

# STRATEGIC PLAN FOR FISCAL YEAR 2008

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## OFFICE OF THE ATTORNEY GENERAL Strategic Direction – Fiscal Year 2008 (July 1, 2007 – June 30, 2008)

### *Mission*

As an independent constitutional office and legal counsel to state government, we serve the citizens of Washington with the highest standards of *excellence, ethics and effectiveness*.

### *Vision*

The Office of the Attorney General will be the best public law office in the United States, proudly contributing to the greatness of Washington.

### *Values*

All staff in the Office of the Attorney General are guided by the following core values:

TRANSPARENCY  
HONESTY  
RESPECT  
INNOVATION  
COMPETITION  
ETHICS  
“THRICE”

### *Goals and Objectives*

**Goal 1: PROVIDE EFFICIENT AND EFFECTIVE REPRESENTATION TO OUR CLIENT AGENCIES.**

**1-1 Review Office Structure and Practices for Possible Areas of Improvement and Efficiency and Identify Priority Areas for Improvement.**

1-1-1 *Complex Litigation Division.* Develop and implement a plan to market the new Complex Litigation Division and to become self-sustaining. (Dunn, Ferguson, Moran, Bigelow) (August 2008)

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1-1-2 *Review Staffing Models/Structures.* In conjunction with the OFM budget process, review appropriate staffing of AGO services to ensure consistency across divisions and most efficient client service. (Moran, Bigelow, Deputies, Skinner) (August 2008)

## **1-2 Make Recommendations for Improvement and Efficiencies in Office Litigation Practices.**

1-2-1 *Best Practices Guidance.* Establish ad hoc working group to develop as a resource for attorneys, particularly new attorneys, a set of “best practices” for litigation, including forms and processes for evaluating cases and the amount of resources to assign to them. The process should include an assessment of current guidance in the various divisions. (Deputies to appoint ad hoc working group) (Appoint by July 2007; draft guidance to be completed by March 2008)

## **1-3 Revise System of Performance Measures to Assess Success and to Develop Efficiencies.**

1-3-1 *Client Survey.* Complete second electronic client satisfaction survey and compare data with results of 2005 survey. (Leadership Team, J. Johnson, Goltz) (October 2007)

1-3-2 *AGMAP.* Establish regular process for office-wide and division reporting of performance measures to CLT and Operations Committee. (Dunn, AGMAP Committee) (Implement reporting by September 2007)

## **1-4 Proactively Engage in Risk Management Efforts.**

1-4-1 *Agency Risk Management Strategies.* Support client agency efforts to implement risk management strategies by incorporating a “lessons learned” from significant litigation protocol as part of routine feedback to client agencies. (Costello, Leadership Team) (Protocol drafted by October 2007)

1-4-2 *Electronic Discovery Coordination.* Continue to assist OFM and other clients by better utilizing AGO staff to handle electronic discovery requests, thereby minimizing need for outside consultants. (Dunn, Ferguson, E-Discovery workgroup) (Report to CLT quarterly on progress, starting September 2007)

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## **1-5 Utilize Appropriate Technologies to Improve Client Service.**

- 1-5-1 *Software Utilization.* Assist staff in effectively utilizing the Office 2007 Suite software upgrade, as well as optimizing the benefits from the AGO Collaboration Environment (ACE) and the new e-mail archiving system. (Lane, Hill, Skinner)

## **Goal 2: SUPPORT STAFF IN AN EFFICIENT, EFFECTIVE AND DIVERSE WORK ENVIRONMENT.**

### **2-1 Seek and Obtain Appropriate Compensation and Recognition for All Staff.**

- 2-1-1 *Attorneys – Salary Schedule.* Implement salary enhancements for 2007-09, and develop proposed attorney salary schedule as required by proviso in 2007-09 Appropriations Act. (Moran, Bigelow, Deputies) (Draft schedule by March 2008)
- 2-1-2 *Attorneys – 2009-11 Budget.* Develop proposal for 2009-11 biennium in accordance with updated salary survey. (Moran, Bigelow, Battan, Goltz) (August 2008)
- 2-1-3 *Professional Staff.* Review salaries for all major professional staff classifications, including WMS positions, to determine compression, inversion, and other alignment issues. (Operations Committee, Bigelow, Lane, Skinner, Underwood) (August 2008)
- 2-1-4 *Performance Management System for All Staff.* Refine performance management system to address systemic issues identified by leadership and staff. (Performance Management Committee) (Report to Operations Committee, September 2007)

### **2-2 Implement Improvements to Critical Administrative Support Systems.**

- 2-2-1 *Case Management System.* Negotiate and enter into new contract with provider of case management system. (Lane, Hill, Operations Committee) (August 2007)
- 2-2-2 *Timekeeping and Billing Systems.* Update and revise existing timekeeping and billing systems to enhance capability of providing financial information to clients. (AGO Technology and Operations Committees, Lane, Hill, Bigelow) (Report to Operations Committee, October 2007)

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- 2-2-3 *HITS*. Upgrade Homicide Investigation Tracking System (HITS) to improve its compatibility with other law enforcement systems. (Moran, Costello, Blonien, Rosenthal, Hill) (June 2008)
- 2-2-4 *Archiving and Retrieval of AGO Documents*. Explore available options and make recommendation on acquisition of content management system for the storing and more robust searching for and retrieval of all AGO documents. (Technology Committee, Lane, Hill) (August 2008)
- 2-2-5 *Mobility*. Review and consider options for improving staff remote access to the AGO network, while maintaining security of information. (Hill, Technology Committee) (Report to Operations Committee, October 2007)
- 2-2-6 *Video Conferencing*. Consider expanding and improving the existing video conferencing capabilities in the AGO to assist in the communication and collaboration between legal divisions. (Hill, Technology Committee) (Interim Report to Operations Committee October 2007)

### **2-3 Increase Efforts to Recruit and Retain an Effective and Diverse Workforce.**

- 2-3-1 *Minority Job Fairs*. Continue to maintain diversity recruiting as an office priority. (Battan, Skinner) (Report to Operations Committee annually)
- 2-3-2 *Diversity Survey*. Review status of diversity in the Office through a diversity survey and report back to CLT. Follow up as necessary through measures such as divisional or other training. (Battan, Ruffins, Jaasko-Fisher, AGO Diversity Advisory Committee) (January 2008)
- 2-3-3 *Professional Staff Recruitment*. Implement recommendations made by the AGO Professional Staff Recruitment and Retention Committee, as approved by the Operations Committee. (Skinner, Siebs, Operations Committee) (July 2007)

### **2-4 Develop and Update Succession Plan.**

- 2-4-1 *Review Core Management Training*. Review effectiveness of Core Management Training. (Battan, Skinner) (Report to Operations Committee, April 2008)

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## **2-5 Enhance the Workplace for Employees.**

- 2-5-1 *Sponsor Wellness Activities through the Year.* Support efforts of Wellness Committee in its efforts to make wellness activities available to staff during all times of the year. (Bigelow, Wellness Committee) (Report semi-annually to Operations Committee in October and April)
- 2-5-2 *AGO Sustainability Efforts.* Consider recommendations of Sustainability Committee to revise and enhance AGO sustainability plan to increase the AGO sustainability efforts. (Bigelow, Sustainability Committee) (Report semi-annually to Operations Committee in September and March)
- 2-5-3 *Domestic Violence.* Implement domestic violence training for AGO managers. (Skinner, McKnight, Newberry) (July 2007)

## **Goal 3: PREPARE FOR OPERATIONS IN EMERGENCY SITUATIONS.**

### **3-1 Revise Relevant AGO Safety and Security Plan and Division Continuity of Operations Plans.**

- 3-1-1 *AGO Safety and Security Plan.* Revise AGO Safety and Security Plan in light of experience from safety drill held in April 2007. (AGO Safety Committee, Bigelow, Goltz) (September 2007).
- 3-1-2 *Building Safety and Security Plans.* Update and standardize AGO building safety and security plans in light of experience from safety drill held in April 2007. (AGO and building safety committees) (December 2007)
- 3-1-3 *Division Continuity of Operations Plans.* Update and standardize. AGO Division Continuity of Operations Plans in light of experience from safety drill held in April 2007 (Deputies) (December 2007)
- 3-1-4 *Resources for Operation of Government in Emergencies.* Update, organize and distribute AGO resources for operation of government in time of emergency, including essential legal research, sample court pleadings and sample executive orders. (AGO Operations Committee, Panesko, Moran, Goltz) (May 2008)

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**Goal 4: MAINTAIN AND FOSTER, FOR THE PUBLIC'S BENEFIT, THE CONSTITUTIONAL AND STATUTORY INDEPENDENCE OF THE ATTORNEY GENERAL.**

**4-1 Preserve and Enhance Independent Statutory Roles of the Attorney General.**

4-1-1 *Protocols for Communicating with Legislature.* Review and develop protocols for reviewing and communicating opinions on constitutionality of proposed legislation. (Bigelow, Hart, Goodman) (September 2007)

4-1-2 *Consumer Protection Funding Mechanism.* Consider alternatives for funding of Consumer Protection Division to provide more consistent budget. (Hovis, Walsh, Bigelow) (Report to CLT by June 2008)

**4-2 Enhance Communication of AGO Role and Activities to Public.**

4-2-1 *AGO Outreach Program.* Develop proposal for targeted AGO outreach efforts to educate external stakeholders on selected AGO programs. (Guthrie) (Proposal to Operations Committee, January 2008)

**Goal 5: PROMOTE PUBLIC POLICY THAT IS IN THE BEST INTEREST OF THE CITIZENS WE SERVE.**

**5-1 Encourage a Culture of Openness in State and Local Governments With Public Records, While Protecting the Essential Operations of Government.**

5-1-1 *Sunshine Committee.* Participate in committee to review exemptions to Public Records Act as required by 2007 legislation. (Ford) (October 2007)

5-1-2 *Legislation.* Develop legislation to clarify and strengthen the Public Records and Open Meetings Acts. (Ford, Goodman) (September 2007)

**5-2 Develop Strategy to Control the Manufacture, Sale and Trafficking of Methamphetamine and Other Harmful Substances.**

5-2-1 *Regional Committee.* Lead efforts to maintain the work program of the Northwest Precursor Chemical Committee. (Included in its membership are Generals McKenna, Wasden (Idaho) and Meyers (Oregon)). The committee will, on an ongoing basis, propose joint

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strategies involving federal, state and local law enforcement and prosecutors to interdict, convict and incarcerate members of criminal organizations involved in the manufacture, trafficking and sale of illegal narcotics in Washington, Oregon and Idaho. (C. Johnson) (Ongoing)

5-2-2 *Education.* Continue to increase public awareness of the harmful impacts methamphetamine and other harmful substances have on lives and communities throughout Washington. Work with the Division of Alcohol and Substance Abuse, as well as the Washington State Meth Initiative, to expand the Meth 360 prevention program statewide. Continue to make substance abuse prevention presentations to school aged audiences statewide. (Guthrie, C. Johnson) (Ongoing)

5-2-3 *Border Security.* Participate in multi-jurisdictional working groups to enhance border security and control illegal substances from being trafficked in Washington. (C. Johnson, Blonien) (Ongoing)

5-2-4 *Washington Chapter of the National Alliance for Drug Endangered Children (DEC).* Support efforts of the DEC. Use the visibility of the AGO to bring attention to the health and safety challenges faced by drug endangered children. Increase AGO participation in DEC training each year, case loads permitting. Ask appropriate AGO offices to designate one attorney to act as liaison to local meth action teams in counties served by that office, and offer assistance in drafting and implementing DEC guidelines at the local level. (C. Johnson) (Ongoing)

5-2-5 *DASA and Washington Association of Broadcasters.* Work with DASA and WAB to place TV public service announcements around the state, as made available by Partnership for a Drug Free America. (Guthrie) (Ongoing)

5-2-6 *Pseudoephedrine Controls.* As proposed in the “Operation: Allied Against Meth” Task Force final report, lead efforts to implement an electronic log to record the sale of pseudoephedrine in pharmacies and retail outlets. Work with the Department of Health and Board of Pharmacy to ensure that Washington law regarding pseudoephedrine controls is compliant with provisions of the federal Combat Meth Act. (C. Johnson) (Ongoing)

### **5-3 Develop a Statewide Strategy to Protect Vulnerable Adults and Children and Reduce Domestic Violence.**

5-3-1 *Legislation.* Develop a legislative package for the 2008 legislative session to help deter domestic violence, pursuant to the

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recommendations of the Vulnerable Adult Summit and DV work groups already established. (Goodman, Moran, C. Johnson) (October 2007)

5-3-2 *Stakeholder Group*. Create Attorney General Domestic Violence Advisory Group and hold regular meetings. (McKnight, C. Johnson, Bigelow) (Create group by July 2007)

5-3-3 *Domestic Violence Recidivism*. Develop a proposal for a multi-year study of contributing factors to domestic violence recidivism. (C. Johnson) (November 2008)

### 5-4 **Develop New Efforts to Protect Washington Consumers.**

5-4-1 *Identity Theft Tour*. Conduct a statewide identity theft tour to educate businesses, media and the general public on the threat of identity theft and how to prevent it. (Guthrie, Larsen, Sears, Shannon, Alexander) (October 2007)

5-4-2 *Consumer Protection*. Develop legislation for 2008 session relating to:

- Mandatory police reports
- Unit of prosecution
- Service of process of out-of-state records/authentication
- Limit use of corporation sole organizations
- Spyware – expanded protection
- Lemon law
- Debt collection practices
- Post-disaster price gouging

(Goodman, Walsh, Larsen) (October 2007)

5-4-3 *Gas Price Study*. Complete the gas price study and present information to Washington citizens and the legislature. (Kondo, Walsh) (First phase, July 2007)

5-4-4 *Anti-Counterfeiting and Piracy Task Force*. Participate with the U.S. Chamber of Commerce in an Anti-Counterfeiting and Piracy Task Force. (McKenna, Moran, Bigelow) (Ongoing)

5-4-5 *Manufactured Housing Dispute Resolution Program (MHDRP)*. Implement an outstanding MHDRP unit within the Consumer Protection Division which:

- Resolves disputes between landlords and manufactured home tenants
- Enforces the MHDRP
- Promotes respect for the law

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- Provides report and suggestions to the legislature
- Educates stakeholders about the law and the program (Hovis, Walsh, Erwin) (Ongoing)

## **5-5 Develop Omnibus Legislation to Prevent Fraud.**

5-5-1 *Legislation.* Develop and obtain passage of legislation that would:

- Expand the statute of limitations from three to five years for tax fraud cases that recognizes the realities of these cases.
- Improve DOR and DFI efforts to minimize tax fraud by mirroring general theft statutes; and
- Define and criminalize misconduct that occurs in fraudulent residential mortgage transactions (similar to Georgia statute). (Walsh, Goodman, Weinmann) (August 2007)

## **5-6 Protect Consumers Against Fraudulent Advertising on the Internet.**

5-6-1 *Legislation.* Develop legislation for 2008 session to regulate internet advertising for free offers. (Walsh, Goodman) (August 2007)

5-6-2 *Youth Internet Safety.* Coordinate a Youth Internet Safety Task Force. (Goodman, Larsen) (Ongoing)

## **5-7 Develop Legislation Relating to Sexually Violent Predators.**

5-7-1 *Legislation.* Propose legislation to require convicted sexually violent predators to register aliases and other identifications used on the internet. (Blonien, Weinmann, Goodman) (September 2007)

## **5-8 Strengthen Relations with State Tribes.**

5-8-1 *Tribal Law Enforcement Taskforce.* Participate in Tribal Law Enforcement Taskforce. (Goodman, Blonien) (Ongoing)

5-8-2 *Visits to Tribes.* Complete visits to Washington Indian Tribes. (McKenna) (June 2008)

## **5-9 Make Improvements to Eminent Domain Statutes and Processes.**

5-9-1 *Review Committee.* Create committee to review existing eminent domain statutes and policies and make recommendations for

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improvement. (Ford, Moran) (Recommendations by September 2007)

### **5-10 Reduce Gang Activity in Washington State.**

5-10-1 *Survey and Working Group.* Conduct a survey of local law enforcement organizations across the state regarding gang membership and gang-related crime trends in their jurisdictions. Convene an informal working group of gang investigators and deputy prosecutors to advise the AGO on recommended strategies to counteract these trends. (C. Johnson) (Ongoing)

5-10-2 *WASPC Study.* Participate in the legislatively created WASPC study on gangs. Form an internal team to develop proposals for presentation to the working group, in collaboration with the Washington Association of Prosecuting Attorneys, the Northwest Gang Investigators Association, and the Governor's Juvenile Justice Advisory Committee. (C. Johnson, Roosendaal) (Ongoing)

5-10-3 *Partner Groups.* Continue to work with partner groups of WAPA, WASPC, NWGIA, and the Street Gang Tracking Group to ensure there is a balanced legislative package that emphasizes prevention, better investigative tools and targeted sanctions. From the efforts of working with the stakeholders, develop and seek enactment of legislation that includes a new offense of gang graffiti/tagging, a sentencing enhancement for gang-related felony offenses, definitions for what constitute a criminal gang, gang member and gang-related crime, and recommendations to the Legislature. (C. Johnson, Roosendaal, Goodman) (Ongoing)