

Objectives:

The DOL aims to achieve its vision and accomplish its mission through these objectives:

- Minimize state risk through the effective counsel and representation of clients and protect Coloradans by enforcing laws and prosecuting and defending cases referred by clients;
- Facilitate consumer protection and maintain financial integrity through consumer protection and antitrust enforcement efforts;
- Ensure consumer protection through licensure and registration of regulated consumer lenders, debt collectors, debt-management services providers, and credit repair companies;
- Minimize state risk through the effective representation of state prosecution when defendants challenge their felony convictions before the state or federal appellate courts; and
- Prosecute criminal offenses within its jurisdiction, including handling a wide variety of criminal matters across all areas of the state including white-collar crime offenses, human trafficking cases, homicides, complex drug conspiracies, and special prosecutions in which our assistance is requested by the Governor or an elected district attorney.

The DOL tracks specific workload and performance measures and strategic efforts in attempting to meet performance measures. In coordination with the objectives listed above, the DOL has provided specific performance measures, strategies, and performance evaluations provided below.

STRATEGIC PRIORITY 1: INNOVATIVE PRACTICE OF LAW

The DOL will work collaboratively to fill gaps in federal and local criminal, consumer protection, antitrust, and environmental law enforcement in areas of concern to the State that are not being otherwise addressed, focusing on human trafficking, the opioid epidemic, and cybercrime.

Human Trafficking: The DOL will lead and advise on investigative, training and prosecutorial efforts across the state. Additionally, the DOL will create internal working groups to best align resources and knowledge in this area of law and will annually review and recommend relevant statutory changes.

Performance Measure	Actual FY 15	Actual FY 16	Actual FY 17	FY 18 to date	Request FY 19	Request FY 20
Staff hours invested in statewide human trafficking efforts	NA	NA	NA	184.5	NA	NA

Evaluation of Performance to date: This is a new measure. The DOL is tracking this measure over the course of the next fiscal year and will report on outcomes in the next DOL Strategic Plan. These hours reflect the time DOL employees have invested in collaborating with partner agencies in combatting the various facets of human trafficking, from July 1, 2017 through December 31, 2017.

Opioid Epidemic: The DOL will lead and advise on investigative and prosecutorial efforts across the state, both criminally and civilly. The DOL will create an internal working group populated from amongst all its various sections to best align resources and knowledge in this area of law. This internal working

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group will annually review and recommend relevant statutory changes as well as coordinate the legal efforts and expertise within the office to better impact the abuse of opioids throughout the State.

Performance Measure	Actual FY 15	Actual FY 16	Actual FY 17	FY 18 to date	Request FY 19	Request FY 20
Staff hours invested in statewide opioid efforts	NA	NA	NA	4,423	NA	NA

Evaluation of Performance to date: This is a new measure. The DOL is tracking this measure over the course of the next fiscal year and will report on outcomes in the next DOL Strategic Plan. These hours reflect the time DOL employees have invested in opioid-related actions, including criminal investigations and prosecutions, community initiatives, enforcement efforts based on consumer protection litigation, and the advice and representation of various licensing boards and agencies from July 1, 2017 through December 31, 2017.

Cyber Crime: The DOL will launch consumer protection initiatives to better inform Coloradans how to recognize and protect themselves against cybercrime by increasing awareness of cybersecurity measures. The DOL will work internally and externally to investigate and prosecute criminal activity related to cybercrime. This will include sharing expertise in the area and becoming a statewide resource for cybercrime issues, especially for rural areas

Performance Measure	Actual FY 15	Actual FY 16	Actual FY 17	FY 18 to date	Request FY 19	Request FY 20
Staff hours invested in statewide cyber security efforts	NA	NA	NA	763.4	NA	NA

Evaluation of Performance to date: This is a new measure. The DOL is tracking this measure over the course of the next fiscal year and will report on outcomes in the next DOL Strategic Plan. These hours reflect the time DOL employees have invested in establishing the state as a leader in cybersecurity efforts and the DOL as a leader among the country’s Attorneys General Offices from July 1 2017 through December 31, 2017.

STRATEGIC PRIORITY 2: SUSTAINING EXCELLENCE

The DOL will continue current legal and programmatic operations and provide high quality, cost effective legal services to minimize risk and liability to the State and to recover money owed to the State, to pursue just results in criminal prosecution and on appeal, to protect consumers, and to maintain a competitive business environment.

Representation of Client Agencies. The Attorney General by statute is the legal counsel and advisor of each department, division, board, bureau, institution of higher education and agency of state government other than the legislative branch and University of Colorado. § 24-31-101, et seq., C.R.S. The DOL represents the various clients efficiently and effectively. The key to this success is retaining quality employees by providing competitive attorney compensation and benefits package and a dynamic work environment.

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Performance Measure		Actual FY 15	Actual FY 16	Actual FY 17	FY 18 to date	Request FY 19	Request FY 20
Provide Quality legal counsel and representation to client agencies as measured by annual survey as satisfied with legal counsel	Target	95%	95%	95%	95%	95%	95%
	Actual	96.56%	96.04%	96.17%	NA	NA	NA

Evaluation of Performance to date: The DOL annually surveys client agencies during each fall. The DOL exceeded the target goal for this measure the past three years. The DOL will continue to hire and do its best to retain quality attorneys through the valuable work attorneys are exposed to and within the available resources to continue to be “an employer of choice” in the legal field.

Criminal Investigations and Prosecution

Pursuant to section 2-7-204(3)(c), C.R.S., the DOL must supply performance goals as part of this report. For purposes of complying with this requirement, the Criminal Justice Section estimates, to the best of its ability, how it can best have a positive impact on behalf of all Coloradans. The projections supplied are only estimates based on previous results as well as anticipated trends. These numbers are not intended to, and will not, subvert the ethical duties regarding the charging and disposition of criminal cases by any prosecutor in the DOL.

Medicaid Fraud: To defend the financial integrity of the State’s Medicaid program and the safety of patients in Medicaid-funded facilities.

Performance Measure		Actual FY 15	Actual FY 16	Actual FY 17	FY 18 to date	Request FY 19	Request FY 20
Resolve 75% of MFCU investigations within one year	Target	NA	NA	NA	75%	75%	75%
	Actual	NA	NA	NA	14%	NA	NA

Evaluation of Performance to date: This is a new measure. Between July 1, 2017 and January 15, 2018, the Medicaid Fraud Control Unit opened sixty-two (62) cases and twenty-nine (29) of those cases were opened as criminal investigations. Of those twenty-nine cases, three have been closed, one has resulted in the filing of criminal charges against two individuals, and the remainder are still open and under investigation. The remaining thirty-three (33) cases opened during this time period were opened as civil investigations and all of those matters remain open and under investigation.

During the same time period, \$35,238 in criminal restitution has been ordered and there has been a total of \$6,354,836 in civil recoveries, compared to the \$42,283 in restitution and \$1,347,955 in civil recoveries for the entirety of FY 2017.

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Securities Fraud: To conduct a statewide program for investigating and prosecuting violations of applicable state laws pertaining to securities fraud which local jurisdictions may not have the resources to handle.

Performance Measure		Actual FY 15	Actual FY 16	Actual FY 17	FY 18 to date	Request FY 19	Request FY 20
Resolve 75% of complex, multijurisdictional securities fraud investigations introduced in grand jury within one year							
	Target	NA	NA	NA	75%	75%	75%
	Actual	NA	NA	NA	67%	NA	NA

Evaluation of Performance to date: This is a new measure. The DOL will be tracking this measure over the course of the next fiscal year and reporting on most recent outcomes. A full year of tracking this metric has not occurred. The data assembled for this measure is from July 1, 2017 through January 15, 2018. Of note, several pending grand jury investigations are not included in this current measure since a year has not elapsed from their introduction into grand jury. Process changes are now in place to ensure that all cases are properly resolved according to the facts and the law within one year of introduction when appropriate. It is anticipated that at the conclusion of the fiscal year there will be compliance with this performance measure.

Insurance Fraud: To conduct a statewide program for investigating and prosecuting violations of applicable state laws pertaining to insurance fraud which local jurisdictions may not have the resources to handle.

Performance Measure		Actual FY 15	Actual FY 16	Actual FY 17	FY 18 to date	Request FY 19	Request FY 20
Resolve 75% of assigned insurance fraud investigations within one year through filing/closure.							
	Target	NA	NA	NA	75%	75%	75%
	Actual	NA	NA	NA	85%	NA	NA

Evaluation of Performance to date: This is a new measure. The DOL will be tracking this measure over the course of the next fiscal year and reporting on most recent outcomes. A full year of tracking this metric has not occurred. The data assembled for this measure is from July 1, 2017 through January 15, 2018. New referral and tracking systems have been and are in the process of being put into place to ensure timely review and analysis of each complaint. Investigators and attorneys are now prioritizing a timely resolution of all cases that come to the Unit. Certain complex or data intensive cases will require more than one year of investigation but this is the exception and not the rule. It is anticipated that compliance with this measure will be achieved at the conclusion of the fiscal year.

Consumer Protection

The Attorney General’s Consumer Protection Section has very broad jurisdiction (Consumer Protection Act, Antitrust Act, Charitable Solicitations Act, and approximately a dozen other state and federal statutes), and the Section receives complaints about possible violations of these laws from a variety of sources. The Section will continue selecting appropriate cases for investigation and enforcement to maximize overall benefit to consumers, as well as providing consumer outreach to empower consumers, especially vulnerable populations, to protect themselves against common scams.

Performance Measure		Actual FY 15	Actual FY 16	Actual FY 17	FY 18 to date	Request FY 19	Request FY 20
Resolve 75% of CP investigations within one year through settlement, filing, or closure	Target	NA	NA	NA	75%	75%	75%
	Actual	NA	72.50%	74.29%	79%	NA	NA

Evaluation of Performance to date: The Consumer Protection Section is continuing to refine its investigative efforts by reviewing the caseload at three month increments to assess how best to direct efforts to bring the case to successful close.

Consumer Credit: Ensure efficient operations to benefit credit providers through licensing and to ensure compliance and protection of consumers through enforcement of consumer credit laws.

Performance Measure		Actual FY 15	Actual FY 16	Actual FY 17	FY 18 to date	Request FY 19	Request FY 20
Investigate and resolve 90% of complaints within 60 days or less	Target	90%	90%	90%	90%	90%	90%
UCCC	Actual	97%	88%	80%	96%	90%	90%
Debt Management	Actual	90%	91%	94%	67%	90%	90%
Debt Collection	Actual	82%	81%	43%	35%	80%	80%

Evaluation of Performance to date: The performance in the Debt Management Program and the Collection Program is reflective of new personnel and more thorough review measures put in place. The DOL will continue to monitor efforts in this area to ensure the most effective program delivery within resources.

Criminal Appeals: Produce high quality briefs appropriately tailored to the seriousness of the offense/appellate challenge *while (1) maintaining or improving success rate and (2) reducing extensions of time for filing briefs in the Court of Appeals.*

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Performance Measure		Actual FY 15	Actual FY 16	Actual FY 17	FY 18 to date	Request FY 19	Request FY 20
Percentage of cases with a successful outcome on appeal	Target	90%	90%	90%	90%	90%	90%
	Actual	89.6%	89.5%	89.9%	88.6%	NA	NA

Evaluation of Performance to date: The Criminal Appeals Section continues to strive and achieve its goal of preserving at least 90% of the convictions challenged on appeal.

Performance Measure		Actual FY 15	Actual FY 16	Actual FY 17	FY 18 to date	Request FY 19	Request FY 20
Percentage of Court of Appeals briefs within 180 days of the initial deadline	Target	NA	NA	NA	85%	NA	NA
	Actual	NA	NA	NA	80.5%	NA	NA

Evaluation of Performance to date: This is a new measure. The DOL is implementing process improvements to best meet this objective.

STRATEGIC PRIORITY: PROCESS IMPROVEMENT AND EMPLOYEE ENGAGEMENT

The DOL will promote a culture of constant process improvement. In doing so, the DOL is committing to improving internal business processes annually, as well as continue to improve the knowledge base of our attorneys.

Performance Measure		Actual FY 15	Actual FY 16	Actual FY 17	FY 18 to date	Request FY 19	Request FY 20
LEAN analyze and modify business practices in two program areas annually	Target	NA	NA	NA	2	NA	NA
	Actual	NA	NA	NA	2	NA	NA

Evaluation of Performance to date: The DOL is currently working through two LEAN objectives. One in the Criminal Appeals section and one in the Consumer Credit Unit

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Performance Measure		Actual FY 15	Actual FY 16	Actual FY 17	FY 18 to date	Request FY 19	Request FY 20
Identify and implement four new professional development opportunities to support employees in career development and continuing education obligations	Target	NA	NA	NA	4	4	4
	Actual	NA	NA	NA	21	NA	NA

Evaluation of Performance to date: This is a new measure. As such, the DOL original estimates for this goal are low compared to trainings to date, (July through December). The DOL will monitor this measure and modify for out years to better reflect reasonable goals.