



SECTION I

Executive Summary

The Office of the Attorney General is South Carolina's chief legal office. The South Carolina Constitution defines the Attorney General's role as "chief prosecuting officer of the State with authority to supervise the prosecution of all criminal cases in courts of record." In 1929, a state court broadened that role: "As the chief law officer of the State [the Attorney General] may, in the absence of some express legislative restriction to the contrary, exercise all such power and authority as public interests may, from time to time, require, and may institute, conduct and maintain all such suits and proceedings as he deems necessary for the enforcement of the laws of the State, the preservation of order, and the protection of public rights."

1. Mission and Values

Mission

The Attorney General, through his Office, fulfills a multi-purpose mission on behalf of the State and its citizens. As chief prosecutor, he renders the following services: He (1) represents the State of South Carolina in criminal cases when defendants file for Post Conviction Relief and when they appeal their convictions; (2) prosecutes all cases of insurance fraud; (3) investigates and prosecutes cases of Medicaid fraud, patient abuse and provider fraud; (4) operates two programs to address the widespread problem of violence against women; (5) sponsors a Youth Mentor Program designed to prevent juvenile crime and rescue at-risk youngsters before they commit violent offenses; (6) assists the victims of crimes in claiming the benefits guaranteed under the State's Victims Bill of Rights; (7) prosecutes cases of Internet crimes against children, including those involving sexual exploitation; (8) oversees the activities of the State Grand Jury including the prosecution of multi-jurisdictional drug offenders, multi-county pornography, public corruption, election fraud, computer crime violations, terrorism, security fraud, and environmental crimes; (9) investigates and prosecutes those accused of involvement in the illegal sport of dog fighting; (10) through a federal grant, prosecutes in State courts defendants accused of criminal domestic violence; and (11) under the Attorney General's authority, all violators of State tax laws are prosecuted.

The Office maintains official liaison with the General Assembly and researches, writes, and issues opinions when requested by certain state and local officials.

As the Attorney for the State of South Carolina, the Attorney General also has important responsibilities in the area of civil law. When the State is a party to a law suit, either as plaintiff or defendant, attorneys in this division may represent and advise the State, its agencies, and its officials in civil

lawsuits. The Office represents the State in civil proceedings against dangerous sex offenders for commitment under South Carolina's Sexually Violent Predators statute. Staff members also investigate and prosecute grievance complaints filed against attorneys and judges. The Attorney General serves as the S.C. Securities Commissioner, provides information on securities laws and practices, and investigates allegations of fraud or other violations of securities laws and takes appropriate enforcement action; and, through his staff, he handles the registration of all persons engaged in the sale of securities in the State of South Carolina

In addition to these services, the Office also sponsors a memorial service for women killed in violent domestic disputes.

Values

In addition to encouraging those values prized by society at large -- honesty, respect for others, compassion, responsibility -- the Attorney General's Office has a special commitment to maintain the highest standards of professional conduct demanded by the legal community. The primary activity of the Office is litigation, and its staff is composed largely of attorneys and their support personnel. Therefore, the values that set the Attorney General's Office apart from other State agencies pertain to the practice of law. These include: respect for the legal system, an impartial administration of justice, an adherence to prescribed timetables, and diligence in preparation.

The Attorney General's Office also values service to the people of the State. In addition to maintaining the highest legal standards, the Office is also responsible and responsive to the citizens of South Carolina -- its most frequently served customers. To satisfy these customers through courteous and efficient service, the Office of the Attorney General maintains a Constituent Services staff whose members provide answers to questions, solve problems, and direct callers to the staff member or State agency best qualified to serve the constituent. The Attorney General oversees the work of his Office, as determined by schedules and deadlines set by the court.

2. Major Achievements from Past Year

The major achievements of the Attorney General's Office during FY 2003-2004 include the following:

1. Statewide Pro Bono Domestic Violence Prosecution

In 2003, the Attorney General launched a pilot program in Orangeburg and Kershaw Counties to place pro bono prosecutors in magistrate and municipal courts in an effort to increase first and second offense convictions for criminal domestic violence (CDV). The program has since been expanded to include CDV cases in the City of Columbia.

As of September 1, 2004, the program coordinators reported the following achievements:

- Twenty-six pro bono attorneys have been recruited to participate in the program. All 26 have prosecuted cases.
- The total number of cases prosecuted as of September 1, 2004, was 441.
- Of those cases, the outcomes are as follows: **Kershaw County** - 80 guilty verdicts, 20 not guilty verdicts, 15 cases dismissed, and one case sent to General Sessions Court; **Orangeburg County** - 125 guilty verdicts, 52 not guilty verdicts, 10 cases dismissed, and six cases sent to General Sessions Court; **City of Columbia** - 98 guilty verdicts, 13 not guilty verdicts, and two cases sent to General Sessions Court. The total: 303 convictions, 85 acquittals, 25 dismissals, and 9 sent to General Sessions Court.
- Program coordinators have maintained a database containing the pertinent details of all cases. The Office plans to use this database to learn more about criminal domestic violence in South Carolina.

2. State Grand Jury Securities Enforcement

In the wake of the Carolina Investors-Homegold financial collapse the Attorney General worked closely with members of the General Assembly to pass new legislation granting the State Grand Jury authority to investigate and prosecute criminal securities fraud. The Governor signed this legislation into law on June 5, 2003.

The Attorney General used this authority to commission a State Grand Jury criminal investigation into the Carolina Investors/Homegold case. Federal authorities cooperated in this effort.

The investigation revealed that approximately 8,000 investors in the company had lost a total of \$278 million. At the conclusion of the investigation, the State Grand Jury indicted the president of Carolina Investors on 22 counts of securities fraud. Members of the Attorney General's staff assigned to the State Grand Jury prosecuted the case and the defendant was convicted of all 22 counts.

Using its new authority, the State Grand Jury also indicted the president of Homegold, Inc. a company which totally owned Carolina Investors, Inc. at the time of the fraudulent activities. The trial is scheduled for October.

The State Grand Jury indicted a third official in this case.

After a thorough investigation, the State Grand Jury also indicted the president of the Thaxton Group, a Pageland-based finance company, which filed for bankruptcy in October of 2003, owing more than \$120 million to approximately 3,000 investors. The company reported a \$1.6 million profit when it should have reported a loss.

3. State Grand Jury Drug Prosecution

The State Grand Jury prosecutes accused drug dealers. Of particular importance was the conviction of three Charleston attorneys on charges of Conspiracy to Distribute Cocaine. One was a drug prosecutor, and two were criminal defense attorneys. All three have lost their licenses to practice law. At the writing of this report, they had yet to be sentenced.

4. Methamphetamine Seminar

In order to warn authorities and the general public about the risks posed by Methamphetamine - e.g., fires, explosion, toxic gases, and severe environmental pollution -- the State Grand Jury sponsored a seminar on May 3, 2004, that was attended by a capacity crowd of approximately 200 people. Attendants included representatives from law enforcement, the Department of Social Services, public education, and other groups that might be affected by the illegal preparation and distribution of methamphetamine.

5. Child Predator Task Force

The Attorney General established a Child Predator Task Force, headed by an assistant attorney general, to deal with those who target children for abduction or assault in our state. Known as child predators, they commonly prey on unsuspecting children through routine daily interaction, by gaining their confidence in familiar settings or via the Internet.

In order to lend additional strength to the efforts of the Task Force, the Attorney General actively promoted the enactment of a law making it illegal to stalk, lure or entice a minor for abduction or sexual assault. Signed by the Governor on April 26, 2004, this statute mandates a 10-year sentence for each offense and enables law enforcement to intervene and make a case against a predator prior to an abduction or assault.

6. Fees, Fines, and Criminal Restitution

In the course of conducting it's business, the Attorney General's Office collected **\$21,844,041**. These revenues included

items such as fees for securities brokers and agents, fines, criminal restitution to the State's Medicaid program, restitution to individuals, lawsuit settlements, and investigative costs. This figure represents an increase of more than \$2 million.

7. Medicaid Fraud

During FY 2003-2004, the Medicaid Fraud Control Section handled 907 investigations, as opposed to 824 during FY 2002-2003. The Section also investigated and resolved 875 cases of Patient Abuse, 130 more than in FY 2002-2003.

8. Victim Services

During FY 2003-2004, the Office's Victim Services Section handled 3,996 cases, assisting the victims of crimes in such matters as notification of trials, post-conviction appeals, petitions for rehearing, and also various petitions for certiorari. This figure constitutes an increase over the FY 2002-2003 figure of more than 500 victims assisted.

3. Key Strategic Goals for Present and Future Years

Some of the key strategic goals the Attorney General established for FY 2003-2004 have been achieved during the fiscal year, while others are still pending because of the necessity to cut the Office budget over the past two fiscal years by \$2,031,737. Those ongoing goals are:

1. Child Exploitation Prosecution.

The swift prosecution of predators who would sexually exploit, abduct or assault children has become a top priority for the Attorney General's Office. The Attorney General is working toward hiring additional prosecutors to work with the office's sole prosecutor funded through a federal grant.

The Internet Crimes Against Children grant is a nationwide program created to help develop state and local law enforcement cyber units to investigate and prosecute child sexual exploitation cases.

Currently, the office's sole prosecutor works closely with state and federal authorities at the South Carolina Computer Crimes Center, to prosecute child sexual exploitation, pornography, and Internet predator-enticement cases. Known as child predators, these criminals commonly prey on unsuspecting children through routine daily interaction, by gaining their confidence in familiar settings or via the Internet.

Through strong and swift prosecution of these criminals the Attorney General wants to target child predators before they can

target innocent children. Additional prosecutors are required to accomplish the goal.

2. Expanding the Pro Bono Prosecution Program.

This program enlists volunteer attorneys from the private sector and trains them to prosecute criminal domestic violence offenders in summary courts. Thus far, the program operates in Orangeburg and Kershaw counties and in the City of Columbia. The immediate goal is to add York County to that list. The long-term goal is to extend the program to all South Carolina counties.

3. Gaining State Grand Jury Authority for Environment Crimes

Under current state law, the State of South Carolina does not have the necessary tools to investigate and prosecute environmental crimes. These crimes are typically prosecuted in the federal system because of the ability to utilize the federal grand jury to compel testimony and subpoena documents, a necessary element for prosecution.

The Attorney General's goal is to work for passage of this legislation through the General Assembly so that the State Grand Jury may be utilized to prosecute criminal environmental crimes.

4. Securities Enforcement and Fraud Prosecution

In the wake of the Carolina Investors-Homegold financial collapse, the Attorney General worked closely with members of the General Assembly to successfully pass new legislation granting the State Grand Jury authority to investigate and prosecute criminal securities fraud. The Governor signed this legislation into law on June 5, 2003. The Attorney General used this authority to commence a State Grand Jury criminal investigation and prosecution into this matter. Federal authorities are cooperating in this effort.

Upon completion of the investigation, our goal is to utilize the information gathered -- along with input from industry representatives, legal authorities, elected representatives, and law enforcement -- to propose and pass a comprehensive securities reform and enforcement package to prevent such future financial calamities.

5. Dog Fighting Prosecution

The Attorney General, the State Law Enforcement Division Chief Robert Stewart, and animal humanitarian groups are participating in a new statewide initiative aimed at combating

illegal dog fighting and drug trafficking in South Carolina. Dog fighting is a felony offense, § 16-27-30, punishable by a mandatory five years imprisonment or a mandatory fine of \$5,000, or both.

Because of state budget cuts and limited resources, humanitarian groups in the state have stepped forward and volunteered to fund a SLED agent and an assistant attorney general dedicated to investigating and prosecuting dog and animal fighting and dog fighting related drug cases. SLED has assigned an agent dedicated to the initiative using the funds raised so far, and the AG has a prosecutor working the cases part time until a dedicated prosecutor can be funded by the campaign.

6. Methamphetamine Prosecution

The Attorney General has launched an initiative to combat the explosive methamphetamine epidemic that has swept through our state. Meth's rise can be attributed to the ease in which it's ingredients may be purchased at local drug and hardware stores. It is commonly manufactured in household kitchens and it's high volatility and chemical fumes threaten children's safety. The Attorney General's goal is to develop a cooperative effort with SLED, the solicitors, DHEC and federal authorities to increase prosecution and public awareness efforts.

Those goals that have been put on hold: NO GOALS HAVE BEEN PUT ON HOLD.

4. Opportunities and Barriers

Opportunities

The goals listed above represent opportunities for the Office to render greater service to the people of South Carolina.

When the State Grand Jury is empowered to prosecute environmental crimes, South Carolina will have a new weapon in combating the criminal pollution of the state's water, air, and land.

The addition of attorneys and other staff members to the State Grand Jury should enable the Office to investigate and prosecute securities violations more effectively under new legislation just passed.

The Attorney General believes that the recent addition of a Unit to investigate and prosecute the inhumane practice of dog fighting will provide the Office with an opportunity to help eliminate this brutal sport.

Barriers

The only barrier to the realization of these opportunities is the time necessary to implement our programs and ideas. The wheels are already in motion.

5. How the accountability report is used to improve organizational performance.

The Office has made no significant use of this document.

SECTION II

Overview

1. Number of Employees

At the end of June, because of mandatory budget cuts, the Attorney General's Office was operating at a reduced level of 140 full-time employees.

2. Operation Locations

The Attorney General's office occupies the three top floors of the Rembert C. Dennis Building, 1000 Assembly Street, Columbia, South Carolina.

3. Appropriations/Expenditures Chart
Accountability Report Appropriations/Expenditures Chart
Base Budget Expenditures and Appropriations

	02-03 Actual Expenditures		03-04 Actual Expenditures		04-05 Appropriations Act	
Major Budget Categories	Total Funds	General Funds	Total Funds	General Funds	Total Funds	General Funds
Personal Service	\$5,935,695	\$4,820,553	\$6,202,234	\$4,653,827	\$5,979,096	\$4,136,715
Other Operating	\$1,906,658	\$966,677	\$2,365,121	\$544,644	\$2,564,082	\$432,427
Special Items	\$	\$	\$	\$	\$	\$
Permanent Improvements	\$	\$	\$	\$	\$	\$
Case Services	\$	\$	\$	\$	\$	\$
Distributions to Subdivisions	\$	\$	\$	\$	\$	\$
Fringe Benefits	\$1,641,174	\$1,344,340	\$1,652,644	\$1,242,183	\$1,656,796	\$1,173,919
Non-recurring	\$	\$	\$	\$		\$
Total	\$9,483,527	\$7,131,570	\$10,219,999	\$6,440,654	\$10,199,974	\$5,743,061

Other Expenditures

Sources of Funds	02-03 Actual Expenditures	03-04 Actual Expenditures
Supplemental Bills	\$	\$
Capital Reserve Funds	\$	\$
Bonds	\$	\$

Interim Budget Reductions

Total 02-03 Interim Budget Reduction	Total 03-04 Interim Budget Reduction
\$666,757	\$65,0871

4. Major Program Areas

Major Program Areas

Program Number and Title	Major Program Area Purpose (Brief)	FY 02-03 Budget Expenditures	FY 03-04 Budget Expenditures	Key Cross References for Financial Results*
I. State Litigation	The Attorney General is the State's Chief Prosecutor. The office directs supervises and prosecutes criminal cases on behalf of the State and conducts all direct and post conviction appeals on behalf of the State.	State: 3,686,066.59 Federal: 1,008,753.03 Other: 520,467.08 Total: 5,215,286.70 % of Total Budget: 55%	State: 3,330,174.91 Federal: 1,091,474.91 Other: 1,347,339.11 Total: 5,768,988.93 % of Total Budget: 56%	
I. State Litigation	The Civil Division of the Attorney General's Office is divided into the following sections: The Government Litigation Section, the Grievance Section, and the Sexually Violent Predator Section. The Civil Division seeks to provide accurate and timely legal advice which serves public policy through consultation and representation.	State: 1,220,558.57 Federal: 0.00 Other: 160,249.41 Total: 1,380,807.98 % of Total Budget: 15%	State: 1,102,712.99 Federal: 0.00 Other: 414,839.50 Total: 1,517,552.49 % of Total Budget: 15%	
I. State Litigation	The Securities Division oversees the registration of all persons engaged in the sale of securities, investigates allegations of fraud or other violations of securities laws and takes appropriate enforcement action.	State: 0.00 Federal: 0.00 Other: 564,854.14 Total: 564,854.14 % of Total Budget: 6%	State: 0.00 Federal: 0.00 Other: 672,951.78 Total: 672,951.78 % of Total Budget: 7%	
I. State Litigation	The Administrative Division provides support and planning services. The Division is divided into 6 Sections -- Executive Office, Human Resources, Support Services, Finance, and Information Technology, and Constituent Services.	State: 1,838,046.96 Federal: 0.00 Other: 80,743.84 Total: 1,918,790.80 % of Total Budget: 20%	State: 1,660,582.55 Federal: 0.00 Other: 209,022.51 Total: 1,869,605.07 % of Total Budget: 18%	
I. State Litigation	The Opinions Section provides statutorily required formal legal advice to the Governor, General Assembly, and State Officers. As a policy, local government officers are also provided advice on issues of statewide applicability.	State: 366,898.83 Federal: 0.00 Other: 16,888.17 Total: 403,787.00 % of Total Budget: 4%	State: 349,543.54 Federal: 0.00 Other: 43,718.60 Total: 393,262.14 % of Total Budget: 4%	

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Remainder of Expenditures:	State: Federal: Other: Total: % of Total Budget:	State: Federal: Other: Total: % of Total Budget:
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* Key Cross-References are a link to the Category 7 - Business Results. These References provide a Chart number that is included in the 7th section of this document.

5. *Key Customers and Products*

The primary customers of the Office are: the citizens of South Carolina; agencies of the State government; members of the S.C. General Assembly, local and county officials; law enforcement and judiciary officers; and the local, state, and national press.

The Attorney General serves these customers in many ways, including the following: (1) he represents them in civil actions, suing on behalf of the State as well as representing the State when it becomes the defendant in a lawsuit; (2) he is the State's chief prosecutor and prosecutes accused offenders in criminal cases where the State has jurisdiction; (3) when requested to do so by state and local officials, he writes and issues opinions on legal and constitutional questions; (4) he drafts legislation designed to strengthen the criminal justice system and enhance the safety of South Carolina's citizens; and (5) he serves as South Carolina's Securities Commissioner and is responsible for the protection of the state's investors against securities fraud and unfair trade practices in the stock and bond markets.

6. *Key Stakeholders*

The key stakeholders - if this category applies -- are the people of South Carolina, the General Assembly, and the state and federal court systems.

7. *Key Suppliers*

The five key suppliers of the Office are:

- **Divisions of the South Carolina Budget and Control Board**, from which the Office obtains a wide variety of items, including paper products and other office supplies. In addition, the Budget and Control Board supplies motor vehicles and vehicle maintenance.
- **West Group**, from which the Office obtains law books and a subscription to WestLaw, an online legal database.
- **Xerox**, from which the Office obtains its copiers through a state contract.
- **Randstad**, from which the Office obtains its temporary employees.
- **U.S. Postal Service**, which handles the Office' s huge volume of mail

8. Organizational Structure

The following is a list and description of our key products/services:

THE SECURITIES DIVISION

The Securities Division assists the Attorney General in carrying out his duties as South Carolina's Securities Commissioner. A primary goal of the Division is maintaining the efficiency and integrity of the South Carolina securities markets. Several responsibilities are encompassed within this one overall goal. These include:

1. registration of approximately 1,600 broker-dealers, 87,000 broker-dealer agents, 290 investment advisers, and 2,600 investment-adviser representatives prior to their transacting business in this state;
2. performing audits on broker-dealers and investment advisers;
3. registration of approximately 110 securities offerings each year;
4. receipt of disclosure materials from approximately 1,200 issuers each year;
5. formal confirmation of exemptions for approximately 90 issuers each year;
6. receipt of appropriate materials and notice filings of approximately 7,600 mutual funds and unit investment trusts;
7. investor-education outreaches to the community and to targeted groups; and
8. support of an equitable, competitive, and efficient securities industry that contributes to the economic health of the state and its citizens.

THE CIVIL DIVISION

As the law firm for the State of South Carolina, the Attorney General's Office has important responsibilities in the area of civil law as well as in the area of criminal law. When the State is a party to a law suit, either as plaintiff or defendant, attorneys in this division may represent and advise the State, its agencies, and its officials in civil lawsuits.

The Civil Division represents the State in such areas as constitutional law, extradition, charitable trusts, election law, reapportionment, annexation and incorporation, contracts, unfair trade practices, anti-trust suits, and bankruptcies and foreclosures where the State has an interest.

Government Litigation Section

The Government Litigation Section represents the State in such areas as constitutional law, extradition, charitable trusts, election law, reapportionment, annexation and incorporation, contracts, and bankruptcies and foreclosures where the State has an interest.

Consumer Protection and Antitrust Section

The Consumer Protection and Antitrust Section represents the state in such areas as anti-trust suits and unfair trade practices.

The Grievances Section

The Grievances Section investigates and prosecutes ethical misconduct complaints against lawyers and judges when authorized by the Commission on Lawyer Conduct and Commission on Judicial Conduct.

Sexually Violent Predator Section

In 1998, the Governor signed into law legislation enabling the State of South Carolina to commit sexually violent predators "who require involuntary civil commitment in a secure facility for long-term control, care, and treatment." The Sexually Violent Predator Section of the Attorney General's Office represents the State in these civil trials and presents the case for commitment. The Section also handles all annual review proceedings for individuals committed under the statute.

THE CRIMINAL DIVISION

In South Carolina, solicitors prosecute most crimes. However, the Criminal Division of the Attorney General's Office is charged with representing the interests of the State in some specific areas of criminal litigation. The Division is divided into seven sections: the Capital and Collateral Litigation Section, the Medicaid Fraud Control Section, the Criminal Appeals Section, the Post-Conviction Relief Section, the Internet Crimes Against Children Section, the Prosecution/Insurance Fraud Section, and the State Grand Jury.

The Capital and Collateral Litigation Section

This Section assumes the burden of representing the state in murder cases, habeas corpus actions, and in some Post-Conviction Relief cases.

The Section handles all appeals of death penalty cases in state and federal courts, and federal habeas corpus cases. The Section is responsible for representing the State in all murder conviction appeals in the South Carolina Court of Appeals and the South Carolina Supreme Court. The Section also handles federal habeas actions proceeding from any South Carolina conviction in the Federal District Court, the United States Court of Appeals and the United States Supreme Court. The unit also handles all death-penalty litigation in state and federal court.

The Medicaid Fraud Control Section

Operating in part on funds from a federal grant, the Medicaid Fraud Section investigates and prosecutes cases of

Medicaid fraud in South Carolina. The Medicaid Fraud Section also investigates and prosecutes cases involving patient abuse or misuse or theft of patients' funds.

The Internet Crimes Against Children Section

The Internet Crimes Against Children Unit operates primarily through funds provided by a federal grant from the Office of Juvenile Justice and Delinquency Prevention, a part of the U.S. Justice Department. The ICAC Unit has the ability to prosecute crimes against children where the Internet is involved. By statute, the focus of these offenses is in the area of obscenity and child pornography.

The ICAC Unit also serves as a source in South Carolina to promote public awareness of the potential dangers the Internet poses, especially to children. Working with law enforcement, schools, parents, and children, the ICAC Unit sponsors free legal education seminars for prosecutors and law enforcement officials. Seminar speakers range from local law enforcement officers and federal agents to nationally known forensic and behavioral scientists. Those in attendance receive the training and resource materials to take back to their local offices and help make their investigations and prosecutions more effective. Since the creation of the ICAC Unit, well over 1000 law officers and prosecutors have received some form of training from the Unit.

In an effort to reach the parents and children of South Carolina, the ICAC Unit provides "awareness materials" such as mouse pads, coffee mugs, pencils, pens, and rulers which are not only useful, but also convey safety tips and contact information. These items are distributed through schools, minor league sports team promotions, museums, and local law enforcement. Since 1998, the ICAC Unit has distributed more than 10,000 items across the state.

Currently, the ICAC Unit maintains a website -- www.sckidsonline.com -- that serves as a resource for law enforcement, parents, and children. The site contains information about Internet safety and the dangers that exist, how to report suspicious activity or web content, whom to contact in other states (including state and federal agencies), and links and registration information for upcoming events.

The Criminal Appeals Section

The Criminal Appeals Section handles all appeals brought by defendants convicted in General Sessions Courts of crimes other than murder. Attorneys in this Section represent the State in South Carolina Court of Appeals, the South Carolina Supreme Court, and the United States Supreme Court. They also represent the State when it appeals an adverse ruling or sentence.

The Post-Conviction Relief Section

The PCR Section represents the State in trial and appellate courts in all post-conviction relief actions filed by persons convicted of a crime or sentenced for a crime and who assert that the conviction or sentence violated the United States

Constitution or the South Carolina Constitution. Such appeals may also assert that the court was without jurisdiction to impose sentence; that the sentence exceeded the maximum punishment prescribed by law; that the sentence, probation, parole or conditional relief had expired; or that newly discovered evidence had emerged. In addition, the appeal may be based on some other collateral attack.

Typically, hearings are held before a circuit court judge. Appeals from there are heard by the South Carolina Supreme Court and are occasionally followed by review in the United States Supreme Court.

The Prosecution/Insurance Fraud Section

The Prosecution/Insurance Fraud Section prosecutes defendants accused of crimes that fall under the jurisdiction of the Attorney General's Office, as well as accepts cases in General Sessions Court from solicitors where there is a conflict of interest at the local level.

The Section also prosecutes cases involving attempts -- both successful and unsuccessful -- to defraud insurance companies. The Section maintains a hotline (1-888-95-FRAUD) that takes calls from citizens who wish to report an instance of insurance fraud.

The Prosecution/Insurance Fraud Section also contains three sub-sections created to fulfill very specific functions: the Violence Against Women Unit, the Youth Mentor Program, and the Office of Victim Services,

Violence Against Women Sub-Section

Under the Violence Against Women Act (VAWA), the Attorney General's Office received a grant from the U.S. Department of Justice to develop strategies and procedures for the prevention and prosecution of domestic violence. Using funds from this grant, the Attorney General maintains a staff exclusively devoted to combating violence against women. Among their activities are the following: (1) the prosecution of those charged with domestic violence, (2) the presentation of educational seminars on domestic violence, and (3) the annual sponsorship of a memorial ceremony for the female victims of domestic violence during the year.

Office of Victim Services

The Office of Victim Services routinely informs crime victims of their rights under the Victims Bill of Rights and also of the services available to them. In some cases, victims are entitled to restitution and compensation, as well as to services provided by other State agencies. Counselors also help victims follow the course of the trial, including any appeals the court may schedule.

The Pro Bono Criminal Domestic Violence Sub-Section

This program, established in 2003, recruits, trains, certifies, and supervises attorneys from the private sector to

engage in the pro bono prosecution of defendants accused of criminal domestic violence. Office staff members have developed and continue to maintain a case management system to collect data on the program, including identification of the participating attorneys, and the number, status, nature and resolution of cases.

According to the Violence Policy Center in Washington, D.C., South Carolina ranks first nationally in fatal incidents of criminal domestic violence.

Youth Mentor Program

The Youth Mentor Program offers troubled young people who have not yet committed a violent crime an alternative to the juvenile justice system. They are put in contact with mentors -- in most cases members of churches and other religious groups -- who offer friendship, advice, and guidance on an ongoing basis.

The State Grand Jury

The State Grand Jury (SGJ) is an independent body empowered to hear evidence and hand down indictments in six special areas: (1) cases involving multi-jurisdictional drug trafficking, (2) obscenity and pornography, (3) the corruption of public officials, (4) the violation of election laws, (5) acts of terrorism, and (6) computer crimes. As the result of recent legislation, the State Grand Jury now investigates suspected violations of the Uniform Securities Act and prosecutes indicted persons.

The SGJ functions like a federal grand jury: It meets on a regular basis, hears evidence, and either issues a "true bill" (an indictment) or a "no bill," depending on whether or not jury members believe the evidence is sufficient to justify a trial.

An attorney from the Attorney General's Office prosecutes defendants indicted by the SGJ.

THE ADMINISTRATIVE DIVISION

The Administrative Division provides support and planning services critical to the efficient operation of the Office. These services include: space planning and construction, resource allocation, drug testing, law library, records, coordination of security, visitor and telephone reception, and building services. The Division is divided into four Sections -- Human Resources, Library, Support Services, and Records.

Human Resources Section

This Section prepares advertising for the recruitment of new employees, manages the drug-testing program, processes job applications, provides orientation for all new employees, maintains payroll and leave records, monitors and implements salary changes, administers benefits, receives and processes mail, coordinates employee relations, and performs other human resources duties in support of the Attorney General's staff.

The Library

The Daniel R. McLeod Law Library -- named after a former Attorney General -- was officially established in 1974 to organize the research materials available in the Attorney General's Office. The library maintains a basic collection that includes key books and journals, legislative materials, and the opinions of the S.C. Attorney General dating back to 1870. In addition, extensive online research is available to all Office attorneys at their desks and has replaced subscriptions for most materials.

Support Services Section

The Support Services Section provides the Office with other essential services. These include printing, copying, purchasing, office supplies, errands, maintenance and repair of equipment, and mail services.

Records Section

The Records Section maintains records of all cases handled by the Attorney General's staff, opens new files and closes files. Records retention of more than 3,000 cartons of records is coordinated with the State Records Center. The Section received the 1997 award by the State Archives for an outstanding agency records program.

THE FINANCE DIVISION

The Finance Division prepares the budget, receives and disburses funds, manages the cash flow of the Office, and prepares applications for grants.

The staff of the Finance Division solicits grants to support programs administered by the Attorney General's Office. Such grants help defray the cost of key services that benefit the people of South Carolina.

The State Grand Jury Clerk's Office

This office serves the State Grand Jury as a clerk of court's office serves a general sessions court, maintaining all records relevant to the conduct of trials and legal matters relevant to the State Grand Jury.

Information Technology Division

The Information Technology Division serves a number of constituencies, including the people of South Carolina, law enforcement agencies, public officials, and the staff of the Attorney General's Office. The Division's services include the following:

The development and maintenance of the Attorney General's website, www.scattorneygeneral.com. This website, designed to serve the general public, was established in 1999. Its content

is routinely modified to provide timely information to the citizens of South Carolina. The site contains information on a variety of subjects, including:

- general information about the Attorney General's Office;
- information for citizens on the detection and reporting of Medicaid fraud;
- information about legal settlements and agreements benefiting consumers, as well as links to sites that offer citizens additional information on how they may participate in ongoing class-action settlements;
- a link to the Sex Offender Registry, which enables South Carolina parents to determine if a convicted sex offender is living in their neighborhood;
- information on insurance fraud and how to report it;
- a link to the Internet Crimes Against Children website, which is provided by the Attorney General's Office to teach Internet safety and help protect our children online;
- a link to the list of Deadbeat Parents, men and women who are being sought by the State because they owe back child support;
- the South Carolina Registry of Missing Children, a list of photographs and other information pertaining to missing children, as well as a link to the National Center for Missing and Exploited Children;
- the list of "Stop Violence Against Women" services;
- information about the Attorney General's Youth Mentor program;
- and information on the purchase of securities, including tips to avoid exploitation by unscrupulous and unauthorized agents and brokers.

The Information Technology Division manages the agency's Intranet site, OAGNET. This electronic forum is used to provide online versions of frequently used manuals, forms, and lists. Employee handbooks, organizational charts, telephone listings, and multiple administrative forms are maintained electronically, thereby saving the agency substantial costs by eliminating the need to mass-produce and distribute frequently changing information.

One of the Information Technology Division's primary goals is to provide a secure network to all staff. To facilitate their work, each employee is provided with a PC, equipped with the following applications:

- an office productivity suite, including a word processor, spread sheet, and presentation application;
- Internet access;
- online legal research tools,
- and a customized case management application for tracking all case-related information.

Depending on the division to which an employee is assigned, additional software may be required. (For example, the Office uses a number of small database applications for inventory, mail

logs, opinions' files , etc.) And all staff members are provided with a variety of training opportunities to learn about the standard core of applications supported.

The Division is also responsible for maintaining all Office hardware, including:

- office computers, printers, scanners, fax machines, and other in-house technology;
- the office telephone system;
- technology assigned to individual staff members for mobile use, such as laptops, cellular phones, and pagers.

PUBLIC RELATIONS OFFICE

The Public Relations Office acts as a liaison between the Attorney General's Office and its various constituencies, which include the citizens of South Carolina, members of the General Assembly and other elected officials, representatives of the media, state agencies, and officials from other states and the federal government.

Office staff members answer inquiries from the general public and provide assistance. They also schedule press conferences, draft and send out press releases, and otherwise provide the media with information about the activities of the Attorney General and members of his staff.

THE OPINIONS DIVISION

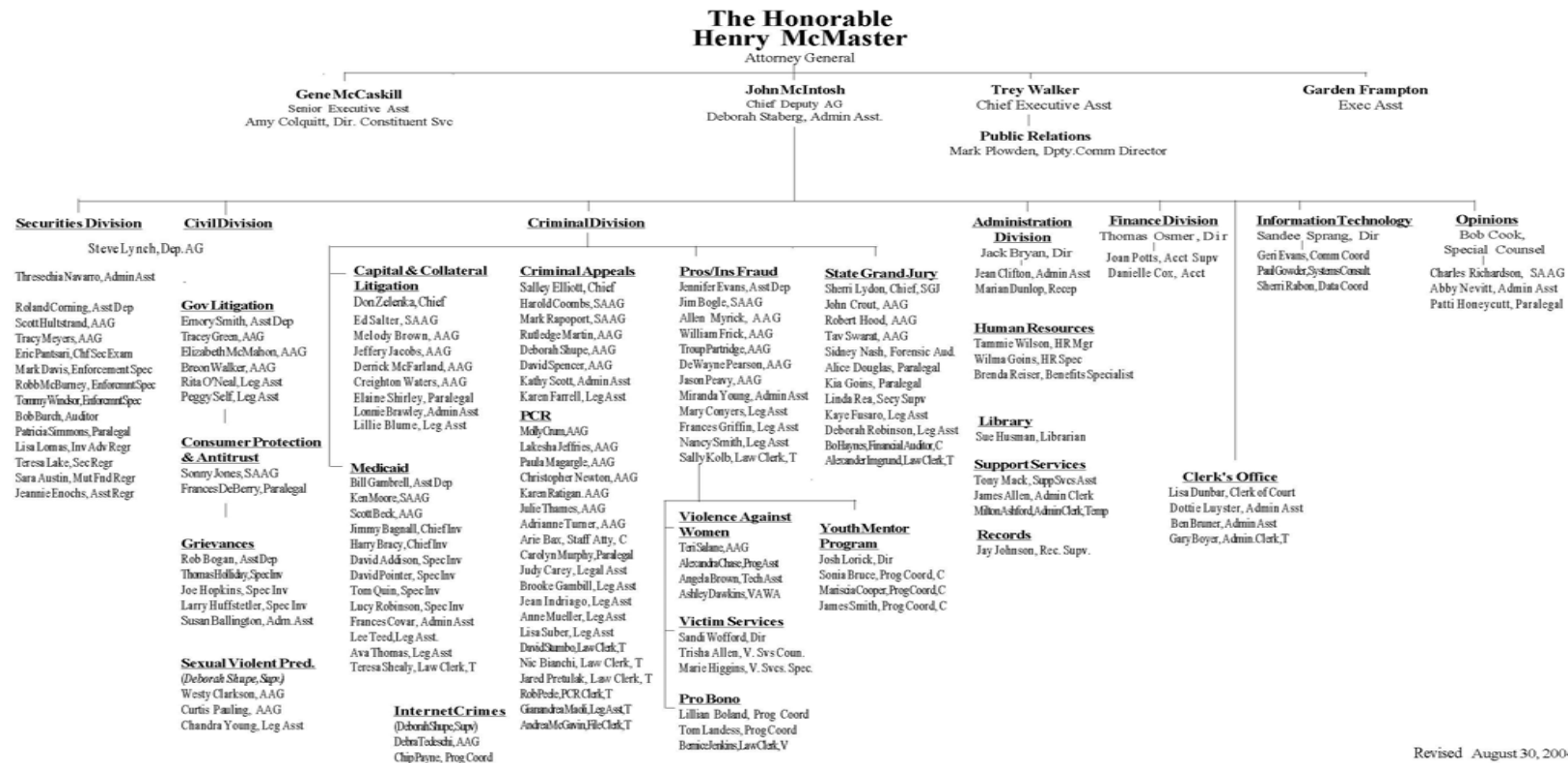
One of the more important functions of the Attorney General's Office is providing legal advice to the Governor, members of the General Assembly and other public officials. Often this advice is given in the form of a written opinion. Opinions dealing with matters of significance to South Carolinians statewide are reviewed and signed by the Attorney General. Other opinions are signed by staff members of the Opinions Division and are concerned with matters of local significance.

Organizational Structure

The Office has developed a hybrid organizational structure. Its divisions and subdivisions are based on actual operations rather than on an abstract model. Thus, while a system of formal reporting is in place, interaction is often informal -- based on the strong personal relationships that exist between staff members, their supervisors, the Chief Deputy Attorney General, and the Attorney General.

Chart II

Organizational Chart



Revised August 30, 2004

SECTION III

1. Leadership

1. How do senior leaders set, deploy, and ensure two-way communication?

(a) Short and long term direction?

The Attorney General meets periodically with his Chief of Staff and Division Directors to inform them of both his short and long-term goals and to seek their advice on strategies to achieve these goals. These meetings are frank and informal -- and generally end with everyone present charged with a specific task.

The relevant Division Directors then hold meetings with their staff members, explaining the Attorney General's goals and handing out specific assignments.

Because the Office of the Attorney General is a multi-mission agency, it is difficult to formulate long-term direction for the entire Office.

(b) Performance expectations?

Performance expectations are specifically covered in the Office Manual and in the regular meetings held by the Attorney General, the Chief of Staff, and Division Directors and the heads of Sections and Units. Senior leaders use the State Employment Performance Measurement System (EPMS) to evaluate employees on an annual basis. Performance goals are set, and supervisors grade their subordinates on the basis of these goals. The supervisor and subordinate then discuss the basis for the grade assigned.

(c) Organizational values?

Senior leaders transmit organizational values through staff meetings, through e-mail messages, the intranet, and informal conversations. Division Directors maintain an open-door policy and hold frequent one-on-one conversations with subordinates about such matters.

More than anything, the values of the Office are transmitted by example. Current senior leaders -- all of whom are hard-working, honest and responsible -- exemplify the values of the community at large and the legal profession in particular (see discussion above), and staff members are therefore inclined to behave in a like manner.

(d) Empowerment and Innovation

These concepts are set, deployed and communicated through the same channels discussed above. In addition, senior leaders often delegate authority to subordinates in order to attain Office objectives.

Also, in order to encourage innovation and individual initiative, the Attorney General's Office offers the Attorney General's Award of Excellence. Each year this award recognizes the outstanding and innovative services of an individual staff member.

(e) Organizational and Employee Learning

A new staff member receives an orientation on the first day of employment. Then, under the direction of the Division Director, the staff member receives on-the-job-training as well as exposure to the culture and values of the Office. For attorneys and law clerks, this includes training in WestLaw and LawBase.

Subsequently, all staff members are encouraged to participate in state-offered training as well as in-house seminars and workshops on such matters as computer software.

(f) Ethical Behavior?

In addition to the channels already defined above, the Office has presented seminars and workshops on a variety of subjects that sometimes included a discussion of ethical questions. Junior staff members are encouraged to attend these offerings, usually taught by senior leaders. In addition, all attorneys must undergo two hours of ethics training annually.

2. How do senior leaders establish and promote a focus on customers and other stakeholders?

The Office of the Attorney General serves several constituencies -- the people of the state, who expect to be protected by fair administration of the law; victims, who demand justice for the crimes committed against them; the solicitors, whose hard-won victories are appealed by convicted offenders; and the law enforcement officers who bring offenders to the bar of justice. All of these customers need not be solicited. They come to the Attorney General's Office because it exists to serve them.

The role of senior leaders in focusing on customers is to instill in staff members a sense of dedicated service. This is done through daily communication, formal and informal. They also use Constituent Services as a means of gauging the success or failure to render service diligently and effectively.

3. How do senior leaders maintain fiscal, legal, and regulatory accountability?

The Attorney General holds a quarterly meeting with all managers, including the Director of the Finance Division and the Chief of Staff. At these meetings he reviews the current

financial status of the Office and all other matters relevant to its well-being.

Between these formal meetings, the Attorney General is in daily contact with the Chief of Staff, Senior Executive Assistant, and Chief Executive Assistant, all three of whom are constantly monitoring the operation of the Office.

4. What key performance measures are regularly reviewed by your senior leaders?

Using LawBase, senior leaders monitor all cases undertaken by their Division -- paying particular attention to the ratio of cases-opened to cases-closed, amount of time between opening and closing, generation of reports, comparative analysis, feedback from the general public, and the outcomes of cases. In some instances, senior leaders measure the performance of their Division or Section or Unit against the performance of offices in other states.

5. How do senior leaders use organizational performance review findings and employee feedback to improve their own leadership effectiveness and the effectiveness of management throughout the organization?

Senior leaders, in reviewing the effectiveness of their employees through organizational review and employee feedback, are also evaluating their own effectiveness. In devising strategies to improve the performance of their Division, Section, or Unit, they inevitably test their own leadership skills. The most effective senior leaders are likely to be self-critical, self-analyzing, and self-improving -- and their success or failure is measured by the degree to which they accept responsibility for shortcomings of their unit and spend greater time motivating subordinates, correcting weaknesses in operational procedures, and devising innovative solutions to existing problems. It is difficult to measure the impact of such subjective self-criticism on the behavior of the senior leadership.

6. How does the organization address the current and potential impact on the public of its products, programs, services, facilities, and operations, including associated risks?

The most obvious tool for addressing the impact of the Office on the public is the Constituent Services Office, which processes all calls, correspondence, and e-mail referred to it by the Administrative Division.

In addition, the Public Information Office sends out frequent press releases to newspapers, TV stations, and radio stations statewide. In turn, Office staff members receive feedback from the media, who are constantly contacting the Office and raising questions on behalf of the public.

Finally, the Office maintains its own homepage, which contains a wealth of information for the public.

It is important to note here that, in a very real sense, the public and the customer are one and the same constituency. So

the Office is interested in public awareness and makes a special effort to keep the public informed concerning its activities.

7. How does senior leadership set and communicate key organizational priorities for improvement?

Such communication takes place daily in the frequent interaction between senior leaders and individual staff members, in regular staff meetings, and in the occasional informal get-togethers called by the Attorney General to which the entire staff is invited.

In addition, the intranet serves as a daily, hourly means of communicating priorities; and staff members are likely to check their e-mail many times during the day to receive these kinds of communications.

8. How does senior leadership actively support and strengthen the community? Include how you identify and determine areas of emphasis.

Because the Attorney General's Office is an agency of state government, by definition its activities serve and strengthen the community. In addition to fulfilling its core duties, however, the Office sponsors special projects designed to serve community interests. Here are several examples:

The Office offers seminars on ethics, domestic violence, securities fraud, insurance fraud, and other areas.

The mentor program the Office sponsors addresses the problem of single-family parents and lend a helping hand to troubled youth.

Staff members are urged to support the United Way, and every year the Office has exceeded it's quota.

The Office has developed a number of public information brochures that are routinely sent to those who request them.

Much of the information on the Attorney General's website is designed to strengthen as well as inform the community.

Senior leaders identify areas of emphasis. For example, the Attorney General himself established the pro bono program to prosecute defendants accused of Criminal Domestic Violence. Division Directors and Section heads have also initiated seminars and supervised the preparation of brochures. In order to promote these initiatives, leaders consult with Public Information, Constituent Services, and Information Technology.

2. Strategic Planning

1. What is your Strategic Planning process, including KEY participants, and how does it account for:

(a) Customer needs and expectations?

The Office addresses not only those customer needs that are ongoing and constant, but also those that the customer may encounter in the future and hence come to expect at some later date. The former are addressed in the manner already outlined -- through a quarterly meeting of managers, personal relationships, informal staff meetings, the intranet, and other avenues of communication. The latter are often addressed in a more elaborate and comprehensive way.

(b) Financial, regulatory, societal and other potential risks?

Since the Attorney General's Office is not a private for-profit corporation, its financial risks are not precisely analogous to those incurred in the business world. However, at the end of FY 2003-2004, the Office was confronted with a mandate to reduce the budget yet one more time. Such cuts constitute the nearest thing in government to financial risk.

When the Office received this mandate, it initiated a series of meetings between and among managers at every level. During these meetings, managers identified areas for potential reductions, including the elimination of some staff positions. The managers -- the Chief of Staff, the Chief Financial Officer, Division Directors, Sections and Unit heads -- then took these tentative cuts to the relevant staff and asked for input.

After cuts were approved and implemented, the Finance Section and all managers continued their projecting, monitoring, and comparing (with previous years) to ensure that the Office remained within the budget. As a consequence of this process, mid-course corrections were made.

(c) Human resource capabilities and needs?

Division Directors and Section heads, in conjunction with the Chief of Staff and the Finance Director, who serves as the chief financial officer, determine personnel needs after defining their goals for the future. While at present some of those goals have been placed on hold as the result of budget constraints, Division and Section managers have already projected future needs, based on their vision of the future.

For example, the Criminal Division envisions adding environmental crimes to the list of offenses under the jurisdiction of the Grand Jury and expanding its staff to reduce the caseload of all attorneys, thereby enabling the Division to dispose of cases in a more timely fashion. The fulfillment of these goals would require the addition of 3-5 new attorneys to the staff.

So the need for additional human resources is one factor in developing a strategic plan to reach the long-term goals proposed by the leadership.

(d) Operational capabilities and needs?

This area is the special responsibility of the Divisions of Finance and Administration. However, such capabilities and needs can only be addressed once the strategic plan for the entire Office is at least on the drawing board. Thus, when identifying future personnel needs, the Directors of Finance and Administration take their lead from the Attorney General, the Chief of Staff, and the other Division Directors. However, in the final analysis, they must determine if the human resources can be made available to realize the goals proposed by the rest of the Office.

(e) Supplies/contract/partner capabilities and needs?

The Directors and staff of the Administration and Finance Divisions, in consultation with other segments of the organization, determine these jointly.

2. What are your key strategic objectives?

Strategic Planning

Program Number and Title	Supported Agency Strategic Planning Goal/Objective	Related FY 03-04 Key Agency Action Plan/Initiative(s)	Key Cross References for Performance Measures*
I. State Litigation	Statewide Pro Bono Domestic Violence Prosecutor Initiative	This Program has recruited 26 pro bono attorneys and is now operational in three counties. During FY 03-04, CDV prosecution jumped from 62 to 414.	See p. 6 and chart on page 42
I. State Litigation	Comprehensive Securities Reform	The General Assembly approved State Grand Jury jurisdiction for securities fraud. Prosecutions were up substantially, and one of the largest securities fraud cases in the State's history resulted in convictions on 22 counts.	See p. 6 and chart on p. 41
I. State Litigation	Child Predator Task Force	The Task Force was organized in conformity with legislation passed on April 26, 2004. (p. 5) Its full impact is yet to be felt. During FY 03-04, prosecutions for child pornography doubled, though the increase is statistically insignificant.	See chart on p. 41.
I. State Litigation	State Grand Jury Authority for Enviromental Crimes	The General Assembly failed to pass the needed legislation.	
I. State Litigation	Elder Abuse	As the result of increased jurisdiction, the Medicaid Fraud Control Section handled 875 cases in FY 03-04, as opposed to 745 cases in FY 03-04. Substantial portion of these cases involved elder abuse.	See chart on p. 41.

* Key Cross-References are a link to the Category 7 - Business Results. These References provide a Chart number that is included in the 7th section of this document.

3. How do you develop and track action plans that address your key strategic objectives?

As already noted, action plans are developed and monitored through the informal exchange of ideas between and among staff members and through the various meetings that are constantly in progress.

Since the major mission of the Attorney General's Office is litigation, the best tracking device is LawBase software, which monitors work case-by-case, allowing Division and Section managers to determine the status of every legal action under their jurisdiction at any given moment during the day.

The Records Section staff, using their own software, can likewise track the progress for all litigation, albeit by a slower process. Currently, both systems are in use, though, as attorneys and Division Directors become more familiar with LawBase, they are less likely to seek information from the Records Section. The Pro Bono program also tracks the assignment and outcomes of CDV cases prosecuted by private-sector volunteers.

Action plans unrelated to litigation are monitored through meetings, the intranet, and through one-on-one encounters.

Resources are allocated on a priority basis. If resources are not available, then services are terminated.

4. What are your key action plans/initiatives?

The following are our key initiatives and action plans

1. Child Exploitation Prosecution

The swift prosecution of predators who would sexually exploit, abduct or assault children has become a top priority for the Attorney General's Office. The Attorney General is working toward hiring additional prosecutors to work with the office's sole prosecutor funded through a federal grant.

The Internet Crimes Against Children grant is a nationwide program created to help develop state and local law enforcement cyber units to investigate and prosecute child sexual exploitation cases.

Currently, the office's sole prosecutor works closely with state and federal authorities at the South Carolina Computer Crimes Center, to prosecute child sexual exploitation, pornography, and Internet predator-enticement cases. Known as child predators, these criminals commonly prey on unsuspecting children through routine daily interaction, by gaining their confidence in familiar settings or via the Internet.

Through strong and swift prosecution of these criminals the Attorney General wants to target child predators before they can target innocent children. Additional prosecutors are required to accomplish the goal.

2. Environmental Crimes Prosecution

Under current state law, the state of South Carolina does not have the necessary tools to investigate and prosecute environmental crimes, a type of "white collar crime." These crimes are typically prosecuted in the federal system because of the ability to utilize the federal grand jury to compel testimony and subpoena documents, a necessary element for prosecution. The Attorney General's goal is to work for passage of this legislation through the General Assembly so that the State Grand Jury may be utilized to prosecute criminal environmental crimes.

3. Drug Trafficking - Methamphetamine Prosecution

The Attorney General has launched an initiative to combat the explosive methamphetamine epidemic that has swept through our state. Meth's rise can be attributed to the ease in which its ingredients may be purchased at local drug and hardware stores. It is commonly manufactured in household kitchens and its high volatility and chemical fumes threaten children's safety. The Attorney General's goal is to develop a cooperative effort with SLED, the solicitors, DHEC, and federal authorities to increase prosecution and public awareness efforts.

4. Prosecution of Criminal Domestic Violence

The Attorney General has launched an initiative to place pro bono prosecutors in magistrate and municipal courts around the state in an effort to increase first and second offense convictions for criminal domestic violence. The Attorney General's office trains, certifies, assigns, and supervises pro bono attorneys to serve as prosecutors. It also maintains a case management system to collect data on the initiative, including identification of the participating attorneys, the number, status, nature, and resolution of cases. South Carolina ranks first nationally in fatal incidents of criminal domestic violence according to the Violence Policy Center. In 2000, SLED documented almost 35,000 domestic violence assaults.

5. Securities Enforcement and Fraud Prosecution

In the wake of the Carolina Investors-Homegold financial collapse, the Attorney General worked closely with members of the

General Assembly to successfully pass new legislation granting the State Grand Jury authority to investigate and prosecute criminal securities fraud. The Governor signed this legislation into law on June 5, 2003. The Attorney General used this authority to commence a State Grand Jury criminal investigation and prosecution into this matter. Federal authorities are cooperating in this effort.

The goal is, upon completion, to utilize information from this investigation along with input from industry representatives, legal authorities, elected representatives, and law enforcement to propose and pass a comprehensive securities reform and enforcement package to prevent such future financial calamities.

6. Dog Fighting Prosecution

The Attorney General, the State Law Enforcement Division Chief Robert Stewart and animal humanitarian groups are participating in a new statewide initiative aimed at combating illegal dog fighting and drug trafficking in South Carolina. Dog fighting is a felony offense, § 16-27-30, punishable by a mandatory five years imprisonment or a mandatory fine of \$5,000 or both.

Because of state budget cuts and limited resources, humanitarian groups in the state have stepped forward and volunteered to fund a SLED agent and an assistant attorney general dedicated to investigating and prosecuting dog and animal fighting and dog fighting related drug cases. SLED has assigned an agent dedicated to the initiative using the funds raised so far, and the AG has a prosecutor working the cases part time until a dedicated prosecutor can be funded by the campaign.

5. How do you communicate and deploy your strategic objectives, action plans, and performance measures?

The Office communicates and deploys its strategic objectives, action plans, and performance measures through all avenues of communication defined above: one-on-one discussions, meetings, special task forces, the intranet, the daily news summaries, and the Attorney General's website.

3.Customer Focus

1. How do you determine who your customers are and what their key requirements are?

As already noted, the Attorney General's Office -- an ongoing agency of the State of South Carolina -- acquires most of its customers as a direct consequence of its role as defined by the South Carolina Constitution, the courts, and the General Assembly. Its primary function, that of litigation, is predetermined by the very existence of the judicial system -- and so are its customers.

However, the Attorney General has, on occasion, reached out to new customers in his desire to extend the benefits of the Office. Thus, he has entered into civil litigation with a number of corporations who have exploited citizens through the restriction of free trade and fraudulent business practices. In such suits, a specific constituency within the state becomes a new and temporary customer of the Office -- for example, parents who have had to pay artificially high prices for toys or heart patients who are the victims of price fixing.

2. How do you keep your listening and learning methods current with changing customer/business needs?

Over the past several years, this goal has been accomplished through a highly creative Information Technology Division. Keyed to the latest technology, the Division Head and her staff have promoted innovations that have vastly expanded the capabilities of the Office to reach and service its customers. The introduction of the website, the development and improvement of the intranet, and the installation and implementation of LawBase, a CDV database, and other databases have transformed the mission of the Office. In the past two years, the Dan McLeod Law Library has dropped many periodical subscriptions and is now offering the same publications online.

The Division is currently considering the feasibility of even more creative uses of new technologies. It is in this direction that the Office looks in keeping it's methods for reaching customers current and effective.

3. How do you use information from customers/stakeholders to keep services or programs relevant and provide for continuous improvement?

The Office receives feedback through calls and letters from constituents which are received, analyzed, and answered by e-mail, letters, and telephone calls, then reports important trends to the relevant Division Director, who, in turn, passes this information along to the Chief of Staff, Attorney General, and any Division or Section manager involved. If a problem has been identified, the relevant managers discuss the matter and, if necessary, develop a strategy to find a solution.

4. How do you measure customer/stakeholder satisfaction?

Since the agency is the State's law office, customer/stakeholder satisfaction is measured primarily through the analysis of case loads -- number of cases opened, number of cases litigated, number of cases resolved, number of successful outcomes.

In addition, satisfaction is measured through information collected and analyzed by Constituent Services. Though not statistically significant, the information provided by this Section enables leaders to pinpoint specific problems and strengths.

5. How do you build positive relations with customers and stakeholders? Indicate any key distinctions between different customer groups.

The office builds positive relations with customers through a variety of strategies:

- through press releases that report on the activities of the Office;
- through the Attorney General's website;
- through the preparation and distribution of information brochures;
- through the sponsorship of such programs as the Domestic Violence Awareness Program;
- through speeches and personal appearances by the Attorney General and staff members;
- and through the success of our attorneys in courts of law.

Clearly the victims of crimes constitute a special sub-group of South Carolinians. While the public at large is adversely affected by every crime committed in the state, the pain is remote, almost abstract in nature. Victims experience harsh and immediate pain and must be served in an entirely different way.

The same is true of troubled youngsters and their families - - effectively served by the Office's mentor program. The relationships of these latter groups are highly personal -- requiring tact, compassion, and one-on-one attention.

4. Measurement, Analysis, and Knowledge Management

1. How do you decide which operations, processes, and systems to measure for tracking financial and operational performance?

The main question we ask in determining what and what not to measure is the degree to which deficiencies are unlikely to show up any other way.

For example, the Administration Division deals primarily (though not exclusively) with internal customers. If staff members don't perform their duties in an efficient and timely fashion -- if they don't supply other offices with paper, or oversee the repair of broken machines, or change computer toner - - they hear about it immediately.

On the other hand, without monitoring and measurement, the mishandling of a law case -- among thousands processed during any given year -- might not be evident. So we measure this area of responsibility, which, coincidentally, is our primary service to our customers.

2. What are your key measures?

Our most important measure is LawBase, which contains a detailed record of every case opened by a staff member. It is through LawBase that we can track the achievement of each division, segment, and attorney in the Office. In addition, our CDV database also keeps a comprehensive record of cases and result in the Pro Bono Program to prosecute domestic violence.

3. How do you ensure data integrity, timeliness, accuracy, security, and availability for decision-making?

The LawBase system now in use is designed to monitor progress on cases at every step of the way. The system provides us with data of the highest quality, reliability, completeness, and availability that any technology can currently offer.

4. How do you use data/information analysis to provide effective support for decision-making?

The analysis of data information by managers of Divisions and Sections is brought to strategic planning meetings and considered by the leadership, which makes decisions based on these analyses. The best example of this process is the manner in which the Office confronted the necessity to cut the budget for FY 2003-2004. In this deliberation, data analysis played a key role in determining where to make cuts.

5. How do you select and use comparison data and information?

The first data we often choose for comparison are the past records of the Attorney General's Office. However, only recent years are relevant, since times change, populations increase, and the responsibilities of the Office expand.

But we also compare our performance with that of the offices of other state attorneys general. For example, three years ago, the Insurance Fraud Section of our Office prosecuted 423 cases during FY 2002-2003. Only Florida, with 688 prosecutions, posted a higher number -- and Florida has a population of over 15 million, while South Carolina's population is just over 4 million. In fact, we led the nation in increased prosecution, with 355 percent.

6. How do you manage organizational knowledge to accomplish the collection and transfer and maintenance of accumulated employee knowledge and identification and sharing of best practices?

This is accomplished more informally than formally. For example, the head of the Prosecution Division holds regular discussion sessions in which less experienced staff members can ask questions and discuss current cases in the light of past practices. Also, the heads of all divisions and sections communicate organizational knowledge through one-on-one conferences.

The Office also uses the Intranet to collect and communicate organizational knowledge, both past and present.

5. Human Resources

1. How do you and your managers/supervisors encourage and motivate employees (formally and/or informally) to develop and utilize their full potential?

The Office and senior staff members motivate employees in several ways, both formal and informal:

Formal

- Annually, the Office presents the Attorney General's Award of Excellence to the staff member who has contributed most to the success of the organization.
- The Office also conducts an Employee Recognition Program for the purpose of honoring staff members for lengthy service.
- When authorized, the State's system of merit pay also provides an incentive for staff members to utilize and achieve their full potential.

Informal

- Systems to funnel employee suggestions to management and an open-door policy at every level of the organization give employees the sense that they are an important part of the decision-making process.
- The Office occasionally plans social gatherings.
- The intranet keeps employees informed of important happenings in the lives of their fellow staff members -- weddings, births, deaths, and funerals.

2. How do you identify and address key developmental and training needs, including job skills training, performance excellence training, diversity training, management/leadership development, new employee orientation and safety training?

Training needs for the entire office are generally identified by the Administration Division, which also arranges for a training site, an instructor, and any equipment necessary. For example, when the Office switched from one computer software to another, virtually the entire staff had to be re-trained. The Office arranged for an instructor, scheduled training sessions, and made certain that computers were available. In this instance, the training was mandatory.

While the Office sponsors no formal diversity training, every new employee is briefed on our non-discriminatory policy in matters of race, gender, and disability. This policy is specifically affirmed in the Office Manual and reflected in the organizational structure. For example, currently 13 units are headed by women and 11 by men.

Management/leadership training generally takes place one-on-one. When a staff member takes on new managerial duties or is promoted to head a Division or Section, a senior staff member with administrative experience serves as a mentor, monitoring the new manager and his or her new area of responsibility, making suggestions, and leaving the door open for questions.

Agency attorneys attend professional seminars and workshops, the same as those attended by private attorneys.

Finally, the Administration Division conducts orientation for new staff members. This one-day program includes information on such matters as the Office handbook, benefits, business hours, leave policy, pay policies, and the ethic of the Office.

3. How does your employee performance management system, including feedback to and from employees, support high performance?

First, as noted in Part 1 of Category 5, our management system encourages staff members to regard themselves as part of a friendly team, a community in which they are able to express their own ideas and identity while working for the common goals of the Office and its customers.

Second, the informal but persistent oversight of management and the Office's various monitoring systems allow the employee to feel relatively unconstrained, yet always under the watchful eye of a concerned authority. Staffers don't feel that supervisors are over-managing their activities; neither do staffers believe that what they are doing goes unnoticed or unappreciated.

4. What formal and/or informal assessment methods and measures do you use to determine employee well being, satisfaction, and motivation?

In virtually all cases, the supervisor maintains close contact with staff members and hence can pick up any signs of dissatisfaction, as well as any deficiency of motivation. A more formal objective measure of employee satisfaction is the retention rate -- or, more precisely, the number of staff members who have voluntarily left the Office to find employment elsewhere, as opposed to those who were terminated for one reason or another.

Every employee who leaves the Office fills out an exit questionnaire.

5. How do you maintain a safe, secure, and healthy work environment?

The Administration Division is responsible for the physical environment in which staff members do their job. This Division oversees the work of cleaning crews and constantly inspects the physical plant to see if problems have arisen.

The Division also arranges for employees to get flu shots annually and conducts random drug testing to ensure that the work place is not compromised by the illegal use of controlled substances.

The Office has a security system that includes surveillance cameras and access cards. Periodically, office personnel participate in unscheduled drills to prepare them for evacuation in the event of a disaster.

6. What activities are employees involved in that make a positive contribution to the community?

As noted above, the Office offers public seminars on a variety of legal issues; sponsors a mentor program that cooperates with faith-based organizations in lending a helping hand to troubled youth; supports the United Way and other charitable initiatives; distributes a number of public

information brochures; and provides valuable information on the Attorney General's website.

6. Process Management

1. What are your key processes that produce, create or add value for your customers and your organization and how to they contribute to success?

Discussions above provide some answers to this question. The key processes include: the management of legal cases, the storing of data concerning office activities, the periodic assessment of Office effectiveness, the creation, and dissemination of knowledge to the general public. All of these processes are integral to the success of the Office because they give form and order to the activities of the Office and constitute the best possible means of quality control.

2. How do you incorporate organizational knowledge, new technology, changing customer and mission-related requirements, cost controls, and other efficiency and effectiveness factors into process design and delivery ?

Our key processes are both traditional and innovative. The investigation of legal cases, the preparation of briefs and arguments, courtroom appearances, and the assessment of wins and losses -- in one sense, these are as old and as set as the legal system itself.

On the other hand, the use of LawBase, WestLaw and other general databases -- which can be accessed almost instantly by a desktop computer -- render old-fashioned research and case-management methods obsolete.

Likewise, in communicating with the press and general public -- the responsibility of the Public Information Office, staff members use e-mail and the Internet to disseminate information to over 250 media outlets instantaneously, thereby saving enormous amounts of time.

Our website receives hits daily from customers looking for information that five years ago would have taken weeks to obtain.

These and other technological innovations have been introduced to the Office as the result of a close connection between the key figures in the Office and the Attorney General himself. Staff members routinely inform him of the viability of new technology, and he is constantly thinking of ways to utilize it in the service of the Office's customers. The result has been one of the most innovative attorney general's offices in the nation.

3. How does your day-to-day operation of these processes ensure meeting key performance requirements?

As the State's law firm, the Attorney General's Office tries cases in trial and appellate courts, employing its own unique production/delivery process that combines traditional law practices with state-of-the-art technology and software.

LawBase, WestLaw, and the CDV database in particular ensure the continued effectiveness and improvement of Office efficiency. The oversight system, with its highly personal emphasis and its diligent daily monitoring, seems to offer the best balance between carelessness and excessive rigidity.

4. What are your key support processes, and how do you improve and update these processes to achieve better performance?

Our key support processes are the operation of the Administration Division and the maintenance of an up-and-running computer network. In addition, a staff member has the responsibility to communicate with the S.C. General Assembly, the U.S. Congress, and the White House.

The Information Technology Division is constantly researching reports on technological breakthroughs to find new and useful technologies to enhance the performance of the Office. At the same time, technicians are on-site to repair breakdowns in the computer network, which links all offices together through the intranet, e-mail, and the website.

The website is updated daily, and the Public Information staff sends out frequent releases to update the activities of the Office.

The Administration Division meets weekly to review its own performance and to report any breakdown in the system.

5. How do you manage and support your key supplier/contractor/partner interactions and processes to improve performance?

Our suppliers are all on State contracts so that we reap the advantage of bulk bidding. Over these matters, we have little control.

However, the Manager of Support Services maintains a friendly personal relationship with each supplier so that if there is breakdown in service, he knows a name to call and a face to go with the name.

In general, this friendly relationship ensures efficiency and ever-improving service.

However, when service is poor, he has not hesitated to threaten cancellation. Thus far, one method or the other has worked to keep suppliers on their toes.

7. Results

7.1 What are your performance levels and trends for the key measurements of customer satisfaction?

Our evidence of customer satisfaction is gathered principally from personal encounters with victims, letters of gratitude, phone calls, e-mails, and the report of Constituent Services. The Directors of both the Criminal and the Civil Divisions report no significant negative feedback during the year.

7.2 What are your performance levels and trends for the key measures of mission accomplishment and organizational effectiveness?

The Records Section has kept an accurate record of cases opened, cases closed, and the outcomes, as well as statistics on the number of customers served in such Sections as Victim Services. These records provide an accurate and statistically significant measure of mission accomplishment.

In addition, the LawBase system provides us with detailed and accurate records of all cases handled by the Office. Thus we can give a statistically significant and up-to-date summary of the activities of both the Criminal and the Civil Divisions.

Meanwhile, some Sections have compiled statistics from which the following charts have been devised.

CHART III

**Caseload Statistics for the Attorney General's Office
for the Past Three Fiscal Years**

Note: Some categories appear in only one year or two years and not in all three. These are few in number; and for the most part, comparisons are statistically useful.

	FY '04	FY '03	FY '02
Administrative Procedures			
Act Matters	61	58	60
Agency Instituted Suits	11	17	20
Agency Legal Advice	27	30	31
Amicus Briefs	70	68	69
Antitrust	22	22	20
Attorney Grievance Investigation	1	1	--
Bankruptcy	3	4	2
CA - Anders	471	---	---
CA -- Death Penalty	56	59	55
CA - Pending	257	---	---
CA -- Sexual Predator	4	9	10
Charitable Solicitation	34	35	37
Charitable Trust	175	197	200
Charities Litigation	---	1	1
Child Abuse and Neglect	---	---	2
Child Pornography	2	1	4
Collections	3	3	5
Condemnation	1	1	1
Constitutional Test	17	23	25
Construction Matters	1	1	1
Consumer Fraud Investigation	7	9	9
Consumer Fraud Litigation	9	8	8
Contempt Proceedings	---	2	2
Contract Matter	6	8	8
Criminal Appeals	742	1,397	1,399
Criminal Appeals -- Murder	196	235	234
Criminal Investigations	9	7	9
Criminal Domestic Violence	393	42	52

Criminal Domestic Violence II	2	---	---
Criminal Domestic Violence (HAN)	19	20	---
Criminal Prosecutions	32	40	38
Criminal Sexual Conduct	5	8	11
Damage Suit v. Agency	3	6	3
Declaratory Judgments	34	37	32
Defense of Public Employees (1983 Act)	14	15	9
Dog Fighting	25	---	---
Drug Forfeiture	1	1	1
Elections	7	12	14
Environmental/Health	8	22	23
Environmental Prosecution	3	6	4
Escheatments	---	1	2
Extraditions/Detainer	83	99	114
Family Law	---	---	1
Federal Litigation	3	4	6
Federal Habeas Corpus (FHC)	479	607	---
FHC--Death Penalty	19	21	18
Forfeiture/Foreclosure	255	171	77
Freedom of Information	4	9	8
Gambling	29	24	18
General Prosecution	295	299	315
Global	2	1	---
Harassment	---	---	---
Injunctions	9	14	10
Insurance	13	9	6
Insurance Fraud/Investigation/ Litigation	907	824	839
Kidnapping	---	---	---
Labor (including OSHA)	2	3	3
Medicaid Fraud Investigation/ Litigation	361	261	301
Monitoring of Case	36	46	59
Obscenity	---	---	---
Office Administration	1	2	1
Opinions	112	151	150
Other	19	24	26
Other -- Civil	110	194	201
Other -- Criminal	22	44	70
Other/Death Penalty	11	7	5
Parole	7	8	---
Patient Abuse	875	745	548
Personnel (Grievance/Retirement)	20	21	---
Post Conviction Relief Appeal	1,479	1,548	1,593
PCR Death Penalty Appeal	22	17	15
PCR Death Penalty	61	59	56
PCR SGJ	4	---	---
Post Conviction	4,517	4,782	4,545
Professional Disciplinary	25	26	26
Prosecutors Review	50	78	81
Real Property	10	17	15
Review of Legislative Regs, etc.	2	2	2
Second Injury Fund	2	2	2
Securities Investigation Cases	28	48	45
Securities Regulation	3	5	4

Sexual Predator Reviews	2	4	4
Stalking	---	---	2
State Grand Jury --			
Criminal Appeals	12	22	20
State Grand Jury -			
Drug Forfeiture	1	---	---
State Grand Jury --			
Criminal Prosecution	69	518	457
State Habeas	37	13	---
Special Investigations	---	4	3
SVP Act	235	288	186
Tidelands	19	39	29
Tort Claims	10	13	12
Unfair Trade Practices	7	7	7
Unknown	53	57	61
Unlawful Practice of Law	13	19	24
Unlawful Use of Telephone	1	---	---
Vulnerable Adult	5	11	18
Victim Assistance Reports	3,996	3441	2,118
Victim Services DP	57	65	---
Voting Rights Matters	16	17	16
Vulnerable Adult	5	---	---
Wildlife	1	1	2
Wills, Trusts, Estates	181	181	182
Workman's Comp.	1	1	
Totals	17,329	17,279	14,702

7.3 What are your performance levels for the key measures of financial performance?

The only two financial performance levels we can set for ourselves are (1) to stay within the budget assigned to our Office by the General Assembly and (2) to collect for the people of South Carolina as many fines, fees, and forfeitures as we can, given the staff we are allowed.

7.4 What are your performance levels and trends for the key measures of Human Resource Results?

Our performance levels for the key measures of Human Resource Results are derived from the performance measures listed elsewhere in the report, including formal evaluation, a rating system, and the informal interaction of all segments of the Office community. As for employee satisfaction and well-being, it is difficult to set levels based on conventional measures such as retention rate and exit questionnaires, since - unlike other agencies - the Attorney General's Office serves as a training ground for young attorneys to enter the legal profession. The diversity of staff is the result of these factors, as well as a process of natural selectivity that has produced wide gender diversity and racial diversity as well. In addition, minorities hold several top managerial positions.

7.5 What are your performance levels and trends for the key measures of regulatory/legal compliance and community support?

The question of community support is dealt with elsewhere. Since we are a government agency involved in regulatory activities ourselves, the rest of the question seems irrelevant to what we do.