

Office of the Attorney General

**Biennial Report
2022-2024**

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STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

100 North Carson Street
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I am thankful to the people of Nevada for granting me an additional four years to serve as their Attorney General. I do not take lightly the continued trust Nevadans have granted me to ensure public safety and seek justice for all. I do not take lightly that I have been granted the continued trust to ensure public safety and seek justice for all Nevadans. I am more committed than ever to building a stronger, more inclusive system of justice. I remain resolute in my leadership and governance over the Nevada Office of Attorney General, with its 155 driven attorneys, 62 dedicated investigators, and 200 outstanding support staff across 23 divisions, enforcing the breadth of Nevada law. We are united under a common belief—that our job is justice.

Over the past two years, Nevadans have experienced threats to their personal freedoms and prosperity on multiple fronts: national attacks eroding reproductive rights; constant exploitation of goods and services at the cash register; fraudsters looking to separate people from their hard-earned dollars; bad actors working to dismantle the values of diversity, equity and inclusion; and political extremists attempting to undermine the bedrock of our republic by attacking the security of our elections. I am proud to say that my staff and I have won many victories for Nevadans over the past biennium.

- I joined a multistate federal lawsuit defending the Food & Drug Administration determination that mifepristone, one of two drugs used in medication abortions, is safer than Tylenol. By joining that suit, I ensured that Nevadans retained access to this critical medication, even as 34 other states lost it. In joining the suit, I ensured that Nevadans retained access to the medication, while residents of 34 other states did not.
- Following the Supreme Court's decision in *Students for Fair Admissions v. President and Fellows of Harvard College*, I penned a letter, joined by 20 other attorneys general, to the CEOs of Fortune 100 companies assuring them that diversity, equity, and inclusion efforts remain lawful and protected.

- I joined with the Federal Trade Commission to block the merger between Kroger and Albertsons to prevent grocery price increases on everyday Nevadans. I did so after conducting statewide listening sessions that included FTC Chair Lina Khan.
- I filed civil action against five popular social media platforms for using algorithms that appear to prey on teenagers’ vulnerabilities and incite addictive behavior.
- I continue to hold industry actors accountable for their role in the opioid crisis and have secured more than \$1.6 billion that will be used throughout Nevada over the next 20 years to abate our addiction crisis.

This biennial report demonstrates the efficacy of the Office of Attorney General when executive leadership and dedicated State employees commit themselves to mission driven work. I continue to utilize the “Five Cs,” framework as the bedrock for my administration—client services, community engagement, criminal justice and reform, consumer protection and constitutional rights.

AARON D. FORD
Attorney General



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Executive Leadership

First Assistant Attorney General

Craig Newby serves as the First Assistant Attorney General. Prior to entering public service, Newby was a partner at McDonald Carano LLP, specializing in complex litigation. A first-generation college student, Newby earned his law degree from Harvard Law School and his undergraduate degree from the University of Wisconsin-Madison. Newby manages the following divisions: Boards and Open Government; Business and Industry; Gaming, Government and Natural Resources; Health and Human Services; Personnel; Public Safety; Transportation; and Taxation.

Second Assistant Attorney General

Christine Jones Brady (CJ) serves as the Second Assistant Attorney General. She began her career in public service at the U.S. Government Accountability Office (GAO) in San Francisco and represented indigent defendants for more than a decade at the Washoe County Public Defender's Office. Brady earned her juris doctor degree from the University of Nevada Las Vegas, Boyd School of Law, a Master's degree in sociology and a Bachelor's degree from Stanford University. Christine manages the following divisions: Bureau of Consumer Protection; Criminal Prosecution; Investigations; Post Conviction; Medicaid Fraud Unit; and Victim Support Services.

Chief of Staff

Teresa Benitez-Thompson serves as Chief of Staff. Prior to joining the office, Benitez-Thompson served six terms (12 years) in the Nevada State Legislature, of which she was named the Assembly Floor Majority Leader for three terms (six years). Benitez-Thompson was a proud member of the 80th Legislative Session and was the nation's first female majority leader. Benitez-Thompson holds a Master of Social Work degree from the University of Michigan, Ann Arbor. Teresa manages the following divisions: Communications and Constituent Services; Fiscal; Human Resources and Legal Support; Information Technology; Domestic Violence, Sexual Assault and Human Trafficking Ombudsman; Office of Military Legal Assistance; and Special Assistant Attorney General.

Solicitor General

Heidi Parry Stern serves as the Solicitor General. Heidi Stern joined the OAG in 2016 as Chief of the Post-Conviction Unit. Prior to joining the Attorney General's Office, Stern was in private practice in Las Vegas, where she specialized in commercial appeals. She earned her law degree from Harvard Law School, and her undergraduate degree from Brigham Young University. Stern manages the Complex Litigation Division.

General Counsel

Leslie Nino Piro serves as the General Counsel. Prior to joining the Attorney General's Office, Nino Piro was a staff attorney for the U.S. District Court, District of Nevada, and worked in the private sector as an associate at Holland & Hart LLP. Nino Piro is a proud graduate of the University of Nevada, Las Vegas, and the William S. Boyd School of Law. Nino Piro manages the Patterns and Practice Division.

Attorney General Ford would like to acknowledge the administrative staff and their invaluable contributions to the proficient workings of the Office of Attorney General:

Thank you to the legal office managers who keep operational three respective offices across the state of Nevada, and to my executive assistant for her never-ending support.

I extend deep respect to the hard-working information technology team for keeping the office online and connected.

I want to send my deepest appreciation to our legal secretaries and legal researchers for the diligent work they do.

Constituent services take in hundreds of complaints a month and thousands a year. Your commitment to the OAG is not lost on me.

I appreciate my human resources staff for attenuating themselves to personnel matters big and small.

Thank you to the communications team for keeping the public informed and aware of all our activities.

Thank you to all the supervisors and managers who ensure OAG is well administered.

Attorney General Ford extends his deep appreciation to Chief Scott and the Investigation Division for their tireless work to the Office of the Attorney General and the community at large.

Executive Summary

Under the leadership of Attorney General Ford, the Nevada Office of Attorney General (OAG) is proud to report the following successes from the past biennium:

Criminal Justice and Reform

Ensuring public safety and reform are not competing values. Attorney General Ford believes in accountability for those who harm others, as well as a justice system comprised of human dignity, fairness and equity.

- Conducted operations to capture people who prey on youth. Investigators posting in online forums advertise sex work, using decoys that present themselves as being under 16 years of age. These stings are conducted in cooperation with Clark County School Police and Homeland Security Investigations. OAG investigators also participate in Southern Nevada Human Trafficking Task Force operations with the FBI, the U.S. Attorney's Office and numerous other local law enforcement agencies throughout southern Nevada.
- Prosecuted 25 individuals over the last biennium for crimes associated with "john" stings. In one recent sting, a registered sex offender communicated with a decoy to purchase sex. After being told the decoy was 15 years old, he agreed to meet at a prearranged location to complete the transaction. The perpetrator was subsequently arrested, and then it was discovered he was on probation for possession of child sexual abuse material. He will serve 28-72 months in prison.
- OAG investigators tackled deceptive fraud in the Latino community through investigation into "notario" operators – persons who pass themselves off as attorneys and defraud their victims of significant financial sums by promising to help them in acquiring permanent residence or other immigration benefits.
- The Office of Attorney General supported community non-profit organizations, local law enforcement agencies and state-specific endeavors through \$13 million dollars in grant projects. These projects allow Attorney General Ford to engage Nevada in vital work such as the identification of previously unidentified sexual assault offenders and support to victims of hate crimes.
- Established the Victim Services Unit. The 82nd Legislature granted Attorney General Ford's request for two victim witness advocates (VWAs). Their mission is to provide support, advocacy and empowerment for victims of and witnesses to crimes investigated and prosecuted by the Nevada Attorney General's Office (OAG).

Constitutional Rights

Protecting your constitutional rights remains paramount for Attorney General Ford. Over the past biennium, he has led the office in the following actions:

- The OAG continues to prosecute felony voter fraud cases in Nevada and defend against attacks to interrupt procedural ballot counting. The OAG worked with Nevada Department of Corrections to protect the rights and medical needs of offenders. To this end, we are happy to report that NDOC has successfully treated all consenting offenders for Hepatitis C.
- Four new cases of wrongful conviction have been opened by Attorney General Ford. Of the total cases active during the biennium, three settled.
- Joined a multistate federal lawsuit against the Food & Drug Administration accusing it of singling out one of two drugs used in medication abortions for excessively burdensome regulation, despite ample evidence that the drug, mifepristone, is safer than Tylenol.
- Following the Supreme Court's decision in *Students for Fair Admissions v. President and Fellows of Harvard College*, Attorney General Ford penned a letter—which was joined by 20 other attorneys general—to the CEOs of Fortune 100 companies assuring them that diversity and inclusion efforts are lawful and protected.

Consumer Protection

Attorney General Ford will always stand up against corporations who engage in deceptive trade practices, anticompetitive measures and cause harm to the public.

- As Chairman of the Attorney General Alliance, Attorney General Ford launched the "Empowering Consumers through Education" initiative, a comprehensive strategy addressing consumer protection by focusing on the evolving challenges faced by consumers in today's complex landscape.
- Attorney General Ford took bipartisan action with 52 other attorneys general and secured an agreement with Google on anticompetitive conduct within the Google Play Store. Nevada received approximately \$800,000 as part of the settlement.
- Attorney General Ford secured a settlement to resolve allegations related to the marketing of Johnson & Johnson's products that contained talc. Nevada will receive \$6,131,236.22.

- Attorney General joined with the US Department of Justice (DOJ), and a bipartisan coalition of 30 attorneys general, in an antitrust lawsuit against Live Nation Entertainment, Inc. The lawsuit alleges that Live Nation, which owns Ticketmaster, has illegally monopolized the live entertainment industry and increased the prices for live shows in Nevada and around the country.
- Attorney General Ford is proud to report the following key opioids recoveries:
 - Walmart: \$32,231,037.17
 - Allergan: \$29,796,018.21
 - CVS: \$200,000,000
 - Walgreens: \$285,000,000
 - Teva: \$193,717,924.13
- Attorney General Ford acted alongside 49 other attorneys general to reach a settlement with software company Blackbaud. Under the settlement, Blackbaud agreed to significantly improve its data security and breach notification practices. Nevada received \$559,828 from the settlement.
- Attorney General Ford pursued 285 residential solar complaints related to failure to refund, consumer fraud, misrepresentation and other scams during the biennium. While some complaints and resolutions were less than \$500, there are numerous instances of resolutions of thousands and tens of thousands of dollars.

Community Engagement

Attorney General Ford continues to encourage all divisions to engage in community activities throughout the year.

- The Constituent Services Unit received thousands of communications (calls, letters and emails) from concerned Nevada residents. Some residents called to express their views, others called to file complaints or request investigations into fraudulent business dealings. Over the biennium, there were more than 16,000 constituent service requests made to the office.
- During the past biennium, OMLA helped over 1,900 Veterans/SM/military spouses, and maintains a monthly Ask-A-Lawyer event at the North Las Vegas Medical Center to provide free “no appointment necessary” legal consults.
- OAG Investigators along with Attorney General Ford hosted the first ever OAG-sponsored Community Cadet Academy at the Richard Steele Boxing Gym. Approximately 50 kids participated. Additionally, the Office of the Attorney General investigators and their families participated in an Earth Day Clean-Up Event at the Valley of Fire State Park.

- Investigators and support staff in northern Nevada participated in the Carson City Sheriff's Night Out (formerly National Night Out). OAG staff handed out information on crime prevention and internet.
- OAG staff continue their ongoing involvement in the Police Athletic League, Inc. of Southern Nevada food distribution events. A community service event in which free food is handed out to Las Vegas area residents at the Clifford O. Findlay Middle School. Food is provided by Three Square.

Client Services

Attorney General Ford operates with a customer service mindset. He is always mindful that our clients are subject matter experts, and the Office of Attorney General is there to assist them in lawful execution of the laws.

- The OAG's Medicaid Fraud Control Unit obtained judgments in criminal and civil cases, totaling \$13,436,720.92. This money is returned to the Medicaid system for use in providing needed medical services to impoverished Nevadans. Additionally, the MFCU obtained 38 total convictions and an additional 17 civil settlements during this time period.
- OAG staff protected the stellar reputation of the state's most important industry by assisting the Gaming Control Board in pursuing discipline against licensees that failed to maintain safe and lawful establishments or did not ensure proper transfers of interest in gaming operations. Most recently, the OAG filed a complaint against Scott Sibella for conduct that resulted in a federal charge related to anti-money laundering requirements.
- The OAG resolved the disciplinary case against Stephen Wynn in July 2023 with a stipulated settlement accepted by the Nevada Gaming Control board which imposed a fine of \$10 million.
- In the case *Coyote Springs v. State Engineer*, the plaintiff was demanding billions of dollars. Plaintiffs are owners and developers of a master planned community on 43,000 acres located in Coyote Springs Valley. They allege that the State Engineer's Order 1309 – which was issued on June 15, 2020, imposes limits on the amount of groundwater that can be plumped from a multi-basin area of which Coyote Springs forms a part – constitutes an unconstitutional taking of their development rights, water rights and property rights.
- The OAG's Post Conviction Division averaged a 93% success rate in the U.S. District Court and the Ninth Circuit and has an approximately 96% success rate in the Nevada Supreme Court.

- The OAG's Boards and Open Government (BOG) division provided training to state agencies governed by public bodies across state government. In 2023, BOG conducted a boards and commissions training that taught members and staff members of state agencies relevant law relating to Nevada's Open Meeting Law, Public Records Act, Ethics in Government Law, state contracting requirements, administrative rulemaking and administrative procedures. The trainings and materials are available on the OAG's website to be used as a training resource for new agency employees at any time.
- Senate Bill (SB) 431 of the 82nd (2023) Session saw the creation within Business and Industry of the Office of Nevada Boards, Commissions and Councils Standards (BCCS). The BCCS is tasked with creating administrative uniformity for the multitude of public agencies that were brought under the BCCS by SB 431. The OAG-B&I has provided BCCS with legal guidance as it establishes itself and its role in the execution of SB 431's statutory mandates.

Criminal Prosecution Division

The Criminal Prosecution Division is comprised of 18 attorneys and an auditor and is under the leadership of Chief Alissa Engler. The Division prosecutes hundreds of criminal cases every year. These cases involve criminal matters such as: insurance fraud; workers compensation fraud; securities fraud; mortgage fraud; cybercrime; public integrity cases; election fraud; crimes committed by State of Nevada employees in the course of their employment; and crimes committed by the Department of Corrections. The OAG also shares jurisdiction with local prosecutors in other areas, such as sex trafficking, general financial fraud and elder exploitation. The AG's office also accepts referrals from counties if the local district attorney cannot prosecute a case due to a conflict or declines to pursue the case.

Murder, Manslaughter, and Attempted Murder Cases

While most murders are prosecuted at the county level, the OAG does prosecute murder cases that the district attorney cannot or will not prosecute, or cases that occur in Nevada Department of Corrections (NDOC) facilities. Many of these cases are investigated by local law enforcement or NDOC's Inspector General's Office and then referred to the OAG for prosecution. To note over the past(?)part biennium:

- The OAG charged an inmate in connection with the death of his cellmate, who died by blunt force trauma. The defendant is currently awaiting trial.
- Completed the prosecution of Charles Sullivan, who was charged with the 1979 Murder of Julia Woodward. Defendant pleaded no contest to Second Degree Murder and was sentenced to a definite term of 15 years in the Nevada Department of Corrections. Sullivan was recently denied parole.

Human Trafficking/Sex Crimes

In the 2019 Legislative Session, Attorney General Ford passed a law allowing law enforcement to conduct online sting operations for child sex predators. The Office conducts sting operations that involve investigators posting in online forums that advertise sex work, using decoys that present themselves as being under 16 years of age. These stings are conducted in cooperation with Clark County School Police and Homeland Security Investigations. OAG investigators also participate in Southern Nevada Human Trafficking Task Force operations with the FBI, the U.S. Attorney's Office, and numerous other local law enforcement agencies throughout southern Nevada.

- Prosecuted 25 individuals over the last biennium for crimes associated with "john" stings. In one recent sting, a registered sex offender communicated with a decoy to purchase sex. After being told the decoy was 15 years old, he agreed

to meet at a prearranged location to complete the transaction. The perpetrator was subsequently arrested, and then it was discovered he was on probation for possession of child sexual abuse material. He will serve 28-72 months in prison.

- Investigated a Clark County School District employee for possession of child sexual abuse material. The employee pleaded guilty to use of the internet to control visual presentation depicting sexual conduct of person under 16 years of age. Defendant was sentenced to sex offender probation with a 24-60 month suspended sentence. He will need to register as a sex offender and is not allowed to be around minors.

Missing and Exploited Children

OAG investigators coordinate with other law enforcement entities and the State of Nevada's Child Protective Services unit to recover missing children, most of whom have been abducted by non-custodial parents or other family members. OAG investigators are often successful in recovering missing children through discussion with the involved parties about the possible consequences of not complying with custody agreements. If an individual refuses to cooperate with valid family court orders, investigators, through cooperation with the Nevada Child Advocate Attorney, utilize the criminal process to bring about an appropriate resolution.

- During the past biennium, a significant case involved a young child who was kidnapped by her mother and maternal grandmother. They fled the United States against the orders of the Clark County District Court. Through significant investigative efforts by the OAG, Homeland Security Investigations, and the U.S. Marshall, the suspects were located in Dublin, Ireland. With the assistance of the U.S. Attorney's Office and the cooperation of the Irish Garda, the mother and grandmother were extradited back to the United States to face criminal charges. The minor child was safely reunited with her father.

Public Integrity Cases

Nevadans expect their government to be ethical and accountable. As such, the OAG vigorously investigates and prosecutes State employees for criminal misconduct. In the last two years, the OAG has prosecuted several State employees for a variety of criminal offenses:

- Prosecuted a correctional officer located at Stein Forensic Hospital for having a sexual relationship with an inmate.
- Prosecuted a facility supervisor at Southern Nevada Correctional Center for sexual abuse of a prisoner.

- Prosecuted two Nevada State Police Officers for their role in fraudulently appropriating items of property from a rollover vehicle accident involving a large semitruck and trailer that was hauling property owned by Amazon.com. The troopers stole items from the truck while on duty, in full uniform, and while operating their State-owned police vehicles.
- Charged a Nevada Department of Corrections Officer for excessive force against an inmate for conducting a takedown against an inmate whose hands were handcuffed behind his back.

Organized Retail Crime

The Organized Retail Crime (“O.R.C.”) position within the Nevada Attorney General’s office was authorized by the passage of Assembly Bill 50 in the Nevada Legislature’s 82nd session (2023). This bill amended three criminal statutes within NRS 205 (Crimes Against Property)— 205.08345, 205.210, and 205.377— to explicitly allow the Attorney General to “investigate and prosecute a violation of this section and any other statute violated in the course of committing a violation of this section.” These three criminal statutes are:

- Organized retail theft (NRS 205.08345)
- Selling, displaying or advertising goods with false trademark (NRS 205.210)
- Multiple transactions involving fraud or deceit in course of enterprise or occupation (NRS 205.377)

The O.R.C. prosecutor is authorized to prosecute violations of these three statutes (and any related crimes) and seek all penalties permitted under Nevada law, always keeping in mind Attorney General Ford’s 5 Cs. In order to manage limited resources, the following is a non-exhaustive list of focus areas when considering the appropriate use of our investigative and prosecutorial assets:

- Crimes that affect the health, safety and welfare of Nevadans – Any case involving potentially dangerous fake products, counterfeit medicines, dangerous conditions for the public created by commission of one or more of the three organized retail crimes will be treated as a top priority of the O.R.C. position. For example, the Nevada Board of Pharmacy encountering counterfeit products.
- Crimes against the state of Nevada or federal government – Any case involving one or more violations of the three organized retail crimes, where the state of Nevada or U.S. government is the primary victim, will be a high priority. Cases of this type would likely emerge from Nevada State agencies or the federal government. For instance, Nevada Division of Welfare and Support Services and

the United States Department of Agriculture may refer fraud cases related to the Supplement Nutrition Assistance Program (SNAP) benefits for prosecution.

- Crimes that involve more than one Nevada county – In order to assist local counties in the prosecution of cross-jurisdiction crimes, the Attorney General’s office will accept district attorney referrals for organized retail crimes that otherwise meet OAG standards for prosecution.
- Other crimes fitting within the framework of the three organized retail crimes listed above. For instance, an independent investigative firm has previously worked with OAG investigators to develop criminal cases against sellers of counterfeit goods in Nevada. Corporate chain store Home Depot has expressed interest in the Nevada Attorney General’s Office prosecuting some of the organized retail theft rings that operate in their Nevada stores.

Securities and Financial Fraud

The Division handles complex financial fraud cases received from numerous government agencies around the state. The cases involve a wide variety of schemes, many centered around misrepresentations about the identity of the perpetrator or misrepresentations about products and services. In the past two years, the OAG has won convictions in the following cases:

- Mack Miller held himself out as an attorney and convinced his victim that he would set up an LCC with the proceeds from the victim’s sale of a collector car. Instead of following through with the representations, Miller converted the funds for his own personal use. Miller pleaded guilty to theft of \$100,000 or more and was sentenced to 5 – 15 years in NDOC and ordered to pay \$1,427,950 in restitution.
- Rodney Buckle held himself out as an investment advisor and solicited investments primarily from seniors. Buckle gambled the money away at casinos. Buckle was charged with felonies relating to a fraudulent investment scheme under which he stole hundreds of thousands of dollars from victims in Nevada and Texas. Buckle pleaded guilty to securities fraud and was sentenced to pay \$282,980 in restitution to the victims. He was also sentenced to probation, not to exceed three years, and 364 days flat-time in Clark County Detention Center.
- Troy Stafford made false representations to his elderly victim regarding a commercial development project in Northern Nevada resulting in the victim investing \$125,000. The defendant was charged with securities fraud and theft. He pleaded guilty to theft and was ordered to repay the restitution to the victim.

- Prosecuted Liendro Griffen, who stole \$539,000 from an elderly victim by gaining the person’s confidence. Griffen pleaded guilty to theft and was sentenced to 3–10 years in the Nevada Department of Corrections and ordered to pay full restitution to the victim.

Consumer Protection Fraud

Due to numerous complaints made to the Office regarding residential solar companies, AG Ford levied OAG resources to partner with the Nevada State Contractors Board and community partners to investigate and prosecute rampant fraud. Recent changes to the Deceptive Trade Practices Act (NRS 598) have significantly increased the OAG’s ability to prosecute these crimes by making the owner or operator of a business responsible for the acts of their sales representatives (employed or contracted). Notable activities during the past biennium include:

- Lifetime Power LLC dba Lifetime Power and Lifetime Solar LLC dba Lifetime Solar, entered into contracts with property owners for the installation of residential solar systems, accepted down payments, but never completed the installations or issued refunds. As a result, eight victims lost a total of \$254,264.
- Tackled deceptive fraud in the Latino community through investigation into “notario” operators— persons who pass themselves off as attorneys and defraud their victims of significant financial sums by promising to help them in acquiring permanent residence or other immigration benefits. One such example involves a scheme in which a fraudulent “notario” targeted at least 15 victims, with losses of approximately \$80,000. The fraudster has been charged with multiple transactions involving fraud or deceit in the course of enterprise or occupation, obtaining money under false pretenses and unlawful practice of law.

Election Related Crimes

Attorney General Ford has remained diligent in the prosecutions of individuals who violate election laws. Nevadans should have faith in the security of the state’s elections and its elected officials. The OAG continues to prosecute felony voter fraud cases investigated by the Secretary of State’s Office. The OAG has four double-voting cases ongoing, at various stages of prosecution. Additionally, the OAG prosecuted James Wafer for voting with the ballot of his deceased father in the 2020 presidential election. Wafer pleaded guilty to conspiracy to vote in the name of another, a gross misdemeanor.

Of further note is our office’s investigation and ongoing prosecution of the fraudulent electoral votes submitted following the 2020 presidential election.

Welfare Benefits Crimes

Our office partners with the Division of Welfare and Supportive Services (DWSS) and USDA investigators to uncover and prosecute Supplemental Nutritional Assistance Program (SNAP) related fraud. These are often perpetrated by cells or networks of transnational organized crime groups, and can target either deserving beneficiaries, or retailers, or both. We further partner with investigators with the Social Security Administration to prosecute fraudulent benefit applications and related fraud. Notably:

- OAG and DWSS jointly investigated a welfare fraud scheme perpetrated by a DWSS employee. The primary function of this position was to process applications and changes for public assistance. Over an 18-month period, the person fraudulently approved SNAP benefits for her brother-in-law, who was unaware the applications had been processed in his name. The defendant pleaded guilty to conspiracy to commit theft and repaid the fraudulently obtained money.

Insurance Fraud

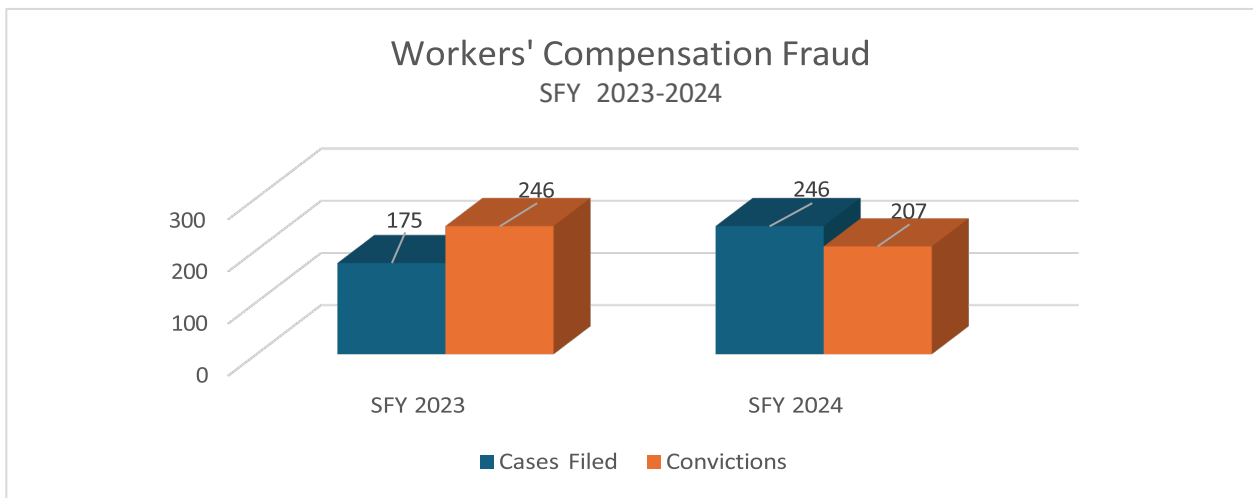
The Insurance Fraud Unit (IFU) has the primary statutory responsibility to investigate and criminally prosecute those who make material misrepresentations on applications for insurance and/or submit false claims for benefits with private insurance companies. Over the past biennium, cases ranged from dangerous staged car accidents to fraud by insurance agents/brokers:

- The vast majority of the IFU cases involved a variation of staged accidents. In response, IFU has increased their efforts by partnering and conducting development training on staged accidents with the Highway Patrol and Nevada State Police. This partnership has increased the OAG's quantity and quality referrals in staged accidents.
- Investigated and prosecuted two separate insurance agents who fraudulently created fake insurance policyholders by stealing clients' identities to bolster their commissions on insurance sales. One agent embezzled as much as \$200,000 worth of commissions by using dozens of personal identities to create their complex fraudulent scheme.
- IFU investigated and prosecuted a licensed dentist who created fictitious bills for his clients and then submitted them to their insurance carrier to collect unlawful insurance proceeds.

Workers' Compensation Fraud

The Workers' Compensation Fraud Unit (WCFU) is responsible for the investigation and prosecution of all workers' compensation fraud committed in the state of Nevada by employers, employees (claimants), or medical providers against companies providing insurance and any of Nevada's self-insured employers. This unit also investigates cases involving employers who fail to obtain or maintain workers' compensation insurance for their employees and in some instances an injury occurs while there is a lapse of coverage. During the past biennium the unit:

- Investigated and prosecuted W R Trucking, LLC for failing to maintain their workers' compensation insurance and unfortunately an employee was seriously injured during their lapse in coverage. As a result, the Court ordered the employer to pay a total amount of roughly \$53,000 in restitution to the Division of Industrial Relations for the employers' lapse in premiums and the payments made to the injured worker subsidizing the employer's lapse in industrial insurance coverage.



Workers' Compensation Fraud	SFY 2023	SFY 2024	Total
Restitution Awarded	\$618,601.86	\$797,657.03	\$1,416,258.89
Restitution Collected	\$476,243.39	\$397,889.86	\$874,113.25
OAG Collected	\$57,740.96	\$71,869.27	\$129,610.23

Bureau of Consumer Protection

Attorney General Ford continues to prioritize the protection of consumers from fraud, scams, and anti-competitive activity. The Bureau of Consumer Protection (BCP) is led by Chief and Consumer Advocate Ernest Figueroa and Chief Consumer Counsel Mark Kruger. Their attorneys, analysts, economist and engineer serve to protect Nevada consumers, businesses, and the interests of the state through the enforcement and education of consumer protection laws, as well as representing the interests of residential ratepayers before public utility regulatory bodies. In the past two years, the BCP had many successes in deceptive trade and unfair trade practices enforcement, obtaining recoveries, assurances, protections, and in some cases restitution, resulting in penalties and consumer restitution, as well as successes in utility advocacy to ensure fair and reasonable utility rates.

In addition to legal actions, the Office of the Attorney General (OAG) has done extensive education and outreach to help Nevadans defend themselves against scams. Scams typically involve the scammer creating a sense of urgency or fear, which too often results in monetary loss to hard working Nevadans. The BCP conducted over 177 different types of outreach and education including in-person events, social media content, and public service announcements.

Seeking Justice for Victims of the Opioid Epidemic

Under Attorney General Ford, the State continues to actively litigate against opioid manufacturers, distributors, pharmacies, and others to hold them accountable for the opioid crisis that has killed and continues to kill thousands of Nevadans and devastated the state's health care and public safety systems. This litigation is the most complex litigation in Nevada history but has resulted in Nevada being a state that has seen one of the best recoveries per capita.

Throughout the last biennium, Attorney General Ford entered into settlements that will now bring the total recoveries from the opioid litigation to over a billion dollars at **\$1,145,392,377.94**. These recoveries will be allocated through the State's One Nevada Agreement on Allocation of Opioid Recoveries, which agreement was discussed in the 2022 report and fairly and equitably allocates recoveries to be dedicated for uses that will remediate the opioid epidemic. Some of the key opioid recoveries include:

- Walmart: \$32,231,037.17
- Allergan: \$29,796,018.21
- CVS: \$200,000,000
- Walgreens: \$285,000,000
- Teva: \$193,717,924.13

Following a decline, the pandemic saw an unfortunate spike in the number of opioid-related overdoses and deaths which is a reminder of the need for programs and services funded by recoveries from the opioid litigation. Nevada was and continues to be uniquely impacted by the opioid crisis and continues to be one of the hardest-hit states. The funds that are coming into the state pursuant to these settlements come at a critical time to ensure that mitigation programs and services are established and funded now to help remediate the epidemic.

Attorney General Ford continues to be active in running the OAG's Substance Use Response Working Group (SURG) committee, discussed above, which has been an active partner with DHHS to implement and update the needs assessment and state plan, which guides funding for the very programs and services that stop overdoses and save lives.

The BCP has also been working very closely with the DHHS to stand up an online dashboard to provide transparency for opioid recoveries, including the allocation amounts through the One Nevada Agreement on Allocation of Opioid Recoveries, as well as the use of those funds for remediation programs and services. The dashboard can be found on the Fund for Resilient Nevada website here: <https://dhhs.nv.gov/Programs/FRN/Home/>.

Safety for Children on Social Media Platforms

Attorney General Ford recognizes that in this digital information age, inexpensive access to information has provided many benefits, including educational and economic opportunities, instant awareness of global events, political transformation, and social connections. However, Attorney General Ford has also examined the research around Social Media Platforms (SMPs), which suggests that prolonged time spent online, particularly through SMPs, may be associated with a variety of negative consequences, particularly for Nevada's youth. The evidence suggests that the design and intended function of the algorithms utilized by SMPs may play a significant and direct role in causing and/or exacerbating harms and are calculated to induce users to engage with the platform as much as possible.

Accordingly, on December 4, 2023, Attorney General Ford retained the use of outside counsel on a contingent fee basis to investigate, evaluate and assist in litigation to hold SMPs accountable for the impacts, risks, and harms that may be associated with SMPs on Nevada, its residents, and in particular Nevada's youth. Since that time, Attorney General Ford has sued Meta, Facebook, Instagram, TikTok, and Snap. The complaints were filed in the Eighth Judicial District Court and are beginning the discovery phase of litigation.

Deceptive Trade Practice

The BCP protects the interest of consumers, including businesses, through its enforcement of the Deceptive Trade Practices Act. Those who harm Nevada and its residents are held accountable for their conduct through enforcement actions resulting in injunctive terms to protect against future harm, restitution, penalties, and assurances, all totaling over \$30 million. In addition to legal enforcement actions, the BCP also handled numerous complaints related to failure to refund, solar scams, consumer fraud, and other scams.

Regarding solar scams, the BCP also worked with members of the Legislature and interested parties to support the passage and adoption of SB390 (2023), which implemented necessary changes to protect residents from unscrupulous solar sales practices. Throughout the biennium, the BCP received and worked over 512 complaints, 438 of which were received prior to the provisions of SB390 taking effect.

Protecting Nevada's older adults, the BCP was also actively involved in assisting the Nevada Silver Haired Legislative Forum and members of the Legislature in supporting the passage and approval of SB373 (2023), which legislation increased penalties for deceptive and misleading conduct committed against Nevada's older adults. The BCP also worked with the CPD within the Attorney General's Office to establish a dedicated prosecutor for criminal violations of the Deceptive Trade Practices Act, with an emphasis on securing justice for victims, particularly Nevada's older adults.

In addition to solar-related complaints, the BCP handled 285 complaints related to failure to refund, consumer fraud, misrepresentation, and other scams during the biennium. The BCP worked these complaints quickly, resulting in a satisfaction resolution rate of over 70%. While some complaints and resolutions were less than \$500, there are numerous instances of resolutions of thousands and tens of thousands of dollars.

The BCP handled other enforcement actions against companies that sought to harm Nevada and its residents:

- Protecting children from harmful effects of tobacco vaping products in the form of a settlement with JUUL Labs in the amount of \$14,473,168.72;
- Protecting consumer location tracking through a settlement with Google in the amount of \$6,067,457.52;
- Protecting Nevadans from the harmful effects of talc through a settlement with Johnson and Johnson in the amount of \$6,131,236.22; and

- Protecting consumers at the point of sale through a settlement with Walmart in the amount of \$2,000,000.

Antitrust

Preventing unfair trade practices, also known as antitrust, is extremely important to a fair and competitive marketplace, especially in areas of health care, prescriptions, and the sales of basic goods and services such as groceries. These actions have resulted in nearly \$1 million in recoveries.

The BCP continues to actively participate in multistate price-fixing litigation regarding generic drugs. The BCP is also in active litigation over the proposed merger of grocery store chains Kroger and Albertsons; active litigation over dominance in the market over small businesses with Amazon; active litigation concerning manipulation of online advertising with Google; active litigation over ticket pricing and venues with Live Nation and Ticketmaster; and active litigation in market suppression of products with Apple.

Utilities Advocacy

Perhaps less known but no less important, Attorney General Ford's BCP also advocates on behalf of Nevada residential ratepayers before the Public Utilities Commission of Nevada (PUCN) and the Federal Energy Regulatory Commission (FERC). Utilities advocacy has a profound effect on fair rates for residential electricity and gas.

Over the past two years, the BCP appeared, intervened, or filed comments in 54 dockets before the PUCN including several general rate cases filed by the major Nevada utilities. Notably, these dockets have become extremely complex due to the adoption of state laws to reduce the impacts of natural disasters and encourage the use of alternative forms of energy. Moreover, Nevada ratepayers grappled with high utility bills due to high natural gas prices needed to generate electricity and provide heating to residential homes for those who take service from natural gas which was brought on by numerous factors affecting the spot market as well as increased demand due to extreme weather events.

Medicaid Fraud Control Unit

The Medicaid Fraud Control Unit (MFCU) is comprised of four attorneys, ten investigators and five support staff under the direction of Chief Andrew Schulke.

Nevada's participation in the MFCU program is controlled by the Social Security Act, which dictates the requirements and standards of a state operated MFCU.

The MFCU investigates and prosecutes financial fraud by those providing health care services or goods to Medicaid patients/recipients. The MFCU also investigates and prosecutes instances of elder abuse or neglect, as well as abuse or neglect of vulnerable adults in medical facilities. The MFCU helps to ensure that the hundreds of millions of dollars the state pays for Medicaid services are used to provide health care to low-income Nevada families, not to enrich fraudsters.

From July 1, 2022, to June 30, 2024, the MFCU was successful in:

- Obtaining judgments in criminal and civil cases which returned a total of \$13,436,720.92 to Nevada Medicaid. This money is returned to the Medicaid system for use in providing needed services to Medicaid recipients;
- Obtaining 38 total convictions; and
- Negotiating 17 civil settlements during this time period.

The dedicated staff of the MFCU had several success stories in the past two years. Examples of successful prosecutions during the past two years include, but are not limited to:

- In March 2024, Shawna Virginia Cuff, of Las Vegas, was sentenced on a neglect charge for allowing a vulnerable person to suffer unjustifiable pain or suffering. Cuff operated an unlicensed group home in North Las Vegas that caught fire while she was absent, trapping a number of the residents inside. During the fire, one of the vulnerable residents remained trapped in a room with no way to exit. The facility failed to have fire extinguishers, an evacuation plan, a fire sprinkler system, emergency lighting or exit signage. The resident sustained second degree burns to her entire body and ultimately died. Cuff was convicted of attempted Neglect of a Vulnerable Person, a category D Felony, and sentenced to 12 to 30 months in the Nevada Department of Corrections.
- In March 2024, Denise Anne Ying-Gray, of Las Vegas, was sentenced on a neglect charge for permitting a vulnerable person to suffer unjustifiable pain or suffering. Ying-Gray was responsible for caring for her vulnerable son, but she left him in deplorable, roach-infested living conditions. Ying-Gray did not provide adequate food, clothing, or care for her son. Ultimately, she abandoned him at a day program, dropped him off to go to a casino and never returned. Ying-Gray was convicted of Neglect of a Vulnerable Person, a category C Felony, and sentenced to 12 to 30 months in the Nevada Department of Corrections,

suspended, and placed on probation. Of note, MFCU brought both Medicaid fraud charges as well as the neglect charge. Ying-Grey was the Personal Care Aide (PCA) for her vulnerable son, and was getting paid by Medicaid to provide cooking, cleaning, and bathing services. Since there was Medicaid fraud, this case presented the first opportunity for the MFCU to use its new federally expanded jurisdiction for abuse and neglect cases.

Equally important to prosecuting abuse, neglect, and fraud is preventing these horrific acts through educational activities. During the past two years, education about Medicaid fraud, abuse and neglect has been a priority for the MFCU. The MFCU has:

- Educated the public on warning signs of possible Medicaid fraud. For example, MFCU participated in a podcast on Medicaid fraud, speaking to the warning signs of what might constitute fraud, as well as the collateral consequences of getting convicted of Medicaid fraud. MFCU also presented on abuse and neglect of the elderly to relevant groups, such as adult day care providers.
- Biannual training to health care students at Touro University in Henderson, Nevada. In this specially designed two-part training, Touro students become MFCU investigators, examining real-life cases and engaging in real-world scenarios.
- Presented "Behavioral Health Fraud: Compliance Through Deterrence," to the Health Care Compliance Association (HCCA) in Washington D.C. This was the third presentation to the HCCA. The presentation was also published as an article in the HCCA's November 2022 issue of "Compliance Today." Additionally, the presentation was delivered to American Bar Association's Health Care Fraud conference in June 2022.
- Provided education to Nevada Medicaid, the Bureau of Healthcare Quality and Compliance, the Board of Medical Examiners, the Pharmacy Board, Adult Protective Services and the Aging and Disabilities Services Division.

Complex Litigation Division

Under the direction of the solicitor general, the Complex Litigation Division (CLD) provides representation in difficult, challenging, and high-profile cases in both state and federal courts. In furtherance of those matters, Complex Litigation works closely with other state agencies, divisions and elected officials to best advocate for the Battle

Born State. While not limited to one substantive subject matter area, Complex Litigation matters typically involve:

- Constitutional challenges, such as the constitutional challenge to the health benefit plan known as the “public option” set forth in Senate Bill 420 of the 2021 regular session (SB 420).
- Issues of unsettled law, which most recently included the CCLD’s successful representation of the State Engineer in a complex water case involving Coyote Springs Investments and a groundwater allocation dispute (discussed in more detail below).
- Large numbers of impacted individuals or damages, or issues of particular importance to the state of Nevada., such as assisting the Health and Human Services Division in negotiating an agreement with the Department of Justice that impacts the state’s juvenile mental health treatment

Additionally, the Complex Litigation Division balances the values of justice with mindfulness of taxpayer resources when litigating, negotiating, settling and trying complex matters. Examples of this are:

- *Coyote Springs v. State Engineer*: Plaintiffs were demanding billions of dollars. Plaintiffs are owners and developers of a master planned community on 43,000 acres located in Coyote Springs Valley. They allege that the State Engineer’s Order 1309 — which was issued on June 15, 2020, and imposes limits on the amount of groundwater that can be pumped from a multi-basin area of which Coyote Springs forms a part — constitutes an unconstitutional taking of their development rights, water rights and property rights.
- *Swaim, Renee v. NV Department of Health and Human Services, et al*: This case involved a suicide at Lake’s Crossing, a maximum-security psychiatric facility. At the inception of the case, the plaintiff demanded \$1.45 million. The suit was originally filed in the United States District Court alleging a 1983 action as well as state negligence claims. In the end, the plaintiff was willing to settle their federal court claim for \$535,000.
- *Fred, Sylvia, et al. v. Tri-Net, First Judicial District Court, Carson City*: The plaintiff was attempting to have the court rule that civil forfeitures are unconstitutional. Instead of risking a declaration that civil forfeitures are unconstitutional, we negotiated a fair settlement.
- *Lopez v. Nevada Department of Corrections, et al*: The plaintiff sought recovery associated with the suicide of her daughter who had been reincarcerated

following an escape from a prison camp. Plaintiff's demand was in excess of \$4 million. We attended a 9th Circuit mediation and negotiated a global settlement for \$1.35 million.

- *Richards, Stacey v. NDOC, et al.* In this lawsuit filed against NDOC, the inmate alleged he was subjected to excessive force while incarcerated at Ely State Prison. Richards originally demanded in excess of \$6 million, but the case settled for \$2.25 million.

Pattern & Practice

As a continuation of Attorney General Ford's initiative toward criminal justice and reform, under the authority given to the Attorney General in NRS 41.0397, the Office of the Attorney General (OAG) has been diligently preparing to begin conducting investigations of governmental authorities alleged to be engaged in patterns or practices of violations of state or federal law. These pattern or practice investigations are an essential tool for the state to accomplish meaningful and necessary police reform by looking beyond individual incidents of police misconduct to assess, identify and resolve systemic failures and injustices.

Pattern or practice investigations are intended to repair and restore community trust in law enforcement, strengthening safety for both police officers and the public. The investigation, findings, negotiation, litigation and monitoring processes of a pattern or practice case are intended to audit broken systems; identify sources and factors impacting the problems within those broken systems; and build police-community trust by addressing identified problems with tangible solutions. In preparation to begin conducting pattern or practice investigations, the OAG has:

- Participated in a convening of attorneys general, attorney general staff and family members of those who have died as a result of a police encounter.
- Attended the Institute for Innovation in Prosecution to discuss best practices, challenges, success factors and other aspects of pattern or practice investigations.
- Made meaningful connections with experts in the area of police accountability from across the country to build its network of resources in this burgeoning field.
- Built necessary internal infrastructure to manage and conduct pattern and practice investigations with professionalism, diligence and thoroughness.

- Designed and drafted complaint intake forms, and developed a system for logging, tracking and responding to complaints from members of the public.
- Drafted internal policies and processes so that the pattern or practice investigation team will be fully equipped to launch by January 2025.

Post-Conviction Division

The Post-Conviction Division (“the Division”) is the only entity in the state handling all federal post-conviction habeas corpus petitions and state post-conviction habeas corpus petitions challenging the computation of time credits for all state inmates. The Division is comprised of 12 attorneys under the supervision of Chief Heather Procter. The Division averaged a 93% success rate in the U.S. District Court and the Ninth Circuit and has an approximately 96% success rate in the Nevada Supreme Court.

Over the last biennium, the Criminal Appeals and Post-Conviction Division:

- Opened 140 federal habeas cases.
- Appeared in 42 oral arguments in the Ninth Circuit Court of Appeals—double the number from the past biennium—and two federal evidentiary hearings.
- Handled nine appeals from OAG prosecutions, including direct appeals and state habeas petitions, and state habeas petitions that are referred from other counties due to a conflict, resulting in four evidentiary hearings.
- Litigated 440 state cases — more than double the number from the last biennium — with two evidentiary hearings.
- Engaged the Nevada Department of Corrections to institute SB 43 (2023), a new time credit calculation statute due to go into effect July 1, 2025.
- Additionally, the Division handled another 93 other matters, including petitions filed in the Nevada Supreme Court and Interstate Rendition of Material Witnesses, in which Division attorneys coordinate the temporary transfer of Nevada inmates to other states to testify in criminal proceedings.

Wrongful Conviction Compensation Cases

Attorneys in this Division represent the State of Nevada in wrongful conviction compensation cases. In the last two years, the OAG opened an additional four cases. Of the total cases active during the biennium, three settlements were negotiated for approximately \$7.4 million dollars: two are scheduled for bench trials (the first trials in such matters in this state); two are in early discovery; and one awaits proper service.

Extraditions

The Post-Conviction Division and staff in the OAG fiscal team manage the OAG's role in extraditing individuals to and from Nevada. The OAG reviewed 40 formal extraditions. Following the amendment of state licensing requirements in the 2023 Legislature, the extradition team worked with county and state law enforcement partners to contract a third-party prisoner transportation company that all law enforcement can utilize. The Chief of the Post-Conviction Division served three-terms as President of the Board of Directors of the National Association of Extradition Officials.

Business and Industry Division

The attorneys in the Office of the Attorney General Business and Industry Division (OAG-B&I) support the Nevada Department of Business and Industry ("B&I") and a multitude of state agencies both within and outside of B&I. The Division is led by Chief Michael Detmer, who oversees nine attorneys in their legal representation of the agencies. Their duties include administrative prosecutions; interpretation and/or assisting in the drafting of governing laws; representation in litigation; and providing day-to-day legal advice. In so doing, AGO-B&I assists these agencies in the execution of their mandate to protect the public and to encourage, promote and ensure the legal operation of business within the state.

Office of Nevada Boards, Commissions and Councils Standards (BCCS):

Senate Bill (SB) 431 of the 82nd (2023) Session saw the creation within B&I of the Office of Nevada Boards, Commissions and Councils Standards (BCCS). The BCCS is tasked with creating administrative uniformity for the multitude of public agencies that were brought under the BCCS by SB 431. The OAG-B&I has provided BCCS with legal guidance as it establishes itself and its role in the execution of SB 431's statutory mandates.

The Nevada Real Estate Division (NRED):

This division is comprised of three entities: the Nevada Real Estate Commission (REC); the Nevada Common Interest Community Commission (CICC); and the Nevada Commission of Appraisers of Real Estate (CARE). In representing NRED, our attorneys not only serve as general counsel, but also as administrative prosecutors for the disciplinary matters that are brought before them.

Administrative Discipline Statistics 2022-2024

Nevada Real Estate Commission:

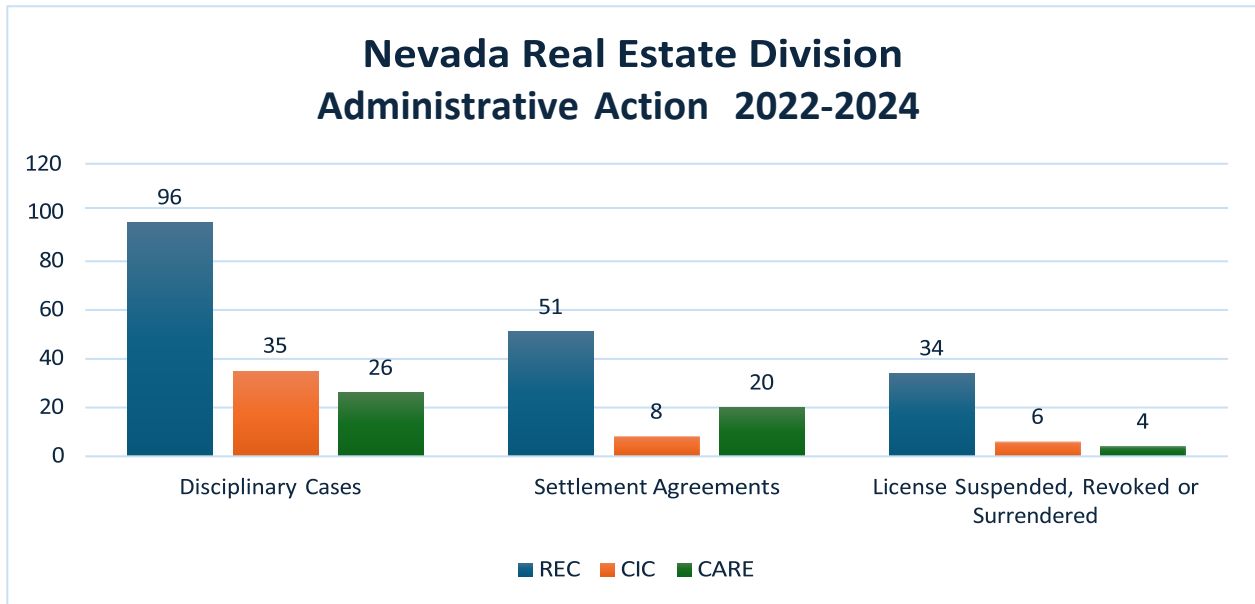
- Conducted 16 default hearings;
- \$1,043,984.74 administrative fines ordered;
- \$385,255.72 administrative costs ordered.

Common Interest Community Commission:

- \$310,250 administrative fines ordered;
- \$84,838.36 administrative costs ordered; and

Nevada *Commission of Appraisers* of Real Estate:

- \$193,000 administrative fines ordered;
- \$72,427.22 administrative costs ordered;
- 630 hours of continuing education ordered.



Noteworthy litigation:

Chandra v. Lehr (A-23-877092-C): Lehr acted as a property manager without a license and offered a property for rent without the owner’s knowledge. Once NRED’s administrative discipline measures were exhausted, the court granted a Temporary Restraining Order and Preliminary Injunction for unlicensed activities. The court granted the Division’s request to temporarily enjoin Mr. Lehr, in furtherance of the Division’s objectives to protect the citizens of Nevada who seek to sell, exchange, option, purchase, rent or lease real estate in what often amounts to the biggest financial decision of people’s life.

Nevada Transportation Authority (“NTA”):

As with other agencies, attorneys representing the NTA do so in multiple capacities including serving as administrative prosecutors; handling the NTA’s litigation; and providing day-to-day legal advice. The Deputy Attorneys General (DAGs) accomplishments while representing the NTA include:

- Annual Administrative Discipline Statistics 2022-2024: 600 to 700 administrative citation hearings prosecuted; 150 to 200 impound hearings

prosecuted; 10 to 20 application hearings wherein our DAGs served as counsel to the NTA; and 50 to 75 motions to dismiss prosecuted.

Noteworthy Litigation:

Sierra Nevada Transportation, Inc. v. Nevada Transportation Authority (3:21-cv-00358-LRH-CLB): Sierra Nevada Transportation Inc. (“SNT”), appealed to the Ninth Circuit Court of Appeals arguing that prearranged *intrastate* ground transportation, from a Nevada airport to a Nevada destination, is not within the NTA’s jurisdiction to regulate because such passengers would customarily connect to *interstate* air travel. The court rejected SNT’s argument and upheld the NTA’s interpretation of federal law that, so long as the passengers in a vehicle are not federal transportation employees transported under a federal transportation contract, the NTA is free to regulate ground transportation involving airport pick-ups and drop offs.

Western Trails Charters & Tours v. NTA (3:23-CV-00219-RCJ-CLB): Petitioner, Western Trails Charters & Tours (“Western”), sought a Temporary Restraining Order in the United States District Court, District of Nevada, to enjoin the NTA from exerting jurisdiction over it. Western asserted it was not subject to the NTA’s regulation because its transportation services included a brief exit from, and reentry onto, a Nevada highway. The Nevada district court denied Western’s application holding that its brief and meaningless detour into California did not constitute interstate travel and therefore did not divest the NTA of jurisdiction. In so holding, the District Court affirmed that acts of subterfuge would not deter the NTA from observing its duties to ensure the health and safety of the public. Subsequent to this determination, Western filed a Notice of Voluntary Dismissal.

Nevada Taxi Authority (“NTA”):

The OAG attorneys represent the NTA in multiple capacities including serving as administrative prosecutors, handling the NTA’s litigation, and providing day-to-day legal advice. Deputy Attorneys General represented the NTA in the following administrative actions:

Administrative Discipline Statistics (January 2023 to May 2024):

- 36 denial hearings (hearings concerning the granting or denial of a license to engage in the business of offering taxi services);
- 63 impound and/or vehicle release hearings (hearings regarding the impound or release of a vehicle used for illegal/unlicensed services as a taxi);
- 10 revocation hearings (hearings pertaining to the revocation of a taxi license for violations of law);
- 1 petition rehearing.

Nevada State Athletic Commission (NSAC):

The NSAC regulates an expansive and high-profile industry that brings substantial revenue to the state. The NSAC's representation by our office is shared between the OAG-B&I and the Boards and Open Government Division. In providing representation to the NSAC, our DAGs have enjoyed a number of successes including:

Administrative Discipline Statistics (January 2023 to May 2024): Advised on and/or administratively prosecuted 63 disciplinary actions resulting in an aggregate of over \$152,087.50 in fines and over 41 years' worth of suspended time amongst said disciplinary actions.

Noteworthy Accomplishments:

Nevada Rules of Unarmed Combat: Deputy Attorneys General assisted the NSAC in drafting the first ever iteration of the Nevada Rules of Unarmed Combat (NRUC). The regulations governing unarmed combat events were removed from the Nevada Administrative Code, amended and codified into the NRUC. They are now the source of the rules pertaining to the conduct of all programs of unarmed combat sport events within the state. This was a substantial endeavor.

Nevada Financial Institutions Division (FID):

Legal representation is provided to assist the FID in its regulation of financial institutions within the state. On an annual basis, the Office of the Attorney General is involved in 25 to 35 enforcement matters. Approximately, four to six of these matters end up in litigation in the courts.

Regulations: Our DAGs assisted the FID in the drafting, interpretation, and/or adoption of the following regulations:

- Regulations related to AB 21 – As a result of AB 21's adoption, the FID, with the assistance of OAG-B&I DAGs, enacted multiple regulations addressing the mandates therefrom including regulations requiring money transmitters to develop, maintain, and implement security programs to protect consumers, as well as regulations requiring certain money or credits presumed abandoned to comply with the Uniform Unclaimed Property Act.
- Regulations related to SB 276 – As a result of SB 276's adoption, with the assistance of OAG-B&I DAGs, the FID adopted multiple consumer protection-guided regulations concerning collection agencies. These regulations included requirements concerning license sharing; reporting requirements of collection agencies; requirements on the location of collection agencies; and revising certain provisions relating to a compliance manager of a collection agency.

- Regulations related to SB 290 – As a result of SB 276’s adoption, with the assistance of OAG-B&I DAGs, the FID adopted multiple regulations pertaining to earned wage access services/providers. These regulations included multiple laws intended to protect consumers including regulations that: impose specific reporting requirements by Earned Wage Access Providers (EWAP); enumerate EWAP record retention requirements; provide certain restrictions on advertisements; detail licensing requirements that must be satisfied to become an EWAP; and provide circumstances that may lead to discipline by the FID against an EWAP.
- Regulations related to AB 332 – As a result of AB 332’s adoption, with the assistance of OAG-B&I DAGs, the FID is in the process of adopting multiple regulations related to governing student loan servicers and establishing additional requirements for private education lenders under existing law.

Noteworthy Litigation:

Sandy O’ Laughlin v. Prime Core Technologies (A-23-872963-B): Prime Core Technologies Inc. (Prime), a company licensed by the FID to operate a retail trust company, lost access to substantial amounts of cryptocurrency that it was holding in trust. This led to a series of issues culminating into Prime becoming insolvent and/or in a position in which it was operating in an unsafe/unsound condition. As a result, the FID’s commissioner, seeking to protect the public directed our office to petition the district court to enjoin Prime from engaging in retail trust activities and to appoint a receiver over Prime. The court agreed and Prime was placed into bankruptcy proceedings. It is understood that this is the first instance in which the FID has petitioned the court to place a financial institution into receivership.

Health and Human Services Division

Chief Sharon Benson leads 12 attorneys who support the work of the Nevada Department of Health and Human Services, which has a \$16 billion biennial budget. Deputy Attorneys General (DAGs) offer daily client advice, including advice on complex matters such as the Medicaid Services Manual and Medicaid State Plan, and Public Records Act law. They assist in responses to voluminous subpoenas for documents (including review for privilege and confirmation of compliance with subpoenas, as there are strict confidentiality laws in Medicaid, child welfare and others), due process, and fair hearing rights. Additionally, DAGs attend to matters that have potential to lead to litigation.

The DAG workload has increased over the past decade as Medicaid has grown exponentially since Nevada opted into the Medicaid expansion program under the Affordable Care Act. Medicaid also underwent rapid growth in 2019 due to the COVID pandemic. As of April 2024, there were 905,283 Medicaid recipients.

Department of Health Care and Finance Policy (DHCFP)

Medicaid DAGs both consult on and represent Department of Health Care and Finance Policy (DHCFP) in administrative fair hearings relating to provider terminations, sanctions and recoupments. Over the past biennium, DAGs have supported DHCFP in the following ways:

- Extensive involvement with client and the Department of Justice regarding the children's behavioral health settlement agreement.
- Represented the agency at approximately 55 hearings per year for both DHCFP and the Division of Welfare Support Services hearings including fair hearings related to the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance to Needy Families (TANF), and Energy Assistance Program (EAP).
- DAGs handle all petitions for judicial review. In 2023, our DAGs assisted the client in recovering over \$2,000,000 in recouping improper payments made to providers.
- Assist in Medicaid Estate Recovery (MER). In 2023, DAGs had nearly 1,000 open MERs files and assisted the client in recovering \$7,499,969. DAGs draft lien petitions, notices of hearing, orders and lien notices. DAGs appear at hearings and draft any releases, demands for payment from title companies or withdrawals.
- File creditor's claims in probate cases, averaging approximately 50 – 60 creditors claims each month. In addition, recent legislation now requires Medicaid to issue Transfer on Death Deed (TODD) waivers for any person in Nevada selling property subject to a transfer on death deed, whether the decedent is a Medicaid recipient or not.
- Assisted in recovering \$3,278,383.58 in Third Party Liability claims on over 1,704 cases. DAGs monitor daily court filings for all matters where the Office of the Attorney General (OAG) has filed liens, which is anywhere from 90 – 120 matters at one time.
- Assisting the client in passing regulations for the All Payers Claims Database.

Division of Welfare and Supportive Services (DWSS)

Attorneys represent three separate agencies within DWSS: welfare programs, child support programs, and childcare service programs. Medicaid is the most legally complex of all the welfare programs. Individuals apply for Medicaid benefit annually through DWSS. DWSS averages 20,000 new applications and over 100,000 redeterminations a month. The DWSS DAG approves every application or redetermination that involves a legal question, which may include questions of eligibility such as citizenship, residency, income, resources, transfers of assets, and guardianship. Over the past biennium, Deputy Attorneys General in this division:

- Recovered \$3,492,956.78 in misspent benefits in 2023, and \$2,377,332.35 recovered to date in 2024. Federal regulations require DWSS to collect overpayments made due to fraud, applicant mistake, or agency inadvertence.
- Assisted the client in recovering millions of dollars through Intentional Program Violations (IPV, aka fraud).
- Promote justice and protect some of the most vulnerable citizens when mismanagement of a trust occurs. DAG often assess trusts and can bring an action to remove a trustee who is mismanaging a trust or taking advantage of a vulnerable individual.
- DAGs represent the Child Support Enforcement Program (CSEP) and carry nearly 7,000 open child support cases throughout Nevada. From January to June 3, 2024, our DAGs have appeared on 532 cases in Washoe County alone.
- DAGs handled pre-litigation matters and litigation matters in four lawsuits and a supreme court appeal.

Department Of Public and Behavioral Health (DPBH)

Deputy Attorneys General serve as general counsel to DPBH, DPBH is broken into six branches: Administrative Services, Clinical Services, Community Services, Regulatory and Planning Services, Office of State Epidemiology, and Public Health Infrastructure and Improvement Section.

- Behavioral Health - Behavioral Health includes both civil and forensic commitments. The State of Nevada has a statutory, constitutional, and ethical obligation to provide competency treatment to criminal defendants who are found to be incompetent. The number of statewide competency treatments have increased approximately 296% over the past ten years, and approximately 143% in the five years from 2017 to 2022. The DAGs have appeared at over 150 Order to Show Cause hearings since March 2023. The DAGs have continuously worked closely with the client and courts to find ways to address the current crisis. DAGs

are currently appearing on forensics hearings several times a month, for Assisted Outpatient Treatment (AOT) court approximately one time per week with an average of 33 cases per month, review several new AOT petitions per week, and appear at civil commitment court two times per week for an average of 67 cases per month. DAGs also handle state and federal litigation stemming from forensic competency treatment.

- Public Health - Our Public Health DAG staffs the Nevada Board of Health, which meets at least quarterly and is the primary body which adopts regulations and approves variances. The DAG assists the client with drafting and promulgating DPBH regulations, which span the majority of NRS Title 40 chapters (Public Health and Safety, NRS 439-461A). DPBH has brought forward fifteen sets of regulations since the 2023 Legislative Session.
- DPBH regulates health facilities, medical laboratories and personnel, emergency medical services providers, medical marijuana patient cardholders, radiation control programs (including medical waste, radioactive materials, x-ray machines, and others), environmental health establishments (food inspections, public pools, septic tanks, and others), drugs and cosmetics, dietitians, music therapists, and other public health licensees. The DAG represents each of these regulatory programs in all licensing, sanctioning, revocations, appeals, settlements, and petitions for judicial reviews.

Aging And Disability Services Division (ADSD)

DAGs represent the ADSD client on multiple programs including Adult Protective Services, Nevada Early Intervention Services Desert Regional Center, Rural Regional Center and Sierra Regional Center, the autism treatment assistance program, the office of community living, and Nevada 211. DAGs currently average 43-49 guardianship hearings per month.

Division of Child and Family Services (DCFS)

Within DCFS, DAGs represent Child Welfare, Children's Mental Health, Juvenile Justice and the Family Programs Office. In that capacity they represent child protective services agencies in all counties except for Washoe and Clark.

- DAGs filed 30 – 35 petitions for terminations of parental rights and assisted the client on cases that resulted in 60 adoptions.
- Deputy Attorneys General attend approximately 24 to 30 juvenile justice related hearings a year.
- Additionally, DAGs sit on several committees such as the Court Improvement Program and Child Death Review. They also ensure social workers are trained

in individual due process rights, Native American Tribal sovereignty and the Indian Child Welfare Act.

Government and Natural Resources Division

The Government and Natural Resources Division (GNR) of the Office of the Attorney General is comprised of 11 attorneys and a legal researcher under the direction of Chief Greg Ott. GNR provides general counsel advice to three constitutional officers: Secretary of State, Controller and the Treasurer. Additionally, legal support is provided to seven Executive Branch Agencies: Department of Administration; Department of Education; Department of Employment Training and Rehabilitation; Department of Conservation and Natural Resources; Office of the Military, Department of Native American Affairs; and the Department of Wildlife.

GNR provides legal advice allowing these agencies to carry out their responsibilities under law; defends these agencies in administrative and judicial proceedings; advises on administrative rulemaking processes; and assists them with transparency laws such as their public records and open meeting law responsibilities. GNR generally assists these executive branch agencies in operating the programs and enforcing the laws while also defending challenges to those actions. Also, it is important to note the GNR works hard to keep its clients out of court by advising them to take only legally defensible actions, and to explain its decisions, legal authority and reasoning to members of the public and opposing parties when possible.

From July 1, 2022, to June 30, 2024, GNR worked on a number of issues that benefited Nevadans. Here are a few highlights:

Secretary of State

Attorney General Ford and the GNR deputy attorneys general continue to ensure the integrity of Nevada's elections by fending off legal challenges to undermine and interrupt the electoral landscape at every level, from the presidential preference primary to the legal casting, counting and canvassing of votes.

- In the case *Vanness v. Aguilar*, GNR attorneys successfully defended a challenge to SB 406, the election worker protection bill by arguing that the challengers lack standing to challenge the protections provide to Nevada's election workers. The case is currently on appeal to the Ninth Circuit Court of Appeals.

- In the case *Nevada Republican Party v. Aguilar*, GNR attorneys successfully defended a request for a preliminary injunction that would have prevented Nevada from holding its first presidential preference primary.
- During the 2022 election, GNR attorneys assisted the secretary of state with significant election related issues ranging from the placement of ballot drop boxes on tribal lands to reviewing election integrity complaints.
- During the 2024 election, GNR attorneys have again assisted the secretary of state with significant election related issues prior to June 30, 2024, preparing for a successful and fair election, including advising on the first presidential preference primary, ballot access initiatives, ballot printing issues and election recount request.

Division of Water Resources

Sullivan v. Lincoln County: In 2020, the state engineer issued order 1309 which determined that seven hydrographic basins comprising the Lower White River Flow System were hydrologically connected and limited pumping in the combined basins to a maximum of 8,000 acre-feet annually. The order was immediately challenged, and the state engineer's order was overturned by the district court. The state engineer appealed to the Supreme Court, where GNR attorneys assisted the Office of the Solicitor General in successfully arguing on the state engineer's behalf. In January 2024, the Nevada Supreme Court issued a unanimous order in the case holding the state engineer was able to protect senior water rights holders in one basin from having their rights improperly infringed by junior water rights holders in a different (but hydrographically connected) basin. After four years of litigation, the Supreme Court's decision effectively allows the state engineer to follow scientific evidence regarding how water flows underground and use their statutory powers to protect senior water rights holders.

Division of State Lands

Killebrew v. Nevada: In the 2017 Legislative Session, the legislature removed the statutorily established buoy and pier fees from state law and instead required the Registrar of State Lands to adopt a fee schedule for the use of state lands for buoys and piers. After significant efforts by the Registrar to evaluate the fair market value of the buoy and pier permits, the Registrar adopted regulations raising buoy fees from \$30 to \$250 and piers from \$50 to \$750. In March 2020, property owners challenged the regulation through a petition for judicial review. A district court agreed that the registrar was within his power, and property owners appealed to the Nevada Supreme Court. In September of 2023, the Nevada Supreme Court unanimously held that the Division of State Lands was within its authority to adopt the regulations in question

and further clarified the standard by which regulations can be challenged. The decision preserves the legislature’s intent to have the registrar set fees that are in line with those charged by other states and clarifies the standard for challenging regulations for all state agencies.

Department of Education

In 2022 Eureka County filed suit against the Nevada Department of Education seeking to overturn changes to the funding mechanisms for counties throughout Nevada. GNR attorneys alongside attorney for the Department of Taxation and the Legislative Counsel Bureau successfully defeated a request for a preliminary injunction. The injunction, if granted, would have drastically changed the way that the Pupil Center Funding Plan operated and could impact funding for Nevada’s children.

General Counsel Assistance

In addition to the Division’s regular clients, several state agencies with general counsel of their own required the assistance of the Office of the Attorney General to serve as general counsel when vacancies arose.

- Commission on Ethics: Division attorneys served as commission counsel during two different periods of vacancy for the commission counsel position. Duties included attending meetings, drafting decisions, attending settlement conferences and advising the commission on its legal options.
- State Public Charter School Authority (SPCSA): Division attorneys assisted the SPCSA when its general counsel position was vacated. Duties included attending meetings, advising staff on oversight and school opening processes, defending litigation; meeting with staff and school leaders regarding enforcement options; and advising the governing body and staff on their legal options
- Labor Relations Unit: Prior to the approval of a special counsel for labor relations in 2023, GNR attorneys also advised the Labor Relations Unit on all bargaining agreements during the 2023 legislative session.

Taxation Division

The Taxation Division at the Office of the Attorney General is headed by Chief David Pope who oversees 13 Deputy Attorneys General and one Compliance Investigator. They represent the Department of Taxation, the Cannabis Compliance Board, the Division of Insurance, the Department of Agriculture (and related boards and commissions), the Labor Commissioner, the State Infrastructure Bank and the

Attorney for Injured Workers. The Division also includes the Tobacco Enforcement Unit. Highlights from work over the past biennium include:

Tobacco Enforcement Unit

The Tobacco Enforcement Unit has had a very successful biennium — it has passed and enforced new laws to prevent tobacco sales to underage youth; implemented requirements for sellers to have identification scanning equipment; and imposed civil penalties against licensees (the businesses) when their employees sell to underage persons. During the 2021 Legislative Session, Assembly Bill 53 (AB 53) passed, which imposed a civil penalty on tobacco retail licensees when tobacco or vapor products are sold to underage consumers at their business, beginning with the first offense. Additionally:

- During the fiscal year ending June 30, 2024, 1,018 youth compliance checks were completed resulting in 128 sales to minors and an overall sales rate to minors of 12.57%.
- As of the end of the fiscal year, 73 licensees were cited pursuant to NRS 370.521(7) when their employees made sales to minors.
- AB 53 has been effective since Jan. 1, 2024 and seems to have helped reduce the rate of sales to minors.

Department of Taxation

Support to the Department of Taxation over the past biennium includes the following:

- Enforcement of most of the taxes found in Title 32 of the NRS, as well as additional taxes found in other statutes, which result in the collection of approximately \$8 billion dollars of state general fund revenue a year.
- Defense of audit deficiencies in administrative hearings and appeals, as well as the subsequent appeals (petitions for judicial review), as they progress through the various district courts and the Nevada Supreme Court — as well as occasionally federal courts.
- Responses to petitions for advisory opinions and declaratory orders; drafting of regulations and technical bulletins; and review of the ever-increasing number of purchasing contracts.
- Advice with regards to bankruptcy cases and collections and, in the last few years, help with the collection of large amounts of unpaid cannabis taxes.

Cannabis Compliance Board (“CCB”)

The Cannabis Compliance Board regulates the cannabis industry, inspects licensees and pursues disciplinary matters.

- Deputy Attorneys Generals supported the CCB in completing the first round of cannabis lounge licensing, which allowed the first lounge to open in 2024. They also support the CCB in promulgating regulations and handling litigation.
- This past biennium, many cultivators and other types of licensees, have gone out of business, creating many receiverships and related litigation. The failing businesses have also created large tax deficiencies and the CCB and DAGS Department have worked together diligently to collect a substantial portion of the unpaid taxes.

Boards and Open Government Division (BOG)

The Boards and Open Government Division (BOG) is comprised of eight attorneys under the supervision of Chief Rosalie Bordelove. BOG primarily represents Nevada’s Title 54 professional licensing boards, inclusive of 74 unique public bodies, along with various other state agencies. BOG also houses the Attorney General’s Open Meeting Law Enforcement Unit. Representation of Title 54 boards involves day-to-day advice, prosecution of licensees in disciplinary matters and general defense of the agencies. Over the past biennium the division accomplished the following:

- Training to state agencies governed by public bodies across state government is a vital function of the BOG division. In 2023, BOG conducted a Boards and Commissions Training that taught members and staff members of state agencies relevant law relating to Nevada’s Open Meeting Law, Public Records Act, Ethics in Government Law, State contracting requirements, administrative rulemaking and administrative procedures. The trainings and materials are available on the Attorney General’s website to be used as a training resource for new agency employees at any time.
- Issued an updated Administrative Rulemaking Manual designed to be a user-friendly guide to State agency staff when going through the administrative rulemaking process as required by NRS Chapter 233B.
- Representing the Barbers Health and Sanitation Board in its disciplinary action against The Art of Barbers School for serious health violations and abuse of student hours. The discipline was appealed to district court and in 2023, the

district court upheld the Board's order in full. The matter has since been appealed to the Nevada Supreme Court.

- Supporting the Nevada State Board of Cosmetology in its disciplinary action against Ability School of Esthetics for failing to properly document student hours and allowing students to collect hours without performing instruction. The matter is currently pending appeal in district court.
- Ensured public transparency through enforcement of Nevada's open meeting laws. The division saw an increase in the number of opinions they issued over the biennium, an increase from an average of 54 opinions to an average of 72 opinions over this biennium. Keeping abreast of the increased requests for opinions and addressing the backlog of requests is a priority for the BOG.

Public Safety Division

The hard-working Public Safety Division of the Office of the Attorney General (OAG) is led by Chief Randall Gilmer, who directs 15 attorneys representing the Nevada Department of Corrections (NDOC). Their job is to defend the State against lawsuits filed by offenders against NDOC or their employees. These lawsuits are filed in federal courts as well as in state courts. The Public Safety Division is engaged in non-stop defense work at both the trial and appellate level. Since July 1, 2022, there have been 684 new cases filed.

The Public Safety Division (the Division) also provides NDOC support with many necessary and crucial administrative documents. Staff are involved in these processes before implementation with the goal to limit litigation challenges to administrative measures once they are implemented: general counsel advice; updating administrative regulations; operating procedures; medical directives; contract review

During the last biennium, the OAG worked with NDOC to protect the rights and medical needs of offenders. To this end, we are happy to report that NDOC has successfully treated all consenting offenders for Hepatitis C. While class-action litigation led to an agreed-upon consent decree, ongoing quarterly reports confirm that NDOC treated all offenders earlier than required. NDOC continues to treat all offenders within the first year of their incarceration. In another example, our attorneys worked with NDOC to ensure that an offender was transferred to Utah to obtain necessary medical treatment unavailable to the offender within Nevada.

The Division worked with NDOC this year regarding NDOC's first ever workshop and public hearing pertaining to the drafting of a Nevada Administrative Code provision. This was the result of changes to legislation requiring NDOC to participate in the Administrative Procedures Act regarding certain administrative regulations it wishes to implement. The Board of Prison Commissioners was able to approve the proposed regulation at a public hearing held in June 2024, and OAG staff is currently working with NDOC and the Legislative Commission to finalize the publication of this regulation.

Lastly, as part of Attorney General Ford's community engagement and client services initiatives, the Division partnered with NDOC and Las Vegas Metropolitan Police Department employees in the 6th annual Badges and Bows Toy Drive benefiting the St. Jude Children's Home in Boulder City, Nevada. This year, the toy drive resulted in a semi-tractor nearly full of toys, along with thousands of dollars in gift cards.

Transportation Division

Chief Lori Story oversees 13 attorneys, two legal researchers and two tort claims analysts in the Office of the Attorney General's (OAG) Transportation Division. They work tirelessly to represent the Department of Motor Vehicles, the Department of Public Safety and Nevada Department of Transportation.

Department of Public Safety

Deputy Attorneys General work across a wide variety of legal matters, from reviewing and approving contracts, to representing Parole and Probation in challenges to terms and conditions imposed on parolees and probationers, to reviewing the validity of arrest warrants with the criminal records repository, to conducting hearings with the Peace Officers Standards Training group (POST) in certifying or decertifying peace officers' ability to carry firearms as part of their law enforcement duties. The team advises these clients on criminal records management, releases, and inquiries for public and private information; on Brady gun licensing issues, and in matters related to the terms and conditions of Sex Offender Registration and Supervision in assistance of the Board of Parole Commissioners. The OAG also prosecutes numerous forfeiture actions for the law enforcement task forces which include the Nevada Division of Investigations and general state police stops and arrests.

Over the past biennium the OAG:

- Processed 60 new civil actions and closed nearly 66 others.
- Tort claims analysts processed 880 total claims with speed and efficiency.

Nevada Department of Transportation

Deputy Attorneys General and Special Counsel played an instrumental part in the successful award of a \$3,000,000,000 (\$3 billion) Federal Rail Administration Grant. The grant will fund the design and construction of a high-speed rail system along the I-15 corridor between Las Vegas, Nevada and Rancho Cucamonga, California, in partnership with the developer, Briteline West. Additional accomplishments this past biennium include:

- Assisted NDOT in drafting and refining licensing agreements for telecommunications and internet expansion throughout the state, particularly throughout rural Nevada.
- Reviewed and advised NDOT's on voluminous public records inquiries and subpoenas for documents or subject matter experts.

Gaming Division

The Office of the Attorney General (OAG) Gaming Division is comprised of five attorneys and two support staff. The Gaming Division represents the Gaming Control Board (GCB) and Nevada Gaming Commission (NGC) on all matters within their jurisdiction and control. This representation includes providing advice related to the hundreds of applications filed each year by those wishing to do business in or with Nevada's gaming industry, prosecuting disciplinary cases against licensees who violate the Gaming Control Act, shepherding regulations and statutory amendments through the proper procedures for enactment, and advising the client on matters related to open government, public records, contracts and gaming trusts. The Gaming Division further assists the clients with issues relating to taxation and audit matters, the patron dispute process, investigative hearings and litigation cases. Between July 1, 2022 and June 30, 2024, the Gaming Division has issued over 150 advisory opinions to our clients and handled over 30 disciplinary cases. Noteworthy activities from the biennium include:

- Resolving the disciplinary case against Stephen Wynn in July 2023 with a stipulated settlement accepted by the NGC which imposed a fine of \$10,000,000.

- Filing against the Riverside Resort & Casino for improper actions by the licensee's security personnel against an employee and a patron, resolved at \$500,000.
- Obtaining agreement from William Hill to pay \$100,000 for violations related to duplicate wagers made by patrons accessing its sports wagering system.
- Engaged in an extensive regulatory review and updates to streamline and modernize the gaming industry, with particular focus on technology, sports wagering and online gaming operations. For instance, staff assisted the GCB with procedures and regulations focused on speeding up the technology approval processes while continuing to provide proper oversight. Deputy Attorneys Generals also aided in revising the Cloud Computing Service Provider and Hosting Center regulations to allow for the use of third-party hosting centers, bringing regulations in line with the modern framework of cloud computing services. This also allows the gaming industry to take advantage of the latest technological and cyber security developments.
- Advised the GCB on several cases of "first impression" relating to new technologies, innovative gaming concepts and novel sports wagering products. During the past two years, DAGS reviewed and analyzed concepts related to promotional devices, wagering accounts, associated equipment and interactive gaming, among others, that highlight the advancements that are being made in the industry. The OAG ensures these advancements fit within the Gaming Control Act and that the legal framework allows the growth of the industry.
- Protecting the stellar reputation of the state's most important industry by assisting the GCB in pursuing discipline against licensees that failed to maintain safe and lawful establishments or did not ensure proper transfers of interest in gaming operations. Most recently, the AGO filed a complaint against Scott Sibella for conduct that resulted in a federal charge related to anti-money laundering requirements.
- Working closely with the GCB's Enforcement Division to prevent operations of unregulated and illegal wagering by issuing cease and desist letters where appropriate. Additionally, preparing cases against individuals for inclusion on the List of Excluded Persons. One recent case placed an individual on the list, for the first time, who used Nevada gaming establishments to engage in sex trafficking and violence against women.

Personnel Division

The AG Personnel Division is managed by Chief Cameron Vandenburg, and is comprised of eight attorneys, as well as the Labor Relations Unit Special Counsel and Deputy Attorney General. The Personnel Division (“the Division”) represents and advises all executive branch agencies in employment matters involving individual employees. This includes:

- Advising on proposed employee discipline and day-to-day advice to client agencies in all employment matters.
- The Division averages 65 open disciplinary matters at any given time, and represents agencies in appeal hearings, inclusive of petitions for judicial review following such hearings.
- Representing agencies in employee whistleblower hearings and petitions for judicial review of the decisions rendered following such hearings. The Division has seen an increase in the number of whistleblower cases over the biennium.
- Representing client agencies in mediations and arbitrations for appeals (“grievances”) filed by employees through procedures outlined in collective bargaining agreements. On average, the Division has 26 such matters open at a time.
- Ensuring client agencies properly administer requests for leave under the Family Medical Leave Act (FMLA) and reasonable accommodation under the Americans with Disabilities Act.
- Actively attending to 67 open matters involving Charges of Discrimination filed with NERC or EEOC.
- Representing client agencies in employment litigation in state and federal court. The Division is managing eight such cases presently in federal courts, and 12 cases in state court.
- Representing client agencies in settlement conferences.
- Handling employment appeals to the Nevada Court of Appeals, Nevada Supreme Court, and the 9th Circuit Court of Appeals.
- Assisting client agencies with employee grievance hearings before the Employee Management Committee.

Labor Relations Unit

In Fiscal Year 2023, the OAG Labor Relations Unit was placed into the Personnel Division, and a new special counsel position was awarded by the Interim Finance Committee. The Labor Unit represents the Department of Human Resource Management’s Labor Relations Unit and handles State collective bargaining matters. This includes labor relations with employee unions, representation of the State in complaints before the Employee Management Review Board, representation of the State in labor-related litigation, and other labor matters as they arise.

Office of Military Legal Assistance

The Office of Military Legal Assistance (OMLA) is a special division of the Nevada Office of the Attorney General (OAG) created in 2015. OMLA provides free legal assistance to service members (SM), military spouses and veterans in a variety of civil legal issues. The division is comprised of two positions, Director Dawn Jensen and a program specialist. Director Jensen came to OMLA in September 2022, having previously worked as a legal aid lawyer for over 10 years. The program specialist is a longtime military spouse, who previously worked for the Office of the Military as a soldier and family readiness specialist.

- OMLA maintains relationships with other veteran entities, such as Nevada Dept. of Veteran Services (NDVS). Additionally, the OAG has a productive relationship with the Southern Nevada Senior Law Program (SLP), a nonprofit legal aid entity that assists seniors. SLP extends expedited treatment for OMLA referrals. To honor those who have served, SLP bypasses the usual six-month wait to veterans referred directly by OMLA. These relationships are invaluable and encourage professional collaboration and awareness of community services for veterans and service members. Activities over the last biennium include:
- Assisting over 1,900 veterans/SM/military spouses. These interactions occur through responses to their calls/emails seeking help or at outreach events.
- OMLA maintains a monthly Ask-A-Lawyer event at the North Las Vegas Medical Center to provide free “no appointment necessary” legal consults. OMLA also conducts larger Ask-A-Lawyer events where deputy attorneys general (DAGs) and the private bar offer in-person consults in a variety of legal fields to pre-registered veterans and service members.
- Sponsored a Will-A-Thon event at the North Las Vegas VA Medical Center with the Nevada Senior Law Project (SLP). OMLA secured the venue and pro-bono attorneys. SLP provided estate planning expertise and training to the OAG attorneys.

While legal needs vary but most often involve landlord/tenant, family law, real estate/HOA, consumer, low figure litigation and/or small claims and estate planning. However, not every veteran or service member who calls OMLA needs a lawyer. We help hundreds of people by consulting with them, quickly, and at no cost. Also, OMLA provides support to veterans who engage in self-advocacy. For example, OMLA assisted a veteran through the small claims process to recover his security deposit, and he obtained a judgment in his favor.

When a legal issue warrants specialized assistance, OMLA will reach out to the private bar and seek pro bono help. Below is a sampling of pro bono legal services OMLA has been

able to secure over the last biennium:

- A service member was deployed to Kuwait for six months. During his deployment his car was towed from his apartment complex. At the end of his orders, he returned to Creech Air Force Base and was referred to OMLA by Judge Advocate General's Corps (JAG). OMLA immediately consulted the serviceman, assisted him with an expedited complaint and secured pro bono counsel to represent our service member. The judge found the landlord had violated the towing laws, ordered landlord to pay all towing costs, and ordered immediate release of the service member's vehicle.
- An active-duty Air Force spouse reached out to OMLA regarding an unemployment denial. The denial was based on the military spouse not being a resident because she was living with husband on orders overseas. Despite numerous delays and mishaps, OMLA assisted the spouse with securing a referee hearing. After experiencing a disinterested referee and poorly assessed decision, OMLA assisted the spouse in appealing to the Board of Review and district court. After additional efforts, OMLA succeeded in getting the matter remanded for a new referee hearing. We are currently awaiting a hearing date where the residency issue can be considered.
- A Vietnam veteran and his spouse owned a small wedding chapel and were sued by their commercial landlord after the business failed at that location. OMLA met the veteran at the Veteran Administration Hospital's Ask-A-Lawyer event. OMLA assisted with a pro se Answer. OMLA secured a large, reputable Nevada firm to represent this veteran on a pro bono basis. Despite efforts to dismiss the case, litigation is ongoing.
- While on orders overseas, a Space Force sergeant learned that Child Protective Services removed his son from his ex-wife's home in Las Vegas. He immediately recovered his son from Las Vegas to bring to the east coast to live with the sergeant's wife and daughter. Still, he had to return overseas to complete orders. He needed help with court action in Clark County to domesticate a foreign decree and modify custody. OMLA secured pro bono legal assistance for the sergeant with prior family law experience. The attorney successfully domesticated the foreign decree and currently is modifying custody.

Grants Unit

The Office of the Attorney General supports community non-profit organizations, local law enforcement agencies, and state-specific endeavors through \$13 million dollars in grant projects. These projects allow Attorney General Ford to engage Nevada in vital work such as the identification of previously unidentified sexual assault offenders and support victims of hate crimes.

Sexual Assault Kits Initiative (SAKI)

The OAG has three active grants from the Department of Justice to enhance criminal justice response to violent sexual assault, through the Sexual Assault Kits Initiative (SAKI):

- SAKI 2017— *Total Award: \$933,656. Project Period: 10/01/2017–09/30/2024.* A seven-year grant to the Nevada Department of Corrections (NDOC) to establish a census of inmates who are legally obligated to supply DNA to the Combined DNS Index System (CODIS). The goal is to identify offenders who have not yet been held accountable for sexual assault crimes due to a lack of DNA collection.
- SAKI 2018— *Total Award: \$1,000,000. Project Period: 10/01/2018–09/30/2024.* This grant enabled the OAG to fund Las Vegas Metropolitan Police Department (LVMPD) as a sub-recipient on cases that were identified through previous SAKI grants. As a result of this partnership with LVMPD 307 arrests from forensic testing were made throughout this project; 81 cold cases are open for review and investigation; and 5,601 cases have been reviewed and are now closed.
- SAKI 2020— *Total Award: \$2,000,000. Project Period: 10/01/2019–09/30/2024.* Enables the OAG to fund LVMPD investigation into sexual assault cold cases. To date, 351 serial offenders have been identified; 7,200 cold cases have been reviewed and closed; and 333 arrests have been made.

Criminal Justice and Reform

Attorney General Ford seeks out grants focused on criminal justice and reforms to improve safety in our communities among vulnerable populations and to support victims of crimes. The following grants do just that:

- Ending Abuse in Later Life Program (EALLP) — *Total Award: \$279,250. Project Period: 10/01/2021–09/30/2024.* A grant to the Division of Aging and Disability Services (ADSD), and the Nevada Coalition to End Domestic and Sexual Violence (NCEDSV) to provide training on abuse that happens to people later life. Training has been provided to 76 sworn officers across seven law enforcement agencies. As well, eight community training sessions have been held with 115 victim advocates attending.

- *American Rescue Plan Act, Red Flag Law Grant — Total Award: \$400,000. Project Period: 10/20/2022–06/30/2025.* A grant of \$400,000 to educate law enforcement, judicial staff, and the community on the requirements and use of the “red flag law.” This law allows family members and law enforcement to petition the courts to temporarily remove a person’s firearms when they engage in violent and threatening behavior. With vendors secured and curriculum developed, active trainings are set to begin in January 2025.
- *Comprehensive Opioid Stimulant and Substance Use Program (COSSUP)- Total Award: \$5,751,772. Project Period: 10/01/2021–09/30/2025.* Tackling the opioid epidemic head on, COSSUP seeks to leverage partnerships and collaborations to fight the epidemic across public health, behavioral health, and public safety sectors. In total, nine entities are providing direct services to members of the community. During this short time, 2,183 Nevadans have received supportive services through this grant, and 2,203 pounds of controlled substances have been recovered by local law enforcement.
- *Improving Criminal Justice Response Grant (ICJR) — Total Award: \$500,000. project Period: 10/01/2023–09/30/2026.* The ICJR grant seeks to improve criminal justice responses to domestic violence and sexual assault by strengthening law enforcement and community responses to victims. Grant dollars currently fund a full-time Victim Witness Advocate position in the Office of the Attorney General to assist Lyon and Churchill Counties with their Coordinated Community Response (CCR) to victims.
- *Jabara–Heyer No Hate Grant — Total Award: \$1,164,424. Project Period: 10/01/2023–09/30/2026.* Awarded by the Office of Justice Programs and the Office for Victims of Crime, Nevada was the only state awarded this competitive grant in 2023. The No Hate grant will enable the OAG to establish a dedicated phone line for the public to call and report acts of hate 24 hours a day. Named the “No Hate Hotline,” victims will be directed to services, and/or receive guidance on how to proceed with reporting the crime to local law enforcement, if appropriate. The No Hate Hotline will be launched during Attorney General Ford’s inaugural participation in United Against Hate Week on Sept. 21– 27, 2024.

Ombudsman for Victims of Domestic Violence, Sexual Assault & Human Trafficking

Nicole Reilly serves as the ombudsman on issues related to domestic violence, sexual

assault and human trafficking. The ombudsman acts as a state-level coordinator of the Nevada Committee on Domestic Violence and of system-wide improvements in the education, prevention and intervention of these crimes. Reilly also works to increase accountability for perpetrators.

The ombudsman facilitates the Committee on Domestic Violence (CDV), the CDV Data Subcommittee and the CDV Statewide Fatality Review Team. She is also a co-chair of the Nevada Human Trafficking Coalition, a voting member of the Commercially Sexually Exploited Children (CSEC) Coalition, a voting member of the Nevada Human Trafficking Policy Council, a member of three (3) grant review teams and a participant in the Northern Nevada Sex Trafficking Taskforce.

Over the past biennium, Attorney General Ford and the ombudsman championed the passage of Assembly Bill 51 (AB51). Before this bill's passage, law enforcement could arrest a person who committed misdemeanor domestic violence within 24 hours of the offense, whether or not a warrant had been issued, if the officer determines there was probable cause. Under AB51's provisions, law enforcement now has seven days to make the arrest.

Utilize this link to read the 2023 Committee on Domestic Violence (CDV) Biennial Report: [2023 CDV Legislative Report.pdf \(nv.gov\)](#)

Statewide Substance Use Response Working Group

Attorney General Ford serves as Chair of the Statewide Substance Use Response Working Group (SURG). Utilize this link to review the Annual Report of the Statewide Substance Use Response Working Group (SURG) 2022 [SURG - 2022 Annual Report 01.27.23.pdf \(nv.gov\)](#)

Advisory Council for Prosecuting Attorneys

The Advisory Council for Prosecuting Attorneys is comprised of seven members: the Attorney General; three district attorneys appointed by the Nevada District Attorneys Association; two city attorneys appointed by the Nevada League of Cities; and one POST-certified law enforcement officer appointed by the Governor. The Advisory Council's Executive Director, Michael Morton, is appointed by the Advisory Council and is employed by the Attorney General's Office. The Advisory Council is a statutorily created body, whose duties and powers are governed by NRS 241A.070. The Advisory Council experienced vacancies in appointments for over one-and-a-half years and, as

such, was unable to meet due to a lack of quorum. From July 1, 2022 to June 30, 2024, the Advisory Council or its subcommittees held nine meetings. Some of the highlights of those meetings include:

- Appointing Attorney General Ford and Washoe County District Attorney Chris Hicks as Chair and Vice Chair of the Advisory Council, respectively, for FY24.
- Naming Douglas County District Attorney Mark Jackson as the 2023 recipient of the William J. Raggio Award. This award annually recognizes a Nevada prosecutor who has contributed significantly to the improvement of the administration of justice in Nevada. The award honors the late William J. Raggio, former Washoe County District Attorney and State Senate Majority Leader, who was the inaugural award recipient in 1998.
- Naming Clark County Assistant District Attorney Christopher Lalli as the 2024 recipient of the William J. Raggio Award.
- Hosting a delegation of judges from 20 different countries in Europe and the Middle East, sponsored by the United States Department of State and the Northern Nevada International Center. The judges, who visited in November 2023, were visiting the United States to learn about the U.S. justice system, as well as various state systems.
- Organizing and hosting the first in-person, post-COVID Prosecutors Conference in September 2024.
- During the 82nd Session of the Nevada Legislature, the Vulnerable Adult Fatality Review Committee (VAFRC) was created pursuant to AB119 (codified as NRS 427A.920). the Executive Director of the Advisory Council was appointed by Department of Health and Human Services Director to serve as the first chair of the VAFRC.



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL
INVESTIGATION DIVISION



**For the State Fiscal Year Ended
June 30, 2023**

	Public Integrity/State Employee Crimes	Conflict/Prison/Other Crimes	Cyber Crimes	Insurance Fraud	Workers Compensation Fraud	Human Trafficking	Missing Children	Medicaid Fraud	Consumer/Financial Fraud	Guardianship/Elder Exploitation	TOTAL (all Units)
COMPLAINTS/REFERRALS											
Complaints/Referrals Received	1030	1033	1036	1037	1038						
General Public	16	573	23	-	9	12	14	54	349	30	1,080
Law Enforcement	7	6	2	-	1	3	-	11	42	3	75
Nevada State Agencies	3	7	36	1	536	1	-	67	19	193	863
Other Government Agencies	1	-	339	-	-	1	-	4	15	2	362
Private Organization	-	4	1	1,452	21	1	-	43	11	1	1,534
Complaints/Referrals Received (YTD)	27	590	401	1,453	567	18	14	179	436	229	3,914
Complaints/Referrals Screened											
Opened	7	10	22	89	423	5	1	67	35	3	662
Referred Out to Other Agencies	4	47	2	-	2	1	-	58	53	37	204
Resolved	1	14	37	-	4	-	3	-	17	4	80
Closed/Declined	13	516	532	1,316	134	10	11	51	282	192	3,057
Complaints/Referrals Screened (YTD)	25	587	593	1,405	563	16	15	176	387	236	4,003
PRELIMINARY INVESTIGATIONS											
Preliminary Investigations Completed	1030	1033	1036	1037	1038						
Opened as Investigations	8	8	4	60	-	13	18	24	32	3	170
Referred Out to Other Agencies	1	1	-	1	-	-	-	13	3	-	19
Closed/Declined	-	2	-	540	-	1	-	11	9	-	563
Preliminary Investigations Completed (YTD)	9	11	4	601	-	14	18	48	44	3	752
INVESTIGATIONS											
Active Investigations at Year End	1030	1033	1036	1037	1038						
Attorney General Investigations	7	11	4	146	75	22	7	68	63	2	405
Task Force Investigations	-	-	57	1	-	-	-	1	-	-	59
Total Active Investigations	7	11	61	147	75	22	7	69	63	2	464



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL
INVESTIGATION DIVISION



For the State Fiscal Year Ended
June 30, 2023

	Public Integrity/State Employee Crimes	Conflict/Prison/Other Crimes	Cyber Crimes	Insurance Fraud	Workers Compensation Fraud	Human Trafficking	Missing Children	Medicaid Fraud	Consumer/Financial Fraud	Guardianship/Elder Exploitation	TOTAL (all Units)
INVESTIGATIONS (continued)											
Investigative Actions	1030	1033	1036	1037	1038						
Arrests/Summons	2	4	1	3	55	7	-	24	5	1	102
Search/Seizure Warrants	17	1	35	-	-	41	-	-	28	-	122
Subpoenas/Request Letters	35	5	39	47	16	166	3	129	175	-	615
Child Recoveries	-	-	-	-	-	1	20	-	-	-	21
Forensic Examinations	8	-	483	-	-	15	-	-	32	-	538
Outreach	15	14	13	-	-	71	2	74	20	5	214
Other assists	14	60	139	-	29	24	14	-	24	8	312
Investigative Dispositions											
Referred for Prosecution	1	-	-	17	233	7	-	20	9	-	287
Referred Out to Other Agencies	1	-	-	1	-	1	-	-	-	-	3
Resolved	1	-	152	-	5	1	12	-	3	1	175
Declined	4	3	-	284	173	1	-	5	9	3	482
Investigation Dispositions (YTD)	7	3	152	302	411	10	12	25	21	4	947

OTHER	
Identity Theft Card Program (1030)	YTD
Telephone Inquiries	201
Police Report Request/Verifications	251
Identity Theft Cards Issued	98
Tobacco Enforcement (1031-21)	
Completed Synar Checks	805
Completed Non-Synar Checks	260
Other Attempts/Inspections	144
Total Attempts/Inspections	1209
Citations/Warnings Issued (Synar)	114
Citations/Warnings Issued (Non-Synar)	34
Total Citations/Warnings Issued	148
Buy Rate (Synar)	14.2%
Buy Rate (Non-Synar)	13.1%
Combined Buy Rate	13.9%



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL
INVESTIGATION DIVISION



**For the State Fiscal Year Ended
June 30, 2024**

	Public Integrity/State Employee Crimes	Conflict/Prison/Other Crimes	Cyber Crimes	Insurance Fraud	Workers Compensation Fraud	Human Trafficking	Missing Children	Medicaid Fraud	Consumer/Financial Fraud	Guardianship/Elder Exploitation	TOTAL (all Units)
COMPLAINTS/REFERRALS											
Complaints/Referrals Received	1030		1033		1036		1037		1038		
General Public	23	470	7	2	8	7	7	65	390	14	993
Law Enforcement	6	4	5	4	1	2	1	11	26	2	62
Nevada State Agencies	6	-	36	3	599	-	-	94	115	128	981
Other Government Agencies	-	-	-	-	-	-	-	1	8	1	10
Private Organization	1	2	920	1,527	31	-	-	27	17	-	2,525
Complaints/Referrals Received (YTD)	36	476	968	1,536	639	9	8	198	556	145	4,571
Complaints/Referrals Screened											
Opened	5	1	152	89	493	2	-	58	53	3	856
Referred Out to Other Agencies	3	5	-	2	-	-	-	75	3	2	90
Resolved	-	16	33	-	-	-	-	-	11	2	62
Closed/Declined	25	440	940	1,059	146	9	9	48	421	123	3,220
Complaints/Referrals Screened (YTD)	33	462	1,125	1,150	639	11	9	181	488	130	4,228
PRELIMINARY INVESTIGATIONS											
Preliminary Investigations Completed	1030		1033		1036		1037		1038		
Opened as Investigations	7	10	1	91	-	23	13	25	44	6	220
Referred Out to Other Agencies	-	1	-	1	-	-	-	8	-	-	10
Closed/Declined	1	-	1	947	-	-	-	23	4	-	976
Preliminary Investigations Completed (YTD)	8	11	2	1,039	-	23	13	56	48	6	1,206
INVESTIGATIONS											
Active Investigations at Year End	1030		1033		1036		1037		1038		
Attorney General Investigations	12	14	2	202	111	45	1	91	88	4	570
Task Force Investigations	-	-	16	1	-	-	-	1	-	-	18
Total Active Investigations	12	14	18	203	111	45	1	92	88	4	588



STATE OF NEVADA
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INVESTIGATION DIVISION



For the State Fiscal Year Ended
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	Public Integrity/State Employee Crimes	Conflict/Prison/Other Crimes	Cyber Crimes	Insurance Fraud	Workers Compensation Fraud	Human Trafficking	Missing Children	Medicaid Fraud	Consumer/Financial Fraud	Guardianship/Elder Exploitation	TOTAL (all Units)
INVESTIGATIONS (continued)											
Investigative Actions	1030		1033		1036		1037		1038		
Arrests/Summons	18	11	11	12	70	15	1	42	2	7	189
Search/Seizure Warrants	32	17	23	12	8	38	-	3	25	-	158
Subpoenas/Request Letters	81	12	191	74	54	20	-	111	145	4	692
Child Recoveries	-	-	-	-	-	-	12	-	-	-	12
Forensic Examinations	1	-	143	1	-	3	-	-	10	-	158
Outreach	21	16	-	2	2	34	4	70	22	20	191
Other assists	15	11	3	-	78	30	11	-	34	22	204
Investigative Dispositions											
Referred for Prosecution	6	5	1	43	301	11	1	18	8	-	394
Referred Out to Other Agencies	-	-	-	2	-	-	-	2	1	-	5
Resolved	-	-	34	4	-	-	16	-	6	1	61
Declined	2	3	1	10	179	-	1	1	5	3	205
Investigation Dispositions (YTD)	8	8	36	59	480	11	18	21	20	4	665

OTHER	
Identity Theft Card Program (1030)	YTD
Telephone Inquiries	184
Police Report Request/Verifications	374
Identity Theft Cards Issued	180
Tobacco Enforcement (1031-21)	
Completed Synar Checks	648
Completed Non-Synar Checks	364
Other Attempts/Inspections	89
Total Attempts/Inspections	1101
Citations/Warnings Issued (Synar)	79
Citations/Warnings Issued (Non-Synar)	46
Total Citations/Warnings Issued	125
Buy Rate (Synar)	12.2%
Buy Rate (Non-Synar)	12.6%
Combined Buy Rate	12.4%