

**LINCOLN**  
COUNTY

**State's  
Attorney's Office**

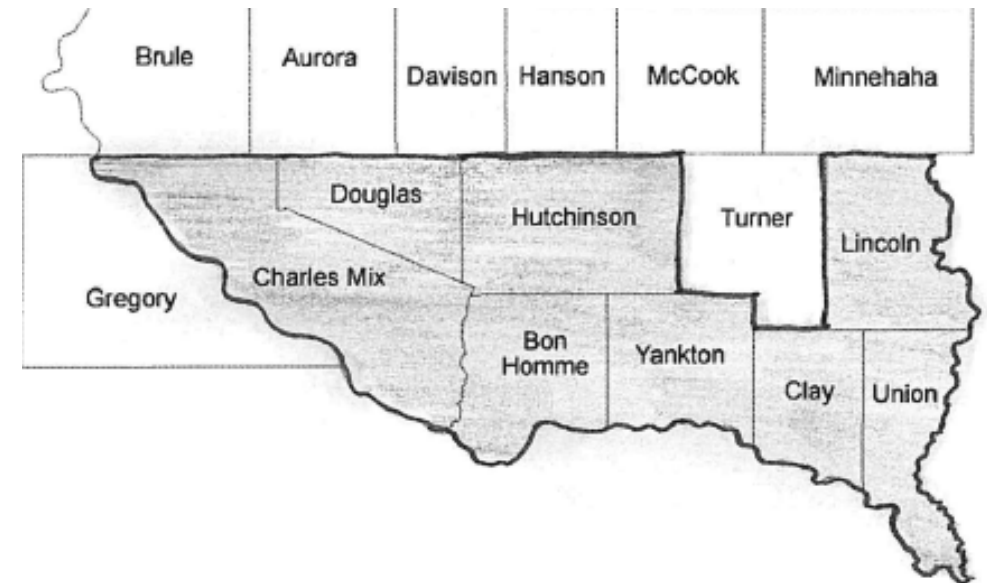
**Current Needs &  
Future Trends**

# Responsibilities

- The State's Attorney has the exclusive and statutory responsibility for prosecuting violations of the criminal laws of the State of South Dakota, as well as many other regulatory laws of the state and county including traffic regulations.
- Prosecution of adult and juvenile crimes
- Protecting children who may be living in abusive or neglectful homes
- Providing legal advice and representation to:
  - Board of Commissioners
  - Other elected and appointed department heads and staff
  - Administrative and civil matters for the county

# State's Attorney's Office in 2000

- In 2000, the State's Attorney's office consisted of a deputy State's Attorney and three staff positions.
- Population of Lincoln County was 24,516
- Lincoln County was part of the first circuit that included Union, Clay, Yankton, Bon Homme, Hutchinson, Charles Mix and Douglas counties
- Effective July 1, 2000, the circuits were reorganized, and Lincoln and Minnehaha became the Second Circuit.



# New Ways to Commit Old Crimes

Changes in technology have created new ways for criminals to commit crimes.

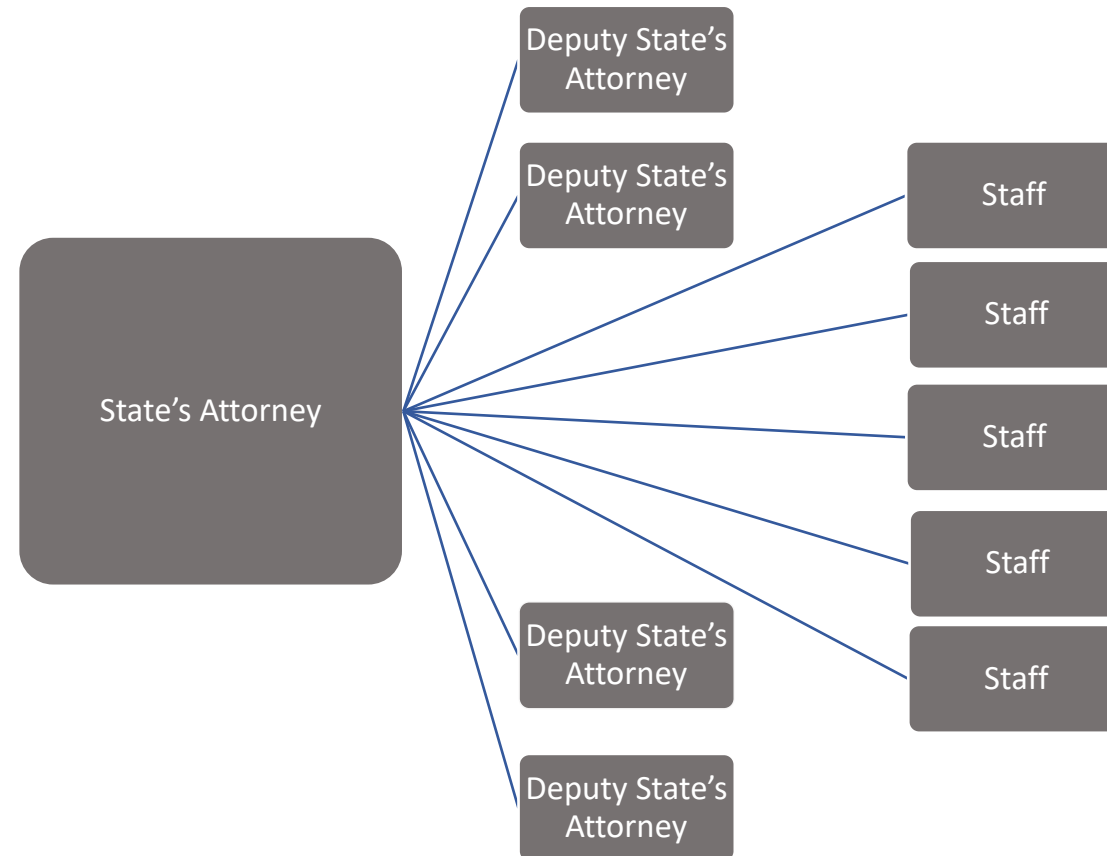
- Solicitation of a minor
- Child pornography
- Sexting
- Identity theft, fraud, and hacking of computers
- Cyber bullying crimes, stalking, electronic tracking and harassment
- Drones

# Adopting New Skill Sets

- Computers and smart phones
- Information explosion. A single smart phone may contain over 100,000 text, instant messaging, pictures, icons and various documents in a case
- Video: Body cameras, videos from patrol cars, security camera footage from homes and businesses
- Accident reconstruction: 3D modeling digital recreations
- Trial software: The ability to work through a digital courtroom

# State's Attorney's Office in 2010

- The State's Attorney's office in 2010 consisted of the State's Attorney, four deputy State's Attorney's and five staff positions.
- Population of Lincoln County was 45,185



- Constitutional Amendment S (Marsy's Law) voted in by 60% of voters in 2016
- Prior to Marsy's Law, victim services were required by statute in violent crimes
- Marsy's Law extended those services to include all crimes which have a victim, including businesses
- The top three counties in South Dakota all added new victim witness assistants to handle the additional work

# South Dakota Crime Victim's Rights

Marsy's Card

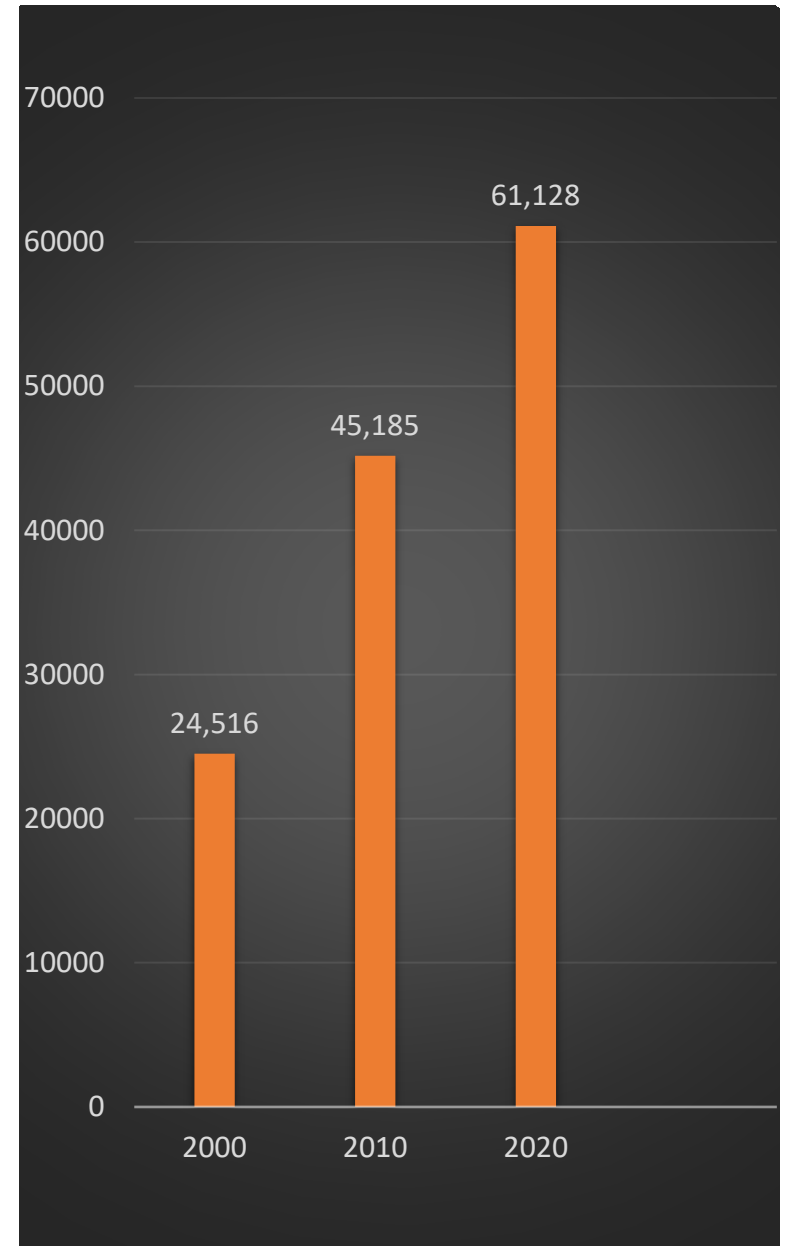
# Becoming More Efficient

- In 2016, the State's Attorney's Office began using improved case management software which assisted with the growing caseload
- The increase in information required more efficient organization and streamlining of sharing information.
- Allows attorneys and staff access to files, notes, and calendars
- The more efficient method of tracking cases allows our office to process reports and manage caseloads with greater ease.



# State's Attorney's Office in 2020

- The State's Attorney's office in 2020 consisted of the State's Attorney, six deputy State's Attorneys and seven staff positions
- Population of Lincoln County as of 2019: 61,128



# Felony Caseload - 2020

- Total cases reviewed: over 600
- Total cases filed: just under 500
- 2.5 full-time felony attorneys
  - = **209** cases reviewed per attorney
  - = **199** filed cases per attorney

U.S. Dept. of Justice studies indicate attorneys can handle 150-180 felony cases (depending on difficulty and seriousness)

# Misdemeanor Caseload - 2020

- Total reviewed cases: 1,389
- Total filed cases: 1,150
- 3 full-time misdemeanor attorneys
  - = **466** cases reviewed per attorney
  - = **383** filed cases per attorney

U.S. Dept. of Justice studies indicate prosecutors can handle 300-400 misdemeanor cases

# Abuse and Neglect and Mental Health Caseload 2020

- Abuse and Neglect Proceedings:
  - .5 Full Time Employee
  - Hour intensive for both attorney and staff
- Mental Health Proceedings:
  - .1 Full Time Employee
  - 574 petitions in 2020
  - Staff time for each petition and attorney time for hearings and/or stipulations

# Civil Caseload 2020

- 1 Full Time Employee
- 44 open files in 2020
- Legal advice to elected officials/department heads/employees
- Civil litigation
- Administrative hearings
- Assist with criminal litigation

# Current Needs & Future Trends 2020

	<b>CURRENT</b>	<b>5 YEAR</b>	<b>10 YEAR</b>
ATTORNEYS	<b>7</b>	<b>9-10</b>	<b>11-12</b>
STAFF	<b>9</b>	<b>12-13</b>	<b>15-16</b>
TOTAL	<b>16</b>	<b>21-23</b>	<b>26-28</b>

Pre-Marsy's Law – 1.2 FTE staff required per attorney

Post-Marsy's Law – closer to 1.5 FTE staff per attorney

\*Not currently at that ratio

Q & A



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