

LOUISIANA DEPARTMENT OF JUSTICE  
PERFORMANCE STRATEGIC PLAN  
FY 2017-2018 THROUGH FY 2021-2022

July 1, 2016

## **Record Retention**

The Department of Justice has an internal electronic filing storage system that allows the agency to store greater volume of documentation that needs to be retained and protected. This system allows the agency to generate reports that are more reliable and standardized. The agency has the capability to store and retrieve information pertaining to legal documents, accounting documents, human resource files, contracts and performance measurements of the agency.

Over the years, this system has been revised as needed to ensure that the missions of the Department of Justice are met and the citizens of the state of Louisiana are properly represented.

# Louisiana Department of Justice

## **VISION**

Louisiana citizens will live in safe communities and a healthy environment where economic opportunities are available to pursue a better quality of life while natural resources are preserved for future generations.

## **MISSION**

To protect the people and resources of the State of Louisiana by providing superior legal representation, and interpretation, professional and effective law enforcement, and public education programs.

## **PHILOSOPHY**

While enforcing the laws and protecting the interests of the state, the Department of Justice will respect the citizens of Louisiana, and foster a sense of pride in its employees, and ensure employee productivity through a system of performance based management.

## **GOALS**

- I. The Department of Justice will provide superior legal and professional services to Louisiana citizens, private sector organizations, and all governmental entities.
- II. The Department of Justice will improve the process of recovering monies owed the State of Louisiana and limit the liabilities of the state.
- III. The Department of Justice will develop and support programs that ensure a safe environment in Louisiana communities, schools, and workplaces.

**MISSION**

The mission of the Administrative Services Program is to provide superior services to the citizens of Louisiana, management support and oversight to the Department of Justice, and support to other governmental entities in the federal, state, and local sectors.

**PROGRAM ACTIVITIES**

The Department has developed and implemented a work management program to provide input into a quality assurance system that will track and provide management with true accountability of the Administrative professionals work product. Improve skills and effectiveness of less experienced Administrative employees as the use of this program will encourage attention to detail. It will also provide an additional level of oversight and monitoring of work. The work management program will create and develop a system to track work processes and outputs of the Department's Administrative employees.

The Administrative Services Program includes the Executive Office of the Attorney General and the First Assistant Attorney General/Deputy Chief Attorney General; provides leadership, policy development, and administrative services including management and finance functions, coordination of departmental planning, professional services contracts, mail distribution, human resource management and payroll, employee training and development, property control and telecommunications, information technology, and internal/external communications.

The Administrative Services Division is currently divided into eight sections: Finance; Human Resources/Payroll; Collections; Purchasing; Property Control, Central Receiving, Fleet Management, and Mail Operations; Management Information Systems / Telecommunications; Governmental; and Budget/Accountability.

**Finance**

This Section is responsible for receiving and classifying all revenues, processing vendor payments, employee reimbursements, and preparing fiscal reports in accordance with policies and procedures established by the Legislature, Division of Administration, etc.

**Human Resources/ Payroll**

This section is responsible for the management of new, existing and retired employees at the Department of Justice. Core responsibilities include personnel recruitment and hiring, application management,

training and development, safety, employee relations, benefits administration and compliance with labor and employment laws.

Collections

This Section represents 25 of Louisiana's public colleges, universities, technical and community colleges; the State Department of Education, the Board of Regents, and the Office of Student Financial Assistance, in the collection and litigation of defaulted educational loans/benefits. Over 47,000 educational accounts valued in excess of \$76 million are currently placed for collection. Additionally, the Collections Section represents 28 state agencies, including the Louisiana Department of Revenue, in the pursuit of debts owed the State of Louisiana for various reasons. This section is totally self-generated.

Purchasing

This Section is responsible for coordinating all purchases for the department.

Property Control/Central Receiving /Fleet Management/Mail Operation

This Section is responsible for maintaining inventory of all movable property purchased by the department; receiving all commodities delivered to the Livingston Building; handling fleet management and coordinating the distribution of mail for the department.

Management Information Systems/Telecommunications

This Section is responsible for coordinating all information technology services for the department. This includes assisting divisions in analyzing their computer equipment and technology needs, designing custom applications, training department employees in the use of hardware and software, responding to requests for computer service through the operation of a Help Desk, providing litigation support, maintaining a wide area network linking all computers in 10 buildings statewide, purchasing and coordinating the installation of all telecommunications equipment.

Governmental

This Section provides assistance to local officials and facilitates effective communication between public entities and the Department of Justice.

Budget/Accountability

This Section is responsible for maintaining and tracking the department's budget; it is also responsible for conceiving methods of accountability for all of the Department of Justice programs. In addition, this Section is responsible for developing, maintaining, and operating a performance based management system within the Department of Justice.

## **LOUISIANA VISION 2020**

The goals of this program incorporate one goal of the Louisiana Vision 2020: Goal 1: To be a learning enterprise in which all Louisiana businesses, institutions, and citizens are actively engaged in the pursuit of knowledge.

## **DUPLICATION**

No other state agency is charged with the administrative support for the Louisiana Department of Justice. Thus, there is no duplication of effort by any other state agency.

## **AUTHORIZATION FOR GOAL(S)**

La. Constitution, Article IV, Section 8  
La. Constitution, Article IV, Section 13  
La. R.S. 36:704(b)

## **PROGRAM GOALS**

- I. The Department of Justice will provide professional services to Louisiana citizens, private sector organizations, and all governmental entities.
  - II. The Department of Justice will improve the process of recovering monies owed the State of Louisiana and limit the liabilities of the State.
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**GOAL I**

**The Department of Justice will provide superior legal and professional services to Louisiana citizens, private sector organizations, and all governmental entities.**

**DEPARTMENT WIDE OBJECTIVES**

**COMMON**

*Sub-Goal > Provide quality technical support and training for the DOJ*

Objective I.1: Ensure that 95% of new employees shall attend an administrative orientation within 60 days after hire each fiscal year by June 30, 2022.

Objective I.2: Respond to MIS Help Desk requests within an average of two hours from the time the requests were made each fiscal year by June 30, 2022.

**Objective I.1:** Ensure that 95% of new employees shall attend an administrative orientation within 60 days after hire each fiscal year by June 30, 2022.

**Strategies**

**I.1.a:** Update the administrative orientation program as office policies, procedures, and employee programs change.

**I.1.b:** Orientation programs shall be scheduled on a monthly basis by HR. New employees shall be notified during in-processing of their scheduled orientation date. Reminders will be sent by HR to new employee and supervisor.

**Performance Indicators**

INPUT

- # of new employees hired

OUTPUT

- # of new employees that have attended an administrative orientation

OUTCOME

- % of new employees hired that received orientation within 60 days of hire

***Justification***

*Efficiency and productivity can only be achieved when employees are properly trained in their duties and responsibilities. The Department of Justice has changed and increased in size over the past several years. As a result, the Human Resources Section has had to accommodate the growth in employees while maintaining a static number of section employees. However, the continued objective of the Human Resources Section is to provide support services to all Department of Justice employees that include routine personnel services as well as employee and management training. Professional legal education is required for continued admission to practice law in Louisiana and serves to maintain competence of the legal staff and to develop maximum effectiveness. The Department of Justice can increase the skill and effectiveness of our attorneys and encourage the retention of career government attorneys by providing the required continuing legal education hours internally, while providing access to outside training to meet the specialized needs of attorneys practicing in specific areas.*

***Benchmarking***

*In our research of offices of other State Attorneys General, we found that training in the State of Texas and California is much more comprehensive than in Louisiana's. In particular, the Attorney General's Office of California conducts an extensive legal support-training program. A survey was conducted among the professional staff to determine weaknesses in the skill sets of their staff. They customized their training to address those needs and developed a comprehensive, high quality curriculum. As a result (for one example), their legal secretarial training is a two-week program consisting of modules covering every aspect of a secretary's job in their office and employment expectations of new state employees. Other benchmarking examples include: Central Louisiana State Hospital uses a three-month evaluation of new*

*employees to ensure they are being successful in their new positions. Leonard J. Chabert Medical Centers use a system that incorporates Performance Planning and Review (PPR) tickler notices, as well as series of reminder emails and telephone calls to monitor the performance of new employees and to make sure the supervisor plays an active role in helping the new employee learn and adjust to the new environment . If a PPR rating is not timely, a representative from HR completes a one-on-one remediation session with the supervisor on the PPR policy and confirms that the supervisor understand his/her role in the process. All new employees at the Department of Natural Resources receive website training as part of the new employee orientation. The website training provides DNR employees the knowledge to access DNR polices and procedures, civil service rules, job search options, and ISIS-HR employee self service options.*

***Primary Persons Benefiting***

*Primary persons that would benefit from this objective are the citizens of Louisiana, public officials, other state agencies, and the Department of Justice employees.*

**Objective I.2:** Respond to MIS Help Desk requests within an average of two hours from the time the requests were made each fiscal year by June 30, 2022.

**Strategies**

**I.2.a:** MIS shall ensure the help desk is manned during all business hours.

**I.2.b:** MIS shall use an automated task management system to manage help desk response.

**Performance Indicator**

INPUT

- # of help desk requests received

OUTPUT

- # of hours help desk is manned

OUTCOME

- Average time to respond to help desk requests (in hours)

***Justification***

*As customer expectations increase, it is imperative that internal service providers meet these expectations through excellent customer service.*

***Benchmarking***

*Emphasis on customer service is prevalent in many state agencies, throughout the information technology industry and Attorney General Office's across the country.*

***Primary Person Benefiting***

*All persons who rely on information provided by the Department of Justice including employees, citizens of Louisiana, public officials, and other state agencies.*

## GOAL II

The Department of Justice will improve the process of recovering monies owed the State of Louisiana and limit the liabilities of the State.

### PROGRAM OBJECTIVES

Objective II.1: Collect at least \$4,000,000 in outstanding student loans and \$5,000,000 total collections each fiscal year by June 30, 2022.

#### Strategies

**II.1.a:** Improve the collector vs. account ratio in order for all accounts to be worked more effectively by increasing the number of collectors.

**II.1.b:** Work with MIS to convert current collections software to 1) automate manual processes where possible, 2) develop account tracking mechanism to prioritize work based on success probability, and 3) develop tracking mechanisms to identify strengths and weaknesses in collectors.

**II.1.c:** Identify training opportunities for collectors and collection attorneys and incorporate these into employee training plans.

#### Performance Indicator

##### INPUT

- Average number of accounts issued per year to number of collectors
- # of collectors

##### EFFICIENCY

- \$ Amount collected per collector

##### OUTCOME

- \$ Total collections from outstanding student loan cases
- \$ Total collections

#### **Justification**

*By increasing the number of debts placed with the Collections Section, the section will continue to provide a service at no cost to the taxpayer, whereas when debts are placed with private collection agencies, they retain a portion of the funds recovered as a fee. Increasing the number of debts placed with the Collections Section insures that it will continue to provide a superior service to the State of Louisiana because every day debts are paid through this office and the number of accounts potentially decreases.*

**Benchmarking**

*There is only one other Attorney General's Office in the country that is doing (potentially) the same type of litigation/collection of defaulted education debts. We will be trying to find out more information on their operation in order to ascertain potential means of improvement. Additionally, we will be inquiring of other Attorney General's Office to find out if they perform a similar function.*

**Primary Person Benefiting**

*Our present clients and future clients, as well as the government of the State of Louisiana*

**MISSION**

To provide competent and superior professional legal services in defense of the state's constitution and statutory laws, as well as advocate on behalf of the citizens and businesses of Louisiana against unfair trade practices and fraud.

**PROGRAM ACTIVITIES**

The Department intends to develop and implement a work management program to provide input into a quality assurance system that will track and provide management with true accountability of the legal professionals' work product. Improve skills and effectiveness of less experienced attorneys as the use of this program will encourage attention to detail. It will also provide an additional level of oversight and monitoring of work of less experienced trial attorneys. The work management program will create and develop a system to track work processes and outputs of the department's non-legal staff.

Specialization of attorneys within the Civil Program has always been encouraged and necessary. However, as the result of increased work load and/or separation of employees from the Program it has become apparent that cross-training among staff is critical. Thus, the Program intends to establish a policy where attorneys are required to learn the general job description and responsibilities of other attorneys within their section. Furthermore, it is required that Section Chiefs recognize and assign projects to attorneys within their Section which will give the attorneys additional legal experience, but which is not necessarily their everyday function and/or responsibility.

The Civil Division defends the Constitution and laws of the State of Louisiana; provides information and legal services (opinions, counsel, and representation) in the areas of general civil law, public finance and contract law, education law, environmental law, and land and natural resource law.

The Civil Division issues approximately 200 Legal Advisory Opinions per year to state and local entities and elected officials. Opinions are assigned to and authored by attorneys in each of the five (5) Civil Division Sections.

The Civil Division maintains an average of 1000 active litigation cases and averages 500 new cases per year. The Civil Division devotes an average of 6,000 hours per hour on litigation cases at a cost of approximately ¼ of the cost of outsourcing to private counsel.

The Civil Division represents 62 state boards or commissions and devotes an average of 8,000 hours of attorney time in this representation at approximately ¼ the cost of outsourcing to private counsel.

The Civil Division participates in the Attorney General Duty Call program which provides daily access to an attorney by the general public. The Civil Division averages 1,200 duty calls per year.

The Civil Division provides presentations to public entities and government member associations relating to the Louisiana Public Bid Law and Louisiana Open Meetings Law. Attorneys average 50 presentations per year to over 5,000 attendees.

The Civil Division reviews and approves all state agency and certain local political subdivision contracts to engage outside legal counsel. An average of 500 contracts are received, processed and considered by the Civil Division every year. In addition, the Civil Division receives for approval approximately 35 public bond resolutions.

The Civil Division also reviews and approves proposed settlement agreements between DEQ and private entities. In the fiscal year 11/12, 85 settlement agreements were reviewed and approved for a total of over \$3.3M.

#### Governmental Litigation Section

This section represents the state in constitutional challenges to state laws brought in both state and federal courts. This section also defends state agencies and elected officials in civil claims where torts are not involved such as injunctions and mandamus actions. This section generally performs legal services for state and local officials in the form of rendering advisory opinions, telephone discussions and the defense and prosecution of civil litigation. Opinions rendered by this Section cover a broad spectrum of questions from open meetings, public records, dual office holding, elections and general governmental law. This Section assists other sections in litigation matters and represents a number of state boards and commissions, including the Board of Chiropractic Examiners, the Cemetery Board, and provides hearing officers for various entities. This Section handles reapportionment and election cases both independently and in conjunction with other state officials and submits state laws to the United States Justice Department for pre-clearance under Section 5 of the Voting Rights Act. This Section also provides legal representation, renders advice, and prepares educational publications for the state's 776 elected Justices of the Peace and Constables.

### Lands & Natural Resources Section

This section advises and renders legal support to state agencies, levee boards, commissions, and other political subdivisions pertaining to lands, waterbottoms, boundaries, accretion and erosion, oil and gas, public rights of use and access, sale and acquisition of lands, expenditure of public funds, and related activities. It defends the title of the state and its political subdivisions to land and waterbottoms, and safeguards the interests of the state in lands and mineral transactions involving publicly-owned lands and waterbottoms. The agencies and political subdivisions served by this Section include several state departments, such as the Division of Administration, the State Mineral Board, the Department of Culture, Recreation and Tourism, the Department of Natural Resources, the Office of Public Works, as well as numerous school boards, police juries, all state universities, the Louisiana Department of Transportation and Development, the Louisiana Department of Wildlife and Fisheries, the Board of Trustees for state Colleges and Universities, the Louisiana Military Department, assessors, district attorneys, levee boards, and the Louisiana Offshore Oil Port.

### Public Finance and Contracts Section

This section provides competent and professional representation to statewide elected officials such as the Treasurer, as well as other state boards and commissions, including the State Bond Commission, the Tobacco Settlement Financing Corporation, the Architects Selection Board, the Engineers Selection Board, and the Office Facilities Corporation. This Section has the responsibility for the preparation or review of all legal documents required for issuance of state general obligation bonds and state revenue anticipation notes. The attorneys in this section review revenue bond issues of the state including issues of the Transportation Trust Fund and the Office Facilities Corporation. This Section provides counsel to the State Bond Commission which entails reviewing all items brought before the Bond Commission and responding to questions and concerns of the members and staff on all areas of finance law. This section also provides legal assistance to the Division of Administration in connection with the acquisition of real estate and other state purchasing, as well as the review of lines of credit of non-state entities seeking funding through the Capital Outlay Act. Opinions rendered by this Section center around areas of taxation, public finance, public bid law, and contracts. The Section also prepares legal services contracts and representation agreements on behalf of the Department of Justice. In fiscal year 2011-2012, this Section reviewed and represented the state on approximately 33 multi-million bond issues totaling \$2.1 billion.

### Environmental Section

In the Environmental area, this Section assists the Attorney General in the discharge of his duties under the Environmental Quality Act and in connection with the constitutional responsibility and power of the Attorney General as chief legal officer of the state to institute, prosecute, or intervene in any civil action in order to assert or protect a state natural resource interest. This Section prepares opinions, analyzes legislation, and advises officials and employees of the Department of Natural Resources, the Department of Environmental Quality, the Department of Public Safety, the Department of Wildlife and Fisheries, the Department of Culture, Recreation and Tourism, the Office of Public Works, the Department of Agriculture, the United States Corps of Engineers and other interested federal and state agencies or subdivisions. Staff personnel attend hearings throughout the state and visit problem sites and meet with representatives of both government and industry to seek resolution of environmental problems. Staff personnel also respond to inquiries and complaints from city-state coastal zone regulations in connection with offshore leasing by the U.S. Department of the Interior, and numerous administrative enforcement actions involving hundreds of thousands of dollars of assessed penalties against environmental violators in Louisiana.

### Education/Interagency Transfer Section

This section represents the Board of Elementary and Secondary Education, the Board of Regents, the Department of Education, and various other public agencies on education related litigation. This section represents public officials in various litigation involving, for example, constitutionality of exit exams, administration of medication at schools, and various challenges to state aid for parochial schools. The Education Section responds to requests for attorney general opinions from the various State and local education boards on issues related to elementary, secondary and higher education, and represents the Board of Regents concerning higher education desegregation litigation.

The Interagency Transfer Section includes administration of up to seven attorneys in various state departments, including Work Force Commission, Insurance and Inspector General. The attorneys in this Section represent these agencies in a variety of capacities, including confidential assistant, general counsel, litigation defense, and the defense of statutory law alleged to be unconstitutional.

### **PUBLIC PROTECTION**

The Public Protection Division asserts and protects the State of Louisiana's interests by providing legal services in the general areas of consumer fraud protection, insurance receivership law, auto fraud law, fair

housing law, tobacco regulations, and community education assistance programs.

#### Consumer Protection / Auto Fraud

The Consumer and Auto Fraud Protection Section was granted authority under the Unfair Trade Practices Act to conduct investigations as necessary when the Attorney General has reason to believe an unfair or deceptive trade practice has taken place, is taking place or is about to take place. In connection with its authority to investigate consumer related unfair trade practices, the Section has joined with local officials in the investigation of several chain distribution schemes, mail order schemes in violation of U.S. Postal Inspection Regulations and conducted investigations with the Used Motor Vehicle and Parts Commission on several used automobile businesses resulting in removal of license and attachment by the Internal Revenue Service. The Section has also successfully litigated several registration enforcement cases. The Section also conducts consumer and auto fraud awareness seminars throughout the state on subjects vitally important to the public, such as shoplifting, fraud, theft, and other deceptive trade practices. An important focus of the Section is mediation and investigation of consumer complaints and inquiries. This Section is also charged with the duty of enforcing the antitrust and related laws relative to the regulation of trade and commerce, including but not limited to, the protection of the welfare of small business interests and the interests of any persons injured by antitrust violations and conspiracies in restraint of trade and other patterns of organized business extortion and theft.

#### Equal Opportunity Section

This Section is responsible for the administration and enforcement of the Louisiana Equal Housing Opportunity Act. This Section is active in investigations, conciliations, and judicial enforcement. Staff personnel cooperate with the federal government in the enforcement of the Federal Fair Housing Act. This Section conducts outreach programs throughout the State of Louisiana to inform Louisiana citizens of their rights regarding the sale and or rental of dwellings under the Louisiana Equal Housing Opportunity Act and the Federal Fair Housing Act.

#### Community Education Assistance

This Section, through empowerment, community awareness, and education develops and supports collaborative initiatives that respond to the needs of citizens. Various programs include youth education and violence prevention in the areas of school violence, teen dating violence, gang abatement, internet safety, and underage drinking. In addition to youth initiatives, the Section houses the state's only statewide domestic violence in the workplace technical assistance and training program which

works with employers in Louisiana and nationwide to develop policies and other appropriate responses to supportive to the special needs of battered working women.

Securities and Insurance Section

This Section has direct involvement and knowledge of insurance liquidations in Louisiana. This Section performs legal work, supervises contract counsel, and works with the Department of Insurance, the Louisiana Receivership Office, and the courts. Staff personnel conduct research in insolvency cases and maintain a proactive position in the area of insurance liquidation. This Section reviews legal bills of contract attorneys, incorporates terms of engagements and development with contract attorneys and the Department of Insurance to plan case management of liquidations. The Section relies totally upon self-generated revenues for its operation.

Tobacco Section

This section enforces the Tobacco Master Settlement Agreement (MSA) by investigating and litigating violations; performing site and event checks for violations; educating public officials and the public through presentations on the MSA; and collecting penalties for violations.

**LOUISIANA VISION 2020**

The goals of this program incorporate the two goals of the Louisiana Vision 2020: Goal 1: To be a learning enterprise in which all Louisiana businesses, institutions, and citizens are actively engaged in the pursuit of knowledge, and Goal 2, Objective 2.8: To have an equitable tax structure, regulatory climate, and civil justice system conducive to business retention and the creation and growth of innovative companies.

**DUPLICATION**

No other state agency is charged with defense of the Constitution, the laws of the State of Louisiana, and protecting the State of Louisiana’s interests by providing legal services in the general area of consumer law. Thus, there is no duplication of effort by any other state agency.

**AUTHORIZATION FOR GOAL(S):**

- |  |                        |
|--|------------------------|
| LA Constitution, Article IV, Section 8 | LA R.S. 51:42-53       |
| LA R.S. 51:42-53                       | LA R.S. 51: 361-363    |
| LA R.S. 36:701(D)                      | LA R.S. 51:411-414     |
| LA R.S. 51:361-363                     | LA R.S. 51:421et seq.  |
| LA. R.S. 36:704(D)                     | LA R.S. 51:463         |
| LA R.S. 51:411-414                     | LA R.S. 51:1420        |
|  | LA R.S. 51:1711        |
|  | LA R.S. 51:1721-1725   |
|  | LA R.S. 51:1745-1 747  |
|  | LA R.S. 1575-1582      |
|  | LA R.S. 1821-1824      |
|  | LA R.S. 51:1901-1909.1 |
|  | LA R.S. 51:1910-1916   |

LA R.S. 36:704(C)  
LA R.S. 9:2711.1  
LA R.S. 9:3361  
LA R.S. 9:3301-3342  
LA R.S. 45: 810-817; 45:821 et seq.  
LA R.S. 46:2702  
LA R.S. 47:843

LA R.S. 51:421 et seq.  
LA R.S. 51:463  
LA R.S. 51:1420  
LA R.S. 51:1711  
LA R.S. 51:1721-1725  
LA R.S. 51:1745-1747  
LA R.S. 51:1575-1582  
LA R.S. 51:1821-1824  
LA R.S. 51:1901-1909.1  
LA R.S. 51:1910-1916  
LA R.S. 13:5061-5077

## **PROGRAM GOAL**

- I. The Department of Justice will provide superior legal and professional services to Louisiana citizens, private sector organizations, and all governmental entities.
- II. The Department of Justice will develop and support programs that ensure a safe environment in Louisiana communities, schools, and workplaces.

**GOAL I**

**The Department of Justice will provide superior legal and professional services to Louisiana citizens, private sector organizations, and all governmental entities.**

**CIVIL DIVISION OBJECTIVES**

*Sub-Goal > Provide superior and professional services on behalf of the state through the Civil Program*

- Objective I.1: Maintain an average of 30-day response time for research and writing opinions by June 30, 2022.
- Objective I.2: Through the Civil Division, to retain in-house 98% of the litigation cases received each fiscal year by June 30, 2022.
- Objective I.3: Provide legal services to at least 50 state boards and commissions
- Objective I.4: Through the Public Finance and Contracts Section of the Civil Division, to continue to process contracts within an average of 10 days; resolutions within an average of 6 days, public bond approvals within an average of 6 days; and garnishments within an average of 6 days by June 30, 2022.
- Objective I.5: Provide and maintain a strong outreach program by providing public presentations on civil law programs and responding to constituent calls and inquiries.
- Objective I.6: To review for approval of 100% of DEQ penalty settlements strictly in compliance with time limits each fiscal year by June 30, 2022.

**Objective I.1:** Maintain an average of 30-day response time for research and writing opinions by June 30, 2022.

**Strategies**

**I.1.a:** Use opinion tracking system to manage opinion timelines.

**Performance Indicator**

INPUT

- # of opinions requested
- # of opinions withdrawn

OUTPUT

- # of opinions released

OUTCOME

- Average response time for attorney to research and write an opinion (in days) (Count only opinions released.)
- Average time from receipt to release of an opinion (in days) (Count only opinions released.)

***Justification***

*The Attorney General's Office is statutorily mandated to provide opinions upon request.*

***Benchmarking***

*This is a standard and will not need benchmarking.*

***Primary Person Benefiting***

*The citizens of the state of Louisiana.*

**Objective I.2:** Through the Civil Division, to retain in-house 98% of the litigation cases received each fiscal year by June 30, 2022.

**Strategies**

**I.2.a:** Ensure sufficient range of knowledge and expertise to justify assignment of DOJ attorneys.

**Performance Indicator**

INPUT

- # of cases received
- # of cases being handled in-house

OUTPUT

- # of cases contracted to outside firms

OUTCOME

- % of cases handled in-house each fiscal year

***Justification***

*Increased in-house legal representation will be more cost effective for the citizens of the state.*

***Benchmarking***

*Will contact NAAG and NAIC to determine percentage of in-house representation in other states.*

***Primary Person Benefiting***

*The general public and clients of the Department of Justice.*

**Objective I.3:** Provide legal services to at least 50 state boards and commissions.

**Strategies**

- I.3.a:** Prioritize a list of boards and commissions for which we want to provide representation based on the appropriateness of skills and the ability of the boards and commissions to pay.
  
- I.3.b:** Develop a brief proposal that outlines the functions and capabilities of the Civil Division and a section chief will present a proposal to whoever makes decisions for the boards and commissions.
  
- I.3.c:** After consultation with the First Assistant, the appropriate section chief shall approach selected boards and commission decision makers about possible representation.

**Performance Indicators**

INPUT

- # of hours devoted to current Boards and Commissions
- # of hours devoted to boards and commissions last FY
- # of boards and commissions currently represented

OUTPUT

- # of new boards and commissions represented

**Justification**

*Increasing the number of hours devoted to current Boards and Commissions by 5% per Fiscal Year will greatly benefit the Civil Division and the Department as a whole in terms of providing expert legal representation at a reduced rate (than private sector) to boards and commissions, who are not in a position to be able to afford private legal assistance, which in turn enables the boards and commissions to be more productive and to provide a better service to its clients/customers. Additionally, increasing this service will increase the specialized knowledge of the attorneys on staff within the Civil Division.*

**Benchmarking**

*By increasing the number of hours devoted to boards and commissions by the Attorney General's Office, there will also be an increase in the number of boards and commissions represented. If necessary, additional attorneys may be needed to exclusively represent boards and commissions in various Civil Division sections. There is also a target to have specialization in this field. The attorneys who presently represent boards and commission have been doing so for 2-5 years and are gaining the experience and knowledge to apply same to specializing in this field of representation. They presently compare in knowledge to private practice attorneys who are in this line of work, but not in experience. Therefore, the target is for assistant attorneys general to gain more experience in this field so boards and commissions will seek our legal representation, rather than private counsel. We will continue to benchmark in the area of cost, so that a target can be set in the near future.*

***Primary Person Benefiting***

*The general public, particular boards and commissions, and the Louisiana Department of Justice.*

**Objective I.4:** Through the Public Finance and Contracts Section of the Civil Division, to continue to process contracts within an average of 10 days; resolutions within an average of 6 days, public bond approvals within an average of 6 days; and garnishments within an average of 6 days by June 30, 2022.

**Strategies**

**I.4.a:** Use tracking system to manage timelines.

**Performance Indicator**

OUTCOME

- Average processing time for contracts<sup>1</sup>
- Average processing time for resolutions<sup>1</sup>
- Average processing time for public bond approvals (TEFRA)<sup>1</sup>
- Average processing time for garnishment<sup>1</sup>

***Justification***

*To continue to provide competent and quality legal representation in an area of law which remains virtually uncharted in the State of Louisiana and the country.*

***Benchmarking***

*We have been informed by the Department of Insurance that because of the number of insurance companies placed in receivership in the State of Louisiana over the last several years, Louisiana may be leading the nation in the development and implementation of insurance receivership practices and laws. Therefore, it is very possible that Louisiana receivership management practices and legal analyses of related law may serve as a benchmark for other states.*

***Primary Persons Benefiting***

*The general public and the Department of Justice*

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<sup>1</sup> Count only those completed.

**Objective I.5:** Provide and maintain a strong outreach program by providing public presentations on civil law programs and responding to constituent calls and inquiries.

**Strategies**

**I.5.a:** Use constituent calls tracking system to determine the number of constituent calls received and answered.

**Performance Indicator**

INPUT

- Number of specialized inquiries received from state, local or private entities

OUTPUT

- Total number of presentations made to public and private entities
- Total Number of attendees at presentations made to public and private entities
- Total number of constituent services tickets
- Number of non-duty attorney tickets resolved
- Number of duty attorney tickets resolved
- Number of walk-ins resolved
- Number of private request letters resolved
- Number of responses to specialized inquiries

OUTCOME

- Total number of constituent tickets resolved
- Total number of constituent tickets unresolved

*Justification*

*The Attorney General Office has an established policy to receive and respond to constituent calls.*

*Benchmarking*

*This is a standard and will not need benchmarking.*

**Primary Persons Benefiting**

*The general public and the Department of Justice*

**Objective I.6:** To review for approval of 100% of DEQ penalty settlements strictly in compliance with time limits each fiscal year by June 30, 2022.

**Strategies**

**I.6.a:** Use tracking system to manage settlement timelines.

**Performance Indicator**

INPUT

- Total dollar amount of settlements approved

OUTPUT

- Number of settlements received for review
- Number of settlements approved
- Number of settlements approved within statutory time limits

OUTCOME

- Number of settlements disapproved

*Justification*

*The Attorney General Office is mandated to receive and approve Department of Environmental Quality penalty assessments upon request.*

*Benchmarking*

*This is a standard and will not need benchmarking.*

**Primary Persons Benefiting**

*The general public and the Department of Justice*

**GOAL I**

**The Department of Justice will provide superior legal and professional services to Louisiana citizens, private sector organizations, and all governmental entities.**

**PUBLIC PROTECTION DIVISION OBJECTIVES****INSURANCE SECTION**

*Sub-Goal > Ensure a high level of billing productivity in the Insurance Section*

Objective I.7: In the Insurance Section, file 100% of motions of payment with the court, within 15 days following the end of each monthly billing cycle by June 30, 2022.

**TOBACCO**

*Sub-Goal > Ensure that the Tobacco Section exercises an appropriate level of due diligence in the enforcement of the MSA and other tobacco-related Louisiana laws against Participating Manufacturers and Non-Participating Manufacturers.*

Objective I.8: Enforce the terms of the MSA against the Participating Manufacturers by conducting at least 200 inspections of tobacco retail establishments (at least 50 per quarter), notify violators of violations within 15 days, when applicable, and re-inspect within six months each fiscal year by June 30, 2022.

Objective I.9: Through the Tobacco Section, conduct at least six inspections of tobacco-sponsored events in order to identify and remedy violations of the MSA each fiscal year by June 30, 2022.

Objective I.10: Through the Tobacco Section, solicit a minimum of 24 statewide presentations to Louisiana citizens on the dangers of tobacco use and/or issues related to the MSA each fiscal year by June 30, 2022.

**EQUAL OPPORTUNITY**

Objective I.11: Qualify for full payment from HUD on 50% of processed fair housing complaints each fiscal year by June 30, 2022.

## CONSUMER PROTECTION/AUTO FRAUD

*Sub-Goal > Enforce laws that ensure a fair and safe commercial environment for LA Citizens.*

- Objective I.12: Respond to 100% of consumer complaints with informal resolution within 90 days each fiscal year by June 30, 2022.
- Objective I.13: Bring 85% of unfair and deceptive trade practices investigations to resolution within 90 days by June 30, 2022.

## GOAL II

**The Department of Justice will develop and support programs that ensure a safe environment in Louisiana communities, schools, and workplaces.**

### DOMESTIC VIOLENCE

*Subgoal > To develop an outreach initiative which provides training to law enforcement and workplace supervisors on responding to instances of violence, abuse, and sexual harassment.*

- Objective II.1: To provide violence, abuse, and sexual harassment and stalking response in-service training to 1,500 law enforcement officers by June 30, 2022.
- Objective II.2:** To provide violence, abuse, sexual harassment and stalking awareness training to all DOJ supervisors and 1500 non-DOJ personnel by June 30, 2022.
- Objective II.3:** To provide Juvenile Crime Prevention Training and Technical Assistance to 500 school personnel, 250 Law Enforcement Officers and 250 Community Agencies by June 30, 2022.
- Objective II.4:** To distribute 5000 juvenile crime prevention awareness materials to students and community agencies by June 30, 2022.

### HUMAN TRAFFICKING

*SubGoal > To develop an outreach initiative which provides training to law enforcement personnel and community and government programs on the identification and recommended response to incidents of human trafficking.*

**Objective II.5:** To provide in-service Human Trafficking trainings to 250 law enforcement personnel by June 30, 2022.

### **GOAL III**

**The Department of Justice will strive to protect the integrity of the insurance industry as well as to protect the State and its citizens from persons or businesses that engage in insurance fraud.**

#### **CIVIL INSURANCE FRAUD**

*SubGoal > Enforce laws that prohibit insurance fraud and provide for civil actions and monetary penalties.*

**Objective III.1:** Investigate 100% of consumer and business complaints of insurance fraud with informal resolution within 60 days each fiscal year by June 30, 2022.

**Objective III.2:** Bring 85% of consumer and business complaints of insurance fraud to resolution within 90 days by June 30, 2022.

**Objective I.7:** In the Insurance Section, file 100% of motions for payment with the court and/or Louisiana Receivership Office, or its equivalent, within 10 days following the end of each monthly billing cycle by June 30, 2022.

**Strategies**

**I.7.a:** Use Case Tracking/Work Management to ensure timely billing and payment.

**Performance Indicator**

OUTPUT

- # of motions filed
- # of motions filed within 10 days following the end of each monthly billing cycle

OUTCOME

- % of billing invoices submitted within 10 days following the end of each monthly billing cycle

***Justification***

*To continue to provide competent and quality legal representation in an area of law.*

***Benchmarking***

*Louisiana is leading the nation in the development and implementation of insurance receivership practices and laws. Louisiana's receivership management practices and legal analyses of related law can serve as a benchmark for other states.*

***Primary Persons Benefiting***

*Creditors and policy holders of the insolvent insurance companies and citizens of the state.*

**Objective I.8:** Through the Tobacco Section, enforce the terms of the Master Settlement Agreement<sup>2</sup> against the Participating Manufacturers<sup>3</sup> by conducting at least 200 inspections of tobacco retail establishments (at least 50 per quarter), notify violators of violations within 15 days, when applicable, and re-inspect within six months each fiscal year by June 30, 2022.

**Strategies**

**I.8.a:** Hold weekly internal Tobacco Section meetings to monitor the progress of completing at least 50 inspections per quarter.

**Performance Indicator**

INPUT

- # of tobacco retail establishments in Louisiana
- # of random site checks (inspections) conducted at retail tobacco outlets each quarter

OUTPUT

- # of inspections finding a violation

QUALITY

- # of re-inspections within six months of the original inspection when a violation has occurred

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<sup>2</sup> The Master Settlement Agreement:

Starting in 1994, several States sued the country’s largest tobacco manufacturers to recover the costs incurred by the States in treating smoking-related diseases, and to address the manufacturers’ marketing practices and other violations of consumer protection, antitrust and other State laws. On March 13, 1996, Louisiana filed its complaint, which was similar in substance to complaints filed by other States. (See Richard P. Ieyoub et al. vs. Philip Morris, Inc et. al., Fourteenth Judicial District Court, Parish of Calcasieu, State of Louisiana, Number 98-6473.) The state lawsuits were settled through execution of the MSA on November 23, 1998. The MSA was signed by 52 governmental jurisdictions (46 states, the District of Columbia, Puerto Rico, and four territories), which are defined by the MSA as the “Settling States.” MSA § II(qq). (Four states – Florida, Minnesota, Mississippi and Texas – settled separately.) The defendants that executed the MSA on November 23, 1998 – Philip Morris, Lorillard, Brown & Williamson and R.J. Reynolds – are known as the “Original Participating Manufacturers” or “OPMs.” MSA § II(hh).

<sup>3</sup> Participating Manufacturer:

Means a Tobacco Product Manufacturer that is or becomes a signatory to this Agreement, provided that (1) in the case of a Tobacco Product Manufacturer that is not an Original Participating Manufacturer, such Tobacco Product Manufacturer is bound by this Agreement and the Consent Decree (or, in any Settling State that does not permit amendment of the Consent Decree, a consent decree containing terms identical to those set forth in the Consent Decree) in all Settling States in which this Agreement and the Consent Decree binds Original Participating Manufacturers (provided, however, that such Tobacco Product Manufacturer need only become bound by the Consent Decree in those Settling States in which the Settling State has filed a Released Claim against it), and (2) in the case of a Tobacco Product Manufacturer that signs this Agreement after the MSA Execution Date, such Tobacco Product Manufacturer, within a reasonable period of time after signing this Agreement, makes any payments (including interest thereon at the Prime Rate) that it would have been obligated to make in the intervening period had it been a signatory as of the MSA Execution Date. “Participating Manufacturer” shall also include the successor of a Participating Manufacturer. Except as expressly provided in this Agreement, once an entity becomes a Participating Manufacturer such entity shall permanently retain the status of Participating Manufacturer. Each Participating Manufacturer shall regularly report its shipments of Cigarettes in or to the fifty United States, the District of Columbia and Puerto Rico to Management Science Associates, Inc. (or a successor entity as set forth in subsection (mm)). Solely for purposes of calculations pursuant to subsection IX(d), a Tobacco Product Manufacturer that is not a signatory to this Agreement shall be deemed to be a “Participating Manufacturer” if the Original Participating Manufacturers unanimously consent in writing.

- % of re-inspections within 6 months of original inspection finding a violation

#### OUTCOME

- # of violation notices sent within fifteen days of an inspection finding a violation
- % of violation notices sent within 15 days of an inspection finding a violation

#### ***Justification***

*It is imperative that the Attorney General enforce the Master Settlement Agreement and related Louisiana laws, against tobacco product manufacturers in order to reduce youth exposure to tobacco products and ensure that the State of Louisiana continues to receive the appropriate amount of funds due under the Master Settlement Agreement.*

#### ***Benchmarking***

*No other state agencies currently track the contents of this Objective; it is possible that other states track the contents of this Objective in their own states.*

#### ***Primary Person Benefiting***

*The general public, the State of Louisiana, and state bond holders.*

**Objective I.9:** Through the Tobacco Section, conduct statewide inspections of tobacco-sponsored events in order to identify and remedy violations of the Master Settlement Agreement each fiscal year by June 30, 2022.

**Strategies**

**I.9a:** Hold weekly internal Tobacco Section meetings to monitor the progress of conducting statewide inspections annually of tobacco-sponsored events in order to identify MSA violations.

**Performance Indicator**

INPUT

- # of tobacco sponsored events inspected resulting in a violation

OUTCOME

- # of inspections of tobacco-sponsored events performed

***Justification***

*It is imperative that the Attorney General enforce the Master Settlement Agreement and related Louisiana laws, against tobacco product manufacturers in order to reduce youth exposure to tobacco products and ensure that the State of Louisiana continues to receive the appropriate amount of funds due under the Master Settlement Agreement.*

***Benchmarking***

*No other state agencies currently track the contents of this Objective; it is possible that other states track the contents of this Objective in their own states.*

***Primary Person Benefiting***

*The general public.*

**Objective I.10:** Through the Tobacco Section, solicit a minimum of 24 presentations to Louisiana citizens in a variety of venues on the dangers of tobacco use and issues related to the Master Settlement Agreement each fiscal year by June 30, 2022.

**Strategies**

**I.10.a:** Actively solicit opportunities to make presentations by contacting a variety of non-profit entities.

**Performance Indicator**

OUTCOME

- # of Tobacco presentations made

***Justification***

*Decrease number of consumers unknowingly defrauded.*

***Benchmarking***

*Search shows Arkansas Newsletter goes to all Attorneys General offices; Trial Lawyers Monthly Newsletter; press releases.*

***Primary Persons Benefiting***

*Citizens, consumers.*

- Objective I.11.a:** Qualify for full payment from HUD on 50% of housing processed fair housing complaints each fiscal year by June 30, 2022.
- Objective I.11.b:** Close a minimum of 100 HUD fair housing complaints each fiscal year by June 30, 2022.
- Objective I.11.c:** The Section will conduct fair housing training seminars as needed and will also participate in a minimum of 12 outreach activities each fiscal year in a variety of venues to inform citizens, including first time home buyers, landlords, tenants, real estate agents, contractors, mortgage lenders, etc., about their rights and responsibilities pursuant to State and Federal fair housing laws.
- Objective I.11.a:** Qualify for full payment from HUD on 50% of processed fair housing complaints each fiscal year by June 30, 2022.

**Strategies**

- I.11.a.1:** Develop and improve computer applications to support consumer complaint processing and resolution.
- I.11.a.2:** Full review by supervisor of investigation of all complaints within 75 days of commencement of investigation.
- I.11.a.3:** Maintain narrative report log which can be furnished to HUD for consideration of full payment when HUD performance guidelines can not be met.
- I.11.a.4:** Detailed review by Section supervisor of each completed case record to ascertain that all HUD performance guidelines and quality standards are met before case is submitted to HUD for full payment.

**Performance Indicator**

INPUT

- # of fair housing complaints received
- # of fair housing complaints received last FY

OUTPUT

- # of cases closed
- # of cases closed within HUD performance guidelines
- # of cases closed which generated a “Letter of Exception”

- # of cases closed by conciliation
- # of cases open with no activity within 30 days

**OUTCOME**

- % of cases closed within HUD performance guidelines

***Justification***

*The LDOJ is authorized by the U.S. Department of Housing and Urban Development (HUD) to enforce the federal Fair Housing Act and its substantial equivalent, the Louisiana Equal Housing Opportunity Act. The LDOJ receives funding from HUD each year pursuant to a Cooperative Agreement with HUD. As of Oct.1,2004, this funding is largely performance-based. HUD pays a maximum of \$2,600 for each fair housing complaint processed. This payment, however, is now based on a sliding scale which can reduce the amount of such payments if the fair housing complaints are not processed within timeframes established by HUD. The purpose of this indicator is to maximize the amount of money payable by HUD by ensuring the fair housing complaints are processed in a timely manner.*

***Benchmarking***

*The section is required to meet the performance measures and guidelines established by HUD in order to qualify for full payment on each fair housing complaint that the section processes. HUD reviews each fair housing complaint processed by the section prior to making any payment.*

***Primary Person Benefiting***

*The public benefits because HUD's performance- based system provides incentives for the timely processing of fair housing complaints. The LDOJ benefits because timely case processing results in greater amounts of funding from HUD.*

**Objective I.11.b.:** Close a minimum of 100 HUD fair housing each fiscal year by June 30, 2022.

**Strategies**

- I.11.b.1:** Develop and improve computer applications to support consumer complaint processing and resolution.
- I.11.b.2:** Full review by supervisor of investigation of all complaints within 75 days of commencement of investigation.
- I.11.b.3:** Have housing related calls received by Constituent Services and Duty Attorneys referred to our Section for handling to increase intake of fair housing complaints. Each investigator will strive to intake 5 to 10 new HUD complaints each year to meet Section’s goal of handling a minimum of 100 HUD cases each year.
- I.11.b.4:** Maintain narrative report log showing the number of cases each investigator received through intake.

**Performance Indicator**

INPUT

- # of fair housing complaints received
- # of fair housing complaints received through intake

OUTPUT

- # of cases received each fiscal year
- # of cases each investigator received through intake
- # of cases closed by each investigator each fiscal year
- # of cases closed by conciliation
- # of cases closed in which cause was found

EFFICENCY

- # of cases open with no activity within 30 days

OUTCOME

- % of cases closed within HUD performance guidelines

**Justification**

*The LDOJ is authorized by the U.S. Department of Housing and Urban Development (HUD) to enforce the federal Fair Housing Act and its substantial equivalent, the Louisiana Equal Housing Opportunity Act. The LDOJ receives funding from HUD each year pursuant to a Cooperative Agreement with HUD. As of Oct.1,2004, this funding is largely performance-based. HUD currently pays a maximum of \$2,600 for each fair housing complaint processed. This payment, however, is now based on a sliding scale which can reduce the amount of such payments if the fair housing complaints are not processed within timeframes established by HUD. The purpose of this indicator is to maximize the amount of money payable by HUD by increasing the number of fair housing complaints received by the Section and by ensuring the fair housing complaints are processed in a timely manner.*

**Benchmarking**

*The section is required to meet the performance measures and guidelines established by HUD in order to qualify for full payment on each fair housing complaint that the section processes. HUD reviews each fair housing complaint processed by the section prior to making any payment.*

**Primary Person Benefiting**

*The public benefits because HUD's performance-based system provides incentives for the timely processing of fair housing complaints. The LDOJ benefits because timely case processing results in greater amounts of funding from HUD.*

**Objective I.11.c:** Conduct a minimum of 12 outreach activities each fiscal year in a variety of venues to inform first time home buyers, landlords, tenants, real estate agents, contractors, mortgage lenders, and the general public about their rights and responsibilities pursuant to State and Federal fair housing laws. Distribute a minimum of 10000 fair housing law booklets and pamphlets to public citizens, libraries, housing fairs, home shows, etc.

**Strategies**

**I.11.c.1:** Provide fair housing training sessions for persons and/or employees of persons who have agreed to attend fair housing training as a condition of settling or conciliating a fair housing complaint brought against them.

**I.11.c.2:** Partner with HUD employees to present fair housing training to consumers and as well as to the business community about fair housing laws.

**I.11.c.3:** The Section will participate in a minimum of 12 outreach activities each year in a variety of venues such as libraries, housing fairs, home and garden shows, and consumer seminars to inform consumers and the business community about fair housing laws.

**I.11.c.4:** The Section will distribute a minimum of 10000 fair housing law booklets and pamphlets to public citizens, libraries, housing fairs, home shows, etc., during each fiscal year.

**Performance Indicator**

OUTPUT

- # of training and/or outreach sessions scheduled
- # of training and/or outreach sessions completed
- # of fair housing booklets and pamphlets printed and distributed

OUTCOME

- # of persons attending training and/or outreach sessions
- # of cities/parishes where fair housing booklets and pamphlets were distributed
- # of individuals who were sent a copy of fair housing booklets and pamphlets

***Justification***

*The LDOJ is authorized by the U.S. Department of Housing and Urban Development (HUD) to enforce the federal Fair Housing Act and its substantial equivalent, the Louisiana Equal Housing Opportunity Act. The LDOJ receives funding from HUD each year pursuant to a Cooperative Agreement with HUD. The cooperative agreement with HUD requires LDOJ to provide fair housing training and outreach activities to advise consumers, the business community, and the general public about the provisions of State and Federal fair housing laws and their rights under such laws. The purpose of this indicator is to assure that HUD requirements for training and outreach activities are met.*

***Benchmarking***

*The section is required to meet training and outreach guidelines established by HUD in order to receive continued funding from HUD.*

***Primary Person Benefiting***

*The public benefits from knowing their rights and responsibilities under State and Federal fair housing laws.*

**Objective I.12:** Respond to 100% of consumer complaints with informal resolution within 90 days each fiscal year by June 30, 2022.

**Strategies**

**I.12.a:** Maintain and monitor computer applications to support consumer complaint processing and resolution.

**Performance Indicator**

INPUT

- # of complaints received
- # of auto fraud complaints received
- # of consumer complaints received

OUTPUT

- # of complaints responded to with an informal resolution within 45-days of receipt

OUTCOME

- % of complaints that are responded to with an informal resolution within 45 days of receipt

***Justification***

*Improve the effectiveness of the mediation process.*

***Benchmarking***

*Improve, from prior fiscal years, the resolution of consumer complaints.*

***Primary Persons Benefiting***

*Citizens, consumer, and business owners.*

**Objective I.13:** Bring 85% of unfair and deceptive trade practices investigations to resolution within 90 days by June 30, 2022.

**Strategies**

- I.13.a:** Section Chief will monitor cases to ensure prompt action.
- I.13.b:** Install dummy telephone line for making untraceable calls.
- I.13.c:** Obtain credit card and bank account numbers to be used in sting operations.
- I.13.d:** Hire Civil Investigators to assist with attorney investigations
- I.13.e:** Obtain access to investigative databases.

**Performance Indicator**

INPUT

- # of investigations initiated

OUTPUT

- # of investigations active over 60 days (backlog)

OUTCOME

- % of investigations initiated during the fiscal year that have been brought to resolution within 60 days<sup>4</sup>

***Justification***

*Eliminate businesses operating in an unfair and/or illegal manner in Louisiana.*

***Benchmarking***

*Laws modeled after North Carolina and other states with effective consumer protection offices.*

***Primary Persons Benefiting***

*Citizens, consumers, and business owners.*

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<sup>4</sup> Include only cases reaching their 60 day anniversary during the time period

## **GOAL II**

**The Department of Justice will develop and support programs that ensure a safe environment in Louisiana communities, schools, and workplaces.**

### **PROGRAM OBJECTIVES**

#### **DOMESTIC AND DATING VIOLENCE**

*Subgoal > To develop an outreach initiative which provides training to law enforcement and workplace supervisors on responding to instances of violence, abuse, sexual harassment and stalking.*

Objective II.1 To provide violence, abuse, and sexual harassment and stalking response in-service training to 1,500 law enforcement officers by June 30, 2022.

Objective II.2 To provide violence, abuse, sexual harassment and stalking awareness training to all DOJ supervisors and 1500 non-DOJ personnel by June 30, 2022.

#### **JUVENILE CRIME PREVENTION**

*SubGoal > To provide quality professional juvenile crime prevention training to Louisiana School Districts and personnel Louisiana Youth, Law Enforcement professionals and Community Agencies in combatting juvenile crime.*

Objective II.3: To provide Juvenile Crime Prevention Training and Technical Assistance to 500 school personnel, 250 Law Enforcement Officers and 250 Community Agencies by June 30, 2022.

Objective II.4: To distribute 5000 juvenile crime prevention awareness materials to students and community agencies by June 30, 2022.

#### **HUMAN TRAFFICKING**

*SubGoal > To develop an outreach initiative which provides training to law enforcement personnel and community and government programs on the identification and recommended response to incidents of human trafficking.*

Objective II.5 To provide in-service Human Trafficking trainings to 250 law enforcement personnel by June 30, 2022.

**Objective II.1** To provide violence, abuse, sexual harassment and stalking response in-service training to 1,500 law enforcement officers by June 30, 2022.

**Strategies**

**II.1.a:** Review and update training materials quarterly

**II.1.b:** Program Director shall contact law enforcement groups, schedule training sessions, and arrange for records to be maintained.

**Performance Indicator**

INPUT

- # of training requested

OUTPUT

- # of training sessions scheduled
- # of training sessions completed

OUTCOME

- # of law enforcement officers who received DOJ violence, abuse, and sexual harassment response in-service training

***Justification***

*Louisiana Department of Justice has developed Louisiana's only Peace Officers Standards and Training (P.O.S.T.) certified training curriculum geared to law enforcement response in the area of domestic and dating violence taught by a team of subject matter experts. Because this is the only training available to law enforcement personnel at no cost, it is imperative that this work continue to assist with victim safety and offender accountability. Louisiana continues to rank in the top five states in the nation in women killed by men, mandating a more aggressive and uniform response to these crimes by the criminal justice system. The Attorney General's office is called upon daily to provide statistics, resources, training workshops, speeches, and presentations across the state on general violence prevention, domestic violence in workplace, and domestic and dating violence to both law enforcement agencies as well as community and government agencies.*

***Benchmarking***

*The Louisiana Department of Justice has developed Louisiana's only Peace Officers Standards and Training (P.O.S.T.) certified training curriculum geared to law enforcement response in the area of domestic and dating violence taught by a team of subject matter experts. Most recently, the Attorney General's Office developed Louisiana's first on-line training initiative for law enforcement in response to domestic violence and is available to all law enforcement personnel through the Louisiana POST website. In addition, the Attorney General's Office has created a domestic violence initiative to train employers and employees on how to properly address this epidemic in the workplace. This is Louisiana's first effort to connect the public and employers against domestic violence as it relates to the workplace. The office has made several national presentations regarding the Louisiana Attorney General's Office efforts in the areas of domestic violence.*

***Primary Person Benefiting***  
*Citizens of the State of Louisiana.*

**Objective II.2** To provide violence, abuse, sexual harassment and stalking awareness training to all DOJ supervisors and 1500 non-DOJ personnel by June 30, 2022.

**Strategies**

**II.2.a:** Review and update training materials quarterly.

**II.2.b:** Program Director will contact governmental agencies, chambers of commerce, and medical facilities to arrange training sessions.

**II.2.c:** Coordinate DOJ training with HR Director training programs.

**Performance Indicator**

**INPUT**

- # of training requested
- # of presentations requested

**OUTPUT**

- # of training sessions scheduled
- # of training sessions completed

**OUTCOME**

- # of people that received DOJ violence, abuse, and sexual harassment awareness training
- % of DOJ supervisors receiving DOJ violence, abuse, and sexual harassment awareness training

**Justification**

*Louisiana Department of Justice has been engaged in domestic and dating violence awareness in Louisiana for over 20 years. The department has the only domestic offers free of charge, information, technical assistance and resources for government and department is a collaborative partner with many state and local level initiatives geared to deter violence against women. The Attorney General's office is called upon daily to provide statistics, resources, training workshops, speeches, and presentations across the state on violence prevention and domestic violence in the workplace. It is imperative that this work continue as Louisiana ranks in the top 5 states in the nation in which women are killed by men, with many of those homicides occurring in the workplace.*

**Benchmarking**

*The Attorney General's Office has created a domestic violence initiative to train employers and employees on how to properly address this epidemic in the workforce. The office has made several national presentations regarding the Louisiana Attorney General's Office efforts in the area of domestic violence.*

**Primary Person Benefiting**

*Citizens of the State of Louisiana*

**Objective II.3** To provide Juvenile Crime Prevention Training and Technical Assistance to 500 school personnel, 250 Law Enforcement Officers and 250 Community agencies by June 30, 2022.

**Strategies**

**II.3.a:** Identify high risk areas of juvenile crime and contact officials to solicit interest and schedule initial presentations.

**II.3.b:** Respond to all referrals/requests for technical assistance, community organizations and delivery of materials.

**Performance Indicator**

INPUT

- # of requests for technical assistance or presentations from schools.
- # of requests for technical assistance or presentations from community organizations

OUTPUT

- # of presentations completed
- # of materials disseminated

OUTCOME

- # of individuals evaluating program as positive
- # of individuals receiving DOJ technical assistance or presentations

**Justification**

*Louisiana Department of Justice has been engaged in alcohol, drug, tobacco and youth violence prevention through the U Drink...U Drive...U Walk Anti-Drinking and Driving Campaign, School Safety Resource Initiative, leadership training, in-service training for teachers, youth anti-drug presentations, DARE officer training, community team-building, development of resource clearinghouse, public service announcements, training manual development, technical assistance to state agencies, local agencies, schools, law enforcement, etc. The Attorney General's office is called upon daily to provide statistics, resources, training workshops, speeches, and presentations across the state on drug, alcohol, tobacco, school safety, conflict resolution, violence prevention, domestic violence in the workplace, and domestic violence law enforcement response training. It is imperative that this work continue through increased public awareness, education and mobilization. The Attorney General's Office has recently created Louisiana's first on-line training for School Resource Officers to enable them to identify and respond to juvenile crime on campus. In addition, the department has created a set of material to be distributed to both youth and community programs to assist in teaching Louisiana youth the consequences of juvenile crime.*

**Benchmarking**

*The Attorney General's U Drink...U Drive...U Walk program was nationally recognized as one of "23 Best Practices" for reducing underage drinking. Although funding did not*

*allow this program to continue, the department has consistently used this initiative as a benchmark to assist in overall juvenile crime prevention.*

*In addition, the Louisiana Attorney General's Office is known for its continuous work in the area of school safety and juvenile crime prevention. The department is recognized through national, state and local entities on its development and facilitation of several awareness campaigns to assist in keeping Louisiana youth safe and deterring juvenile crime.*

***Primary Person Benefiting***

*Citizens of the State of Louisiana*

**Objective II.4** To distribute 5000 juvenile crime prevention awareness materials to students and community agencies by June 30, 2022.

**Strategies**

**II.4.a:** Director shall contact school districts, law enforcement personnel and community agencies to schedule training sessions, and distribute materials.

**II.4.b:** Respond to all referrals/requests for training and technical assistance from school administrators, law enforcement personnel, community agencies and distribute materials.

**Performance Indicator**

INPUT

- # of materials requested

OUTPUT

- # of materials distributed

OUTCOME

- # of youth trained
- # of law enforcement officers trained
- # of community agency members trained

**Justification**

*Louisiana Department of Justice has been engaged in alcohol, drug, tobacco and youth violence prevention through the U Drink..., U Drive..., U Walk Anti-Drinking and Driving Campaign, Safety School Resource Initiative, leadership training, in-service training for teachers, youth anti-drug presentations, DARE officer training, community team-building, development of resource clearing house, public service announcements, training manual development, technical assistance to state agencies, local agencies, schools, law enforcement, etc. The Attorney General's Office is called upon daily to provide statistics, resources, training workshops, speeches and presentations across the state on drug, alcohol, tobacco, school safety, conflict resolution, violence prevention, domestic violence in the workplace, and domestic violence law enforcement response training. It is imperative that this work continue through increased public awareness, education and mobilization. The Attorney General's office has recently created Louisiana's first on-line training for School Resource Officers to enable them to identify and respond to juvenile crime on campus. In addition, the department has created a set of material to be distributed to both youth and community programs to assist in teaching Louisiana youth the consequences of juvenile crime.*

**Benchmarking**

*The Attorney General's U Drink...U Drive...U Walk program was nationally recognized as one of "23 Best Practices" for reducing underage drinking. Although funding did not allow this program to continue, the department has consistently used this initiative as a benchmark to assist overall juvenile crime prevention.*

*In addition, the Louisiana Attorney General's Office is known for its continuous work in the area of school safety and juvenile crime prevention. The department is recognized through national, state and local entities on its development and facilitation of several*

*awareness campaigns to assist in keeping Louisiana's youth safe and deterring juvenile crime.*

***Primary Person Benefiting***  
*Citizens of the State of Louisiana*

## Objective II.5

To provide in-service Human Trafficking trainings to 250 law enforcement personnel by June 30, 2022.

### Strategies

- II.5.a:** To develop a comprehensive curriculum and training effort for Louisiana law enforcement personnel in response to Human Trafficking
- II.5.b:** To develop Louisiana's first Human Trafficking Response Training Team
- II.5.c:** Provide Human Trafficking training to law enforcement personnel
- II.5.d:** To develop a uniform Human Trafficking curriculum for community agency in-service training

### Performance Indicator

#### INPUT

- # of trainings requested

#### OUTPUT

- # of curriculums developed
- # of request of in-service trainings received

#### OUTCOME

- # of in-service trainings performed to law enforcement
- # of in-service training to community agencies

### **Justification**

*In addition to alcohol, drug, tobacco and youth violence prevention as well as domestic and dating violence prevention, the Louisiana Department of Justice is the Head agency in the Western Human Trafficking task force in Louisiana. Through public service announcements, training manual development, technical assistance to state agencies, local agencies, schools, law enforcement, etc., the Attorney General's office is called upon daily to provide statistics, resources, training workshops, speeches, and presentations across the state on all of these issues including Human Trafficking. It stands to reason that with the expert and diligent personnel and collaborative partners that the department lead in its initiative to combat Human Trafficking in Louisiana increased public awareness, education and mobilization are necessary to respond to this horrific crime. The Attorney General's Office is currently working with Louisiana P.O.S.T. to ensure valuable training in this area is conducted.*

### **Benchmarking**

*The Attorney General's Community Outreach initiatives have been the most aggressive and consistent in Louisiana and lends to notice that the department is significantly involved with issues of crime victimization and prevention.*

### **Primary Person Benefiting**

*Citizens of the State of Louisiana*

### GOAL III

The Department of Justice will strive to protect the integrity of the insurance industry as well as to protect the State and its citizens from persons or businesses that engage in insurance fraud.

#### CIVIL INSURANCE FRAUD

*SubGoal > Enforce laws that prohibit insurance fraud and provide for civil actions and monetary penalties.*

**Objective III.1** Investigate 100% of consumer and business complaints of insurance fraud with informal resolution within 60 days each fiscal year by June 30, 2022.

**Objective III.2** Bring 85% of consumer and business complaints of insurance fraud to resolution within 90 days by June 30, 2022.

**Objective III.1** Investigate 100% of consumer and business complaints of insurance fraud with informal resolution within 60 days each fiscal year by June 30, 2022.

**Strategies**

**III.1.a:** Maintain and monitor computer applications to support processing of reports of civil insurance fraud, resolution, and recovery of penalties and fines.

**Performance Indicator**

INPUT

- # of Civil Insurance Fraud complaints received
- # of Civil Insurance Fraud petitions filed

OUTPUT

- # of complaints responded to with an informal resolution within 60 days of receipt
- % of Civil Insurance Fraud petitions filed within 60 days by June 30, 2022.

OUTCOME

- % of Civil Insurance Fraud petitions that result in monetary penalties and fines

*Justification*

*Improve the investigation, adjudication, and recovery of civil fines and penalties related to civil insurance fraud.*

*Benchmarking*

*Improve, annually, the resolution and or monetary recovery of civil penalties and fines for civil insurance fraud cases.*

*Primary Persons Benefiting*

*Citizens, insurers, and policy holders*

**Objective III.2** Bring 85% of consumer and business complaints of insurance fraud to resolution within 90 days by June 30, 2022.

**Strategies**

**III.1.a:** Section chief will monitor cases to ensure prompt action and maximum recovery of penalties and fines when applicable.

**III.1.b:** Issue civil Investigative Demands and conduct undercover investigations.

**III.1.c:** Obtain financial records, including bank accounts data and asset holdings.

**III.1.d:** Hire Forensic Accountants/Analysts to assist with attorney investigations.

**III.1.e:** Obtain access to federal and state investigative databases.

**Performance Indicator**

INPUT

- # of investigations initiated
- # of Civil Insurance fraud petitions filed

OUTPUT

- # of complaints responded to with an informal resolution within 60 days of receipt
- # of Civil Insurance Fraud petitions filed
- # of investigations active over 90 days (backlog)

OUTCOME

- % of complaints that are responded to with an informal resolution within 60 days of receipt
- % of Civil Insurance Fraud petitions that result in monetary penalties and fines
- % of investigations initiated during the fiscal year that have been brought to resolution within 90 days

*Justification*

*Eliminate businesses and individuals operating in violation of the Louisiana Insurance Fraud Prevention Act.*

*Benchmarking*

*Laws modeled after other states with effective, self-generated civil insurance fraud units.*

*Primary Persons Benefiting*

*Citizens, insurers, and policy holders*

**MISSION**

The mission of the Criminal Program is to seek justice on behalf of the citizens of the State of Louisiana by providing prompt, professional and ethical services to the people of the state in the prosecution of criminal cases and other matters referred to this division of the Department of Justice; and; to investigate violations of criminal laws; to help maintain integrity in government; to assist and advise local district attorneys in the analysis and prosecution of criminal matters, and to protect and serve the public.

**PROGRAM ACTIVITIES**

The Program has developed and implemented a work management program to provide input into a quality assurance system that tracks and provides management with true accountability of the legal professionals work product. Improving skills and effectiveness of less experienced trial attorneys with the use of this program will encourage attention to detail.

The Criminal Program conducts or assists in criminal prosecutions; acts as advisor for District Attorneys, the Legislature and law enforcement entities; provides legal services in the areas of extradition, appeals and federal *habeas corpus* proceedings, post-conviction relief, constitutional challenges, writs, expungements and *amicus curiae*; prepares attorney general opinions concerning criminal law; operates White Collar Crimes Section, Violent Crime and Drug Unit, Sexual Predator Apprehension Team, and Insurance Fraud Unit; investigates and prosecutes individuals and entities defrauding the Medicaid Program or abusing residents in health care facilities and initiates recovery of identified overpayments; and provides investigation services for the department.

The Criminal Division is currently divided into sections.

*General Prosecutions Sections*

The General Prosecution Sections prosecutes violations of all types of criminal laws of the state by conducting or assisting in criminal prosecutions pursuant to the recusal or request of District Attorneys. Prosecutions handled by these Sections include, but are not limited to, cases involving white collar crime, public corruption, narcotics violations, violent crimes and violations of the state's environmental laws. This Section also serves as (1) advisor to the district attorneys, law enforcement and the Legislature, (2) a training agency for law enforcement, and (3) as liaison between various levels of law enforcement within the state.

Appeals and Special Services Section

The Appeals and Special Services Section provides legal services to the state in the areas of (1) extraditions, (2) federal habeas corpus and post conviction relief, (3) as amicus curiae in matters pending before the U.S. Supreme Court, (4) constitutional challenges, and (5) by preparation of Attorney General Opinions concerning matters of criminal law.

Sexual Predator Apprehension Team(AKA Sexual Predator Unit)

The Sexual Predator Unit oversees the statewide implementation and enforcement of Louisiana's sex offender and child predator registration and notification laws with regard to over 13,000 registered sex offenders and child predators. This is done by working with federal, state, and local investigative resources, and the public, to make sure offenders who are required to register do so, or are apprehended for their failure to do so. In addition, the Unit is responsible for overseeing continuing substantial compliance with the Federal Adam Walsh Act by providing information to the legislature when changes are proposed to our registration and notification laws and by reporting to the U.S. DOJ any changes that are enacted. The Unit provides trainings and consultations to law enforcement, prosecutors, and other state and federal agencies related to sex offender and child predator registration and notification requirements under Louisiana law. Lastly, this Unit handles all litigation related to the application of sex offender registration and notification laws and sets official registration end dates for offenders who have less than lifetime registration periods. The authority and duties of the unit are set forth in LSA –R.S. 15:552, 15:544(E), 15:544.1, and 15:544.2.

Insurance Fraud Section

The Insurance Fraud Section provides legal services to the state in the area of insurance fraud by providing legal assistance to the Department of Insurance and Louisiana State Police in connection with crimes of this nature and by prosecuting all types of insurance fraud cases.

Medicaid Fraud Control Unit

In Louisiana, the responsibility to investigate and prosecute all types of fraud perpetrated by providers of medical services in the Medicaid program has been assigned to the Medicaid Fraud Control Section of the Department of Justice.

The Unit receives cases for investigation from the U.S. Department of Health and Human Services, from the Louisiana Department of Health and Hospitals, and from many other sources.

Regulations issued by the U. S. Department of Health and Human Services also require the Medicaid Fraud Control Unit to review

complaints alleging abuse or neglect of Medicaid patients in health care facilities and to investigate those cases which indicate a substantial potential for criminal prosecution. The Medicaid Fraud Control Unit investigates and prosecutes individuals and entities defrauding the

Medicaid Program or abusing residents in health care facilities. It also initiates recovery of identified overpayments.

The Investigation Division is currently divided into three sections.

*Investigation Section - Trial/General Investigation Section*

The Investigation Section is responsible for the investigation of alleged violations of the criminal laws of this state, conducting of civil and special investigations including investigations of public corruption, institutional and insurance fraud. The Section also provides investigative services to the attorneys in the Criminal Division to include follow-up on cases, locating witnesses, providing security for witnesses, witness management at court proceedings, testifying on behalf of the state, and evidence management. This Section also responds to the numerous requests for investigative assistance from local, state or federal governmental agencies.

The Investigation Section is also responsible for coordinating access, safety and security within the Department of Justice, including executive security and coordinates with the State Office of Buildings and Grounds with regard to matters within the Livingston Building and offices in the State Capitol. This Section also includes the clerical support function, file room management, case tracking, analytical support, and the maintenance and operation of the Division's computer network, as well as fleet management. In addition, this Section includes investigators assigned to outside agency task forces, workers' compensation fraud investigations, and intelligence information.

*Investigations Section – Fugitive Apprehension Section*

This Section was created in 2008 as the LADOJ recognized the need to devote manpower and assets to the apprehension of fugitives from justice. The Louisiana Department of Justice Fugitive Apprehension Unit was created for the purpose of assisting local law enforcement agencies in locating and apprehending fugitives from justice. The unit officially started on Monday, May 5, and less than 48 hours later they arrested a suspect wanted by the Hammond Police Department. The FAU is dedicated to assisting local law enforcement agencies in locating and arresting wanted individuals who either cannot be located by the local agency, or where the suspect is believed to be located in a jurisdiction other than where the arrest warrant is issued. The majority of the suspects

are aware they are being sought by law enforcement and have taken measures to evade capture. Due to pending caseloads and other considerations, local law enforcement agencies may not have the time or resources available to locate them. Crossing jurisdictional lines can also be problematic for local law enforcement when searching for wanted individuals who reside in, or have fled to, a different city, parish, or state. The FAU has statewide jurisdiction and can dedicate all the time and resources necessary to bring these fugitives to justice. The FAU has also worked successfully with law enforcement in surrounding states in locating and apprehending fugitives from Louisiana.

#### Cyber Crime Unit (ICAC and Forensic Lab)

The CCU is a specialized unit with attorneys, investigators, and computer forensic experts all trained in the specific field of cyber-crime investigation and prosecution. This specialized unit concentrates on combating crimes involving digital technology. The CCU includes the first state computer forensic center and provides forensic examinations of digital evidence to the department and other local, state, and federal government agencies. The Section includes the Louisiana Internet Crimes Against Children Task Force (ICAC), that investigates crimes relating to child exploitation and abuse on the Internet. ICAC investigators conduct proactive online undercover operations and investigate child exploitation cases referred to the department from other agencies, as well as the National Center for Missing and Exploited Children. The CCU also works cases involving online auction fraud, computer intrusion, death investigations, domestic violence, economic fraud including online fraud and counterfeiting, email threats, harassment and stalking, extortion, gaming, identity theft, narcotics, prostitution, human trafficking, software piracy, and telecommunications fraud. The unit also provides training to local law enforcement and gives public service lectures in regard to technology based crimes throughout the State of Louisiana.

#### **LOUISIANA VISION 2020**

The goals of this program incorporate one goal of the Louisiana Vision 2020: Goal 1: To be a learning enterprise in which all Louisiana businesses, institutions, and citizens are actively engaged in the pursuit of knowledge.

#### **DUPLICATION**

No other state agency is charged with defense of the Constitution, the laws of the State of Louisiana, and protecting the State of Louisiana's interests by providing legal services in the general area of criminal law. Thus, there is no duplication of effort by any other state agency.

**AUTHORIZATION FOR GOAL(S):**

Louisiana Constitution Article 4, Section 8

LA R.S. 36:701	LA C.Cr.P. 66
LA R.S. 13:4862	LA C.Cr.P. 734
LA R.S. 13:5036	LA C.Cr.P. 264
LA R.S. 49:251	LA C.Cr.P. 61
42 CFR 1007.1-1007.21	LA C.Cr.P. 62
LA R.S. 36:702	LA C.Cr.P. 63
LA R.S. 36:703	LA C.Cr.P. 64
LA R.S. 36:706	LA C.Cr.P. 65
LA R.S. 36:704	

**PROGRAM GOAL**

- I. The Department of Justice will provide superior legal and professional services to Louisiana citizens, private sector organizations, and all governmental entities.

**GOAL I**

**The Department of Justice will provide superior legal and professional services to Louisiana citizens, private sector organizations, and all governmental entities.**

**CRIMINAL DIVISION OBJECTIVES**

*Sub-Goal > To provide superior legal and professional services and justice to the State of Louisiana in the area of criminal law in a just and ethical manner.*

Objective I.1: Through the Criminal Division, 95% of cases received through recusal shall be handled in-house by June 30, 2022.

**INSURANCE FRAUD SUPPORT UNIT**

*Sub-Goal > To continue operating as a productive and essential part of the Louisiana Insurance Fraud Task Force.*

Objective I. 2: Through the Insurance Fraud Support Unit of the Criminal Division, to provide legal support to law enforcement agencies investigating criminal insurance fraud referrals by responding to requests for legal consultation within two working days and attending 90% of monthly intelligence sharing meetings hosted by the Louisiana State Police Insurance Fraud Unit by June 30, 2022.

**MEDICAID FRAUD**

*Sub-Goal > To effectively investigate and prosecute provider fraud, fraud in the administration of the program, the abuse of residents in Medicaid funded facilities, and recover any identified overpayments, penalties and prosecution costs where appropriate.*

Objective I. 3: Through the Medicaid Fraud Control Unit of the Criminal Division, open 250 investigations of provider fraud and patient abuse annually by June 30, 2022.

## SEXUAL PREDATOR APPREHENSION TEAM

Sub-Goal > *To oversee the statewide implementation and enforcement of Louisiana's sex offender and child predator registration and notification laws.*

- Objective I.4: Through the Sexual Predator Apprehension Team of the Criminal Division, provide written notice to offenders within 30 days from the date on which the Department of Justice posts its determination of the registration and notification period end date to the offender's file in the Sex Offender and Child Predator Registry by June 30, 2022.
- Objective I.5: Through the Sexual Predator Apprehension Team of the Criminal Division, respond to 95% of petitions filed by offenders seeking relief from registration within 30 days of receipt by June 30, 2022.
- Objective I.6: Through the Sexual Predator Apprehension Team of the Criminal Division, provide in-service trainings to law enforcement and other agencies having a role in sex offender and child predator registration within 60 days of a request for training by June 30, 2022.
- Objective I.7: Through the Sexual Predator Apprehension Team of the Criminal Division, respond to requests for consultation within 45 days of receipt of the request or receipt of all information necessary to respond to the request, whichever is later by June 30, 2022.

**Objective I.1:** Through the Criminal Division, 95% of cases received through recusal shall be handled in-house by June 30, 2022.

**Strategies**

**I.1.a:** The Director shall review all cases received to determine if recusal is needed.

**Performance Indicator**

INPUT

- Number of cases opened
- Number of cases that are refused due to conflict
- Number of cases closed
- Number of recusals received
- Number of requests for assistance
- Number of parishes served

OUTCOME

- Percentage of new cases received by recusal that are retained and handled in-house

***Justification***

*Timely response to cases received is necessary to show that the Attorney General's office is efficient and effective in handling cases for the State, furthering our stance that more cases should be handled in house to save money for the State.*

***Benchmarking***

*This is a standard and will not need benchmarking. The timely response to cases received is part of the work product of the legal professional.*

***Primary Person Benefiting***

*The general public and the Louisiana Department of Justice.*

**Objective I.2:** Through the Insurance Fraud Support Unit of the Criminal Division, provide legal support to law enforcement agencies investigating criminal insurance fraud referrals by responding to requests for legal consultation within two working days and attending 90% of monthly intelligence sharing meetings hosted by the Louisiana State Police Insurance Fraud Unit by June 30, 2022.

**Strategies**

**I.2.a:** Use management system to log and track requests for legal assistance.

**I.2.b:** Supervisor will assure attendance at all State Police Insurance Fraud meetings.

**Performance Indicator**

INPUT

- Number of requests for legal consultation
- Number of scheduled intelligence sharing meetings

OUTPUT

- Number of scheduled intelligence sharing meetings attended by DOJ

OUTCOME

- Percentage of requests for legal consultation responded to within 2 working days
- Percent of scheduled intelligence sharing meetings attended by DOJ

***Justification***

*Timely response to informal complaints is necessary to show that the Attorney General's office is efficient and effective in handling cases for the State, furthering our stance that more cases should be handled in house to save money for the State and increase staff knowledge and expertise.*

***Benchmarking***

*This is a standard and will not need benchmarking. The timely response to informal complaints is part of the work product of the legal professional.*

***Primary Persons Benefiting***

*Primary persons that would benefit from this objective are the citizens of Louisiana, public officials, other state agencies, and the Department of Justice employees.*

**Objective I.3:** Through the Medicaid Fraud Control Unit of the Criminal Division, open 250 investigations of provider fraud and patient abuse annually by June 30, 2022.

**Strategies**

**I.3.a:** Outreach to law enforcement, healthcare providers, professional organizations and community organizations to encourage the reporting of provider fraud and patient abuse.

**Performance Indicator**

OUTPUT

- Number of investigations opened
- Number of arrests
- Number of convictions
- Number of civil cases settled
- Total amount of restitution ordered for the Medicaid Program
- Total amount of restitution collected for the Medicaid Program
- Total other amounts ordered
- Total other amounts collected

OUTCOME

- Number of outreach training programs provided by law enforcement, healthcare provides, professional organizations and community organizations

***Justification***

*The purpose is to maintain and/or improve performance of the Unit as a whole.*

***Benchmarking***

*The Department of Health and Human Services manages the compilation of data collected from the Medicaid Fraud Control Units throughout the country. All comparisons of performance will be to Units in other states.*

***Primary Persons Benefiting***

*Primary persons that would benefit from this objective are the citizens of Louisiana, public officials, other state agencies, and the Department of Justice employees.*

**Objective I.4:** Through the Sexual Predator Apprehension Team of the Criminal Division, provide written notice to offenders within 30 days from the date on which the Department of Justice posts its determination of the registration and notification period end date to the offender’s file in the Sex Offender and Child Predator Registry by June 30, 2022.

**Strategies**

**I.4.a:** Use Sex Offender and Child Predatory Registry to determine registration and notification end dates.

**I.4.b:** Use management system to track written notices.

**Performance Indicator**

INPUT

- Number of offenders reviewed.

OUTPUT

- Number of written notices sent

OUTCOME

- Number of written notices provided by the Department of Justice within 30 days from date the determination is posted.

***Justification***

*Timely providing offenders with written notice is required by LSA—R.S. 15:544.2 and is necessary to enforcement of the statutes related to registration of sex offenders and child predators and protect the citizens of Louisiana. It is also necessary to show that the Attorney General’s Office effectively administers and monitors the registration of and notification by Sex Offenders and Child Predators.*

***Benchmarking***

*We are the model in the State of Louisiana. No other agency reviews offenders’ criminal histories and registration histories and posts a prospective registration and notification period end date.*

***Primary Person Benefiting***

*Primary persons that would benefit from this objective are the citizens of Louisiana, public officials, other state agencies and the Louisiana Department of Justice.*

**Objective I.5:** Through the Sexual Predator Apprehension Team of the Criminal Division, respond to 95% of petitions filed by offenders seeking relief from registration within 30 days of receipt by June 30, 2022.

**Strategies**

**I.5.a:** Use management system to log notice of petition and response.

**Performance Indicator**

INPUT

- Number of petitions received

OUTPUT

- Number of responses to petitions

OUTCOME

- Percentage of petitions for relief responded to by the Department of Justice within 30 days of receipt

***Justification***

*Responding to these petitions is required by statute. See LSA—R.S. 15:544(E), R.S. 15:544.1 and R.S. 15:544.2.*

***Benchmarking***

*This is a standard and will not need benchmarking. The timely response to petitions is part of the work product of the legal professional.*

***Primary Person Benefiting***

*Primary persons that would benefit from this objective are the citizens of Louisiana, public officials, other state agencies, and the Louisiana Department of Justice.*

**Objective I.6:** Through the Sexual Predator Apprehension Team of the Criminal Division, provide in-service trainings to law enforcement and other agencies having a role in sex offender and child predator registration within 60 days of a request for training by June 30, 2022.

**Strategies**

**I.6.a:** Use management system to log requests for trainings and dates of trainings.

**Performance Indicator**

INPUT

- Number of requests for trainings received

OUTPUT

- Number of trainings provided

OUTCOME

- Number of trainings provided by the Department of Justice within 60 days of request

***Justification***

*Timely providing trainings to law enforcement and other agencies having a role in sex offender and child predator registration is required by LSA—R.S. 15:552 and is necessary to protect the citizens of the State of Louisiana by making sure all required agencies are knowledgeable about the requirements of the law and any updates to law that may be made from year to year.*

***Benchmarking***

*This is a standard and will not need benchmarking. Providing trainings to law enforcement and other agencies having a role in sex offender and child predator registration is vital to implementation and enforcement of the law.*

***Primary Person Benefiting***

*Primary persons that would benefit from this objective are the citizens of Louisiana, public officials, other state agencies, and the Louisiana Department of Justice.*

**Objective I.7:** Through the Sexual Predator Apprehension Team of the Criminal Division, respond to requests for consultation within 45 days of receipt of the request or receipt of all information necessary to respond to the request, whichever is later by June 30, 2022.

**Strategies**

**I.7.a:** Use management system to log requests for consultation and responses to requests.

**Performance Indicator**

INPUT

- Number of requests for consultation received

OUTPUT

- Number of responses to requests for consultation

OUTCOME

- Number of responses made to requests for consultation within 45 days of the request or receipt of all information necessary to respond to the request, whichever is later

***Justification***

*Timely response to requests for consultation is necessary to show that the Attorney General's Office is efficient and effective in providing assistance in the enforcement of our registration and notification laws as required by LSA—R.S. 15:552(3).*

***Benchmarking***

*This is a standard and will not need benchmarking. The timely response to requests for consultation is part of the work product of the legal professional.*

***Primary Person Benefiting***

*Primary persons that would benefit from this objective are the citizens of Louisiana, public officials, other state agencies, and the Louisiana Department of Justice.*

**GOAL I**

**The Department of Justice will provide superior legal and professional services to Louisiana citizens, private sector organizations, and all governmental entities.**

**INVESTIGATION DIVISION OBJECTIVES**

Objective I.8: Generate 240 Internet Crimes Against Children cases by June 30, 2022.

Objective I.9: Complete 1,500 Forensic Lab examinations by June 30, 2022.

Objective I.10 Investigate 1,000 non-ICAC CCU complaints by June 30, 2022.

Objective I.11: Initiate or assist in 500 investigations per fiscal year by June 30, 2022.

Objective I.12: Initiate or assist in 50 fugitive apprehensions per fiscal year by June 30, 2022.

**Objective I.8:** Generate 240 Internet Crimes against Children cases by June 30, 2022.

**Strategies**

**I.8.a:** Engage in at least 300 hours proactive online investigation per fiscal year.

**Performance Indicator**

INPUT

- # of hours spent in proactive online investigation

OUTPUT

- # of ICAC cases opened generated from proactive online investigations per fiscal year
- # of ICAC cases opened that are initiated through complaints or information received

EFFICIENCY

- # of DOJ ICAC cases per 40 hours of DOJ proactive online investigation

OUTCOME

- Total CCU arrests

***Justification:***

*To provide protection to the citizens of the State of Louisiana and to provide competent and quality legal representation in an area of law which remains virtually uncharted in the State of Louisiana and the country.*

***Benchmarking***

*We are the model in the State of Louisiana. There is no other law enforcement agency currently investigating Cyber Crimes to this extent. The Internet Crimes Against Children task force operates with grant funding. The task forces operating under this grant report the information and progress but the numbers collected are, as a matter of security, not public information.*

***Primary Persons Benefiting***

*Primary persons that would benefit from this objective are the citizens of Louisiana, public officials, other state agencies, and the Department of Justice employees.*

**Objective I.9:** Complete 1,500 Forensic Lab examinations by June 30, 2022.

**Strategies**

**I.9.a:** Implement and maintain evidence and task tracking system for forensic lab examinations

**I.9.b:** Ensure that all examiners obtain ENCASE certification

**Performance Indicator**

INPUT

- # of request for forensic lab examinations received from outside agencies
- # of forensic lab examinations requested for DOJ cases

OUTPUT

- Size (in gigabytes) of completed examinations

OUTCOME

- Total forensic examinations completed

***Justification:***

*To provide protection to the citizens of the State of Louisiana and to provide competent and quality legal representation in an area of law which remains virtually uncharted in the State of Louisiana and the country.*

***Benchmarking***

*We are the model in the State of Louisiana. There is no other law enforcement agency currently investigating Cyber Crimes to this extent. The Interne Crimes Against Children task force operates with grant funding. The task forces operating under this grant report the information and progress but the numbers collected are, as a matter of security, not public information.*

***Primary Persons Benefiting***

*Primary persons that would benefit from this objective are the citizens of Louisiana, public officials, other state agencies, and the Department of Justice employees.*

**Objective I.10:** Investigate 1,000 non-ICAC CCU complaints by June 30, 2022.

**Strategies**

**I.10.a:** Cyber Crime Unit supervisor shall prioritize and assign cases based on the seriousness and potential threat to the public.

**Performance Indicator**

INPUT

- # of non-ICAC CCU complaints received and reviewed

OUTPUT

- # of non-ICAC CCU complaints assigned for investigation

OUTCOME

- # of non-ICAC CCU complaints where investigation is completed
- # of cases opened as a result of a non-ICAC CCU complaint

***Justification:***

*To provide protection to the citizens of the State of Louisiana and to provide competent and quality legal representation in an area of law which remains virtually uncharted in the State of Louisiana and the country.*

***Benchmarking***

*We are the model in the State of Louisiana. There is no other law enforcement agency currently investigating Cyber Crimes to this extent. The Interne Crimes Against Children task force operates with grant funding. The task forces operating under this grant report the information and progress but the numbers collected are, as a matter of security, not public information.*

***Primary Persons Benefiting***

*Primary persons that would benefit from this objective are the citizens of Louisiana, public officials, other state agencies, and the Department of Justice employees.*

**Objective I.11:** Initiate or assist in 500 investigations per fiscal year by June 30, 2022.

**Strategies**

**I.11.a:** Carefully screen complaints and requests for investigation to identify potential criminal violations warranting investigation.

**I.11.b:** Assist in 100% of investigations in recusal cases upon request by Criminal Division.

**Performance Indicator**

INPUT

- # of requests for task force assistance from law enforcement agencies
- # of requests for assistance from non-law enforcement governmental agencies
- # of recusal requests
- # of investigations opened
- # of open investigations per investigator

OUTPUT

- # of closed investigations per investigator
- # of total closed investigations

OUTCOME

- # of new investigations opened
- # of new investigations opened due to DOJ initiated
- # of new investigations opened due to requested assistance

***Justification***

*Timely response to cases received is necessary to show that the LADOJ is efficient and effective in handling cases for the State, furthering our stance that more cases should be handled in house to save money for the State.*

***Benchmarking***

*This is a standard and will not need benchmarking. The timely response cases received is part of the work product of the legal professional.*

***Primary Persons Benefiting***

*Primary persons that would benefit from this objective are the citizens of Louisiana, public officials, other state agencies, and the Department of Justice employees.*

**Objective I.12:** Initiate or assist in 50 fugitive apprehensions per fiscal year by June 30,2022.

**Strategies**

**I.12.a:** Carefully screen requests for assistance to identify all outstanding warrants per each target/fugitive.

**I.12.b:** The supervisor will review casework to make sure proper background searches are completed.

**Performance Indicator**

INPUT

- # of requests for fugitive apprehension assistance from law enforcement agencies
- # of cases opened

OUTPUT

- # of total closed investigations

OUTCOME

- # of fugitive apprehension arrests
- # of outstanding warrants cleared
- # of outstanding warrants

***Justification***

*Timely response to cases received is necessary to show that the LADOJ is efficient and effective in handling cases for the State, furthering our stance that more cases should be handled in house to save money for the State.*

***Benchmarking***

*This is a standard and will not need benchmarking. The timely response cases received is part of the work product of the legal professional.*

***Primary Persons Benefiting***

*Primary persons that would benefit from this objective are the citizens of Louisiana, public officials, other state agencies, and the Department of Justice employees.*

**MISSION**

The mission of the Litigation Program is to provide legal representation for the Office of Risk Management, the Self-Insurance Fund, the State of Louisiana and its departments, agencies, boards and commissions and their officers, officials, employees and agents in all claims covered by the State Self-Insurance Fund, and in all tort claims whether or not covered by the Self-Insurance Fund.

The state's tort liability exposure is far greater than in the private sector, both in dollar amount and in variety of claims asserted; examples include: road hazard liability; public health care provider liability; legislative liability; regulatory liability; and alleged liability for illegal and/or intentionally wrongful actions of elected officials. Suits against the state may range from relatively minor worker's compensation claims to complex multi-district federal litigation involving hundreds of suits and/or parties and hundreds of millions of dollars of exposure. Estimated attorneys' fees range from less than \$500 to hundreds of thousands of dollars.

**PROGRAM ACTIVITIES**

The Program intends to develop and implement a work management program to provide input into a quality assurance system that will track and provide management with true accountability of the legal professionals work product. Improve skills and effectiveness of less experienced trial attorneys as the use of this program will encourage attention to detail. It will also provide an additional level of oversight and monitoring of work of less experienced trial attorneys. The work management program will create and develop systems to track work processes and outputs of the department's non legal staff.

The Litigation Program provides legal representation for the state in all claims covered by the self-insurance fund and in all tort claims.

The Litigation Program is headquartered in Baton Rouge and its Baton Rouge Office is subdivided into six sections: Administration, Civil Rights, General Liability, Medical Malpractice, Road Hazards, and Workers' Compensation.

## **BATON ROUGE OFFICE:**

### *Administrative Section*

The Administrative Section consists of the Director, two Deputy Directors, a case intake unit, the Law Library and Special Litigation Counsel.

The Director is responsible for the overall daily operations of the entire division and long term planning and goals of the division. The Director keeps the Attorney General and First Assistant apprised of all critical matters and works with the Administrative Division in the management of all employee matters within the Litigation Division. All sections and regional offices report to the director using the agency established chain of command that flows from the sections and regional office chiefs to the deputy directors and ultimately, the director. The administrative section, under the direction and guidance of the director, leads the regional offices with respect to office management, procedures and protocol. The two deputy directors provide managerial and case leadership and support to their designated sections and regional offices on a daily basis and report directly to the director.

The Case Intake Unit receives and processes suits as they are received. The suits are tracked until conclusion of litigation. A new electronic tracking system was implemented to make this process more reliable as well as to ensure accountability. The Administrative Section Chief performs two important case intake tasks, risk analysis and La. R.S. 13:5108.1 determinations.

The Law Library is directed by a law librarian who serves the research and reference needs of the entire Department of Justice and its state-wide employees. The support of the law library is enjoyed by our attorneys and paralegals in the form of CLE's, seminars, and other in-house training sessions. Our law librarian also engages in the education and training of law clerks from four area law schools during their rotations in the Attorney General's Office. The Law Library's collection of Acts of the Louisiana Legislature dates back to 1848. The library also contains Louisiana Attorney General Opinions dated back to 1885. For this reason, the law library is often called upon by various state agencies for historical research.

Special Litigation Counsel continues to successfully defend the State's Judiciary, the Disciplinary Counsel, Judiciary Commission, and other complex litigation. Special Litigation Counsel defends cases involving specialized litigation issues while working with other divisions and contract counsel. The Special Litigation Counsel additionally handles special projects at the request of the Director and Attorney General.

### Civil Rights Section

The Civil Rights Section provides legal representation to the state, state agencies, state officials and state employees in litigation seeking monetary damages brought under virtually all state and/or federal statutory schemes relating to employment and employment discrimination. This includes, but is not limited to, claims brought pursuant to Title VII, the Americans with Disabilities Act, the Age Discrimination in Employment Act, and the parallel state statutes contained in Title 23 of the Revised Statutes. The Section also provides legal representation to the Louisiana Department of Corrections, its officials and employees in civil rights actions brought by prisoners under 42 U.S.C. § 1983 and the Religious Land Use and Institutionalized Persons Act, as well as other claims brought pursuant to state law. The Section has a heavy trial schedule, trying multiple trials each month. Assistant Attorneys General within this section defend claims against the State that are framed as violations of both the United States and Louisiana Constitutions. The Assistant Attorneys General within the Section monitor and defend claims for attorney fees under 42 U.S.C. § 1988 and other parallel statutes.

Civil Rights participates with the National Association of Attorneys General (NAAG) in providing and discussing civil rights issues prevalent across the country as well as advising decision makers within the Department of Justice on participating in the presentation of amicus curiae brief in the United States Supreme Court.

### General Liability Section

The General Liability Section defends all State agencies and their employees sued for monetary damages arising from all types of incidents which do not come under the purview of any other section in the Litigation Division. The types of claims are as varied as the agencies involved, such as automobile accidents involving state employees in the course of employment, falls on state property; prisoner claims based on state law, veterinary malpractice claims against the LSU School of Veterinary Medicine and suits against the Department of Child and Family Services.

General Liability attorneys work closely with risk managers, general counsel and in-house counsel at departments, universities and agencies throughout the state. The defense of cases from start to finish is a vigorous one – from exception and motion practice in the initial stages of litigation to bench or jury trials or negotiated settlements to conclude litigation. Section attorneys work diligently for the best outcome on behalf of the State. Attorneys from this section are frequently selected to present continuing Legal Education (CLE) lectures at the annual Department of Justice two-day, in-house CLE seminar.

### Medical Malpractice Section

The Medical Malpractice Section defends the interests of the State and all State health care providers as defined by *La. R.S. 40:1237.1* against claims of alleged medical malpractice. Lawyers from this section continue to successfully defend the State through the Medical Review Panel process. In the event the suit is subsequently filed in District Court, the attorneys defend through the entire litigation process including hearings, trials and appeals. Medical Malpractice attorneys are also successful in using the Alternative Dispute Resolution process to mediate and/or negotiate favorable settlements in cases where the best interests of the State would be served by a reasonable and early settlement.

The Medical Malpractice Section, represented by Assistant Attorneys General throughout the State, continues the long-established tradition of offering and presenting lectures to Louisiana State University Health Sciences Center staff and residents. These educational events familiarize the States' doctors and doctors-in-training with the legal system and how best to minimize potential liability while providing much needed health care to a patient population consisting mainly of the State's poor and uninsured.

### Road Hazards Section

The Road Hazard Section defends the interests of the Department of Transportation and Development (DOTD) in tort claims where a condition of the roadway is considered to have caused or contributed to an accident. This Section defends the DOTD when a roadway condition is alleged to have caused real property damage, i.e. flood damage. The section also defends issues concerning the Railroad Safety Program under 23 U.S.C. 130 and 23 U.S.C. 409 with respect to both on-system and off-system railroad crossings.

Our attorneys provide updated training and education to DOTD employees who are called upon to assist in preparing cases for trial and to testify in depositions and at trial court appearances. This same training is offered to any new DOTD employees to ensure that they are educated on current DOTD policy.

The section has also expanded their databank of expert witnesses for accident reconstruction; engineers for highway safety, maintenance, construction, and traffic operations; and experts in impairment of motorists by drugs and alcohol.

### Workers' Compensation Section

The Workers' Compensation Section defends and protects the interests of the State of Louisiana and all of its agencies in workers' compensation, subrogation, and Second Injury Board litigation. This Section represents

the State in suits filed by injured State employees against their respective State agencies as a result of issues related to benefits payable under the Workers' Compensation Act.

The Section also pursues subrogation actions in various district courts on behalf of the State of Louisiana. Some are matters seeking to recover workers' compensation benefits paid to employees where the injury to the employee was caused by the negligence of a third party.

Additionally, the Workers' Compensation Section pursues reversal of Second Injury Board denials of reimbursement for workers' compensation benefits paid by the State to injured State employees. Generally, under the provisions of R.S. 23:1371, et. seq. and/or R.S. 23:1377, et. seq., employers who are required to pay workers' compensation benefits to an employee who, prior to the work injury, had a pre-existing condition/disability, may be entitled to reimbursement of those workers' compensation payments from the Second Injury Fund if certain criteria are met.

## **REGIONAL OFFICES**

The Litigation Division has six regional offices in Alexandria, Lafayette, Monroe, Lake Charles, New Orleans and Shreveport to provide legal representation for the State in all claims covered by the self-insurance fund and in all tort claims.

### *Alexandria Office*

The Alexandria Regional Office covers twelve parishes across North and Central Louisiana including Avoyelles, Caldwell, Catahoula, Concordia, Franklin, Grant, LaSalle, Natchitoches, Rapides, Sabine, Tensas and Ouachita. The Service area includes 2 DOTD Districts, 3 major hospitals, and 3 four-year universities, as well as numerous parish health units and clinics, community colleges, and other agencies. The Alexandria office litigates in all the substantive areas of law practices in the Baton Rouge Office.

### *Lafayette Office and Lake Charles*

The Regional Litigation Offices in Lafayette and Lake Charles serve fourteen (14) parishes in southwest Louisiana: Lafayette, Calcasieu, Evangeline, St. Landry, Beauregard, St. Martin, Acadia, St. Mary, Iberia, Vermilion, Cameron, Jefferson Parish, Allen, and Vernon. These offices handle every aspect of suits filed by and against the State of Louisiana, its Departments, Divisions, Boards, and employees, in State and Federal courts, involving the areas of Road Hazards, General Liability, Workers' Compensation, Civil Rights, Medical Malpractice, Subrogation, and Intervention.

The attorneys in these two regional offices regularly defend the following agencies: Louisiana State Police (Troop D and Troop I), University of Louisiana at Lafayette, Louisiana State University at Eunice, McNeese State University, Louisiana Department of Wildlife and Fisheries, Louisiana Department of Social Services, Louisiana Department of Corrections, Louisiana Department of Transportation and Development (Districts 3 and 7), University Health and its Clinics in Lafayette and W.O. Moss Memorial Health Clinic in Lake Charles.

### Monroe Office

The Monroe Regional Office services the civil litigation needs of the State of Louisiana, its departments, agencies, offices and employees situated in Northeast Louisiana. The Monroe Service Area includes the Northeastern Parishes of Caldwell, East Carroll, Franklin, Lincoln, Madison, Morehouse, Ouachita, Richland, Union, and West Carroll. Major state facilities in the Monroe service area include, University of Louisiana at Monroe (ULM), Louisiana Technical College (Tech.), E. A. Conway Medical Center, Grambling State University, Louisiana State Police-Troop-F, Swanson Center for Youth, and the Department of Transportation and Development Districts 5 (Chase) and 58 (Monroe).

The Monroe Office is active in community outreach and frequently provides speakers to local elementary schools throughout the school year. The office participates with the LSBA's Lawyers and Judges in the Classroom Program.

### New Orleans Office

The New Orleans Regional Office serves ten (10) parishes in Southeast Louisiana: Orleans, Jefferson, St. Bernard, St. Tammany, Washington, Terrebonne, Plaquemines, Lafourche, St. John, and St. Charles. The state agencies defended include the Charity Hospital System, LSU Health Science Center, New Orleans City Park, the Superdome, the Sports Arena, three state prisons, and five state universities.

The New Orleans Litigation office assisted with the BP oil spill litigation and the office is currently participating in the law clerk externship program at Tulane Law School. This program allows law students to work in the office for course credit.

In addition, several of the office's attorneys teach students enrolled in the Tulane Trial Advocacy Program. The Advocacy Program consists of "mock trials" wherein law students act as prosecutors and defense attorneys as well as witnesses and are, thereafter, critiqued by their teachers on their performances during the course of the exercise.

The office defends the State and its agencies and is enhancing its reputation of being aggressive, confident, and fair. Due to the volume of cases, the office is able to sectionalize into substantive areas of defense with Section Specialist/Team Leaders who are able to mentor and coordinate defense of claims.

### Shreveport Office

The Shreveport Regional Office of the Litigation Division defends civil rights, general liability, medical malpractice, road hazard, and workers' compensation actions brought against the State of Louisiana, its agencies, and employees. This office also prosecutes subrogation actions in a geographical area comprised of eleven (11) parishes in northwest and north central Louisiana including Caddo, Bossier, Webster, Claiborne, Union, Lincoln, Bienville, Jackson, De Soto, Red River and Winn parishes.

Among its client agencies are: regional health care institutions such as Louisiana State University Health Sciences Center-Shreveport, incorporating the medical school, its faculty attending physicians and its residents; six academic colleges including Louisiana State University-Shreveport, Grambling State University, Louisiana Tech University, Southern University of Shreveport-Bossier, Northwestern State University School of Nursing, and Bossier Parish Community College, two correctional facilities, the Department of Transportation and Development (DOTD) and numerous other regional agencies and facilities.

### **LOUISIANA VISION 2020**

The goals of this program incorporate the two goals of the Louisiana Vision 2020: Goal 1: To be a learning enterprise in which all Louisiana businesses, institutions, and citizens are actively engaged in the pursuit of knowledge; and Goal 2, Objective 2.8: To have an equitable tax structure, regulatory climate, and civil justice system conducive to business retention and the creation and growth of innovative companies.

### **DUPLICATION**

No other state agency is charged with defense of the Constitution, the laws of the State of Louisiana, and protecting the State of Louisiana's interests by providing legal services in the area of tort litigation. Thus, there is no duplication of effort by any other state agency.

**CHILDREN’S BUDGET LINK**

N/A

**AUTHORIZATION FOR GOALS(S):**

- Louisiana R.S. § 36:701(D)
- Louisiana R.S. § 36:704(G)
- Louisiana R.S. § 36:704(I)
- Louisiana R.S. § 49:257(A)
- Louisiana R.S. § 39:1533(B)
- Louisiana R.S. § 40:1237.1
- Louisiana R.S. § 13:5108.1
- Louisiana R.S. § 13:1905

**PROGRAM GOAL**

- I. The Department of Justice will provide superior legal and professional services to Louisiana citizens, private sector organizations, and all governmental entities.

<b>PROGRAM:</b>	LITIGATION
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## **GOAL I**

**The Department of Justice will provide superior legal and professional services to Louisiana citizens, private sector organizations, and all governmental entities.**

### **PROGRAM OBJECTIVES**

*Sub-Goal > Provide legal and professional services to the Office of Risk Management (ORM,) and universities exempt from ORM coverage by LSA-R.S. 17:3139.5, in the most cost effective manner.*

Objective I.1: Through the Litigation Program, to better utilize the funds available to the Office of Risk Management for legal expense by handling in-house at least 85% of new risk litigation cases opened each fiscal year by June 30, 2022.

**Objective I.1:** Through the Litigation Program, to handle in-house at least 85% of new risk litigation cases opened each fiscal year by June 30, 2022.

**Strategies**

**I.1.a:** Management shall review case assignment reports on a monthly basis.

**I.1.b:** Management shall, in its hiring practices, attempt to ensure as wide a range of specialization and experience as possible.

**I.1.c:** Management shall monitor attorney workload and progress to ensure that cases are handled efficiently

INPUT

- # of new cases received by the Litigation Program in the fiscal year

OUTPUT

- # of open cases
- # of open cases handled by contract attorneys
- # of open cases handled by in-house attorneys
- # of new cases assigned to contract attorneys
- # of new cases assigned to in-house attorneys
- % of open cases handled by in-house attorneys
- % of open cases handled by contract attorneys

EFFICIENCY

- Average # of days open for open contract attorney cases
- Average # of days open for open in-house attorney cases

OUTCOME

- % of new cases handled in-house

***Justification***

*This results in a measure of case activity by attorneys on the Litigation Division staff rather than by private attorneys.*

***Benchmarking***

*An economic analysis of case activity coupled with a temporal analysis of the life of cases assigned to in-house and private counsel.*

***Primary Persons Benefiting***

*The State of Louisiana, public fisc, the Office of Risk Management, and universities exempt from ORM coverage by LSA-R.S. 17:3139.5 will be the primary beneficiary. The benefit will result from spending less money on the defense of tort claims filed against the state of Louisiana. Ultimately, the benefit will inure to the Louisiana taxpayers.*

## MISSION

The mission of the Gaming Division is to create a regulatory atmosphere for licensed gaming which instills public confidence and trust that gaming activities are conducted honestly and are free from criminal and corrupt elements, to insure the integrity of individual gaming entities by the regulation of persons, practices, associations and activities within the gaming industry, and to anticipate and support necessary corrective rulemaking and legislation.

## PROGRAM ACTIVITIES

The Gaming Division is statutorily mandated to provide legal advice and representation to the Louisiana Gaming Control Board, Louisiana State Police, Louisiana Lottery Corporation, Louisiana State Racing Commission, and the Department of Revenue, Office of Charitable Gaming. Additionally, the Gaming Division provides advice and counsel to numerous state agencies as to all Indian Gaming matters, including, without limitation, the Governor's Office and the Indian Gaming Unit of State Police.

### Louisiana Gaming Control Board

The Gaming Division provides legal representation, advice, and counsel to the Louisiana Gaming Control Board in areas of land-based casino, riverboat, video draw poker gaming and slot machine gaming at racetracks and gaming on Indian lands. The Gaming Division represents the Board in judicial appeals of administrative actions and defends the Board in all civil litigation relating to gaming. The Gaming Division negotiates on behalf of, represents, and provides counsel to the Board regarding the Casino Operating Contract and matters of exclusivity relating to the land-based casino, as well as handles all rulemaking.

### Louisiana State Police

The Gaming Division provides legal advice and counsel to Louisiana State Police in all areas of gaming regulation, including licensing, enforcement, and rulemaking. The Gaming Division provides legal representation to State Police in all gaming matters before the Administrative Hearing Office, as well as all appeals to the Louisiana Gaming Control Board, Nineteenth Judicial District Court, First Circuit Court of Appeals, and Louisiana Supreme Court.

### Louisiana Lottery Corporation

The Gaming Division provides legal advice and counsel to the Louisiana Lottery Corporation on gaming matters, including, without limitation, Lottery contracts with vendors and lessors, Requests for Proposals, and invoices. The Gaming Division provides legal representation to the Lottery in administrative proceedings and vendors' bankruptcy proceedings, and litigates suits filed against the Lottery.

Louisiana State Racing Commission

The Gaming Division provides legal representation and counsel to the Racing Commission in all matters regarding the regulation of the horse racing industry, pari-mutuel wagering, and off-track wagering. The Gaming Division also litigates administrative actions on behalf of the Commission and defends the Commission in all civil litigation to which it is a party.

Office of Charitable Gaming

The Gaming Division provides legal advice and representation to the Department of Revenue in all areas of charitable gaming regulation, including licensing, enforcement, and rulemaking, as well as litigating administrative actions, including denials of applications, suspensions, revocations, and civil penalties. The Gaming Division assists in the review of files and applications, represents the Department of Revenue in judicial appeals of administrative actions, and defends the Department of Revenue in other civil litigation related to gaming.

Indian Gaming

The Gaming Division provides legal representation to the Louisiana State Police, Indian Gaming Unit in regard to the denial, suspension, and revocation of state certifications to work for or do business with Indian casinos. The Gaming Division advises the Governor's Office on matters of Indian Gaming and Indian Law, as well as assists with drafting the compacts that control Indian gaming in Louisiana. The Gaming Division also serves as a resource for members of the legislature, local officials, and governmental agencies regarding matters of Indian Gaming, the compacts, and general Indian law.

**LOUISIANA VISION 2020**

The goals of this program incorporate the first goal of the Louisiana Vision 2020: To be a learning enterprise in which all Louisiana businesses, institutions, and citizens are actively engaged in the pursuit of knowledge.

**DUPLICATION**

No other state agency provides legal advice and representation for gaming matters in the State of Louisiana. The Louisiana Legislative Auditor cited duplication of efforts in connection with four entities: the Louisiana Lottery Corporation, the Louisiana Racing Commission, the Office of Charitable Gaming, and the Louisiana Gaming Control Board in chapter 9 (Gaming Regulation). The Department of Justice was mentioned as a legal representative to the four previous entities, but was not included in the auditors' list of agencies involved in duplication of efforts.

#### **AUTHORIZATION FOR GOAL(S)**

La. R.S. 27:1 *et seq.* grants regulatory authority to the Louisiana Gaming Control Board, as successor in authority to the Louisiana Economic Development and Gaming Corporation and the Riverboat Gaming Commission, and the Riverboat Gaming Enforcement Division and Video Gaming Division of the Louisiana State Police. *See* Act 7 of the First Extraordinary Session of 1996. The Board further has all regulatory, enforcement and supervisory authority that exists in the state as to gaming on Indian lands as provided in Act 888 of 1990 and Act 817 of 1993.

La. R.S. 4:141 *et seq.* establishes the regulatory authority of the Louisiana State Racing Commission.

La. R.S. 33:4861.1 *et seq.* bestows certain regulatory authority upon the Division of Charitable Gaming Control, Office of State Police.

La R.S. 47:9001 *et seq.* governs The Louisiana Lottery Corporation.

#### **PROGRAM GOAL**

- I. The Department of Justice will provide superior legal and professional services to Louisiana citizens, private sector organizations, and all governmental entities.

<b>PROGRAM:</b>	<b>GAMING</b>
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**GOAL I**

**The Department of Justice will provide superior legal and professional services to Louisiana citizens, private sector organizations, and all governmental entities.**

**PROGRAM OBJECTIVES**

*Sub-Goal > Improve service to gaming regulatory clients, law enforcement agencies, the industry, and general public.*

Objective I.1: Forward 95% of video gaming and casino gaming approval files to the Louisiana Gaming Control Board within 20 business days of assignment by June 30, 2022.

Objective I.2: Forward 95% of video gaming administrative action and denial files to the Louisiana Gaming Control Board within 60 business days of assignment by June 30, 2022.

Objective I.3: Forward 95% of casino gaming administrative action and denial files to the Louisiana Gaming Control Board within 30 business days of assignment by June 30, 2022.

**Objective I.1:** Forward 95% of video gaming and casino gaming approval files to the Louisiana Gaming Control Board within 20 business days of assignment by June 30, 2022.<sup>5</sup>

**Strategies**

**I.1.a:** Licensing and Compliance Section Chief shall use case tracking system to manage timeliness of file processing.

**Performance Indicator**

INPUT

- Number of casino gaming approval files received from State Police
- Number of video gaming approval files received from State Police

OUTPUT

- Number of casino gaming approval files processed by Licensing and Compliance
- Number of video gaming approval files processed by Licensing and Compliance
- Number of casino gaming approval files returned to State Police
- Number of video gaming approval files returned to State Police

EFFICIENCY

- Average number of business days from assignment of casino gaming approval files until forwarded to Louisiana Gaming Control Board
- Average number of business days from assignment of video gaming approval files until forwarded to Louisiana Gaming Control Board
- Number of casino gaming approval files processed within 20 business days of assignment
- Number of video gaming approval files processed within 20 business days of assignment

OUTCOME

- Percent of casino gaming approval files processed within 20 business days of assignment
- Percent of video gaming approval files processed within 20 business days of assignment
- Number of complex casino gaming approval files processed in more than 20 business days of assignment

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<sup>5</sup> Less any time the file is returned to State Police or held pending response from State Police or Section Chief of Licensing and Compliance.

- Number of complex video gaming approval files processed in more than 20 business days of assignment

***Justification***

*The delivery of video and casino gaming approval files to the Louisiana Gaming Control Board within 20 business days is critical to the success of the Louisiana Gaming industry, as well as the client seeking approval for such a license.*

***Benchmarking***

*Research other gaming jurisdictions' procedures and develop standards as applicable.*

***Primary Person Benefiting***

*The primary person benefiting from this indicator is the Louisiana Gaming Control Board.*

**Objective I.2:** Forward 95% of video gaming administrative action and denial files to the Louisiana Gaming Control Board within 60 business days of assignment by June 30, 2022.<sup>6</sup>

**Strategies**

**I.2.a:** Licensing and Compliance Section Chief shall use case tracking system to manage timeliness of file processing.

**Performance Indicator**

INPUT

- Number of video gaming administrative action and denial files received from State Police

OUTPUT

- Number of video gaming administrative action and denial files processed by Licensing and Compliance
- Number of video gaming administrative action and denial files returned to State Police

EFFICIENCY

- Average number of business days from assignment of video gaming administrative action and denial files until forwarded to the Louisiana Gaming Control Board
- Number of video gaming administrative action and denial files processed within 60 business days of assignment

OUTCOME

- Percent of video gaming administrative action and denial files processed within 60 business days of assignment
- Number of complex video gaming administrative action and denial files processed in more than 60 business days of assignment

**Justification**

*A typical Gaming file will be reviewed by several regulatory agencies before being finalized. To ensure that gaming clients are receiving efficient service, a processing time of 60 days has been established for video gaming administrative action and denial files.*

**Benchmarking**

*Research other gaming jurisdictions' procedures and develop standards as applicable.*

**Primary Person Benefiting**

*The primary person benefiting will be the gaming clients.*

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<sup>6</sup> Less any time the file is returned to State Police, in compliance conference status, or held pending response from State Police or Section Chief of Licensing and Compliance.

**Objective I.3:** Forward 95% of casino gaming administrative action and denial files to the Louisiana Gaming Control Board within 30 business days of assignment by June 30, 2022.<sup>7</sup>

**Strategies**

**I.3.a:** Licensing and Compliance Section Chief shall use case tracking system to manage timeliness of file processing.

**Performance Indicator**

INPUT

- Number of casino gaming administrative action and denial files received from State Police

OUTPUT

- Number of casino gaming administration action and denial files processed by Licensing and Compliance
- Number of casino gaming administrative action and denial files returned to State Police

EFFICIENCY

- Average number of business days from assignment of casino gaming administrative action and denial files until forwarded to the Louisiana Gaming Control Board
- Number of casino gaming administrative action and denial files processed within 30 business days of assignment

OUTCOME

- Percent of casino gaming administrative action and denial files processed within 30 business days of assignment
- Number of complex casino gaming administrative action and denial files processed in more than 30 business days of assignment

**Justification**

*A typical Gaming file will be reviewed by several regulatory agencies before being finalized. To ensure that gaming clients are receiving efficient service, a processing time of 30 days has been established for casino gaming action and denial files.*

**Benchmarking**

*Research other gaming jurisdictions' procedures and develop standards as applicable.*

**Primary Person Benefiting**

*The primary person benefiting will be the gaming clients.*

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<sup>7</sup> Less any time the file is returned to State Police or held pending response from State Police or Section Chief of Licensing and Compliance.