

Attorney General Tom Miller

Iowa Department of Justice

THE MISSION

The Iowa Department of Justice is responsible for one of the core functions of government, administering justice. It fulfills this mission by prosecuting crime, representing state agencies and the official work of state officers and employees, providing civil justice for defrauded Iowans, and assisting victims of violent crime.

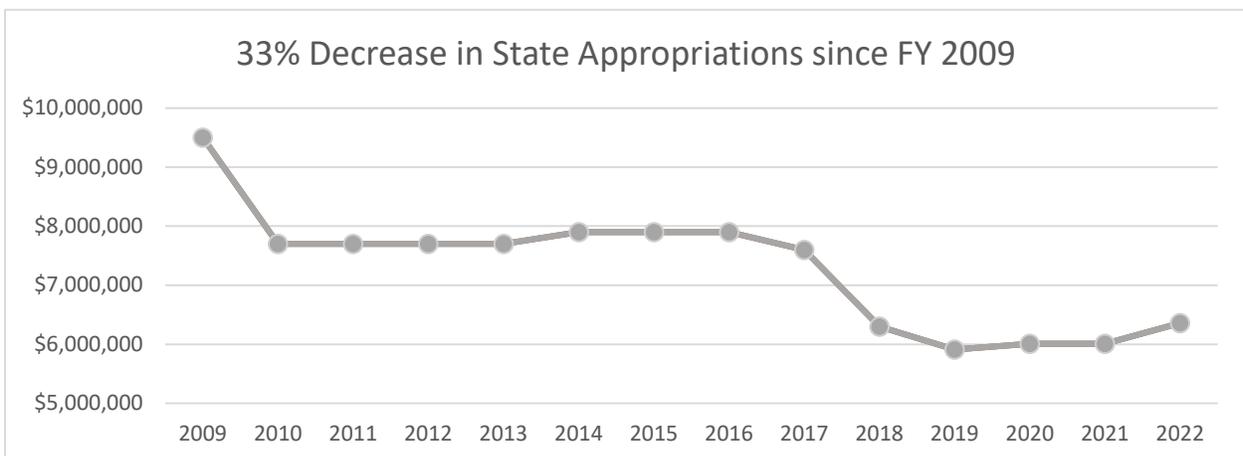
THE PEOPLE

The Attorney General is independently elected constitutional officer who leads the Department of Justice. The Department employs 241 attorneys, investigators, and support staff who serve all 99 counties.

THE BUDGET

Over the past decade, the Department's budget has experienced repeated substantial cuts. While Department lawyers continue to provide excellent advice and representation on behalf of the State, the Department cannot withstand any additional reductions. Appropriations to the Department are spent almost entirely on personnel, and additional cuts will have serious consequences to the citizens of Iowa, including victims of crime.

- As the Legislative Services Agency (LSA) noted in its 2018 budget brief, the Department "has little discretion in spending [appropriated money]": the Department "must spend it for its required purpose."
- General-fund dollars appropriated to the Department are used on core functions of government: representing the State and fighting crime.



Statewide Criminal Prosecutions

Prosecution of Complex Felonies. Though most routine criminal cases are handled by local county attorneys, complex cases from every corner of the State are frequently referred to the Department's area prosecutors. These veteran trial attorneys have specialized training and prosecute multiple Class A and Class B felonies to verdict each year, with a particular focus on homicides, crimes against children, and sexually violent predators.

In 2021:

- 97 cases pending in 54 counties
- 111 cases opened
- 31 cases tried to verdict in 24 counties
- 31 cases resolved by plea agreement

***1,500 cases files across the state
from 2014-2021***

(including Sexual Violent Predator Commitments)

Criminal Appeals

Protecting Criminal Convictions and Handling Statewide Appeals.

The Department's Criminal Appeals Division represents the State in cases filed by offenders convicted in all 99 counties. Typically, these prosecutors collectively write more than 500 briefs per year and argue dozens of cases before the Iowa Supreme Court, Iowa Court of Appeals, and Eighth Circuit Court of Appeals. Because of the suspension of trials during the pandemic, the appeals caseload temporarily fell in 2021 to 370 cases. We expect the number to spike in 2022. In addition, the division is seeing an increase in requested responses from the U.S. Supreme Court. These responses require substantial attorney time as well as thousands of dollars in printing and other costs.

***60% Decrease in State
Appropriations since FY 2017
(from \$2.7 million to \$1.08 million)***

Representing the State

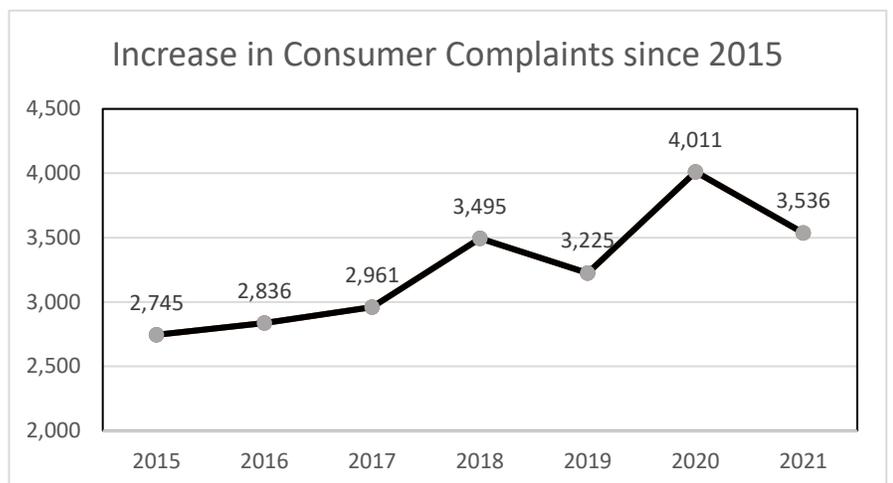
By law, the Department of Justice has a duty to represent the State in litigation. The Department's work in this area generally falls into three areas:

- I. **Defending State Agencies, Officers, and Employees.** These Department lawyers function like an in-house civil-defense law firm, representing the State of Iowa and state officers or employees who are sued in their official capacity.
 - The Department provides quality representation in cases that range from routine slip-and-fall matters in state-owned buildings, to complex cases that claim state actors discriminated against job applicants, to claims by prison inmates alleging denial of religious freedom.
 - The Department handles a growing number of increasingly complex employment cases. As the Iowa Supreme Court hands down new interpretations of employment law, the Department's workload expands. Furthermore, the Department continues to see a rise in jury awards.
- II. **Defending Legislation.** The Department also has a duty to defend lawfully enacted legislation and regularly does so in state and federal court. These cases frequently involve complicated issues of constitutional law and appellate litigation before the Iowa Supreme Court.
- III. **Advising State Agencies.** The Department's team of administrative-law and licensing attorneys provides daily advice to more than 200 state boards, commissions, agencies, and departments. These lawyers also prosecute cases before the boards and commissions, collect delinquent child support, and represent boards and commissions when agency decisions or rules are challenged in Iowa courts.

Consumer Protection

The division was funded by state appropriations in years past. Now it is funded primarily through the Consumer Education and Litigation Fund, which involves no taxpayer money, just consumer fraud judgments and settlements. This division handles an increasing load of complaints, difficult cases, and direct consumer education across the state.

In 2021, complaints decreased 12.6% from those received the previous year, which saw a record number of complaints due in part to complaints



related to COVID and the derecho. However, the number of complaints received last year is still an increase of 9.6% from the 3,225 complaints filed prior to the pandemic in 2019. In addition, division's operators received more than 19,000 calls and nearly 14,000 e-mails. By targeting bad actors who defraud consumers, the office serves consumers and the vast majority of businesses who follow the law and ensures a fair marketplace.

Consumer Stories

In 2021, we provided relief to businesses that were sold cleaning services with false claims of protecting surfaces from the COVID-19 virus. We also worked to finalize several settlements that hold manufacturers and distributors responsible for their actions in fueling the opioid crisis, while providing funds for the abatement and treatment of Iowans affected by addiction.

Our continued focus on proactively educating Iowans on consumer issues and how to report those to the AG's office led to the division's ability to quickly [identify new twists on old imposter scams](#), as well as [shutting down door-to-door solicitors falsely claiming to raise funds for charity](#).

Crime Victim Assistance

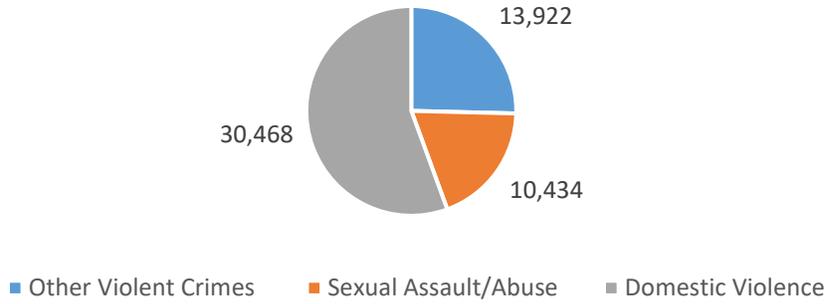
The Crime Victim Assistance Division

administers programs that directly benefit victims of violent crime. These programs assist victims with the financial burden resulting from injuries of crime, support local crime victim services, and hold offenders responsible for the effects of their crimes. In the General Fund budget, Victim Assistance Grants are listed as a separate line item. In FY 2021, that line item totaled \$5,016,708. The amount in our budget request remains stationary at \$5,016,708 in FY 2022 (estimated), as it does in the Governor's budget request for FY 2022.

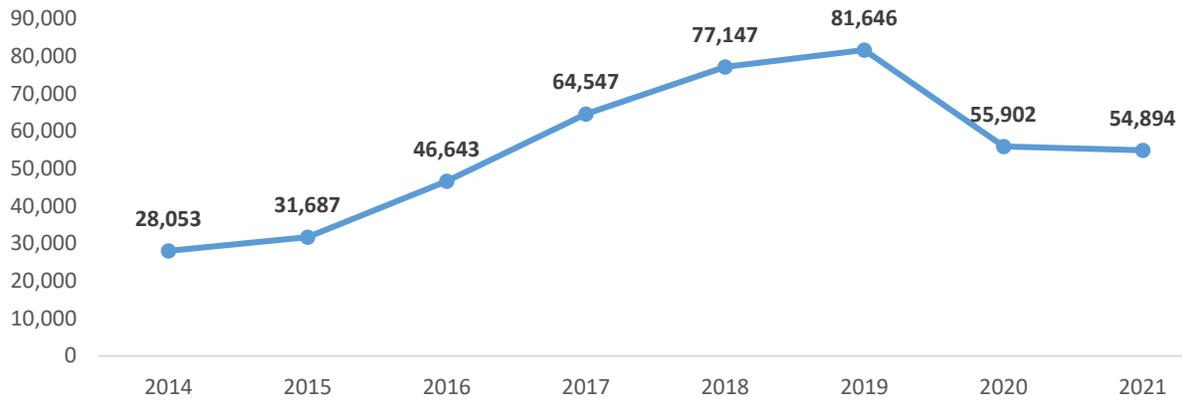
*Nearly 4,700 Iowans volunteered
121,558 hours to victim service
programs in 2021.*

The precipitous decline in federal funds over the last two years, and anticipated further reduction in the immediate future, has combined with the increased costs of service provision during the pandemic to create a crisis for victim service programs and crime victims in Iowa. While demand for services has surged throughout the pandemic, the funding cuts have meant fewer staff and fewer resources available to assist crime victims with comprehensive assistance. The decline in federal dollars will continue until the congressionally passed "VOCA Fix" can take effect. Fewer grant dollars means fewer crime victims being served, which translates into more instability for crime victims and their communities.

Total Victims Served by Crime Type October 2020 - September 2021



Victims Served Since 2014



Iowa Department of Justice Office of the Attorney General

		Actuals	Current Year Budget Estimate	Total Department Request	Total Governor's Recommendation
		FY 2021	FY 2022	FY 2023	FY2023
090SD	Attorney General				
0001	General Fund				
112	Justice, Department of				
B01	General Office A.G.	\$ 6,006,268	\$ 6,361,238	\$ 7,063,298	\$ 6,563,298
B10	Victim Assistance Grants	\$ 5,016,708	\$ 5,016,708	\$ 5,016,708	\$ 5,016,708
B11	Legal Services Poverty Grants	\$ 2,634,601	\$ 2,634,601	\$ 2,634,601	\$ 2,634,601
	Total General Fund – 001	\$13,657,577	\$14,012,547	\$14,714,607	\$14,214,607
0019	Commerce Revolving Fund				
114	Consumer Advocate				
B07	Consumer Advocate – Fund 0019	\$ 3,137,588	\$ 3,199,004	\$ 3,199,004	\$ 3,199,004
	Total Commerce Revolving Fund – 0019	\$ 3,137,588	\$ 3,199,004	\$ 3,199,004	\$ 3,199,004
0088	Consumer Education Fund				
1B1	AG Prosecutions, Appeals, Chapter 669 Duties – Fd0088	\$ 1,500,000	\$ 2,000,000	\$ 1,500,000	\$ 2,000,000
833	Consumer Fraud – Public Education & Enforcement	\$ 1,875,000	\$ 1,875,000	\$ 1,875,000	\$ 1,875,000
834	Older Iowans Consumer Fraud – Public Education & Investigation	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000
B15	Farm Medication Services – Fd0088	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000
	Total Consumer Education Fund – 0088	\$ 3,800,000	\$ 4,300,000	\$ 3,800,000	\$ 4,300,000
	Total Appropriations	\$20,595,165	\$21,511,551	\$21,713,611	\$21,713,611
	Total FTEs	244.74	253.11	253.11	253.11

Office of the Iowa Attorney General

