as proposed by the Governor.

Expense by Fund Group Summary

The pie chart immediately below shows the total recommended appropriations (FYs 2006 and 2007) by fund group. This information is shown for the GRF and for all funds.



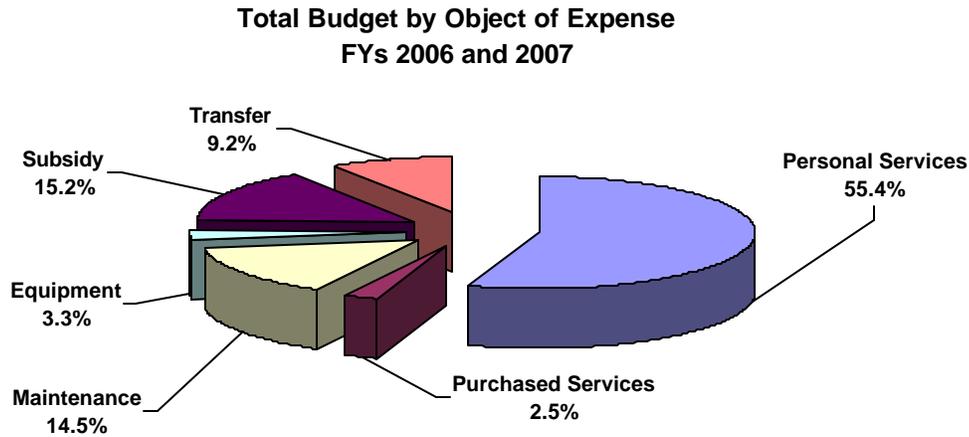
Expense by Object Summary

As noted in the table below, over the six-year period covering actual FY 2002 disbursements through recommended FY 2007 appropriations, roughly 75%, or three-quarters, of the Office of the Attorney General’s annual spending will have gone to finance operating expenses (personal services, purchased personal services, maintenance, and equipment). This reflects the fact that the performance of the Office of the Attorney General’s duties and responsibilities are relatively labor-intensive.

Office of the Attorney General Spending by Type of Expense*						
Expense Type	FY 2002	FY 2003	FY 2004	FY 2005*	FY 2006*	FY 2007*
Personal Services	\$ 85,439,353	\$ 91,176,494	\$ 90,690,017	\$ 93,315,018	\$ 94,116,794	\$ 96,337,294
Purchased Services	\$ 4,737,699	\$ 4,259,498	\$ 3,331,413	\$ 6,375,002	\$ 4,357,535	\$ 4,239,284
Maintenance	\$ 20,416,635	\$ 20,311,983	\$ 22,735,757	\$ 27,640,464	\$ 25,951,402	\$ 24,062,323
Equipment	\$ 3,882,562	\$ 3,586,761	\$ 5,432,146	\$ 9,405,691	\$ 5,663,671	\$ 5,582,969
Subsidy	\$ 20,777,237	\$ 21,964,745	\$ 20,748,699	\$ 25,322,694	\$ 26,045,583	\$ 26,083,115
Capital Improvements	\$ 164,740	\$ 2,700	\$ 0	\$ 0	\$ 0	\$ 0
Transfer	\$ 14,718,432	\$ 12,842,924	\$ 13,950,965	\$ 16,568,629	\$ 15,871,692	\$ 15,701,692
Totals	\$150,136,658	\$154,145,105	\$168,564,321	\$178,627,498	\$172,006,677	\$172,006,677

*The spending amounts in FY 2005 are estimates, while those for FYs 2006 and 2007 are based on the next biennial budget as proposed by the Governor.

The pie chart immediately below shows the total recommended appropriations (FYs 2006 and 2007) by major object of expense. This information is shown for the GRF and for all funds.



Staffing Levels

As previously mentioned, the Office of the Attorney General's budget is categorized into three program series: (1) Criminal Justice, (2) Legal Services, and (3) Program Management. This budgetary structure is new to the agency for the FY 2006-2007 biennium. As such, two staffing charts are shown to give the reader a sense of the historical staffing trend for the agency. The first table depicts staffing categorized by programs series as well as the programs within those series. The second table depicts staffing by section.

Attorney General Staffing Levels by Program Series		
Program Series	2006*	2007*
Program Series 1: Criminal Justice	516.5	516.5
Program 1.1: Law Enforcement	426	426
Program 1.2: Victim Services	90.5	90.5
Program Series 2: Legal Services	545	545
Program 2.1: Citizen Protection	172	172
Program 2.2: State Agencies	373	373
Program Series 3: Program Management	248.5	248.5
Program 3.1: Program Management	248.5	248.5
Program 3.2: Programs	0	0
Totals	1,310	1,310

* Since this is the first time the Attorney General's budget has been categorized into three program series, historical staffing information is not available. The staffing levels displayed in the above table represent full-time equivalents (FTEs). The number of FTEs for FYs 2006 and 2007 are estimates.

Upon taking office in January 2003, Attorney General Jim Petro initiated an assessment of the agency with the intent of streamlining and consolidating operations, cutting costs, and reducing staff. Since that time, the Office of the Attorney General has reorganized by realigning staff, redefining current divisions and sections, and adding or removing divisions and sections. The table below displays the resulting changes in organizational structure and staffing from FYs 2002 to 2007.

Office of the Attorney General Staffing Levels by Section*						
Section	FY 2002	FY 2003	FY 2004	FY 2005*	FY 2006*	FY 2007*
Administration	114	7	7	4	4	4
Antitrust	15	12	12	10	10	10
Appeals	----	2	2	3.5	3.5	3.5
BCII	307	309	309	283.5	283.5	283.5
Business Counsel	----	4	4	4	4	4
Business & Government Relations	39	----	----	----	----	----
Capital Crimes	16	16	16	18.5	18.5	18.5
Charitable	34	----	----	----	----	----
Charitable Organizations	----	35	35	37	37	37
Chief Counsel	14	1	1	2	2	2
Child & Elder Protection	----	----	----	8	8	8
Civil Rights	17	15	15	15.5	15.5	15.5
Collections Enforcement	----	112	112	115	115	115
Communications	----	7	7	9.5	9.5	9.5
Constituent Services	----	8	8	4	4	4
Constitutional Offices	----	18	18	17.5	17.5	17.5
Consumer	94	----	----	----	----	----

Office of the Attorney General Staffing Levels by Section*						
Section	FY 2002	FY 2003	FY 2004	FY 2005*	FY 2006*	FY 2007*
Consumer Protection	----	86	86	66	66	66
Corrections	40	----	----	----	----	----
Corrections Litigation	----	42	42	35	35	35
Court of Claims	35	33	33	33.5	33.5	33.5
Crime Victims Services	84	94	94	82.5	82.5	82.5
Criminal Justice	----	2	2	3	3	3
Data Systems	28	----	----	----	----	----
Education	18	17	17	15.5	15.5	15.5
Employment Law	22	18	18	14	14	14
Employment Services	11	----	----	----	----	----
Environmental Enforcement	64	62	62	58	58	58
Executive Agencies	----	38	38	35.5	35.5	35.5
Fiduciary & Public Integrity	----	1	1	----	----	----
Finance	----	11	11	13	13	13
First Assistant Attorney General	----	24	24	26	26	26
General Services	----	32	32	29	29	29
Health and Human Services	37	47	47	42.5	42.5	42.5
Health Care Fraud	47	46	46	49.5	49.5	49.5
Human Resources	----	17	17	14.5	14.5	14.5
Information Technology	----	28	28	45	45	45
Internal Auditor	----	----	----	4.5	4.5	4.5
Juvenile Justice	12	----	----	----	----	----
Labor	6	----	----	----	----	----
Ohio Organized Crime Commission	19	18	18	9	9	9
Ohio Peace Officer Training Academy	62	61	61	62.5	62.5	62.5
Opinions	6	6	6	6	6	6
Policy	36	----	----	----	----	----
Policy & Legislative Affairs	----	4	4	5	5	5
Program Development	----	2	2	3	3	3
Public Affairs	----	9	9	7	7	7
Public Protection	----	1	1	1	1	1
Revenue Recovery	114	----	----	----	----	----
Special Counsel	8	6	6	7	7	7
State Solicitor	----	3	3	2	2	2
Taxation	10	9	9	8	8	8
Transportation	----	29	29	24.5	24.5	24.5
Workers' Compensation	87	83	83	76	76	76
Totals	1,396	1,375	1,375	1,310	1,310	1,310
*The staffing levels displayed in the above table represent full-time equivalents (FTEs). The numbers of FTEs for FYs 2005 to 2007 are estimates.						

MASTER TABLE: EXECUTIVE'S RECOMMENDATIONS FOR FY 2006 AND FY 2007

The following table provides a comprehensive presentation of the Executive's recommendations for each of the agency's line items and the programs each line item supports. Please note that some line items may provide funding for multiple program series and/or programs. See the Analysis of Executive Proposal section for more information on specific program funding.

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Executive Recommendations for FY 2006 and FY 2007, By Line Item and Program				
Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	055-321	Operating Expenses	\$ 52,647,688	\$ 52,610,156
		<u>Program Series 1: Criminal Justice</u>	\$ 23,053,400	\$ 22,929,554
		Program 1: Law Enforcement	\$ 23,053,400	\$ 22,929,554
		<u>Program Series 2: Legal Services</u>	\$ 22,907,481	\$ 23,152,207
		Program 1: Citizen Protection	\$ 7,063,311	\$ 7,165,464
		Program 2: State Agencies	\$ 15,844,170	\$ 15,986,743
		<u>Program Series 3: Program Management</u>	\$ 6,686,807	\$ 6,528,395
		Program 1: Program Management	\$ 6,686,807	\$ 6,528,395
GRF	055-411	County Sheriff's Pay Supplement	\$ 760,495	\$ 779,509
		<u>Program Series 3: Program Management</u>	\$ 760,495	\$ 779,509
		Program 2: Programs	\$ 760,495	\$ 779,509
GRF	055-411	County Prosecutor's Pay Supplement	\$ 740,704	\$ 759,222
		<u>Program Series 3: Program Management</u>	\$ 740,704	\$ 759,222
		Program 2: Programs	\$ 740,704	\$ 759,222
General Revenue Fund Subtotal			\$ 54,148,887	\$ 54,148,887
General Services Fund Group				
Fund 106	055-612	General Reimbursement	\$ 21,370,196	\$ 21,370,196
		<u>Program Series 1: Criminal Justice</u>	\$ 11,808,428	\$ 11,678,872
		Program 1: Law Enforcement	\$ 11,808,428	\$ 11,678,872
		<u>Program Series 2: Legal Services</u>	\$ 6,356,397	\$ 6,424,828
		Program 2: State Agencies	\$ 6,356,397	\$ 6,424,828
		<u>Program Series 3: Program Management</u>	\$ 3,205,371	\$ 3,266,496
		Program 1: Program Management	\$ 3,205,371	\$ 3,266,496
Fund 107	055-624	Employment Services	\$ 850,000	\$ 850,000
		<u>Program Series 2: Legal Services</u>	\$ 850,000	\$ 850,000
		Program 2: State Agencies	\$ 850,000	\$ 850,000
Fund 195	055-660	Workers' Compensation Section	\$ 7,769,628	\$ 7,769,628
		<u>Program Series 2: Legal Services</u>	\$ 7,769,628	\$ 7,769,628
		Program 2: State Agencies	\$ 7,769,628	\$ 7,769,628
Fund 418	055-615	Charitable Foundations	\$ 4,899,066	\$ 4,899,066
		<u>Program Series 2: Legal Services</u>	\$ 4,899,066	\$ 4,899,066
		Program 1: Citizen Protection	\$ 4,899,066	\$ 4,899,066
Fund 420	055-603	Attorney General Antitrust	\$ 446,449	\$ 446,449

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Executive Recommendations for FY 2006 and FY 2007, By Line Item and Program				
Fund	ALI	Title	FY 2006	FY 2007
		<u>Program Series 2: Legal Services</u>	\$ 446,449	\$ 446,449
		Program 1: Citizen Protection	\$ 446,449	\$ 446,449
Fund 421	055-617	Police Officers' Training Academy Fee	\$ 1,693,213	\$ 1,693,213
		<u>Program Series 1: Criminal Justice</u>	\$ 1,693,213	\$ 1,693,213
		Program 1: Law Enforcement	\$ 1,693,213	\$ 1,693,213
Fund 4Y7	055-608	Title Defect Rescission	\$ 250,000	\$ 250,000
		<u>Program Series 2: Legal Services</u>	\$ 250,000	\$ 250,000
		Program 1: Citizen Protection	\$ 250,000	\$ 250,000
Fund 4Z2	055-609	BCI Asset Forfeiture and Cost Reimbursement	\$ 1,332,109	\$ 1,332,109
		<u>Program Series 1: Criminal Justice</u>	\$ 1,332,109	\$ 1,332,109
		Program 1: Law Enforcement	\$ 1,332,109	\$ 1,332,109
Fund 590	055-633	Peace Officer Private Security Fund	\$ 98,370	\$ 98,370
		<u>Program Series 1: Criminal Justice</u>	\$ 98,370	\$ 98,370
		Program 1: Law Enforcement	\$ 98,370	\$ 98,370
Fund 5A9	055-618	Telemarketing Fraud Enforcement	\$ 7,500	\$ 7,500
		<u>Program Series 2: Legal Services</u>	\$ 7,500	\$ 7,500
		Program 1: Citizen Protection	\$ 7,500	\$ 7,500
Fund 629	055-636	Corrupt Activity Investigation and Prosecution	\$ 15,000	\$ 15,000
		<u>Program Series 1: Criminal Justice</u>	\$ 15,000	\$ 15,000
		Program 1: Law Enforcement	\$ 15,000	\$ 15,000
Fund 631	055-637	Consumer Protection Enforcement	\$ 1,373,832	\$ 1,373,832
		<u>Program Series 2: Legal Services</u>	\$ 1,373,832	\$ 1,373,832
		Program 1: Citizen Protection	\$ 1,373,832	\$ 1,373,832
General Services Fund Subtotal			\$ 40,105,363	\$ 40,105,363
Federal Special Revenue Fund Group				
Fund 306	055-620	Medicaid Fraud Control	\$ 2,799,000	\$ 2,799,000
		<u>Program Series 1: Criminal Justice</u>	\$ 2,799,000	\$ 2,799,000
		Program 1: Law Enforcement	\$ 2,799,000	\$ 2,799,000
Fund 381	055-611	Civil Rights Legal Service	\$ 390,815	\$ 390,815
		<u>Program Series 2: Legal Services</u>	\$ 390,815	\$ 390,815
		Program 2: State Agencies	\$ 390,815	\$ 390,815
Fund 383	055-634	Crime Victims Assistance	\$ 18,439,313	\$ 18,439,313
		<u>Program Series 1: Criminal Justice</u>	\$ 18,439,313	\$ 18,439,313
		Program 2: Victims Services	\$ 18,439,313	\$ 18,439,313

Executive Recommendations for FY 2006 and FY 2007, By Line Item and Program				
Fund	ALI	Title	FY 2006	FY 2007
Fund 3E5	055-638	Attorney General Pass-Through Funds	\$ 1,981,102	\$ 1,981,102
		<u>Program Series 1: Criminal Justice</u>	\$ 1,981,102	\$ 1,981,102
		Program 1: Law Enforcement	\$ 1,981,102	\$ 1,981,102
Fund 3R6	055-613	Attorney General Federal Funds	\$ 3,842,097	\$ 3,842,097
		<u>Program Series 1: Criminal Justice</u>	\$ 3,842,097	\$ 3,842,097
		Program 1: Law Enforcement	\$ 3,842,097	\$ 3,842,097
Federal Special Revenue Fund Subtotal			\$ 27,452,327	\$ 27,452,327
State Special Revenue Fund Group				
Fund 402	055-616	Victims of Crime	\$ 30,000,000	\$ 30,000,000
		<u>Program Series 1: Criminal Justice</u>	\$ 30,000,000	\$ 30,000,000
		Program 2: Victims Services	\$ 30,000,000	\$ 30,000,000
Fund 419	055-623	Claims Section	\$ 15,149,954	\$ 15,149,954
		<u>Program Series 3: Program Management</u>	\$ 15,149,954	\$ 15,149,954
		Program 1: Program Management	\$ 15,149,954	\$ 15,149,954
Fund 4L6	055-606	DARE	\$ 3,927,962	\$ 3,927,962
		<u>Program Series 3: Program Management</u>	\$ 3,927,962	\$ 3,927,962
		Program 2: Programs	\$ 3,927,962	\$ 3,927,962
Fund 659	055-641	Solid and Hazardous Waste Background Investigation	\$ 621,159	\$ 621,159
		<u>Program Series 1: Criminal Justice</u>	\$ 621,159	\$ 621,159
		Program 1: Law Enforcement	\$ 621,159	\$ 621,159
State Special Revenue Fund Subtotal			\$ 49,699,075	\$ 49,699,075
Holding Account Redistribution Fund Group				
Fund R04	055-631	General Holding Account	\$ 275,000	\$ 275,000
		<u>Program Series 3: Program Management</u>	\$ 275,000	\$ 275,000
		Program 2: Programs	\$ 275,000	\$ 275,000
Fund R05	055-632	Antitrust Settlements	\$ 1,000	\$ 1,000
		<u>Program Series 2: Legal Services</u>	\$ 1,000	\$ 1,000
		Program 1: Citizen Protection	\$ 1,000	\$ 1,000
Fund R18	055-630	Consumer Frauds	\$ 300,000	\$ 300,000
		<u>Program Series 2: Legal Services</u>	\$ 300,000	\$ 300,000
		Program 1: Citizen Protection	\$ 300,000	\$ 300,000
Fund R42	055-601	Organized Crime Commission Account	\$ 25,025	\$ 25,025
		<u>Program Series 1: Criminal Justice</u>	\$ 25,025	\$ 25,025
		Program 1: Law Enforcement	\$ 25,025	\$ 25,025

Executive Recommendations for FY 2006 and FY 2007, By Line Item and Program				
Fund	ALI	Title	FY 2006	FY 2007
		Holding Account Redistribution Fund Subtotal	\$ 601,025	\$ 601,025
Agency Total Funding			\$ 172,006,677	\$ 172,006,677

ANALYSIS OF EXECUTIVE PROPOSAL

Program Series 1

Criminal Justice

Purpose: To support law enforcement activities and victims services.

The following table shows the line items that are used to fund the Criminal Justice program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	055-321	Operating Expenses	\$23,053,400	\$22,929,554
General Revenue Fund Subtotal			\$23,053,400	\$22,929,554
General Services Fund				
106	055-612	General Reimbursement	\$11,808,428	\$11,678,872
4Z2	055-609	BCI Asset Forfeiture and Cost Reimbursement	\$1,332,109	\$1,332,109
421	055-617	Police Officers’ Training Academy Fee	\$1,693,213	\$1,693,213
590	055-633	Peace Officer Private Security Fund	\$98,370	\$98,370
629	055-636	Corrupt Activity Investigation and Prosecution	\$15,000	\$15,000
General Services Fund Subtotal			\$14,947,120	\$14,817,564
Federal Special Revenue Fund				
3E5	055-638	Attorney General Pass-Through Funds	\$1,981,102	\$1,981,102
3R6	055-613	Attorney General Federal Funds	\$3,842,097	\$3,842,097
306	055-620	Medicaid Fraud Control	\$2,799,000	\$2,799,000
383	055-634	Crime Victims Assistance	\$18,439,313	\$18,439,313
Federal Special Revenue Fund Subtotal			\$27,061,512	\$27,061,512
State Special Revenue Fund				
659	055-641	Solid and Hazardous Waste Background Investigations	\$621,159	\$621,159
402	055-616	Victims of Crime	\$30,000,000	\$30,000,000
State Special Revenue Fund Subtotal			\$30,621,159	\$30,621,159
Holding Account Redistribution Fund				
R42	055-601	Organized Crime Commission Account	\$25,025	\$25,025
Holding Account Redistribution Fund Subtotal			\$25,025	\$25,025
Total Funding: Criminal Justice Program Series			\$95,708,216	\$95,454,814

This analysis focuses on the following specific programs within the Criminal Justice program series:

- 1.1 Law Enforcement
- 1.2 Victims Services

1.1 Law Enforcement

Program Description: The Law Enforcement Program encompasses all sections and functions of the Office of the Attorney General charged with providing services to the law enforcement community across the state, as well as those sections providing enforcement-related activities. The program includes the Bureau of Criminal Identification and Investigation (BCII), the Peace Officer Training Academy (POTA), the Organized Crime Investigations Commission (OCIC), and units for capital crimes and health care fraud.

Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	055-321	Operating Expenses	\$23,053,400	\$22,929,554
General Revenue Fund Subtotal			\$23,053,400	\$22,929,554
General Services Fund				
106	055-612	General Reimbursement	\$11,808,428	\$11,678,872
4Z2	055-609	BCI Asset Forfeiture and Cost Reimbursement	\$1,332,109	\$1,332,109
421	055-617	Police Officers' Training Academy Fee	\$1,693,213	\$1,693,213
590	055-633	Peace Officer Private Security Fund	\$98,370	\$98,370
629	055-636	Corrupt Activity Investigation and Prosecution	\$15,000	\$15,000
General Services Fund Subtotal			\$14,947,120	\$14,817,564
Federal Special Revenue Fund				
3E5	055-638	Attorney General Pass-Through Funds	\$1,981,102	\$1,981,102
3R6	055-613	Attorney General Federal Funds	\$3,842,097	\$3,842,097
306	055-620	Medicaid Fraud Control	\$2,799,000	\$2,799,000
Federal Special Revenue Fund Subtotal			\$8,622,199	\$8,622,199
State Special Revenue Fund				
659	055-641	Solid and Hazardous Waste Background Investigation	\$621,159	\$621,159
State Special Revenue Fund Subtotal			\$621,159	\$621,159
Holding Account Redistribution Fund				
R42	055-601	Organized Crime Commission Account	\$25,025	\$25,025
Holding Account Redistribution Fund Subtotal			\$25,025	\$25,025
Total Funding: 1.1 Law Enforcement			\$47,268,903	\$47,015,501

Funding Source: (1) GRF, (2) civilian record check fees, (3) federal grants, (4) asset forfeitures and cost reimbursements, (5) fees paid to POTA by applicants, (6) fines and civil penalties, (7) fees from applicants or owners of various types of hazardous waste facilities, and (8) court judgments for reimbursement of expenses of the organized crime task forces

Line Items: See table above

Implication of Executive Recommendation: According to the Office of the Attorney General, the executive-recommended funding levels will permit the Attorney General to:

- Continue efforts to develop and expand the Ohio Law Enforcement Gateway (OHLEG), a secure web site designed to provide law enforcement agencies and prosecutors access to criminal justice databases and to encourage sharing of information between jurisdictions.
- Increase emphasis on programs administered by BCII, ranging from DNA and crime lab analysis to undercover narcotics investigations and the detection of methamphetamine labs, in order to improve operations and eliminate backlogs.
- Provide expanded and state-of-the-art training in the latest techniques to local peace officers at the newly renovated Peace Officers Training Academy as well as the recently opened Tactical Training Center.
- Continue investigations and prosecution of health care providers accused of defrauding the state's Medicaid program as well as the Ohio Workers' Compensation Program.
- Provide assistance to county prosecutors in every phase of death penalty prosecutions (indictment and trial through each stage of appeal).
- Assist in the formation of and logistical and technical support for multi-jurisdictional organized crime task forces to investigate and prosecute organized criminal activity around the state.
- Leverage state funds with federal grant dollars to obtain and upgrade sensitive laboratory and surveillance equipment, perform critical DNA analysis, and improve homeland security measures.

Temporary Law Provisions

Corrupt Activity Investigation and Prosecution (Section 203.48). A temporary law provision contained in the executive budget reiterates that the proceeds, fines, and penalties deposited to the credit of the Corrupt Activity Investigation and Prosecution Fund (Fund 629) be disposed of as provided for under current law (section 2923.35 of the Revised Code). The provision also allows for an automatic increase in the fund's appropriation authority, if necessary, without the need of any other further legislative action or Controlling Board approval.

Organized Crime Commission Account (Section 203.48). A temporary law provision contained in the executive budget states that line item 055-601, Organized Crime Commission Account, be used by the Organized Crime Investigations Commission, as provided by section 177.011 of the Revised Code, to reimburse political subdivisions for the expenses the political subdivisions incur when their law enforcement officers participate in an organized crime task force. The provision also allows for an automatic increase in the fund's appropriation authority, if necessary, without the need of any other further legislative action or Controlling Board approval.

Federal Pass-Through Funds (Section 203.48). A temporary law provision contained in the executive budget states that line item 055-638, Federal Pass-Through Funds, be used to receive federal grant funds provided to the Attorney General by other state agencies, including, but not limited to, the departments of Youth Services and Public Safety.

1.2 Victims Services

Program Description: This program encompasses all functions of the office charged with protecting or assisting victims of crime and with protecting children and the elderly. These functions include the following:

- Crime Victims’ Services and the Victims of Crime/Reparations Fund, which awards compensation to eligible victims of violent crime for their unreimbursed economic losses.
- Victims Assistance Program, which provides funding to rape crisis centers and domestic violence shelters.
- Missing Children’s Clearinghouse, which coordinates and improves the availability of information on missing children.
- Identity Theft Passport Program, which is aimed at assisting victims of stolen identities.
- Child and Elder Protection, which uses experienced criminal prosecutors and investigators to assist local prosecutors in child support, physical and sexual abuse cases, internet and computer crime investigations, and elder abuse cases.

The preponderance of funding under this program (more than 70%) goes to provide direct assistance to victims of crime (30%) or to those organizations that provide services to victims (43%). Recent legislatively enacted changes have expanded both allowable benefits and participation under Ohio's Crime Victims Compensation Law, and permit the use of up to 5% of the cash balance annually for the payment of costs associated with initiatives by the Attorney General for the apprehension, prosecution, and accountability of offenders and the enhancing of services to crime victims. According to the Office of the Attorney General, the percentage of administrative costs under these programs continues to decline as the office implements measures to increase effectiveness and to make more dollars available to victims of crime.

Fund	ALI	Title	FY 2006	FY 2007
Federal Special Revenue Fund				
383	055-634	Crime Victims Assistance	\$18,439,313	\$18,439,313
Federal Special Revenue Fund Subtotal			\$18,439,313	\$18,439,313
State Special Revenue Services Fund				
402	055-616	Victims of Crime	\$30,000,000	\$30,000,000
State Special Revenue Fund Subtotal			\$30,000,000	\$30,000,000
Total Funding: 1.2 Victims Services			\$48,439,313	\$48,439,313

Funding Source: (1) federal grants, (2) courts costs from felony, misdemeanor, and nonmoving traffic violation conviction, (3) \$75 of the \$425 license reinstatement fee, and (4) miscellaneous other moneys, payments, and proceeds

Line Items: See table above

Implication of Executive Recommendation: According to the Office of the Attorney General, the executive-recommended funding levels will permit the Attorney General to:

- Continue and increase awards of compensation to eligible victims of violent crimes for their unreimbursed economic losses through the Crime Victims Compensation Program.
- Provide funding to rape crisis centers, domestic violence shelters, and other providers of direct services to victims through the Victims Assistance Program.

- Maintain the Missing Children’s Clearinghouse, a database of children from Ohio that have been abducted, lost, or runaway.
- Leverage state funds with federal dollars to pilot new programs such as the Identity Theft Passport program, aimed at assisting victims of stolen identities, and the Parent Project, designed to help parents connect with children who exhibit high-risk behavior.
- Assist local law enforcement, including prosecutors and police, with investigations and prosecution of crimes against children and the elderly including child support, physical and sexual abuse cases, and Internet and computer crime investigations.
- Collect DNA specimens, perform DNA analysis of those DNA specimens, and enter the resulting DNA records regarding those analyses into BCII's DNA database for all felonies, consistent with recently passed legislation.

Temporary and Permanent Law Provisions: None

Program Series 2

Legal Services

Purpose: This program series provides legal services to protect the rights of citizens and businesses in Ohio and provides legal representation to various state officials and state agencies.

The following table shows the line items that are used to fund the Legal Services program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	055-321	Operating Expenses	\$22,907,481	\$23,152,207
General Revenue Fund Subtotal			\$22,907,481	\$23,152,207
General Services Fund				
106	055-612	General Reimbursement	\$6,356,397	\$6,424,828
107	055-624	Employment Services	\$850,000	\$850,000
195	055-660	Workers' Compensation Section	\$7,769,628	\$7,769,628
4Y7	055-608	Title Defect Rescission	\$250,000	\$250,000
418	055-615	Charitable Foundations	\$4,899,066	\$4,899,066
420	055-603	Attorney General Antitrust	\$446,449	\$446,449
5A9	055-618	Telemarketing Fraud Enforcement	\$7,500	\$7,500
631	055-637	Consumer Protection Enforcement	\$1,373,832	\$1,373,832
General Services Fund Subtotal			\$21,952,872	\$22,021,303
Federal Special Revenue Fund				
381	055-611	Civil Rights Legal Service	\$390,815	\$390,815
Federal Special Revenue Fund Subtotal			\$390,815	\$390,815
Holding Account Redistribution Fund				
R05	055-632	Antitrust Settlements	\$1,000	\$1,000
R18	055-630	Consumer Frauds	\$300,000	\$300,000
Holding Account Redistribution Fund Subtotal			\$301,000	\$301,000
Total Funding: Legal Services Program Series			\$45,552,168	\$45,865,325

This analysis focuses on the following specific programs within the program series:

- **2.1 Citizen Protection**
- **2.2 State Agencies**

2.1 Citizen Protection

Program Description: This program includes consumer protection, charitable law, environmental enforcement, and antitrust. The majority of the funding for the Citizen Protection program budget represents costs for salaries and benefits of personnel required to fulfill the goals of this program through investigation, monitoring, education, and litigation of applicable state and federal laws designed to protect consumers, businesses, and the environment.

Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	055-321	Operating Expenses	\$7,063,311	\$7,165,464
General Revenue Fund Subtotal			\$7,063,311	\$7,165,464
General Services Fund				
4Y7	055-608	Title Defect Rescission	\$250,000	\$250,000
418	055-615	Charitable Foundations	\$4,899,066	\$4,899,066
420	055-603	Attorney General Antitrust	\$446,449	\$446,449
5A9	055-618	Telemarketing Fraud Enforcement	\$7,500	\$7,500
631	055-637	Consumer Protection Enforcement	\$1,373,832	\$1,373,832
General Services Fund Subtotal			\$6,976,847	\$6,976,847
Holding Account Redistribution Fund				
R05	055-632	Antitrust Settlements	\$1,000	\$1,000
R18	055-630	Consumer Frauds	\$300,000	\$300,000
Holding Account Redistribution Fund Subtotal			\$301,000	\$301,000
Total Funding: 2.1 Citizen Protection			\$14,341,158	\$14,443,311

Funding Source: (1) GRF, (2) fees collected from licensed motor vehicle dealers once the balance of the fund drops below \$300,000, (3) recoveries made from violations under the Title Defect Rescission program, (4) various fees, forfeited bonds, and court awards associated with administering the Charitable Gambling Law, (5) 10% of antitrust recoveries, (6) 75% of civil penalties ordered and paid pursuant to the Consumer Practices Act and the Odometer and Rollback Disclosure Act as well as all unclaimed surety bonds associated with that program

Line Items: See table above

Implication of Executive Recommendation: According to the Office of the Attorney General, the executive-recommended funding levels will permit the Attorney General to maintain these Citizen Protection programs, including: (1) providing consumer protection, (2) regulating charitable gaming in Ohio by licensing, auditing, and investigating gaming establishments, (3) maintaining a registry and financial information on charitable organizations, (4) enforcing both state and federal antitrust laws that prohibit collusive business practices such as price-fixing and market allocation agreements, and (5) providing environmental enforcement services.

Temporary Law Provisions

Consumer Frauds (Section 203.48). A temporary law provision contained in the executive budget states that line item 055-630, Consumer Frauds, be used for distribution of moneys from court-ordered judgments against sellers in actions brought by the Office of the Attorney General under sections 1334.08 and 4549.48 and division (B) of section 1345.07 of the Revised Code, and that these moneys be used to provide restitution to consumers victimized by the fraud that generated the court-ordered judgments. The provision also allows for an automatic increase in the fund’s appropriation authority, if necessary, without the need of any other further legislative action or Controlling Board approval.

Antitrust Settlements (Section 203.48). A temporary law provision contained in the executive budget states that line item 055-632, Antitrust Settlements, be used to distribute court-ordered antitrust settlements in which the Office of the Attorney General represents the state or a political subdivision

under section 109.81 of the Revised Code. The provision also allows for an automatic increase in the fund’s appropriation authority, if necessary, without the need of any other further legislative action or Controlling Board approval.

2.2 State Agencies

Program Description: This program provides legal representation to state officials and state agencies. This legal representation is functionally divided between 14 sections. The program is highly personnel intensive, with more than 90% of its costs attributable to salaries and fringe benefits for the attorneys and support staff who provide these services to various state officials, agencies, boards and commissions.

Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	055-321	Operating Expenses	\$15,844,170	\$15,986,743
General Revenue Fund Subtotal			\$15,844,170	\$15,986,743
General Services Fund				
106	055-612	General Reimbursement	\$6,356,397	\$6,424,828
107	055-624	Employment Services	\$850,000	\$850,000
195	055-660	Workers' Compensation Section	\$7,769,628	\$7,769,628
General Services Fund Subtotal			\$14,976,025	\$15,044,456
Federal Special Revenue Fund				
381	055-611	Civil Rights Legal Service	\$390,815	\$390,815
Federal Special Revenue Fund Subtotal			\$390,815	\$390,815
Total Funding: 2.2 State Agencies			\$31,211,010	\$31,422,014

Funding Source: (1) GRF, (2) reimbursement payments for legal services rendered to state agencies pursuant to contracts between the Attorney General and those state agencies, (3) payments pursuant to a contract between the Office of the Attorney General and the Department of Job and Family Services, and (4) quarterly payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission

Line Items: See table above

Implication of Executive Recommendation: According to the Office of the Attorney General, the executive-recommended funding levels will permit the Attorney General to maintain these state agencies' programs. Some of the more notable activities include:

- Representation and litigation in cases involving state boards, agencies, officials, commissions, and pension boards to recover moneys lost through deceitful practices or due to breach of fiduciary duties.
- Provision of legal counsel and representation to the Ohio Bureau of Workers’ Compensation and the Industrial Commission of Ohio in jury trials regarding workers’ compensation claims and involving the extensive use of medical expert witnesses.
- Serving as counsel for more than 30 state departments and regulatory boards in matters relating to health law, including defense challenges in provider reimbursement and health care delivery

programs, enforcement litigation against providers for substandard care, and litigation relating to professional licensure for healthcare providers.

- Supply legal counsel to the Ohio Department of Transportation in litigation involving acquisition of property by eminent domain.
- Provision of legal representation and counsel to an array of state officials, agencies, and commissions to ensure the interest of the state of Ohio is protected.

Temporary Law Provisions

Workers' Compensation Section (Section 203.48). A temporary law provision contained in the executive budget stipulates that Fund 195 receive quarterly payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission to fund the legal services provided by the Office of the Attorney General to those two state agencies. The Bureau of Workers' Compensation payments are supposed to include moneys for support of the Office of the Attorney General's Workers' Compensation Fraud Unit. The provision also requires the Office of the Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission to mutually agree upon the amount of the quarterly payments.

Program Series 3

Program Management

Purpose: This program series provides support operations of the Office of the Attorney General and unique programs including county sheriff and county prosecutor pay supplements and the DARE program.

The following table shows the line items that are used to fund the Program Management program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	055-321	Operating Expenses	\$6,686,807	\$6,528,395
GRF	055-411	County Sheriffs' Pay Supplement	\$760,495	\$779,509
GRF	055-415	County Prosecutors' Pay Supplement	\$740,704	\$759,222
General Revenue Fund Subtotal			\$8,188,006	\$8,067,126
General Services Fund				
106	055-612	General Reimbursement	\$3,205,371	\$3,266,496
General Services Fund Subtotal			\$3,205,371	\$3,266,496
State Special Revenue Fund				
419	055-623	Claims Section	\$15,149,954	\$15,149,954
4L6	055-606	DARE	\$3,927,962	\$3,927,962
State Special Revenue Fund Subtotal			\$19,077,916	\$19,077,916
Holding Account Redistribution Fund				
R04	055-631	General Holding Account	\$275,000	\$275,000
Holding Account Redistribution Fund Subtotal			\$275,000	\$275,000
Total Funding: Program Management Program Series			\$30,746,393	\$30,686,538

This analysis focuses on the following specific programs within the program series:

- **3.1 Program Management**
- **3.2 Programs**

3.1 Program Management

Program Description: This program provides funding for the support operations of the Office of the Attorney General including information technology, finance, human resources, office services, training, communications, and collections enforcement. This program supports 250 employees and primarily benefits the other programs of the Office of the Attorney General.

The largest component of this program is the Collections Enforcement Section, which is responsible for collecting all delinquent debt owed Ohio on behalf of agencies, institutions, universities, and other government entities for taxes, fines, penalties, service fees, loans, and any other debt due.

Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	055-321	Operating Expenses	\$6,686,807	\$6,528,395
General Revenue Fund Subtotal			\$6,686,807	\$6,528,395
General Services Fund				
106	055-612	General Reimbursement	\$3,205,371	\$3,266,496
General Services Fund Subtotal			\$3,205,371	\$3,266,496
State Special Revenue Fund				
419	055-623	Claims Section	\$15,149,954	\$15,149,954
State Special Revenue Fund Subtotal			\$15,149,954	\$15,149,954
Total Funding: 3.1 Program Management			\$25,042,132	\$24,944,845

Funding Source: (1) GRF, (2) court ordered reimbursements, and (3) up to 11% of all amounts collected by the Office of the Attorney General on claims due the state

Line Items: See table above

Implication of Executive Recommendation: According to the Office of the Attorney General, the executive-recommended funding levels for this program will permit the Attorney General to: (1) maintain debt collection efforts by the Collections Enforcement Section, and (2) continue provision of overall support functions, including information technology, finance, human resources, office services, training, and communications.

Temporary and Permanent Law Provisions: None

3.2 Programs

Program Description: This program supports three activities: county sheriff pay supplements, county prosecutor pay supplements, and the DARE program. Both pay supplements are GRF funded and statutorily mandated. The DARE program provides grants to local law enforcement agencies to establish and implement drug abuse resistance programs in public schools, and is funded by \$75 of the \$425 license reinstatement fee that is transferred to the Office of the Attorney General for this purpose.

Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	055-411	County Sheriffs' Pay Supplement	\$760,495	\$779,509
GRF	055-415	County Prosecutors' Pay Supplement	\$740,704	\$759,222
General Revenue Fund Subtotal			\$1,501,199	\$1,538,731
State Special Revenue Fund				
4L6	055-606	DARE	\$3,927,962	\$3,927,962
State Special Revenue Fund Subtotal			\$3,927,962	\$3,927,962
Holding Account Redistribution Fund				
R04	055-631	General Holding Account	\$275,000	\$275,000
Holding Account Redistribution Fund Subtotal			\$275,000	\$275,000
Total Funding: 3.2 Programs			\$5,704,161	\$5,741,693

Funding Source: (1) GRF, (2) \$75 of the \$425 license reinstatement fee, and (3) moneys from court-ordered settlements in a variety of cases

Line Items: See table above

Implication of Executive Recommendation: According to the Office of the Attorney General, the executive-recommended funding levels will permit the Attorney General to: (1) cover the county sheriff pay supplement as mandated by section 325.06 of the Revised Code, (2) cover the county prosecutor pay supplement as mandated by section 325.11 of the Revised Code, (3) continue funding of the DARE program, and (4) distribute settlement moneys to charitable and government organizations consistent with the terms of relevant court orders.

Temporary Law Provisions

County Sheriffs' Pay Supplement (Section 203.48). A temporary law provision contained in the executive budget states that line item 055-411, County Sheriffs' Pay Supplement, be used for the purpose of supplementing the annual compensation of county sheriffs as required by section 325.06 of the Revised Code.

County Prosecutors' Pay Supplement (Section 203.48). A temporary law provision contained in the executive budget states that line item 055-415, County Prosecutors' Pay Supplement, be used for the purpose of supplementing the annual compensation of certain county prosecutors as required by section 325.111 of the Revised Code.

General Revenue Fund

GRF 055-321 Operating Expenses

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$55,986,211	\$54,388,845	\$52,583,487	\$52,688,468	\$52,647,688	\$52,610,156
	-2.9%	-3.3%	0.2%	-0.1%	-0.1%

Source: GRF

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Am. Sub. H.B. 204 of the 113th G.A., the main operating appropriations act covering FYs 1980 and 1981)

Purpose: The line item funds payroll, personal services contract, maintenance, and equipment costs associated with the Office of the Attorney General's provision of: (1) legal representation, and (2) investigative and technical assistance and training to the law enforcement community.

GRF 055-405 Law-Related Education

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$196,793	\$189,610	\$0	\$0	\$0	\$0
	-3.7%	-100.0%	N/A	N/A	N/A

Source: GRF

Legal Basis: Discontinued line item (originally established by Am. Sub. H.B. 298 of the 119th G.A., the main operating appropriations act covering FYs 1992 and 1993)

Purpose: Temporary law contained in all of the main operating appropriation acts since the 119th General Assembly required the funds appropriated to the line item "...be distributed directly to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students and accessing additional public and private money for new programs." An analogous GRF line item and related temporary law are part of The Judiciary/Supreme Court budget (line item 005-406, Law-Related Education).

The Ohio Center for Law-Related Education is a non-profit, nonpartisan organization sponsored by the Supreme Court of Ohio, the Office of the Attorney General, the Ohio State Bar Association, and the American Civil Liberties Union of Ohio Foundation. The Center delivers a variety of law-related education services (programs and materials) to students and teachers of primary and secondary schools, and draws its financial support from a mix of public and private sources. Its major statewide efforts include the Ohio Mock Trial Program and the Ohio Government in Action Project.

GRF 055-406 Community Police Match and Law Enforcement Assistance

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$2,350,494	\$2,256,620	\$1,310,209	\$0	\$0	\$0
	-4.0%	-41.9%	-100.0%	N/A	N/A

Source: GRF

Legal Basis: Discontinued line item (originally established by Controlling Board on June 5, 1995)

Purpose: Pursuant to temporary law, the line item was used to pay operating expenses of the Office of the Attorney General and to provide grants to local law enforcement agencies and communities for the purpose of supporting law enforcement-related activities.

The original purpose of the line item was to award grants that assisted counties, municipalities, townships, and state-assisted or state-supported institutions of higher education in satisfying the 25% matching requirement for the draw down of federal funds used to hire additional law enforcement officers under the Community Oriented Policing (COPS) program. Moneys for this purpose first appeared in the Controlling Board's budget (GRF line item 911-422, Community Police Officers) that were eventually transferred to the Office of the Attorney General, which actually controlled its distribution.

Am. Sub. H.B. 215 of the 122nd G.A., the main operating appropriations act covering FYs 1998 and 1999, changed the name of the line item from Community Police Match to Community Police Match and Law Enforcement Assistance to allow the moneys to be given as grants to local law enforcement for the improvement of technology and equipment, and to provide support for the Office of the Attorney General's criminal task force investigations. No FY 2000 and FY 2001 appropriations were included in Am. Sub. H.B. 283 of the 123rd G.A., although temporary law was included permitting the transfer of appropriation authority from the Office of the Attorney General's GRF line item 055-321, Operating Expenses, to this line item (055-406).

GRF 055-411 County Sheriffs' Pay Supplement

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$611,198	\$588,890	\$721,468	\$736,929	\$760,495	\$779,509
	-3.6%	22.5%	2.1%	3.2%	2.5%

Source: GRF

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 325.06(B) (originally established by Am. Sub. H.B. 408 of the 121st G.A., an act that increased the compensation of elected officials)

Purpose: The moneys in the line item are for the purpose of supplementing the annual compensation of county sheriffs. In addition to the annual compensation that a county sheriff receives under ORC 325.06 for performing the duties of sheriff prescribed by law, each county sheriff, in consideration of the impact of Am. Sub. S.B. 2 of the 121st G.A. on the workload of the county sheriff, receives an additional amount equal to one-eighth of the annual compensation that the county sheriff receives under ORC 325.06. The supplemental compensation is payable from the county treasury every two weeks if adequate funds have been appropriated for that purpose by the General Assembly.

The Office of the Attorney General is required to certify the adequacy of such funds to the fiscal officer of each county. Semiannually, the fiscal officer of each county must then certify to the Office of the Attorney General the amount of supplemental compensation paid, including the related amount of county contributions made to the sheriff's retirement plan and county payments to the federal government for Medicare Part A. After determining the accuracy of the amount certified, the Office of the Attorney General reimburses the county if funds are available.

GRF 055-415 County Prosecutors' Pay Supplement

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$512,283	\$493,585	\$705,701	\$723,490	\$740,704	\$759,222
	-3.6%	43.0%	2.5%	2.4%	2.5%

Source: GRF

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 325.111 (originally established by Am. Sub. H.B. 408 of the 121st G.A., an act that increased the compensation of elected officials)

Purpose: The moneys in the line item are for the purpose of supplementing the annual compensation of a prosecuting attorney in a county with a population of less than 70,000 who elects to serve as a full-time prosecuting attorney with no private practice. The salary and fringe benefits that a full-time prosecuting attorney receives is substantially greater than that of a prosecuting attorney who chooses to also engage in the private practice of law in counties in this population range.

ORC 325.111 requires that the state pay supplemental compensation to a prosecuting attorney of a county with a population of less than 70,000 who chooses to serve as a full-time prosecuting attorney with no private practice. The payment equals 40% of the difference between the full-time prosecuting attorney's salary schedule and that of a prosecuting attorney who elects to engage in the private practice of law. The Office of the Attorney General makes the payment, which includes the county's retirement contribution and Medicare Part A, on a semiannual basis to the county auditor if the funds are available. The county fiscal officer must deposit the state payment in the county treasury.

General Services Fund Group

106 055-612 General Reimbursement

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$15,685,240	\$21,170,681	\$18,676,980	\$18,870,196	\$21,370,196	\$21,370,196
	35.0%	-11.8%	1.0%	13.2%	0.0%

Source: GSF: (1) All amounts received by the Attorney General as reimbursement for legal services and other services that have been rendered to other state agencies, (2) all amounts awarded by a court to the Attorney General for attorney's fees, investigation costs, expert witness fees, fines, and all other costs and fees associated with representation provided by the attorney general, and (3) all amounts awarded to the Attorney General by a court

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 109.11 (originally established by Controlling Board on August 25, 1972)

Purpose: Moneys deposited to the credit of the fund are to be used for the expenses of the Office of the Attorney General in providing legal services and other services on behalf of the state.

107 055-624 Employment Services

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$763,873	\$728,906	\$720,813	\$850,000	\$850,000	\$850,000
	-4.6%	-1.1%	17.9%	0.0%	0.0%

Source: GSF: Payments pursuant to a contract between the Office of the Attorney General and the Department of Job and Family Services (originated as a contract with the Ohio Bureau of Employment Services prior to its merger with the Department of Human Services)

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Controlling Board on August 1, 1983)

Purpose: All moneys in the fund support operation of a portion of the Office of the Attorney General's Health and Human Services Section, which handles unemployment compensation collection and litigation matters.

195 055-660 Workers' Compensation Section

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$6,900,975	\$7,215,468	\$7,338,982	\$7,769,628	\$7,769,628	\$7,769,628
	4.6%	1.7%	5.9%	0.0%	0.0%

Source: GSF: Payments at the beginning of each quarter of each fiscal year from the Bureau of Workers' Compensation (BWC) and the Ohio Industrial Commission (OIC)

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Am. Sub. H.B. 171 of the 117th G.A., the main operating appropriations act covering FYs 1988 and 1989)

Purpose: The moneys in the fund are used to cover costs incurred by the Office of the Attorney General's Workers' Compensation Section in providing legal counsel and representation to BWC and OIC during the ensuing quarter. Starting with FY 1994, payments from BWC increased to cover a fraud unit that was created pursuant to Am. Sub. H.B. 107 of the 120th G.A.

418 055-615 Charitable Foundations

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$1,514,827	\$2,158,643	\$4,393,682	\$5,399,066	\$4,899,066	\$4,899,066
	42.5%	103.5%	22.9%	-9.3%	0.0%

Source: GSF: (1) All annual filing fees obtained by the attorney general from charitable trusts pursuant to ORC 109.31, (2) receipts obtained from the sale of the charitable foundations directory, (3) all registration fees received by the Attorney General, bond forfeitures, awards of costs and attorney's fees, and civil penalties assessed under the state's Charitable Organizations Law (ORC Chapter 1716.), and (4) effective July 1, 2003, pursuant to Am. Sub. H.B. 512 of the 124th G.A., as amended by Am. Sub. H.B. 87 of the 125th G.A., a new process for the licensing and collection of fees from bingo operators, distributors of bingo supplies, and manufacturers of bingo supplies

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 109.32 (originally established by Am. H.B. 347 of the 111th G.A.; amended by Am. Sub. H.B. 486 of the 118th G.A.; amended by Am. Sub. H.B. 512 of the 124th G.A.)

Purpose: The moneys in the fund support expenses of the Office of the Attorney General's Charitable Law Section, which regulates charities operating in the state and licenses charitable bingo games. The expenses of the section in excess of moneys available in the fund are paid out of GRF line item 055-321, Operating Expenses. Effective July 1, 2003, Am. Sub. H.B. 512 of the 125th G.A., as amended by Am. Sub. H.B. 87 of the 125th G.A., requires that all annual license fees received from bingo game operators, distributors, or manufacturers and credited to the fund be used by the Office of the Attorney General, or any local law enforcement agency in cooperation with the Office of the Attorney General, to administer and enforce the Charitable Gambling Law.

420 055-603 Attorney General Antitrust

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$206,259	\$256,126	\$381,238	\$1,000,000	\$446,449	\$446,449
	24.2%	48.8%	162.3%	-55.4%	0.0%

Source: GSF: Ten percent of all antitrust recoveries obtained by the Attorney General pursuant to ORC 109.81 by settlement or by judgment in any court and the full amount of all related civil penalties, attorney's fees, and reimbursements of investigative, litigation, or expert witness costs

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 109.82 (originally established by Controlling Board on February 25, 1972)

Purpose: The moneys in the fund are used solely for expenses of the Office of the Attorney General's Antitrust Section, which enforces state and federal antitrust laws. The expenses of the Section in excess of the moneys available in the fund are paid out of GRF line item 055-321, Operating Expenses.

421 055-617 Police Officers' Training Academy Fee

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$1,086,578	\$1,122,769	\$1,609,417	\$1,593,212	\$1,693,213	\$1,693,213
	3.3%	43.3%	-1.0%	6.3%	0.0%

Source: GSF: Tuition charged to state and local law enforcement officers (or their departments) for various law enforcement training programs operated by the Ohio Peace Officer Training Academy (POTA)

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Controlling Board on November 14, 1975)

Purpose: The moneys in the fund partially cover POTA's cost of operating each training program, with the remainder of those costs being paid by GRF line item 055-321, Operating Expenses.

4Y7 055-608 Title Defect Rescission

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$165,526	\$601,682	\$235,148	\$570,623	\$250,000	\$250,000
	263.5%	-60.9%	142.7%	-56.2%	0.0%

Source: GSF: (1) \$150 annual fee collected from licensed motor vehicle dealers when the balance in the fund falls below \$300,000, (2) proceeds of all sales conducted and collections obtained by the Office of the Attorney General under ORC 4505.181(D), and (3) recoveries obtained by the Office of the Attorney General in actions filed under ORC 1345.07 for violations of ORC 4505.181

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 1345.52 (originally established by Am. Sub. S.B. 182 of the 121st G.A.)

Purpose: The moneys in the fund are used solely for maintaining and administering the fund, providing restitution pursuant to ORC 4505.181(D) to retail purchasers of motor vehicles who suffer damages due to failure of a motor vehicle dealer or person acting on behalf of such a dealer to comply with that section, and pursuit of deficiencies in the fund caused by the failure of motor vehicle dealers to comply with divisions (A), (B), and (G) of ORC 4505.181.

4Z2 055-609 BCI Asset Forfeiture and Cost Reimbursement

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$434,452	\$764,130	\$1,497,284	\$1,332,108	\$1,332,109	\$1,332,109
	75.9%	95.9%	-11.0%	0.0%	0.0%

Source: GSF: (1) Moneys awarded to the Bureau of Criminal Identification and Investigation (BCII) as a result of shared federal asset forfeiture, and (2) state and local moneys designated as restitution for reimbursement of the costs of investigations

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Controlling Board on January 13, 1997)

Purpose: The moneys in the fund are used primarily for BCII maintenance and equipment costs. Prior to FY 1998, the moneys were deposited in the state treasury to the credit of Fund 106, General Reimbursement. The separation of these BCII asset forfeiture and investigative cost reimbursement moneys from Fund 106's revenue stream allowed for better tracking of these moneys and complied with federal guidelines requiring that asset forfeitures be accounted for separately.

590 055-633 Peace Officer Private Security Fund

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$50,710	\$46,306	\$95,961	\$98,370	\$98,370	\$98,370
	-8.7%	107.2%	2.5%	0.0%	0.0%

Source: GSF: Fees paid to the Ohio Peace Officer Training Commission by: (1) applicants for approval of a private police training program (\$125), a basic firearms training program (\$100), or a firearms requalification training program or instructor (\$50), (2) persons who satisfactorily complete a private police training program (\$15) or a basic firearms training program (\$10), and (3) persons who satisfactorily requalify in firearms use (a \$5 fee required under ORC 4749.10)

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 109.78 (originally established by Am. Sub. H.B. 402 of the 116th G.A.)

Purpose: The moneys in the fund are used by the Ohio Peace Officer Training Commission to administer: (1) the training program to qualify persons for positions as special police, security guards, or other private employment in a police capacity (ORC 109.78(A)), and (2) the training program in basic firearms and the training program in firearms requalification (ORC 109.78(B)).

5A9 055-618 Telemarketing Fraud Enforcement

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$0	\$0	\$0	\$7,500	\$7,500	\$7,500
	N/A	N/A	N/A	0.0%	0.0%

Source: GSF: Non-refundable \$250 initial registration and annual renewal fees paid by telephone solicitors (promulgated under OAC 109:4-6-04)

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 4719.17 (originally established by Am. Sub. S.B. 214 of the 121st G.A.)

Purpose: The moneys in the fund are to be used by the Office of the Attorney General's Consumer Protection Section for the administration and enforcement of the state's telephone solicitor registration program (ORC 4719.01 to 4719.18), and also for educational activities that advance the purposes of those sections of the ORC.

629 055-636 Corrupt Activity Investigation and Prosecution

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$482,655	\$20,332	\$0	\$15,000	\$15,000	\$15,000
	-95.8%	-100.0%	N/A	0.0%	0.0%

Source: GSF: (1) Proceeds of all property forfeited pursuant to ORC 2923.32, excluding, if applicable, ten percent of the proceeds of all property ordered forfeited by a juvenile court pursuant to ORC 2923.32, and (2) all fines and civil penalties imposed on persons engaged in a pattern of corrupt activity pursuant to ORC 2923.32 and 2923.34

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 2923.35(D)(1)(b) (originally established by Am. Sub. H.B. 5 of the 116th G.A.)

Purpose: All moneys held in the fund are disbursed, in accordance with a court order, to persons injured by, and to those state and local law enforcement agencies that conducted the investigation or prosecution of, the corrupt activity. Temporary law first inserted in Am. Sub. S.B. 351, a supplemental/reappropriations bill of the 119th G.A., allows for the automatic increase in this fund's appropriation authority, as necessary, thus eliminating the need to request approval of such increases from the Controlling Board or through other legislative action.

631 055-637 Consumer Protection Enforcement

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$844,574	\$642,979	\$1,084,552	\$1,373,832	\$1,373,832	\$1,373,832
	-23.9%	68.7%	26.7%	0.0%	0.0%

Source: GSF: (1) Three-fourths of the amount of civil penalties ordered and paid pursuant to ORC 1345.07 (Consumer Practices Act), (2) all costs awarded to the Office of the Attorney General and three-fourths of the amount of civil penalties ordered pursuant to ORC 4549.48, and (3) all surety bond moneys unclaimed under ORC 4549.50; latter two revenue sources related to the state's Odometer Rollback and Disclosure Act

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 1345.51 (originally established by Am. Sub. H.B. 382 of the 116th G.A.)

Purpose: All moneys in the fund are used by the Office of the Attorney General's Consumer Protection Section to enforce laws regulating consumer/business transactions. The expenses of the Section in excess of the moneys available in the fund are paid out of GRF line item 055-321, Operating Expenses.

Federal Special Revenue Fund Group

306 055-620 Medicaid Fraud Control

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$2,269,012	\$2,250,943	\$2,595,631	\$2,799,000	\$2,799,000	\$2,799,000
	-0.8%	15.3%	7.8%	0.0%	0.0%

Source: FED: CFDA 93.775, State Medicaid Fraud Control Units

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Controlling Board on September 25, 1978)

Purpose: The federal funds are distributed as a formula grant by the U.S. Department of Health and Human Services and provide 75% matching funds to control provider fraud in statewide Medicaid programs. These funds support the Office of the Attorney General's Medicaid Fraud Control Unit, which conducts a statewide program of investigations and prosecutions of health care providers who abuse the state's plan for Medicaid and enforces Ohio's Patient Abuse and Neglect Law. The required 25% state match is paid from GRF line item 055-321, Operating Expenses.

381 055-611 Civil Rights Legal Service

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$347,853	\$311,521	\$372,491	\$390,815	\$390,815	\$390,815
	-10.4%	19.6%	4.9%	0.0%	0.0%

Source: FED: Varying mix of GRF and federal funds transferred quarterly from the Ohio Civil Rights Commission, with amount of the latter determined by the available cash in the Commission's Fund 334, Investigations, which draws its money from CFDA 30.002, Employment Discrimination, and CFDA 14.401, Fair Housing Assistance Program

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Controlling Board on May 19, 1972)

Purpose: The moneys in the fund are considered a reimbursement for legal services rendered by the Office of the Attorney General's Civil Rights Section, which represents the Ohio Civil Rights Commission in discrimination cases. Historically, the reimbursement payments have covered approximately 30% of the Section's operating expenses, with the remaining 70% being covered by GRF line item 055-321, Operating Expenses.

383 055-634 Crime Victims Assistance

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$14,245,336	\$15,179,429	\$14,539,053	\$18,439,313	\$18,439,313	\$18,439,313
	6.6%	-4.2%	26.8%	0.0%	0.0%

Source: FED: CFDA 16.575, Crime Victim Assistance

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Controlling Board on May 12, 1986)

Purpose: The moneys deposited to the credit of the fund are received pursuant to a formula grant from the U.S. Department of Justice received pursuant to the federal Victims of Crime Act of 1984 (Public Law 98-473), which is in turn distributed by the Office of the Attorney General in the form of subsidies to aid qualified local offices and organizations that operate crime victim assistance programs. Eligible programs can be operated by either a public agency or a nonprofit organization, and must provide services to victims of crime.

3E5 055-638 Attorney General Pass-Through Funds

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$1,959,835	\$1,948,796	\$1,896,466	\$5,486,007	\$1,981,102	\$1,981,102
	-0.6%	-2.7%	189.3%	-63.9%	0.0%

Source: FED: Mix of federal criminal justice and homeland security preparedness grants with varying durations and award amounts passed through other state agencies including, but not limited to, the Office of Criminal Justice Services, the Department of Youth Services, and the Department of Public Safety. Recent grant projects have come from CFDA 16.579, Byrne Formula Grant Program, CFDA 16.523, Juvenile Accountability Incentive Block Grants (JAIBG), CFDA 16.554, National Criminal History Improvement Program (NCHIP), CFDA 16.588, Violence Against Women (VAWA) Formula Grants, CFDA 97.007, Homeland Security Preparedness Technical Assistance, and CFDA 97.004, State Domestic Preparedness Equipment Support Program

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Controlling Board on December 7, 1987)

Purpose: The fund was originally created to serve as a depository for various anti-drug abuse and criminal justice improvement formula grants passed through the Office of Criminal Justice Services under Ohio's Anti-Drug Abuse Act of 1986. Over time, and with the receipt of federal pass-through funds from other state agencies, the use of this fund has been expanded to cover all federal grant funds provided to the Attorney General by other state agencies. Recent project grants have been used to: (1) create a financial investigations unit to assist local task forces and law enforcement agencies with drug-related investigations and prosecutions, (2) purchase computer and state-of-the-art laboratory equipment for the Bureau of Criminal Identification and Investigation, (3) stage an annual law enforcement conference, (4) develop a statewide criminal gang intelligence database, and (5) purchase equipment and provide training and technology to assist local law enforcement across the state in homeland security measures.

3R6 055-613 Attorney General Federal Funds

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$3,088,262	\$3,472,897	\$3,029,163	\$8,574,973	\$3,842,097	\$3,842,097
	12.5%	-12.8%	183.1%	-55.2%	0.0%

Source: FED: Various grants awarded by the U.S. Department of Justice directly to the Office of the Attorney General; federal funds awarded indirectly through other State of Ohio agencies such as the Office of Criminal Justice Services, the Department of Youth Services, or the Department of Public Safety are deposited in Fund 3E5; recent project grants from CFDA 16.710, Public Safety Partnership and Community Policing Grants ("COPS" Grants), CFDA 16.564, Crime Laboratory Improvement Combined Offender DNA Index System Backlog Reduction, CFDA 16.574, Financial Crime-Free Communities Support (C-FIC) Anti-Money Laundering Grant Program, and CFDA 16.582, Crime Victims Assistance Discretionary Grants

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Controlling Board on September 8, 1997)

Purpose: The fund was established to receive all federal grants awarded directly to the Office of the Attorney General, as opposed to federal funds that pass through other state agencies. The direct and pass-through categories of federal funding were separated in order to provide a means for clearer management. Recent project grants have been awarded for: (1) Ohio WebCheck, an Internet-based program for civilian background checks, (2) the LiveScan Enhancement Program, in which fingerprints are taken by electronic scanning versus the traditional ink-based method, (3) programs to improve the capability and capacity of crime laboratories to perform various types of forensic analysis and reduce the backlog of convicted offender DNA samples, and (4) Identity Theft/Passport, a program to assist victims of stolen identities.

State Special Revenue Fund Group

402 055-616 Victims of Crime

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$21,988,957	\$22,932,548	\$23,928,216	\$27,933,893	\$30,000,000	\$30,000,000
	4.3%	4.3%	16.7%	7.4%	0.0%

Source: SSR: (1) Court costs of \$30 and \$9 imposed, pursuant to ORC 2743.70, upon on an offender convicted of or pleading guilty to a felony or misdemeanor, other than a nonmoving traffic violation, (2) money collected by the state pursuant to its right of subrogation, (3) seventy-five dollars of the \$425 fee collected pursuant to ORC 4511.191 for the reinstatement of a driver's license that was suspended for operating a motor vehicle while under the influence of alcohol or drugs (OMVI), (4) portions of the proceeds of the sale of a vehicle forfeited under ORC 4503.234(D)(2), and (5) payments collected by the Department of Rehabilitation and Correction from prisoners who voluntarily participate in an approved work and training program; prior to FY 2001, the fund and revenue stream were controlled by the Court of Claims

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 2743.191 (originally established by Am. Sub. S.B. 153 of the 123rd G.A.)

Purpose: The moneys in the fund may be used for: (1) the payments of awards of reparations that are granted by the Office of the Attorney General, (2) the compensation of any personnel needed by the Office of the Attorney General to administer the Crime Victims Reparations Law, (3) the compensation of witnesses as provided in the Crime Victims Reparations Law, (4) other administrative costs of hearing and determining claims for an award of reparations by the Office of the Attorney General, (5) the costs of administering, and paying, the state's program for reimbursing hospitals and emergency medical facilities for conducting medical examinations related to sexual offenses (ORC 2907.28), (6) the costs of administering the state's program for the recovery of offender's profits (ORC 2969.01 to 2969.06), (7) the costs of investigation and decision-making, (8) the provision of state financial assistance to victim assistance programs, (9) the cost of printing and distributing the Crime Victims Reparations Law pamphlet prepared by the Office of the Attorney General, (10) the costs associated with the printing and providing of information cards or other printed materials to law enforcement agencies and prosecuting attorneys and with publicizing the availability of awards of reparations, (11) the costs of administering a DNA specimen collection procedure, performing DNA analysis and entering the resulting DNA records into the DNA database for possible cross matches against unsolved cases for all felony offenses and certain misdemeanors, and (12) the costs associated with initiatives by the Attorney General for the apprehension, prosecution and accountability of offenders, and the enhancement of services to crime victims. In addition, moneys in the fund are transferred by the Director of Budget and Management to the Court of Claims' CLA Victims of Crime Fund (Fund 5K2) to match appropriations for the Court of Claims' appellate responsibilities.

419 055-623 Claims Section

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$11,705,241	\$10,567,345	\$13,760,778	\$13,649,954	\$15,149,954	\$15,149,954
	-9.7%	30.2%	-0.8%	11.0%	0.0%

Source: SSR: Up to 11% of all amounts collected by the Office of the Attorney General on claims due the state

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 109.081 (originally established by Am. Sub. H.B. 291 of the 115th G.A.)

Purpose: The moneys in the fund are used for the payment of expenses incurred by the Office of the Attorney General.

4L6 055-606 DARE

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$3,399,849	\$3,336,129	\$3,409,912	\$3,927,962	\$3,927,962	\$3,927,962
	-1.9%	2.2%	15.2%	0.0%	0.0%

Source: SSR: \$75 of the \$425 driver's license reinstatement fee

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 4511.191(F)(2)(e) (originally established by Sub. S.B. 275 of the 119th G.A.)

Purpose: The moneys in the fund are used by the Office of the Attorney General to award grants to law enforcement agencies to establish and implement drug abuse resistance education programs in public schools. Grants awarded to a law enforcement agency may not be used to pay for more than 50% of the amount of the salaries of law enforcement officers who conduct drug abuse education programs in public schools. The Office of the Attorney General is permitted to use up to 6% of the revenue received to pay the costs it incurs in administering the grant program and in providing training and materials relating to drug abuse resistance education programs.

659 055-641 Solid and Hazardous Waste Background Investigations

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$525,779	\$609,807	\$443,490	\$621,159	\$621,159	\$621,159
	16.0%	-27.3%	40.1%	0.0%	0.0%

Source: SSR: Fees from applicants, permittees, or prospective owners of off-site hazardous waste facilities, solid waste disposal facilities, infectious waste facilities, solid waste transfer facilities, scrap tire monocell or monofill facilities, scrap tire recovery or storage facilities, and composting facilities; fee schedule promulgated under OAC 109:6-1-04, which includes a onetime initial disclosure statement fee, as well as an ongoing annual maintenance fee; initial disclosure statement fees range from \$1,000 to \$60,000, while maintenance fees run from \$1,000 to \$5,000

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 3734.42(C) (originally established by Am. Sub. H.B. 592 of the 117th G.A.)

Purpose: The moneys in the fund are used solely for paying the Office of the Attorney General's costs of administering and enforcing the investigative procedures authorized in ORC 3734.41 to 3734.47.

Holding Account Redistribution Fund Group

R03 055-629 Bingo License Refunds

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$775	\$650	\$525	\$0	\$0	\$0
	-16.1%	-19.2%	-100.0%	N/A	N/A

Source: 090: A small portion of the bingo license application fees collected by the Office of the Attorney General annually; effective July 1, 2003, remainder deposited into the Charitable Foundations Fund (Fund 418); prior to July 1, 2003, remainder deposited into the GRF

Legal Basis: Discontinued line item (originally established by Controlling Board on December 2, 1985)

Purpose: The holding account was used to provide bingo license refunds made necessary because of overpayment, reconsideration not to operate, or failure to qualify. The account was originally part of the State Depository Trust Fund, which was abolished in Am. Sub. H.B. 201 of the 116th G.A.

R04 055-631 General Holding Account

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$2,474,500	\$579,794	\$1,346,307	\$3,275,000	\$275,000	\$275,000
	-76.6%	132.2%	143.3%	-91.6%	0.0%

Source: 090: Moneys from court-ordered settlements in a variety of cases involving the Office of the Attorney General

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Controlling Board on December 2, 1985)

Purpose: The moneys in the holding account are distributed under the terms of the relevant court orders. The account was originally part of the State Depository Trust Fund, which was abolished in Am. Sub. H.B. 201 of the 116th G.A.

R05 055-632 Antitrust Settlements

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$0	\$0	\$0	\$1,000	\$1,000	\$1,000
	N/A	N/A	N/A	0.0%	0.0%

Source: 090: Moneys from court-ordered antitrust settlements in which the Office of the Attorney General represents the state or a political subdivision pursuant to ORC 109.81

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Controlling Board on December 2, 1985)

Purpose: Of the total antitrust settlement moneys received by the Office of the Attorney General, 10% is transferred to the Attorney General Antitrust Fund (Fund 420) to assist in defraying the operational costs of the Antitrust Section. The remainder is distributed according to the terms of a court order. This account was originally part of the State Depository Trust Fund, which was abolished in Am. Sub. H.B. 201 of the 116th G.A.

R18 055-630 Consumer Frauds

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$238,810	\$309,674	\$189,967	\$300,000	\$300,000	\$300,000
	29.7%	-38.7%	57.9%	0.0%	0.0%

Source: 090: Moneys from court-ordered judgments against sellers in actions brought by the Office of the Attorney General pursuant to ORC 1334.08, 1345.07(B), and 4549.48

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A. (originally established by Controlling Board on December 2, 1985)

Purpose: All of the moneys in the fund are used to provide restitution to consumers who were victimized by the fraud that generated the court-ordered judgments which are deposited into the holding account. The account was originally part of the State Depository Trust Fund, which was abolished in Am. Sub. H.B. 201 of the 116th G.A.

R42 055-601 Organized Crime Commission Account

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$99,794	\$0	\$22,166	\$200,000	\$25,025	\$25,025
	-100.0%	N/A	802.3%	-87.5%	0.0%

Source: 090: (1) Moneys paid to the state pursuant to a court judgment in a criminal case as reimbursement of expenses that the Organized Crime Investigations Commission or an organized crime task force established by the Commission incurred in the investigation of the criminal activity upon which the prosecution of the criminal case was based, and (2) all investment earnings on moneys in the fund

Legal Basis: Section 20 of Am. Sub. H.B. 95 of the 125th G.A.; ORC 177.011 (originally established by Controlling Board on June 1, 1992)

Purpose: The Organized Crime Investigations Commission uses the moneys in the fund to reimburse political subdivisions for the expenses the political subdivisions incur when their law enforcement officers participate in an organized crime task force.

LSC Budget Spreadsheet by Line Item, FY 2006 - FY 2007

Fund	ALI	ALI Title	2004	Estimated 2005	Executive 2006	% Change 2005 to 2006	Executive 2007	% Change 2006 to 2007
AGO Attorney General								
GRF	055-321	Operating Expenses	\$ 52,583,487	\$52,688,468	\$ 52,647,688	-0.1%	\$ 52,610,156	-0.1%
GRF	055-406	Community Police Match and Law Enforcement Assi	\$ 1,310,209	\$0	\$ 0	N/A	\$ 0	N/A
GRF	055-411	County Sheriffs' Pay Supplement	\$ 721,468	\$736,929	\$ 760,495	3.2%	\$ 779,509	2.5%
GRF	055-415	County Prosecutors' Pay Supplement	\$ 705,701	\$723,490	\$ 740,704	2.4%	\$ 759,222	2.5%
General Revenue Fund Total			\$ 55,320,865	\$ 54,148,887	\$ 54,148,887	0.0%	\$ 54,148,887	0.0%
106	055-612	General Reimbursement	\$ 18,676,980	\$18,870,196	\$ 21,370,196	13.2%	\$ 21,370,196	0.0%
107	055-624	Employment Services	\$ 720,813	\$850,000	\$ 850,000	0.0%	\$ 850,000	0.0%
195	055-660	Workers' Compensation Section	\$ 7,338,982	\$7,769,628	\$ 7,769,628	0.0%	\$ 7,769,628	0.0%
418	055-615	Charitable Foundations	\$ 4,393,682	\$5,399,066	\$ 4,899,066	-9.3%	\$ 4,899,066	0.0%
420	055-603	Attorney General Antitrust	\$ 381,238	\$1,000,000	\$ 446,449	-55.4%	\$ 446,449	0.0%
421	055-617	Police Officers' Training Academy Fee	\$ 1,609,417	\$1,593,212	\$ 1,693,213	6.3%	\$ 1,693,213	0.0%
4Y7	055-608	Title Defect Rescission	\$ 235,148	\$570,623	\$ 250,000	-56.2%	\$ 250,000	0.0%
4Z2	055-609	BCI Asset Forfeiture and Cost Reimbursement	\$ 1,497,284	\$1,332,108	\$ 1,332,109	0.0%	\$ 1,332,109	0.0%
590	055-633	Peace Officer Private Security Fund	\$ 95,961	\$98,370	\$ 98,370	0.0%	\$ 98,370	0.0%
5A9	055-618	Telemarketing Fraud Enforcement	\$ 0	\$7,500	\$ 7,500	0.0%	\$ 7,500	0.0%
629	055-636	Corrupt Activity Investigation and Prosecution	\$ 0	\$15,000	\$ 15,000	0.0%	\$ 15,000	0.0%
631	055-637	Consumer Protection Enforcement	\$ 1,084,552	\$1,373,832	\$ 1,373,832	0.0%	\$ 1,373,832	0.0%
General Services Fund Group Total			\$ 36,034,057	\$ 38,879,535	\$ 40,105,363	3.2%	\$ 40,105,363	0.0%
306	055-620	Medicaid Fraud Control	\$ 2,595,631	\$2,799,000	\$ 2,799,000	0.0%	\$ 2,799,000	0.0%
381	055-611	Civil Rights Legal Service	\$ 372,491	\$390,815	\$ 390,815	0.0%	\$ 390,815	0.0%
383	055-634	Crime Victims Assistance	\$ 14,539,053	\$18,439,313	\$ 18,439,313	0.0%	\$ 18,439,313	0.0%
3E5	055-638	Attorney General Pass-Through Funds	\$ 1,896,466	\$5,486,007	\$ 1,981,102	-63.9%	\$ 1,981,102	0.0%
3R6	055-613	Attorney General Federal Funds	\$ 3,029,163	\$8,574,973	\$ 3,842,097	-55.2%	\$ 3,842,097	0.0%
Federal Special Revenue Fund Group Total			\$ 22,432,804	\$ 35,690,108	\$ 27,452,327	-23.1%	\$ 27,452,327	0.0%
402	055-616	Victims of Crime	\$ 23,928,216	\$27,933,893	\$ 30,000,000	7.4%	\$ 30,000,000	0.0%
419	055-623	Claims Section	\$ 13,760,778	\$13,649,954	\$ 15,149,954	11.0%	\$ 15,149,954	0.0%
4L6	055-606	DARE	\$ 3,409,912	\$3,927,962	\$ 3,927,962	0.0%	\$ 3,927,962	0.0%

LSC Budget Spreadsheet by Line Item, FY 2006 - FY 2007

Fund	ALI	ALI Title	2004	Estimated 2005	Executive 2006	% Change 2005 to 2006	Executive 2007	% Change 2006 to 2007
AGO Attorney General								
659	055-641	Solid and Hazardous Waste Background Investigatio	\$ 443,490	\$621,159	\$ 621,159	0.0%	\$ 621,159	0.0%
State Special Revenue Fund Group Total			\$ 41,542,396	\$ 46,132,968	\$ 49,699,075	7.7%	\$ 49,699,075	0.0%
R03	055-629	Bingo License Refunds	\$ 525	\$0	\$ 0	N/A	\$ 0	N/A
R04	055-631	General Holding Account	\$ 1,346,307	\$3,275,000	\$ 275,000	-91.6%	\$ 275,000	0.0%
R05	055-632	Antitrust Settlements	\$ 0	\$1,000	\$ 1,000	0.0%	\$ 1,000	0.0%
R18	055-630	Consumer Frauds	\$ 189,967	\$300,000	\$ 300,000	0.0%	\$ 300,000	0.0%
R42	055-601	Organized Crime Commission Account	\$ 22,166	\$200,000	\$ 25,025	-87.5%	\$ 25,025	0.0%
Holding Account Redistribution Fund Group Total			\$ 1,558,965	\$ 3,776,000	\$ 601,025	-84.1%	\$ 601,025	0.0%
Total All Budget Fund Groups			\$ 156,889,087	\$ 178,627,498	\$ 172,006,677	-3.7%	\$ 172,006,677	0.0%