



2019-2020 BIENNIAL REPORT

OFFICE OF THE NEVADA ATTORNEY GENERAL

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September 1, 2020

Taking the oath of office as your Attorney General is forever burned into my memory. For the rest of my life, I will remember being sworn in as your Attorney General on January 7, 2019. On that cold day, standing on the steps of the Nevada State Capitol, I looked out on the familiar faces of my family and friends who braved the snow to witness the momentous occasion, as well as the faces of Nevadans I have never met. I joined my fellow constitutional officers and Nevada Supreme Court justices, full of hope for the future and feeling the gravity of responsibility that shifted onto our shoulders as we uttered those sacred oath of office.

Such is the way we govern – with our eyes towards the future and our hands on the present. As leaders, the decisions we make will be felt by our families, friends, and millions of Nevadans we will never meet. Each decision is as important as the next because every choice will affect our neighbors. The ripples of our decisions may not be felt today and may not be felt by those in our immediate circle, but will nevertheless have a real impact on the State of Nevada.

To guide my decision making, I have framed my administration by a set of policy priorities. These priorities are not exclusive, nor do they override our statutory obligations, but rather serve as a lens through which we view our work. I regularly hold meetings with all staff to discuss these priorities, which I refer to as the “Cs”: constitutional rights, criminal justice reform, consumer protection, client service, and community engagement. Each of these Cs serve as the moral compass to guide the important ways our office can serve the state and its people.

The past two years were marked by challenges, old and new, some anticipated, others unfathomable. The specter of systematic racism is ever present in our society, as is its devastating consequences for people of color. Racism fueled the civil war that gave birth to our Battle Born State. What is new is watching racism resulting in executions, livestreamed on devices most of us carry in our pockets. While we could not have anticipated a global pandemic this year, disease is as old as the human race itself. What humanity has never before had, however, is the

cutting-edge science to identify, contain, and treat contagious diseases faster than ever before, regardless of whether or not global leadership believe in that science. Supporting and caring for our neighbors struggling through crisis is as old as crisis itself. What is unfortunately new are opportunistic scammers using sophisticated means to cheat our State and the people who need help the most.

I am honored to work alongside some of the finest people in the state to tackle these challenges: my fellow public servants at the Nevada Attorney General's Office. I am blessed to lead an agency of such dedicated, hardworking, and talented staff. I cannot be more grateful for their commitment during the state's time of great need.

In this report you will find just a few highlights of the work performed by my office in service of the state, including:

- Responding to a global pandemic to minimize the loss of life in Nevada;
- Saving over \$1.2 billion taxpayer dollars by vigorously defending the State and providing quality client advice;
- Securing tens of millions of dollars in settlement funding and federal grants;
- Investigating, prosecuting, and defending appeals against those who seek to harm Nevadans, including murderers, abusers, and scammers;
- Serving victims of crime;
- Providing robust constituent services to Nevadans seeking our help, receiving over 50,000 written inquiries;
- Sponsoring laws to protect Nevadans; and
- Protecting your constitutional rights.

Serving as your Attorney General has been the honor of a lifetime. I treasure the trust placed in my hands by the people of Nevada to serve in this present moment, and I look forward to the future Nevada we can and will build together.



AARON D. FORD
Nevada Attorney General

Upholding Constitutional and Civil Rights

Most people know that the Attorney General takes an oath to uphold the United States and Nevada Constitutions. But most people do not know that every single employee of the Nevada Attorney General's Office takes a similar oath. One of AG's Ford's key priorities is protecting the constitutional and civil rights of every Nevadan, no matter that person's age, sex, gender identity, race, religious faith, political affiliation, or national origin. Every Nevadan is a member of the Nevada family and has rights under our constitution.

Our office prepared and posted for the public's use flyers with information about domestic terrorism, immigrants' rights, record sealing for decriminalized offenses, protesters' rights, and voting rights of formerly-incarcerated persons.

Multistate and Amicus Lawsuits

This is an unprecedented time in federal overreach and infringements of states' rights and Nevadans' rights. The office has joined with other states to prosecute numerous lawsuits to protect these rights. Specifically, the office has joined and is currently participating in suits in the following areas:

- Protection of women's health and constitutional rights, including intervention and submission of briefs in the 5th Circuit to protect women's contraception rights under the ACA, and participation in litigation around the country challenging federal rule changes that would unduly restrict the availability of reproductive healthcare for Nevada women.
- Protection of immigrant and refugee rights, including the extent and conditions of detentions of minors at the southern border; availability of student visas; overly restrictive and punitive criteria designed to exclude and remove otherwise eligible immigrants; and challenges to the misuse of federal funds on construction of a wall at the southern border. These lawsuits particularly recognize the important positive financial and societal contributions immigrants have made and continue to make to Nevada communities.
- Election and census integrity, including defending Nevada's system of mail-in voting; challenging early curtailment of census counting as well as refusal to count undocumented persons, which would result in an undercount of Nevadans and improper apportionment of Nevada representatives in Washington, D.C.; and ensuring that the U.S. Postal Service has the necessary resources to assist with a timely and fair election process in Nevada.
- Protection of Nevadan's access to health care and nutrition, including protection of the ACA, and of the availability of SNAP benefits for our most vulnerable citizens.

Nevada has joined with Virginia and Illinois in litigation to formally approve ratification of the Equal Rights Amendment and officially adopt it as an

amendment to the United States Constitution and is joining a multistate lawsuit to protect the rights of victims of sexual harassment under Title IX.

The AG's Office also regularly participates in amicus briefing in the United States Supreme Court and Circuit Courts of Appeals around the country on issues of importance to Nevadans. Many of these issues are similar to those supported through multistate litigation, including women's health, immigrant rights, healthcare, and environmental protection. Nevada has also joined amicus efforts for criminal justice reform, including advocating against felon disenfranchisement, and for the protection of civil rights, including LGBTQ+ rights to foster care and adoption. The Office is particularly proud of the amicus brief it drafted and submitted in support of DACA recipients in the United States Supreme Court.

Helping State Agencies Protect Civil Rights

The AG's Office also sought ways to assist and advise clients to best protect Nevadans' rights under the State constitution. Here are a few examples:

- Our office assisted the Department of Health and Human Services and the courts during the overhaul of guardianship in Nevada. New state laws allow people living with disabilities to retain more of their rights while still under the protection of a guardian.
- AG staff are committed to justice for victims of crime, working with county district attorneys to comply with Marsy's Law and provide notice to victims of pending post-conviction matters.
- Staff representing the Nevada Department of Corrections successfully defended the client in litigation while working with the client to also provide inmates with more opportunities for religious expression and more rights for transgender inmates.
- Staff helped develop and implement an Americans with Disabilities Act compliant training program for Nevada Attorney for Injured Worker and two other state agencies in order to comply with a US Department of Labor, Civil Rights Center settlement, making our state offices more accessible to Nevadans with disabilities and helping our state avoid future liabilities.
- The AG's Office assisted the newly created Department of Indigent Defense Services to ensure every Nevadan has access to adequate defense in criminal cases as afforded by the Constitution. By helping to get this new agency off the ground, the AG's Office was able to successfully resolve a class-action lawsuit against the State in the *Davis* litigation.

Protecting Voting Rights

Your right to vote is one of the most important hallmarks of our nation and our state. AG staff assisted the Department of Motor Vehicles in negotiating with voter advocacy groups, drafting regulations, and coordination with other agencies, regarding automatic voter registration implementation. After the Nevada State Legislature restored the right to vote for formerly incarcerated people, our office

created guidance for Nevadans seeking information about whether they were eligible to vote and conducted a public outreach campaign to ensure every eligible Nevadan understands their rights to vote under state law.

Reforming the Criminal Justice System

Structural inequities, particularly for people of color and low-income people, in our criminal justice system are well-documented. Incarcerating and even executing people is one of the most coercive powers of a government. Every person should take care to ensure the government's power does not abuse the rights of any person or any class of people.

Internal Reform in the AG's Office

In one of the first steps as attorney general, AG Ford directed AG staff to examine current policies and procedures for opportunities for reform. This culminated in Policies that Promote Justice in Prosecutions, including:

- Actively notifying victims about cases, seeking input from victims, referring victims to services, and treating victims fairly, including victims who are involved in sex work and immigrant victims;
- Consider alternatives to pre-trial incarceration when the offender does not pose a public safety risk;
- Avoid over-charging offenders and charging offenders equitably based on the crime committed;
- Utilize treatment services and alternatives to incarceration if an offender has a substance abuse disorder; and
- Promote strategies to successfully rehabilitate and reintegrate offenders into society.

The AG's Post-Conviction Division is also committed to balanced criminal justice reform. While the federal habeas cases focus on upholding convictions and protecting victims, in the state habeas arena, staff review hundreds of state time challenges every year and, where appropriate, correct those credit histories. AG staff also work with the Nevada Department of Corrections to develop policies to prevent such errors in the future. In addition to time credit challenges, the Division also addresses inmate prison disciplinary appeals and petitions challenging parole revocation to ensure that inmates receive due process under the law. In this way, the Division effectuates change on both ends of the criminal justice spectrum.

The AG's Post-Conviction Division is also responsible for many responsibilities within the new wrongful conviction compensation cause of action created by the Nevada State Legislature in the 2019 Session, effective October 1, 2019. Since its inception, the Division has actively litigated seven such cases, resulting in one fully settled matter, one matter pending settlement approval before the state court, and one settlement close to submission to the court. Over the past year, we have worked

with Attorney General's Offices around the country to create a standardized checklist and process that is applied to every case.

Also in 2019, the AG's Office created the Conviction Integrity Unit, which reviews adverse decisions to ensure that reasonable decisions are made as to continued litigation, addresses ongoing litigation concerns, and ensures justice to all parties. The Unit is comprised of members of the Post-Conviction Division and Office of the Solicitor General.

The AG's Office is not only a law firm – it is also law enforcement agency with sworn peace officers. The AG's Office established Mental Health protocols and training requirements for AG sworn peace officers. All staff are also able to attend voluntary implicit bias training.

Working with State and Local Law Enforcement Agencies to Find Opportunities for Reform

The AG's Office advises several other law enforcement agencies as clients, which creates an opportunity to provide counsel on criminal justice matters. For example, the AG's Office was able to attain a favorable decision in the consolidated *Blewett* cases, culminating years-long litigation over the Adam Walsh Act. Deputies working with Parole Board successfully have several parolees removed from the parole obligation in their criminal sentences who have successfully served more than 10 years on parole. Staff also assisted the Commission on Peace Officers' Standards and Training with regulations that provide for revocation of a peace officer's POST certification based on a conviction for an offense constituting a Misdemeanor Crime of Domestic Violence, as well as provide instruction on civil liability to cadets in the POST academies multiple times a year.

AG Ford's vision of justice is equally restorative and forward looking. Since recreational cannabis usage was legalized in the State of Nevada, there had been a call to provide relief to persons who were previously convicted of the exact offense that had since been legalized. However, the sheer magnitude of the number of people previously convicted for simple marijuana possession crimes made this a daunting project. The AG's Office extensively researched the statutory framework around this issue and worked closely with the Governor's Office and Supreme Court to develop a mechanism to provide a mass pardon to all persons ever convicted of this crime. The Board of Pardons Commissioners approved this measure on June 17, 2020. As a result of this effort, over 15,000 people were pardoned without the need for any additional action on their part.

In the wake of George Floyd's killing and the deaths of many other people of color in recent history, AG Ford combined his priorities of criminal justice reform and community engagement to host a series of town halls on criminal justice issues,

called Justice and Injustice. This series of panel discussions brought together law enforcement officers, community organizers, police union leaders, prosecutors, defense attorneys, state legislators, and the public to discuss ways to improve Nevada's criminal justice system. These ideas will help foster pathways to reform in the next legislative session.

Protecting Nevada's Consumers

Protecting consumers from fraud, scams, and anti-competitive activity has always been a duty at the Attorney General's Office, but under AG Ford, consumer protection received a new focus as a top priority. In the past two years, the Bureau of Consumer Protection have had many successes in deceptive trade practices enforcement and antitrust enforcement. The Bureau of Consumer Protection obtained recoveries on behalf of consumers of over \$40 million dollars, in addition to obtaining assurances and protections for consumers.

T-Mobile Settlement

One of the most critical settlements achieved last year was with T-Mobile. Initially Nevada filed a lawsuit to block the merger of two communications companies: Sprint and T-Mobile. After weeks of negotiations, the Attorney General's Office obtained a very favorable settlement to the benefit of all Nevadans. The settlement provides:

- All retail T-Mobile and Sprint employees in Nevada will receive an offer of employment with the New T-Mobile, with comparable duties and wages;
- The New T-Mobile will also maintain the existing Sprint call center in Las Vegas by converting it to a New T-Mobile Customer Experience Center, continuing to employ at least 450 employees for the entire six-year term of the agreement;
- Rights of employees to participate in unions or organized labor will be protected;
- All Nevadans could purchase a low-cost plan for unlimited talk, text and at least 2 GB of data for \$15 per month;
- Within three years of the close of the merger, the New T-Mobile will deploy a 5G network in Nevada with at least 64 percent of the State's population having access to download speeds equal to or greater than 100 Mbps.
- Within six years of the close, the network will cover at least 94 percent of Nevada's general population and 83 percent of Nevada's rural population, with access to download speeds equal to or greater than 100 Mbps.
- The New T-Mobile will make a charitable contribution of \$30,000,000 to fund programs that expand small businesses owned by, minorities and women in the State of Nevada, as well as make broadband improvements for Nevada's Native American Tribes.

Additional Multistate Settlements

The Bureau of Consumer Protection obtained several other settlements with companies due to a range of illegal behavior, bringing justice for Nevada and millions of dollars to the State in recoveries, restitution, and penalties. Some of these settlements went directly to affected consumers, while other settlements benefitted the State. Key settlements include:

- Johnson and Johnson, hip implants: \$1.7 million;
- Bosch, auto emissions: \$1.1 million;
- Fiat, auto emissions: \$695,000
- Student Loan CU Connect, student loan relief: \$3.4 million in student loan relief;
- Premera Blue Cross, data breach: \$79,000;
- Equifax, data breach: \$1.4 million;
- Johnson and Johnson, vaginal mesh: \$1.8 million
- Libor, antitrust: \$73,000
- Santander, subprime auto lending: \$1.3 million and \$830,000
- Honda, airbags: \$1.2 million
- Community Health, data breach: \$51,000

Seeking Justice for the Opioid Epidemic

The State has previously filed a lawsuit in regard to illegal conduct that led to the opioid crisis. Under AG Ford, the State filed an expanded complaint last year to bring justice to multiple conspirators responsible for the opioid crisis that killed thousands of Nevadans, including elderly and vulnerable people, and devastated the state's health care and public safety systems.

The lawsuit alleges that the manufacturers, distributors, pharmacies, and individuals created an ecosystem of addiction with deadly consequences to the state and its residents for their own profit. Through a systematic marketing campaign, sham "medical" organizations, funded experts, and other shameful tactics, the defendants peddled false science designed to demonstrate that opioids were a safe, non-addictive treatment for pain. The defendants furthered their wrongful conduct by encouraging doctors to treat addiction with more opioids and intensify the epidemic they created. Even when opioid deaths skyrocketed, the defendants simply redesigned their marketing campaign to continue to reap profits at the expense of Nevadans. Distributors and pharmacies, working in close concert with manufacturers, pretended to cooperate with law enforcement while they evaded controlled substance reporting requirements to fill more dangerous prescriptions to unsuspecting Nevada families.

The new Complaint lists over 40 defendants. Manufacturer defendants include Teva Pharmaceuticals, Actavis Pharma, Purdue Pharma, members of the Sackler family which controlled Purdue Pharma, SpecGX LLC, Mallinckrodt LLC, as well as top executives of Insys Therapeutics, and various entities created by manufacturers and

their executives to hide assets and evade liability. Distributor defendants include McKesson Corporation, Cardinal Health LLCs, AmerisourceBergen Drug Corporation, Walgreen Co., Walmart Inc. and CVS Pharmacy.

Legal causes of action include violations of Nevada's Deceptive Trade Practices Act, False Claims Act, Racketeering Act, negligence, and public nuisance. Purdue Pharma defendants also face allegations of violating a 2007 Consent Decree with the state. This litigation is fast tracked, and the Bureau of Consumer Protection has been actively involved with outside counsel in the discovery process of this litigation, which could be worth millions of dollars to the State.

Payday and Consumer Lending

While the Bureau of Consumer Protection is the division primarily responsible for protecting the interests of consumers, other AG staff also work on this issue. Staff representing the Nevada Financial Institutions Division prevailed in the *TitleMax* case, in which the Nevada Supreme Court unanimously determined that 210 days of amortized interest means 210 days of amortized interest -- the lender violated state law by overcharging customers with interest payments lasting significantly longer, even twice as long, as permitted.

AG staff also assisted the client agency draft regulations implementing SB 201. The new law requires the creation of a database to keep track of loans entered into by customers. This will help lenders know that the borrower already has a loan and that they should not underwrite a new loan, as well as increase transparency in the industry.

Serving the State

At the heart of the mission of the Attorney General's Office is serving the State by representing its agencies. AG staff are dedicated to providing consistent, thorough and accurate legal counsel to our clients, including state agencies, boards, and other state entities.

Saving Taxpayer Dollars

Since January 1, 2019, at least \$860,557,629.75 in tort claims have been filed against the State of Nevada. As a result of this Office's work, the State of Nevada has only paid out a mere \$3,146,356.54 on these claims, less than one-half of one percent (0.37%) of the State's total exposure. This figure does *not* include litigation under other causes of action.

AG Office defensive litigation attorneys have saved State of Nevada taxpayers additional hundreds of millions of dollars.

- In litigation related to the Little Valley Fire, the Office saved the State over \$300 million in damages awards.
- In *Brown*, the savings to the State was \$98,550,000.

- In *Hayman*, we successfully argued that a claim against the State was subject to the Tort cap, and reduced our exposure from \$40 million to a maximum of \$100,000.
- And in *Vargas*, we settled a matter with potential \$2 million exposure for approximately \$275,000.

In these four matters alone, vigorous defense provided by the AG's Office saved the state over \$440,000,000 taxpayer dollars. Just these four matters, taken with tort litigation savings over the biennium indicates that the AG's Office saved over \$1.2 billion in liability faced by the State and its taxpayers.

This does not include hundreds of other cases against state agencies successfully defended by the AG's Office. It also does not include the millions of dollars the AG received in restitution, penalties, fines, and compensation that our office proactively sought from those who did harm to Nevadans. Simply put, the Attorney General's Office saves and protects hundreds of millions of taxpayer dollars every year.

Client Service Successes

In addition to guiding client agencies through the priorities discussed above, AG staff counsel client agencies on a wide variety of legal matters every day. Below, find just a few successes over the past two years:

- The AG Gaming Division advised the Gaming Control Board (GCB) and Gaming Commission on hundreds of applications filed by those wishing to do business in or with Nevada's gaming industry.
- AG staff assisted the GCB in adding an individual to the GCB List of Excluded Persons for crimes involving moral turpitude related to cheating at gaming.
- AG staff undertook several relevant regulation projects to streamline, update and foster the gaming industry's objectives with regard to licensing, technology, and social issues, including a comprehensive update of the nightclub regulations in March 2018 and the charitable gaming regulations in October of 2019. The latter allowed for the significant charitable fundraising by the Vegas Golden Knights Foundation.
- The Gaming Division also assisted in drafting regulations to further technology in the gaming industry such as those related to interactive gaming service providers, wagering accounts, cashless wagering systems, and electronic transfers of money using a debit instrument.
- In 2019, the Nevada State Athletic Commission's statutes received substantial amendments which were designed to not only protect the health and safety of the fighters, but were also created to advance the integrity of the sport. These amendments included a provision allowing for the creation of unarmed combat rules that were exempt from the 233b rulemaking process as is necessary to stay in current with, or ahead of, of the advances of

technology and medicine. These new rules for unarmed combat have been drafted and are in review with hopeful adoption in the near future.

- The AG Personnel Division advises state agencies on personnel matters for the nearly 20,000 workers employed by the State. The Division achieved successful outcomes in countless administrative cases, including disciplinary matters, grievances, and whistleblower appeals, as well as favorable settlements in numerous cases, giving closure and finality to our clients.
- For example, after seven years of protected litigation, the Sixth Judicial District Court affirmed the termination of a state employee caught forging cattle brand certificates and dismissed five civil claims filed by the terminated employee in retaliation against the State. The Nevada Court of Appeals then affirmed the employee's termination from State service.
- The Boards and Open Government Division serves 32 licensing boards and 41 other state agencies and public bodies in state government, providing daily counsel and attending board meetings to give immediate advice on Open Meeting Law issues.
- While the Division only represents certain State boards, staff proactively sought to educate members of other agencies and public bodies across the state to increase efficiency and transparency. Staff conducted numerous trainings on the Open Meeting Law, public records, state contracting, administrative rulemaking, and administrative hearings.
- For the first time, AG staff made these trainings available via video on the Attorney General's website.¹
- Staff dedicated to the Department of Health and Human Services support one of the state's largest agencies, helping the client meet extremely complex federal requirements for child support enforcement and public assistance; child welfare; and the Centers for Medicare and Medicaid. This ensures Nevada is able to capture tens of millions of dollars in federal funding for these areas.
- The Government and Natural Resources (GNR) Division support numerous state agencies with a wide variety of needs that require both administrative and litigation skills. For example, staff successfully defended the Department of Wildlife's implementation of new trapping regulations at the District Court and the Supreme Court.
- The Division also assisted the Nevada Department of Environmental Protection and the Nevada Department of Education with the revocation of the Private School License of Northwest Academy after repeated failure to bring their water system into compliance with state law.
- Staff successfully defended the escheat of a \$2.3 million estate after a wealthy individual disinherited his entire family.
- The Division took on new roles and responsibilities after the legislative session, including the creation of an entirely new client: the Patient Protection Commission.

¹ Trainings available at http://ag.nv.gov/Hot_Topics/Training_Materials/

- Staff in this Division assisted the Department of Administration and the Division of Human Resource Management with the implementation of the new collective bargaining statute for state employees and continues to defend unfair labor practice complaints lodged against the Department.
- The Business & Taxation Division is responsible for a wide array of clients that represent the economic and business interests of the state. In general, the Division prosecuted thousands of administrative hearings on behalf of the Department of Taxation and other clients.
- Division attorneys successfully litigated the first cases to challenge the Commerce Tax, as well as the first case to involving the Transportation Connection Tax case before an Administrative Law Judge.
- Staff assisted the Department of Taxation in reviewing over 1,000 applications for religious, charitable and education exemptions.
- Attorneys also helped draft needed regulations regarding warranty repairs, vehicle repairpersons, declaratory orders, market place facilitators, tax credits for low income housing, distribution of marijuana tax revenue, substantial advocacy (R,C,E exemption requests), NTC appeal briefing timelines and other regulations.
- Staff representing the Department of Taxation are currently working 132 bankruptcy cases on behalf of the client.
- Staff advising the Nevada Transportation Authority helped draft the client's Strategic Plan and Policy Manuals and Transportation Regulations. They also prosecuted thousands of transportation violations before the NTA, approximately 100 per month.
- Staff representing the Division of Insurance successfully petitioned courts to put four hazardous insurance companies into receivership, as well as successfully defended an administrative decision against Home Warranty of Nevada dba Choice Home Warranty, a business caught selling home warranties in Nevada without a license.
- Division staff assisted the Nevada Labor Commissioner with a new regulation package for Nevada Administrative Code section 338 (Public Works and Prevailing Wage) that was approved by the Legislative Commission on June 5, 2020. This regulation package implemented multiple pieces of legislation passed during the 2019 Legislative Session. (AB 136, AB 190, SB 207, SB 231, and SB 243).
- Division attorneys advising the Taxicab Authority successfully resolved disciplinary action against a cab driver that had the potential to expose the State to damages in excess of \$75,000 and are working with the client to develop a process to pursue summary suspensions.
- Staff representing the Nevada Real Estate Division successfully defended the statutory scheme for licensed brokerage activities against a lawsuit in *Marcus & Millichap* cases claiming it was unconstitutional.
- Attorneys for the Colorado River Commission successfully negotiated and extended major water agreements with other States and Countries.

- Staff in the Transportation Division represent the Nevada Department of Transportation (NDOT), the Department of Motor Vehicles (DMV), and the Department of Public Safety (DPS). Within those agencies, staff provide representation to many divisions and boards related to those agencies.
- In August 2019, NDOT celebrated the substantial completion of Project NEON, the billion-dollar, largest public works project in Nevada's history. The Transportation Division staff were an integral part in acquiring all the necessary land for this 4-mile project through the busiest stretch of highway in Nevada. Although a number of eminent domain cases were litigated, many more were negotiated either before or after filing the complaints.
- In one case, NDOT was granted summary judgment on the entire landowners' damage claim (and upheld on appeal) and in another case the jury awarded only the amount of NDOT's offer, saving the taxpayers millions of dollars from what the property owner had sought.
- In the condemnation action of *NDOT v. 1916 Highland Enterprises, LLC et al.*, involving Project Neon, staff successfully defended NDOT at trial. The jury limited the award of just compensation to the exact value NDOT's appraiser opined, which was several million dollars less than what Defendants were seeking.
- Staff representing NDOT are currently working with Defendants to resolve their relocation claims made under the Uniform Relocation Act, which was adopted by the Nevada Revised Statutes.
- Division staff obtained a favorable settlement in the *Powe* case that resulted in a significant savings to the State and allowed the Nevada Veteran's Home to focus on the pandemic.
- Staff also successfully defended DMV against a fuel tax refund statute of limitations challenge from one of the state's largest retailers.
- Division staff representing NDOT handle many cases for injury to persons or property, some of which are of questionable merit. Division staff have a history of securing nuisance value settlements, meaning that the settlements reflect a minimal amount paid to the Plaintiffs, often less than the estimated costs of continued litigation.
- In some instances, the State is extricated from litigation through motions for summary judgment and for dismissal. For example, a client department was recently dismissed from a case brought against it in which the Plaintiff sought no less than twenty million dollars, based upon theories of tort and inverse condemnation.
- Division staff are working on behalf of client departments regarding various bill draft requests. As an example, division staff are working on a bill draft request that would revise certain statutes to ensure state compliance with federal traffic safety requirements and regain the \$8.3 M lost in federal funding for traffic safety programs.
- Division staff worked with NDOT flight operations to ensure that the new aircraft was be operated in compliance with FAA requirements.

- In addition to litigation, Division staff review hundreds of contracts and agreements for client departments.
- AG Tort Claims Analysts continue to investigate a heavy load of personal injury claims and property damage claims.
- Staff representing NDOC have made major progress working with the client to improve policies and processes for the benefit of both inmates and correctional facilities. For example, new policies now allow for inmates to keep more on-person medications, which improves efficiency for inmates and medical staff.
- Another efficiency measure adopted with the help of AG staff is expanding access to video conferencing for court hearings and mediation conferences, cutting down on inmate transportation while allowing participation.
- The NDOC Division worked to resolve the class action Hepatitis-C lawsuit by structuring a settlement that included treatment for every infected inmate in a manner that distributed the financial impact to the State over a four-year period.

Establishing the Gold Standard in Cannabis Regulation

On January 2020, the Office of the Attorney General assumed representation of a new client, the Cannabis Compliance Board (CCB). The CCB was modeled after the Gaming Control Board (GCB) and envisioned as the gold standard in the cannabis industry as the GCB is to its sector. Regulating a federally controlled substance must be done with great care to protect the public and to avoid federal intervention or scrutiny. AG staff worked hand in hand with the CCB before its inception and as it officially began on July 1, 2020. Key successes for this client include:

- Helped establish and implement the disciplinary process regarding marijuana licensees;
- Successfully litigated the first administrative hearings for cannabis, one of which resulted in the revocation of the agent cards of the primary operator of the business;
- Obtained a related settlement with the Receiver involving the revocation of 6 licenses and a \$1.25 million civil penalty, (the largest penalty in the history of the cannabis in Nevada) and an agreement that outstanding taxes of approximately \$1.5 million will be paid out of receivership funds;
- Assisted the CCB in license renewals and tax compliance issues resulting in the collection or payment plan of collection for liabilities in excess of \$4 million;
- Successfully litigated the first case against a laboratory, resulting in a civil penalty of \$70,000, the highest penalty obtained against a laboratory in the history of the cannabis industry in Nevada, and are pursuing other labs;
- Negotiated and completed several agreements between tribal governing bodies and the Governor of the State of Nevada regarding the business of cannabis;

- Resolved several outstanding cannabis disciplinary actions pending before the Department of Taxation, prior to the launch of the CCB; and
- Assisted the CCB in drafting new set of regulations, the Nevada Cannabis Compliance Board's Regulations (NCCR), for this new agency.

In addition to helping establish the new agency, AG staff are instrumental in the continued enforcement of licensees and unlicensed activity. Staff draft between two to nine complaints for each monthly board meeting and prosecute those cases. Vigilant enforcement and a thorough regulatory scheme are the best ways to keep Nevadans safe.

[Serving Veterans and Military Families through the Office of Military Assistance](#)

The Office of Military Assistance (OMLA) was created in 2015 through legislative bill SB 60 and is now statutorily recognized under NRS 228.650 and 228.660. Research conducted by the Governor's Green Zone Initiative identified legal assistance as a top two need for Nevada veterans. Active duty service members are particularly susceptible to consumer fraud and unscrupulous business practices as a result of their transitory nature and numerous deployments. This program is the nation's first attorney general-led, public-private partnership offering military communities access to pro bono civil legal services. OMLA has been named a "Best Practice Program" by the Department of Defense, and recommended for duplication in states throughout the country.

In 2019, the OMLA saw its most productive year to date. 1,337 military and veteran families received pro bono legal assistance through OMLA veteran legal clinics, Judge Advocate General referrals, and direct inquires to the OMLA office. Legal assistance remains a top need in Nevada, including landlord/tenant matters, consumer protection, creditor/debtor assistance, bankruptcy assistance, help accessing veteran and public benefits, and drafting wills and powers of attorney.

One of the reasons the OMLA has continued to grow and prosper the past two years is a new, innovative approach to delivering legal assistance to Nevada veterans by collaborating with local VA Hospitals. Outreach conducted by the OMLA and the VA Public Affairs Office has resulted in a large veteran response. Other VA hospitals throughout the nation are now working to emulate this collaboration.

Additionally, the OMLA began a collaboration with the AG's Bureau of Consumer Protection. The BCP now attends OMLA veteran legal clinics providing outreach, assistance completing consumer protection complaints, and advice on consumer protection matters. This relationship brought sorely needed services to our veterans. The AG's Office also participated in Military Consumer Protection Month, a nationwide effort to bring awareness to consumer scams that specifically target veterans and military families

The OMLA legal clinics have now become “one stop shops” where veterans can receive services from nonprofit community organizations, including mental health services, military sexual trauma advocates, veteran service officers, education/vocational training, job and career assistance, health care services, financial and credit resources, and recreational activities.

From January through March of 2020, the OMLA was on track to outpace its 2019 success, hosting the two largest OMLA veteran legal clinic turnouts since the program began. Sadly, the COVID-19 pandemic required the OMLA to postpone future in-person legal clinics. The OMLA adapted by creating a virtual online legal assistance platform. Nevada military families will be able to access pro bono legal assistance online and by telephone. This once again is in partnership with Nevada Legal Services. The OMLA is currently accepting pro bono appointments and hopes to be fully operational by September 2020.

The OMLA does not use taxpayer dollars to operate. The generous support of the Nevada Military Support Alliance has allowed the OMLA to fulfill its directive to support active duty service members, veterans, and their families.

Serving the State by Securing Millions of Dollars of Grant Funding

One of the best-kept secrets in the AG’s Office is the highly successful Grants Unit. This small team secures and administers millions of dollars in federal and state grants to help Nevadans. Our Grants Unit currently has a 100% success rate in securing competitive grants. In the past two years, the AG Grants Unit applied for 6 competitive discretionary grants and succeeded in four applications so far, resulting in \$3,968,030 awarded to the state. These awards include: 2019 SAKI grant for \$2,000,000, Gang Suppression grant for \$1,200,000, Opioid Overdose Detection Mapping Application Program (ODMAP) grant for \$698,030, and the Victims Of Crime Act grant for \$70,000 (SFY 2021 only). Notification is pending for the other two grants.

This is in addition to millions of dollars of federal grants that are awarded on an annual basis, such as the Violence Against Women Act Services, Training, Officers Prosecutors (STOP) and SASP Formula Grant Program and other grants previously awarded. The Grants Unit also administers funding and monitors subrecipients to ensure compliance with federal grant requirements.

The AG’s Office received \$2 million for the Sexual Assault Kit Initiative (SAKI) federal grant. The Nevada AG’s Office is the only Attorney General’s Office in the country to be awarded five consecutive SAKI grants since the inception of the program. The SAKI grant is intended to assist law enforcement in testing thousands of sexual assault kits that were unprocessed, some lingering for decades. As of today through SAKI grant funding, 7,745 of the 7,855 (99%) of the backlogged

sexual assault kits have been tested, 1,879 DNA profiles have been logged in to the Combined DNA Index System (CODIS) and 1,020 CODIS hits were obtained.

The AG's Office was previously awarded related funding, Sexual Assault Forensic Evidence-Inventory, Tracking and Reporting (SAFE-ITR) grant. Thanks to that grant, the state launched Nevada's first sexual assault kit tracking system in June 2019.

Additional grants provide resources for law enforcement training collaboration. The End Abuse in Later Life Program (EALLP) made it possible for multiple trainings for AG staff, Adult Protective Services, volunteers, faith leaders, and advocates on detecting and responding to elder exploitation. Funding through the Improving Criminal Justice Response (ICJR) grant facilitates response coordination between law enforcement, victim services, and social services.

Through funding made available in the 2019 Legislative Session for Assembly Bill 176 enacting the Sexual Assault Survivors' Bill of Rights, the AG Grants Unit developed a grant program for SFY20 and SFY21 for the intention of recruiting and training sexual assault advocates throughout the state. After \$150,000 in funding was reverted to the General Fund during the 2020 Special Session, the AG's Office submitted a work program to the Interim Finance Committee to substitute settlement funding for this grant.

Protecting Nevadans From Harm

Protecting Nevadans from harm and seeking justice for victims are some of the most sacred responsibilities of the Attorney General's Office.

Criminal Investigations

The AG's Office maintains an Investigations Division, consisting of approximately 50 sworn peace officers, eight compliance investigators, and nine professional support staff. AG investigators work directly with our prosecutors and local and federal law enforcement partners to investigate a wide array of criminal activity associated with complex financial fraud, elder financial exploitation, public integrity, technology crimes, human trafficking, opioid provider abuse, missing and exploited children, and terrorism. Our investigators also promote consumer protection by investigating deceptive trade and scams.

The AG's Office provides vital support to Nevada through multi-jurisdictional task forces such as the IRS Financial Fraud Task Force, the Child Exploitation Task Force, the Health Care Fraud Task Force relative to opioid related matters, the Southern Nevada Human Trafficking Task Force, the Elder and Vulnerable Person Investigation Task Force, and the FBI's Joint Terrorism Task Force.

The AG's Office work continues to be recognized for its vital role in making and keeping Nevada safe. AG criminal investigators have received numerous Nevada Safety Officer Award Recognition (SOAR) Program awards from the Rotary Club of Southern Nevada and nominations by the FBI for the Shield of Bravery Award.

Below find just a few highlights from the thousands of investigations conducted since January of 2019:

Welfare Fraud

AG Investigators provided assistance to the Division of Welfare and Supportive Services in locating and clearing warrants related to welfare fraud cases. Because Welfare Investigators do not have arrest powers, the AG Investigators assisted in clearing old warrants, in furtherance of the coordinated fight against large scale and complex schemes involving State benefit programs. As a result, AG Investigators were instrumental in arresting or causing the surrender and subsequent clearance of 11 felony warrants. One example of a welfare fraud scheme investigated by the AG's Office involved an Electronic Benefits Transfer (EBT) scam using "food stamp" cards with stolen personal identifiers. These investigations are usually conducted jointly with the Division of Welfare and Supportive Services, Investigations and Recovery Unit.

Elder Exploitation

The AG's Office investigates and prosecutes the exploitation of seniors and vulnerable adults. In one case, the AG's Office investigated the death of Judy Howe in coordination with the Clark County Medical Examiner, Dr. Lisa Gavin. After working with the Medical Examiner and providing all evidence gathered during the investigation, Judy Howe's death was ruled a homicide by medical neglect. A warrant was issued charging Sandy Howe, Judy Howe's daughter, with first-degree murder, neglect causing substantial bodily harm, injury or death and abuse causing substantial bodily harm or death. Howe was arrested in July 2019 and in December was sentenced to six to fifteen years in prison.

Mortgage Fraud

Mortgage fraud is unfortunately still problematic in Nevada and may increase in the upcoming year due to the financial insecurities caused by the COVID-19 pandemic. An example of the type of mortgage fraud cases likely to increase are ones associated with shortsale services. In one case for example, one subject received proceeds from the sale of two properties intended to pay off the outstanding mortgages while acting as an escrow agent. The subject failed to transfer the funds to the mortgage holders and subsequently kept them for her own personal use. The subject recently accepted a plea agreement of one count felony theft and agreed to pay restitution of \$934,840.62.

Another mortgage fraud case investigated and prosecuted by AG's Office involved a preliminary title report during escrow of a property and illegally obtained \$58,800. A warrant was issued for the subject, who later fled the country. A second case against subject involved a condo unit in Las Vegas. Using the identity of the subsequent owner, the subject obtained a hard money loan on the property, illegally obtaining approximately \$85,000. While in the process of obtaining the second warrant, the subject was captured while entering the United States in Florida. The subject was ultimately extradited back to Las Vegas where he pled guilty to felony theft and was ordered to pay in excess of \$122,000 in restitution.

Missing and Exploited Children

AG investigators coordinate with other law enforcement entities and child protective services to recover missing children. In many cases, children are found abused or neglected. AG investigators work to recover the children and return them to safety. Seventy-one children have been recovered during the last 19 months due in part to the direct involvement of the Investigations Division. Many of the recoveries were the result of Missing Children investigators tracking down abducting parents and explaining to them the steps that would be taken if they choose to continue violating their child custody orders. In a few instances, uncooperative parents were arrested and charged. In one notable case, 17 children were living in the single-family home with hardly any food.

One child recovered recently involved an abduction and international custody battle. The child had been abducted from the father by their mother in Singapore. The mother later travelled to the Philippines and then to the United States, ultimately ending up in Nevada. While in Nevada, the father sought the assistance of the AG's Office. Based on the valid Singapore orders, a pick-up order for the child was issued out of the Clark County Family Court. AG Investigators recovered the child and placed her with Child Haven. Child Haven subsequently returned the child to the father who then returned to Singapore. This is a great example of how the AG's Office is uniquely able to assist families where other law enforcement may not be able to do so.

AG investigators recently investigated a case involving subjects transporting an underage girl from Reno to Las Vegas to engage in prostitution. The subjects were arrested in February of this year. This case was investigated in cooperation with the Northern Nevada Child Exploitation Task Force.

Workers Compensation and Insurance Fraud

The AG's Office maintains a unit of investigators dedicated to detecting workers compensation fraud and insurance fraud, as well as prosecutors who prosecute criminal cases resulting from these investigations. Many cases are the result of complex fraud schemes. See below for a topline analysis of workers compensation and insurance fraud investigations and their results.

From January 2019 through June 2020, this unit compiled the following statistics:

	Cases Filed	Convictions	Restitution Awarded	Restitution Collected	AG Investigative Fees Collected
Workers Compensation Fraud	282	211	\$485,444.77	\$250,436.00	\$57,362.72
Insurance Fraud	32	55	\$646,653.55	\$279,286.16	\$94,241.81

Working with the Nevada Insurance Commission (NIC), the assessments funding the Insurance Fraud Unit activities was doubled. The statistics and testimony provided by this unit enabled the NIC to pass the amendment of NRS 679B.700, which controls the assessment on the insurance industry. Based on the continued increase of staged accidents in Nevada, the NIC sought more resources to allow more prosecutions in this area.

In 2019, this Unit successfully prosecuted a 25-defendant staged accident ring. This Office was able to obtain convictions on 23 of these individuals, with two of the defendants unavailable for prosecution as they fled the country.

Criminal Prosecutions

The AG’s Office has original jurisdiction over certain criminal matters, such as insurance fraud, workers compensation fraud, securities fraud, mortgage fraud, cybercrime, public integrity cases, crimes committed by State of Nevada employees in the course of their employment, and crimes committed by prison inmates. It also shares jurisdiction with local prosecutors in other areas, such as sex trafficking, general financial fraud and elder exploitation. The AG’s Office will also take referrals from counties if the local District Attorney cannot prosecute a case due to a conflict or does not wish to pursue a case.

Below are just a few highlights of hundreds of criminal cases prosecuted by the AG’s Office every year:

Murder

- Charles Sullivan: Defendant indicted on murder charge for 1979 Washoe County murder. Trial set to commence next year.
- Jeremy Nuckles and Justin Muncy: Both defendants pled guilty to second degree murder in connection with their roles in the fatal stabbing of a fellow inmate at High Desert State Prison.

Sexual Assault and Sex Trafficking

- Stormy Robertson and Terrell Fletcher: Both defendants pled guilty to Child Abuse, Neglect, or Endangerment – Sexual Exploitation, and Attempt Sex Trafficking.
- Roman Cervantes: Defendant pled guilty to felony Coercion (Sexually Motivated).

Fraud and Embezzlement

- Michael Bayliss: Defendant charged with numerous felonies in connection with a Ponzi scheme that caused more than \$8 million in losses for residents of northern Nevada. Defendant passed away before conclusion of preliminary hearing.
- Malinda Baldrige: Defendant, while employed to manage the funds of HOAs, embezzled nearly \$500,000 of the HOAs' funds. She was convicted of felony Multiple Transactions Involving Fraud or Deceit.
- Jessica Garcia: Defendant convicted of Multiple Transactions Involving Fraud or Deceit in connection with numerous fraudulent real estate transactions that cost 11 victims losses totaling \$757,420.
- Emmanuel Ford: Defendant was the ringleader of a boiler room telemarketing scam that primarily took advantage of the elderly. He was convicted of Multiple Transactions Involving Fraud or Deceit.
- Michael Leonatti: Defendant is an accountant who embezzled \$185,795 from a local doctor. Defendant pled guilty to felony Utterance of Forged Instrument.
- Mark Georgantas: Defendant stole at least \$408,000 in connection with a fraudulent gambling "system" business and pled guilty to felony theft.
- Holly Huffaker: Defendant defrauded the State of Nevada by collecting NV PERS benefits in the amount of \$255,563.71 she was not entitled to. She was convicted of felony Obtaining and Using the Personal Identifying Information of Another Person.

Public Integrity Crimes

- Juan Olivo Cortes and Napoleon Olivera: Defendant Olivo Cortes, while working as a corrections officer at Southern Desert Correctional Center, conspired with Defendant Olivera (an inmate) to introduce methamphetamine into the prison. Both were convicted of felony drug charges.
- Cathrena Coleman: Defendant, while employed by the Division of Welfare and Supportive Services, stole \$4,634 in funds that were to be paid to eligible welfare benefit recipients.
- Jeremiah Streba: Defendant, a corrections officer, is charged with battering an inmate in an excessive force incident.

Other Key Cases

- Ethan Farfield: Defendant was convicted of Robbery and Burglary with Possession of a Firearm.
- Brian Wilk: Defendant pled guilty to Battery – Domestic Violence.
- Craig Frank: Defendant was indicted for felony Voting More than Once at Same Election in connection with the 2016 presidential election. Trial is set to commence February 22, 2021.
- Daniel Freeman, aka Yeriyahoo Isra El Bey: Suspected sovereign citizen is believed to be the first defendant charged with committing the simulated legal process law enacted during the 2019 legislative session (NRS 207.337).
- Johnny, Jacklynn and Savanna Espinoza: Defendants were each charged with theft and animal cruelty after an investigation uncovered their scheme stealing dogs and reselling them. The investigation also uncovered abused, neglected, and malnourished dogs.

Criminal Appeals

The AG's Office Post-Conviction Division (PCD) is the only agency in the State that handles all federal post-conviction habeas corpus petitions and state post-conviction habeas corpus petitions challenging the computation of time credits by NDOC for all state inmates. PCD staff are dedicated individuals who must quickly and effectively react to changes in the law in a variety of arenas, both state and federal. Our deputies typically handle one or more appeals, either to the Nevada appellate courts, the Ninth Circuit Court of Appeals, or the United States Supreme Court.

The PCD opened more than 165 federal habeas cases and more than 730 state cases since January 2019, with over 950 open matters. In the U.S. District Court and Ninth Circuit Court of Appeals, the PCD averaged about a 90 percent success rate in upholding Nevada convictions. In the Nevada state appellate courts, the success rate was approximately 97 percent. Since January 2019, PCD deputies appeared in 19 oral arguments in the Ninth Circuit on federal habeas petitions.

Investigating and Prosecuting Medicaid Fraud

Like all Attorneys General Offices, the Nevada Attorney's General Office employs a Medicaid Fraud Control Unit (MFCU). The MFCU investigates and prosecutes financial fraud by those providing health care services or goods to Medicaid patients. The MFCU also investigates and prosecutes instances of elder abuse or neglect. The MFCU ensures 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 January 1, 2019 to present, the MFCU was able to obtain judgments in criminal and civil cases totaling \$3,475,105.92. This money returned to the Medicaid system for use in providing needed services to Medicaid recipients.

The dedicated staff of the MFCU had several success stories in the past two years. In just one example, the MFCU, working in collaboration with the Nevada US Attorney's Office, obtained the conviction of Alejandro Incera and other co-defendants as part of a multi-million dollar opioid and pharmacy fraud scheme. In that case, Incera, an advance practice registered nurse (APRN), wrote unlawful opioid prescriptions for patients that had no medical need for the opioids. Incera also was involved in a conspiracy with a local pharmacy where kickbacks were provided to Incera for providing Medicaid and Medicare recipient information to the pharmacy. The pharmacy subsequently dispensed drugs that served no legitimate medical purpose for the Medicaid and Medicare recipients. Medicaid and Medicare programs were defrauded out of approximately \$3.7 million between July 2016 and December 2017 as part of this scheme. Incera, as the ringleader of the group, was sentenced to 78 months in federal prison. Also convicted as part of this fraudulent scheme were Dr. Horace Guerra, surgical technician Robert Harvey, and Nelson Makuna, owner of Atlas Pharmacy. Dr. Guerra was sentenced to 12 months in federal prison and Robert Harvey was sentenced to 6 months in federal prison.

Protecting Our Environment

In August 2018, the U.S. Department of Energy (DOE) announced its plan to ship up to one metric ton of plutonium to Nevada for indefinite storage. The DOE's plan failed to adequately address the environmental impacts and risks involved. The Offices of the Governor and the Attorney General took immediate action to prevent these shipments from entering Nevada, and the Office of the Attorney General subsequently filed suit on behalf of the State. Through the filing of this lawsuit, the State uncovered that the DOE had secretly shipped one-half of the proposed plutonium shipments to the State while seemingly engaged in good faith discussions with the State's leaders.

Earlier this year, the State of Nevada and the DOE entered into a settlement agreement to resolve this litigation. As part of this settlement agreement, the DOE will begin removing the one-half metric ton of plutonium currently in the State next year. The DOE will have this material completely removed from the State by no later than the end of calendar year 2026. The DOE also agrees that it will not ship the additional one-half metric ton of plutonium that it originally had planned to Nevada.

Most importantly, the agreement applies to the remaining weapons grade plutonium stored at the DOE Savannah River Site in South Carolina. The DOE failed to convert this surplus weapons plutonium into reactor fuel to render it unsuitable for warheads, as part of a nuclear arms control agreement between the United States and Russia. The DOE may be required remove the remaining plutonium – more than ten metric tons – in the next 18 months.

By this agreement, the DOE has stated its intention to meet any future obligations without sending additional surplus plutonium to this State. The DOE agrees to notify the Attorney General Ford if this “intention” changes within 30 days. This will give the AG Ford time to file suit if necessary to protect the State’s residents and environment. AG staff spent countless hours litigating this case and negotiating the settlement to protect Nevada.

AG staff worked with clients to ensure Nevada’s environment is preserved and protected. AG staff negotiated an Administrative Order on Consent (AOC) with the owner of the now-defunct D’Andrea Golf Course who had let high hazard dams on the property get into disarray and who had failed to get an Emergency Action Plan (EAP) on file with Nevada Division of Water Resources (DWR). A dam is high hazard if, in the event of a failure, the dam carries a high probability of causing loss of human life. A dam of this classification is required to have an EAP approved by DWR as part of its dam permit terms. The AG’s Office worked with the client to enter into the agreement that required the owner to take the necessary steps to address the short term concerns found upon inspection and get an EAP submitted and approved by a date certain, and agreed to stipulated penalties for non-compliance. The owner achieved compliance with the terms of the AOC in February 2019, with all matters addressed and an EAP approved by DWR. These dams are now in compliance. AG Staff also assisted the Sagebrush Ecosystem Council with the implementation of its first set of regulations mandating mitigation for the protection the sagebrush ecosystem including the greater sage-grouse. Solidified the first contracts for Conservation Credits, which is a step forward in ensuring the success of the entire credit-based program.

The AG’s Office is also a party in several multistate cases that seek to protect the environment. These range from two cases intended to protect the established process for changing environmental regulations, to efforts to preserve energy efficiency in consumer goods, clean vehicle emissions, clean power plant emissions, the Clean Water Act and the Endangered Species Act. Many of these efforts seek robust environmental standards in order to assist with the effort against climate change, in addition to the more immediate and direct benefits they provide to the environment in Nevada.

[Protecting Nevadans at Work](#)

Through our client agencies, AG staff worked to ensure Nevadans are safe and protected from harassment and discrimination while at their place of work. AG staff assisted Nevada’s Department of Business and Industry, Division of Industrial Relations, Occupational Safety and Health Administration (OSHA) to pursue matters against employers with dangerous working conditions. Staff also helped OSHA work proactively, educating employers on what steps to take to protect employees.

AG staff representing NERC also assisted in investigations and actions on workplace harassment and discrimination. In one example, NERC investigated and reached a settlement for a mother of two biracial children who was discriminated against by Red Rock Country Club, her employer.

Preventing Youth Smoking

Preventing youth smoking is one of the most important responsibilities of the Attorney General's Office. In addition to prevent young people from becoming addicted to nicotine and causing long-term damage to their health, diligent enforcement of the Master Settlement Agreement with tobacco companies is also a necessary factor for continued receipt of our annual Tobacco payments. These payments are worth millions of dollars in public health funding and college scholarships for Nevada's students.

The AG employs youth to conduct sting operations on retailers that sell tobacco products to children as part of the Tobacco Youth Compliance program. AG staff recently successfully transitioned the program to an electronic platform, eliminating the time it takes for inspection results to be finalized, reducing the amount of paper and data entry previously used by the program, and overall creating a more reliable, user friendly database that can be cross checked in real time.

AG staff also did a great deal of work in the latest legislative session to ensure the State can continue to prevent youth smoking. AG assisted in passing legislation to hold licensees responsible for their role in tobacco products being sold to minors. The AG also sponsored and passed legislation to update and modernize the tobacco registry.

Gang Suppression and Youth Intervention

As discussed above, the AG's Office received a \$1.2 million grant to address gang suppression in Clark County. The grant aims to reduce gang violence in southern Nevada through the creation of culturally specific and sensitive programs, targeted outreach, gang suppression strategy, and strengthened cross-agency communication.

In its grant application, the AG's Office proposed to use funding to develop and implement a customized gang suppression strategy with a collaborative, multi-disciplinary Steering Committee. The Special Assistant Attorney General serves as the chair of the Steering Committee, which includes members from the Las Vegas Metropolitan Police Department, the Clark County School District Police Department, the Latin Chamber of Commerce of Nevada, and the University of Nevada, Las Vegas. The Steering Committee aims to reduce and sustain reductions in community youth violence, particularly gang violence associated with transnational crime organizations, through two objectives: deterrence for children

who may be targeted by gangs and enforcement against gangs who actively target children, including MS-13.

On the enforcement side, in June 2020, a Federal Grand Jury returned an indictment for thirteen MS13 members, including national leaders. Eleven were arrested and are in federal custody. On the deterrence side, LVMPD and CCSDPD are coordinating efforts to conduct home visits to students who are most at risk for being targeted by MS13 and will offer resources to the children and their families, in an effort to help the families identify early signs of gang grooming or membership and help the children find other more productive outlets.

[Strengthening Relationships with Law Enforcement and Prosecutors](#)

The Attorney General's Office plays a unique role among law enforcement agencies, fostering communication and partnerships across the state so we can work together to protect the state.

The AG places a heavy emphasis on providing training to law enforcement agencies and prosecutors. Last year, the AG hosted two Human Trafficking Law Enforcement Summits, one in Las Vegas and one in Reno, to address emerging trends and research related to human trafficking, techniques being used by law enforcement to eradicate trafficking from our communities, and resources available to victims and survivors. AG staff also provided training to the National Fusion Center Association on legal issues related to the National Network of Fusion Centers.

The Special Assistant Attorney General serves as the executive director for the State Council for Prosecuting Attorneys. In that position, the Special Assistant coordinates and hosts the annual Prosecutors' Conference. In 2019, the AG hosted the Conference in Las Vegas, and well over 100 prosecutors from across the State attended. This year the AG will host the conference virtually due to COVID-19 travel restrictions. AG staff also assisted the Conference of Western Attorneys General in coordinating Mexican Interdisciplinary Exchange for Prosecutors, Investigator and Forensic Experts – conference – Assisted the Conference of Western Attorneys General in coordinating a conference training prosecutors and investigators from Mexico; and participated (along with OAG investigators) in the presentation of the training sessions.

The AG also developed formal and informal partnerships with law enforcement and prosecutors across the state, country, and even internationally. For example, AG staff assisted the Conference of Western Attorneys General in coordinating the Mexican Interdisciplinary Exchange for Prosecutors, Investigator and Forensic Experts, a conference training for prosecutors and investigators from Mexico. The AG co-chaired the National Fusion Center Association's Legal Committee. The AG

participated in several joint community efforts with Nevada and federal law enforcement agencies, such as National Prescription Drug Take-Back Day and the Federal Trade Commission illegal robocall operation, “Call It Quits.” Over the past two years, multiple prosecutors in the Medicaid Fraud Control Unit and the Criminal Prosecutions Division were designated Special Assistant United States Attorneys. These designations allow AG prosecutors to work with the US Attorney’s Office to prosecute criminal matters that overlap federal and state jurisdiction, such as health care fraud. Finally, Attorney General Aaron Ford was appointed to the National Association of Attorneys General (NAAG) Executive Committee by Montana Attorney General and NAAG President Tim Fox.

Protecting Nevadans from Domestic Violence, Sex Trafficking, Sexual Assault and Harassment

Domestic Violence

Preventing domestic violence has long been a key mission of the AG’s Office. The Nevada Council for the Prevention of Domestic Violence was established in 1995 by Former Attorney General Frankie Sue Del Papa as an advisory committee on domestic violence issues and was housed in the AG’s Office by statute by the 73rd Session of Nevada Legislature in 2005. Now the Committee on Domestic Violence, the Committee continues to combat the epidemic of domestic violence. Committee activities are facilitated by the AG’s Domestic Violence Ombudsman. Since the Committee convened in 2019, several subcommittees were created to best tackle the various pieces of this problem, including the Legislative Subcommittee, Training Subcommittee, Court Subcommittee, Batterers’ Treatment Intervention Subcommittee, and the Domestic Violence Fatality Review Team.

The Domestic Violence Ombudsman coordinates the Domestic Violence Statewide Fatality Review Team. The Statewide Fatality Review team reviews deaths related to domestic violence in one of Nevada’s rural counties that does not have an existing fatality review team. The team analyzes a particular case study and travels to the town where the death occurred to interview local law enforcement, prosecutors, community service providers, and other stakeholders in order to identify red flags and intervention points. The team then develops recommendations to protect victims of domestic violence and prevent further deaths. In 2019, the Statewide Fatality Review traveled to Tonopah to review a domestic violence homicide. To our knowledge, this was the first fatality review involving same-sex domestic partners. The Domestic Violence Ombudsman also participates in the Washoe County Domestic Violence Fatality Review Team, the Clark County Fatality Review Team, and the Washoe Tribe Coordinated Community Response Team.

Additionally, the Domestic Violence Ombudsman also serves as the statewide administrator for the Victim Information and Notification Everyday (VINE)

program. VINE is a service that allows victims to register to receive automated notifications of changes to an offender's custody status. Live operators are available 24 hours a day, seven days a week to assist victims who need help obtaining offender information or registering for notification. The service is free and anonymous. The Domestic Violence Ombudsman provided multiple VINE trainings to community organizations, including to The Center, the largest service provider for LGBTQ+ community, and the City of Las Vegas' Mayor's Faith Initiative, as well as a Victims of Crime Training to the P.O.S.T. Academy on Domestic Violence. AG Ford and the Domestic Violence Ombudsman also participated on the Power Act Domestic Violence Panel for the US Attorney's Annual CLE Conference.

Human Trafficking

The AG's Office, in coordination with the Nevada Trucking Association and other community organizations, hosts the Human Trafficking Benefit Dinners in Las Vegas and Reno to raise funds for the human trafficking contingency fund. This fund is used to provide direct assistance to survivors of human trafficking. For example, the Ombudsman applied for travel funds for one survivor to return her home and family in Kentucky.

The Ombudsman provided several trainings on human trafficking, including:

- Two Human Trafficking Law Enforcement and Prosecutors Summits in Las Vegas and Carson City with over 200 attendees;
- A Victims of Crime Training to the P.O.S.T. Academy with the Nevada Sheriffs and Chiefs' Association;
- A multiday Human Trafficking Youth Awareness training at Northwest Career and Technical Academy to more than 350 students; and
- A Human Trafficking Demand Reduction Webinar for the National Human Trafficking Compendium for 32 states.

The Ombudsman provides direct assistance to survivors, including transporting survivors to safe shelters and accompanying law enforcement during interviews. The Ombudsman is a member of the Southern Nevada Human Trafficking Task Force and the Northern Nevada Human Trafficking Task Force.

Sexual Assault and Sexual Harassment

In addition to bringing prosecuting sexual harassment and assault and providing direct services to survivors, AG staff sought other ways bring justice to survivors of these terrible crimes. On behalf of the Gaming Control Board, deputies in the Gaming Division prosecuted an administrative complaint against Wynn Resorts for its failure to prevent the alleged sexual misconduct of its founder, Stephen A. Wynn. The Division also provided counsel to the Nevada Gaming Commission, which imposed a \$20,000,000 fine against Wynn Resorts based on the allegations in the complaint. This is the largest fine ever imposed against a Nevada licensee by the Commission for a disciplinary complaint filed by the Gaming Control Board.

Staff representing Nevada Equal Rights Commission (NERC) assisted in an investigation and probable cause finding by NERC, paving the way for a lawsuit against Sbarro pizzeria chain from an employee. The employee was subjected to repeated rapes and other sexual assaults during her employment at Sbarro.

In his first official action, Governor Sisolak created the Nevada's Task Force on Sexual Harassment and Discrimination Law and Policy. Attorney General Ford chaired the 11 member group, charged with promoting an employment structure that values respect, opportunity, inclusion and diversity, free from sexual harassment and discrimination. As part of its duties, the Task Force reviews the sexual harassment and discrimination policies of all state agencies as well as privileged licensees. The Task Force created a report, which developed recommendations for improving current sexual harassment and discrimination prevention plans and training procedures, allegation reporting and investigation protocol, and privacy protection safeguards.²

Sponsoring New Laws to Protect Nevadans

During the 2019 Legislative Session, the AG's Office sponsored several bills across a variety of subjects. The vast majority were passed with broad, bipartisan support. Below are summaries of some of the bills sponsored by the AG's Office to protect Nevadans from harm.

Simulated Legal Process and Money Laundering

AB 15 creates a new penalty for creating documents that appear to come from a Nevada court in order to harass or defraud someone. This tactic has recently been employed by so-called "sovereign citizens," who represent the largest domestic terrorist threat to Nevada. Sovereign citizens purport to not recognize the government of Nevada or the United States. Some have issued fake arrest warrants to law enforcement officers simply because the officer represents the State of Nevada. Others have served fake court documents to Nevadans, especially seniors, ordering that person to pay a fine or another amount as part of a scam. AB 15 also updates Nevada's anti-money laundering statute to encompass modern methods of money laundering, including using other valuable property such as virtual currency. It also increases penalties for money laundering.

Aiding Survivors of Domestic Violence, Trafficking, and Sexual Assault

AB 41 strengthens the Confidential Address Program. This program protects survivors of domestic violence, trafficking and sexual assault from being located by the perpetrator through public records. This bill expands the use of the Confidential Address Program to utility and telecommunications providers. It received support from Nevada businesses, such as NV Energy, Southwest Gas, AT&T, and others.

² Report available at http://ag.nv.gov/uploadedFiles/agnv.gov/Content/About/Administration/2019-08-07_FINAL_TF_on_Sexual_Harrassment_and_Discrimination_Law_Policy_Report_Recommendations.pdf

Strengthening Domestic Violence Laws

AB 60 increases penalties on domestic violence crimes, including repeated domestic battery, battery against pregnant victims and battery resulting in substantial bodily harm. It also updates Nevada's anti-stalking law and increases penalties on stalking generally and stalking minor children.

Improving Protective Orders

AB 19 expands the amount of time an extended protection order can be in effect from one year to two, and increases penalties for people who repeatedly violate protective orders. For temporary protective orders, AB 19 provides alternate methods of service if a person cannot be served in person. Under previous law requiring personal service of the order, some people abused the system by evading service. AB 19 also requires expired protective orders to be stored in the state's criminal history repository. Law enforcement officers can now view previous orders before arriving at a call for service. The AG's Office also provided \$500,000 to DPS to update the system for receiving and maintaining protective orders.

Aiding Prosecutions of Sexual Assault

AB 16 increases the time for law enforcement officers to execute and return search warrants to obtain DNA samples. Under previous law, a search warrant must be executed and returned to the Court within 10 days of issuance. However, if a subject is actively evading the police, law enforcement must return to the courts every 10 days to renew the warrant. If the warrant lapses and the subject is subsequently located, law enforcement can only detain that person for one hour while they attempt to get the warrant renewed. If the clock runs out before they are able to do so, the person must be released. The passage of AB 16 expands the effective period of a DNA warrant from that narrow 10-day window to six months.

Removing Statute of Limitations for Sexual Assault Committed in Murder Cases

SB 9 removes the statute of limitation when a sexual assault is committed during the course of a murder. Under previous law, if a victim of sexual assault or a person authorized to act on behalf of the victim files a police report within five years of the assault, the statute of limitations on the crime is lifted, and the crime can be prosecuted at any time in the future. If the victim does not file a report within five years, the statute of limitations for sexual assault is 20 years. These statutes created a problematic loophole where victims of sexual assault who have been murdered are unable to file a report, making the prosecution of these crimes limited to only 20 years. This legislation closes that loophole.

Strengthening Laws Against Child Predators

SB 7 increases penalties against those who solicit children for sex. It also expands statutory authority for law enforcement to conduct undercover operations against those seeking to solicit children.

Enhancing Lifetime Supervision for Sex Offenders

SB 8 adds conditions of lifetime supervision for certain sex offenders. As a result of this bill, the Board of Parole now has statutory authority to require sex offenders to complete counseling and comply with other conditions to ensure that the person does not reoffend and can safely rejoin society after their period of incarceration ends.

Improving School Safety

SB 57 assists information sharing between Nevada schools and law enforcement for the purpose of improving emergency response. SB57 requires all schools to provide blueprints to law enforcement and first responders so that they can prepare active assailant and emergency response plans. It also prevents unnecessary disclosure of blueprints to prevent those plans from falling into the hands of a would-be assailant. This bill originated from a recommendation by law enforcement and representatives of Nevada schools.

Community Engagement

One of AG Ford's key priorities for the Office is community engagement and community service. No matter what their role, every AG staff member is expected to serve the people of Nevada and think creatively about how our Office can strengthen outreach efforts to the public.

One of the biggest improvements made to the Office in the past two years was drastically expanding the Constituent Services Unit (CSU). CSU staff are the face of the AG, answering constituent questions about the AG, responding to requests for assistance, connecting Nevadans in need to other agencies and community organizations for services, intaking all officially filed complaints, and maintaining all correspondence with constituents. Through additional staff provided through the legislatively approved budget and repurposing some existing staff, CSU now consists of 6 FTEs: one director and five administrative assistants. From January 1, 2019 to present, CSU has received 50,859 written or electronic complaints or inquiries from the public. This does not include answering thousands of constituent calls that were resolved without a complaint filed.

Other staff not directly responding to constituents also find opportunities to assist the public through education, outreach, and ensuring the State government is open and transparent. For example, AG staff coordinates the Open Meeting Law Task Force – a group of representatives from cities, counties, the press, civil liberties organizations, and the public. AB70, sponsored by the AG's Office, originated from the Open Meeting Law Task Force. The Task Force sought to update the Open Meeting Law to incorporate modern technologies such as videoconferencing, clarify some of the most common questions about the law and find avenues to increase participation in public meetings. It also increased penalties for continued, intentional violations of the Open Meeting Law to further ensure compliance and

transparency. In addition to investigating complaints and enforcing the Open Meeting Law, the AG also publishes an Open Meeting Law Manual for the public and public bodies.³

The Medicaid Fraud Control Unit created a new outreach and training program to educate students in the health care field about Medicaid fraud and elder abuse and neglect. For example, MFCU staff presented to college students at Touro University. Students were also provided examples from cases and asked to work through scenarios as MFCU investigators.

AG Ford and Raiders Running Back Josh Jacobs partnered together to provide kindergarten students in Nevada with a free Child ID Kit. In 1997, the American Football Coaches Association created the National Child Identification Program with the goal of fingerprinting 20 million children. The Child ID Kit includes an inkless fingerprint card and DNA collection area. It allows parents and guardians to easily record pertinent personal information about their child. The kit is stored at home in a safe place and would be handed over and used by law enforcement authorities in the case of a missing child or emergency.

The Special Assistant Attorney General is also actively involved in community outreach, attending the monthly Shepherd's Breakfast hosted by community faith leaders, Hope for Prisoners graduations, and other community events.

AG staff also joined together to serve the public and participate in community events in our personal time. AG Ford and staff have volunteered together to serve a Thanksgiving meal to homeless Nevadans, march in Nevada Day and Martin Luther King Jr. Day parades, and collect donation items for Friends In Service Helping (FISH), the Angel Tree, and animal rescue groups.

Responding to the COVID-19 Pandemic

The COVID-19 pandemic devastated our state, from taking the lives of hundreds of Nevadans to wreaking havoc on the economy and costing thousands of jobs. It also brought a myriad of legal challenges for state agencies on the front lines of combatting the pandemic and consumers at risk of wrongful evictions and COVID-related scams. The AG's Office sprung into action to protect public safety, provide economic assistance, and prevent fraudsters from taking advantage of Nevadans in their time of need.

Assisting State Agencies Battle the Pandemic and Keep Nevadans Safe

State governments have led the response to the COVID-19 pandemic. The AG's Office provided support from the very beginning, including drafting the Presidential

³ Available at http://ag.nv.gov/uploadedFiles/agnv.gov/Content/About/Governmental_Affairs/2019-03-26_OML_12TH_AGMANUAL.pdf

Declaration of Emergency was signed by President Trump that brought COVID resources to the State of Nevada.

Nevada's state agencies were tasked with adapting quickly to demands that were caused by COVID-19. For some state agencies, the need for legal guidance was immediate, necessary, and obvious. In other ways, challenges arose and the need for support revealed itself in unexpected ways as the pandemic continues to afflict the state with damage to its people and way of life. Here are just a few of the ways the AG's Office continues to contribute to the COVID-19 response:

- AG staff assisted in drafting the Governor's original Declaration of Emergency, as well as a litany of Emergency Directives aimed at controlling the virus spread, minimizing loss of life, and continuing basic services in the midst of the emergency;
- The AG's Office continues to defend Directives in litigation, recently achieving a favorable ruling in the United States Supreme Court in defense of one of the Governor's COVID directives;
- Our office advised and represented all agencies in the Department of Health and Human Services to provide services to our community related to public health; behavioral health; public assistance; and services to children and other vulnerable populations;
- An AG attorney housed in the Division of Emergency Management provided daily direct support to the Emergency Operations Center;
- AG staff assisted the Department of Education in the implementation of Emergency Directives related to distance education, graduation, school closures and other emergency education matters;
- AG staff assisted the Office of the Governor in activating the Nevada National Guard to assist in logistical and operational support for the state's COVID-19 response;
- Staff in the Personnel Division advised the Department of Administration with Emergency Personnel Regulations and guidance for thousands of state employees, as well as assisting agencies with volumes of COVID-related personnel issues and questions as they navigate uncharted territory and implement new state and federal laws and guidelines;
- AG staff representing the Nevada Labor Commissioner assisted in responding to various wage and hour issues for workers affected by the pandemic and Emergency Directives;
- Staff in the Boards and Open Government division helped public bodies, boards, and commissions navigate COVID-19 issues, including public Zoom meetings and implementing Governor Sisolak's directives to comply with Open Meeting Law while minimizing the need for physical public interaction;
- AG Staff also assisted with direction for gaming licensee closures and reopenings, prosecuting licensees in violation of the Board's Health and Safety Policies, and offered opinions and analysis on various policies and procedures faced during the pandemic;

- Attorneys in the Gaming Division continue to assist the GCB in disciplining licensees that repeatedly violate Directives and risk public health;
- Nevada became one of the first states to pioneer spectator-less sporting events in the United States thanks to the hard work of the Nevada State Athletic Commission, who was given legal guidance by our office in regulating unarmed combat events with protocols designed to help mitigate and control the spread of COVID-19 in any such event;
- Staff representing the Department of Business and Industry's Financial Institution Division worked proactively with industry to encourage participants to work with borrowers by giving them grace periods, including hosting a conference call with hundreds of Chapter 604A lenders;
- AG staff also assisted in drafting of an Emergency Directive related to writs of attachment and garnishment;
- Staff helped clients respond to critical emergency regulations, such as a requirement of PEBP to covering Covid-related illnesses at 100 percent;
- Finally, staff helped agencies navigate the COVID-19 situation to adjust their normal operations to prevent risk but still function for the public, such as hosting a virtual junior livestock show.

Enforcing Public Health and Eviction Moratorium Directives

Emergency Directives can only effectively prevent loss of life and prevent the spread of the virus if enforced. The AG's Office had enforcement powers for some directives to ensure a statewide response, though staff worked closely with local law enforcement, cities, counties, and businesses. The Special Assistant Attorney General has been actively involved in coordinating efforts for compliance with the Governor's Directives including stay at home orders, and the phased re-openings. The Special Assistant Attorney General meets weekly with the Regional Businesses Licensing group, consisting of members of city and district attorneys offices, law enforcement, and business licensing. The Special Assistant Attorney General also participates in the COVID-19 Recovery and Enforcement group, consisting of members of city and district attorneys offices, law enforcement, business licensing, OSHA, and the Southern Nevada Health District to help ensure consistent interpretation and application of the Governor's Directives.

AG attorneys, sworn investigators, constituent services staff, and support staff helped enforce another critical safety measure: the moratorium on evictions. Nevadans cannot stay at home and prevent the spread of the virus if they are evicted from their homes. At the same time, the number of Nevadans at risk for evictions skyrocketed as thousands lost their jobs. The Office of the Attorney General assisted the Office of the Governor in navigating this crisis in two ways: (1) drafting the Directive that imposed a moratorium on evictions, and (2) assisting in the enforcement of the Directive.

AG staff conducted several investigations into alleged illegal evictions occurring during the COVID-19 pandemic. For example, one investigation revealed a landlord filed for a summary eviction of her tenants, which was denied by the court. Immediately after the denial, the landlord had both the electricity and water shut off at the rental property, in an effort to drive the tenants out. The tenants were able to restore the utility connections, but once restored, the landlord sent an individual to the rental property to disable the air conditioner. One of the tenants confronted the individual sent to disable the air conditioner, which resulted in the tenant being a victim of battery. Following completion of the investigation, charges were filed against the landlord for Performance or Act of Neglect of Duty in Willful or Wanton Disregard of Safety of Persons or Property.

Protecting Consumers and Providing Assistance to Vulnerable Nevadans

Unfortunately, there is no shortage of bad actors attempting to use the COVID-19 crisis to their advantage. The AG's Office answered, and is continuing to answer, thousands of calls for assistance and hundreds of complaints. This is without a doubt the highest call volume ever received at the AG's Office.

AG staff in the Constituent Services Unit and the BCP handled more than 8,101 complaints since March 30 related to price gouging for consumer products, evictions, foreclosures, failure to issue a refund, or other issues related to COVID-19.

AG Ford and AG staff actively worked to provide information to the public about their rights during the pandemic, tips to avoid scams, information about emergency resources for food, shelter, and testing, as well as instructions on how to file complaints. The Office created numerous flyers, press releases, and talking points -- some available in English and Spanish -- and distributed information to other agencies, Nevada Health Response, congressional offices, city and county officials, Legal Aid providers, community organizations, and members of the media. The Constituent Services Unit Director also participates in the Clark County Hispanic COVID Task Force to further outreach. The Domestic Violence Ombudsman coordinated with service providers to conduct social media campaigns for survivors of domestic violence, sexual assault, and human trafficking during the pandemic.

Seeing the incredible need to prevent a COVID-19 related homelessness crisis, the AG's Office submitted a work program to provide \$2 million to United Way of Southern Nevada and United Way of Northern Nevada and the Sierra to fund emergency rental assistance programs, which was approved by the Interim Finance Committee.

AG Ford also coordinated with the private sector to secure donations for vulnerable Nevadans. Donations included thousands of N95 masks and gloves for first responders and front line health care workers from Sherwin-Williams, mattresses

for domestic violence and homeless shelters from Aaron's Furniture, and free rides for domestic violence victims to service providers from Uber.

The AG's Office understands this pandemic is far from over. Staff are continuing to find new ways to answer the call, from assisting state agencies to consumers. The OMLA is actively preparing for the onslaught of critical legal needs that will manifest as a result of the economic crisis. The Constituent Services Unit has trained staff in other divisions to fill in as call volumes come in waves.

Internal Improvements to the Attorney General's Office

From the beginning of his administration, AG Ford has emphasized the importance of creating and furthering policies and resources to ensure the AG's Office is a professional, productive, and safe working environment.

The AG's Office is as a law-enforcement agency that protects the public and a law firm that shields the state from expensive liability. The AG's Office also serves as an additional check on fraudulent use of state dollars. The AG's Office is a revenue saving and revenue generating agency. Some past administrations, either by choice or due to circumstances outside their control, cut positions, did not request to increase staff or needed resources, and held vital positions vacant, even as the state grew. Some of those decisions could be characterized as penny-wise, pound-foolish, creating backlogs of client work and constituent complaints.

Unless there is an exigent need to hold critical positions vacant, the AG's Office seeks to recruit and retain highly professional staff. By simply hiring employees into existing positions, the AG's Office is better able to advise state agency and prevent liability. In just one example, deputy attorneys general have been able to reduce a backlog existing pre-January 2019 cases before the Nevada Real Estate Division to about half in the last nine months alone.

During the last legislative session, the AG's Office sought to add FTEs to better achieve our mission. This included three additional deputy attorneys general, one secretary, and one legal researcher to handle federal and state habeas petitions, represent the Nevada Department of Corrections, and prosecute criminal cases. The AG's Office also added one additional investigator for missing and exploited children cases, two administrative assistants to expand the Constituent Services Unit, and one administrative assistant to assist in victim services and outreach on domestic violence, sexual assault, and human trafficking matters. During the interim, the AG's Office also obtained non-taxpayer funding for the two senior deputy attorneys general and a secretary positions to support the newly-created Cannabis Compliance Board. As discussed above, these were worthy investments to the Office and the state of Nevada.

AG Ford's administration seeks to maximize efficiency. One of the first steps the AG Ford administration took was to reorganize the AG's Office structure. After consultation with former administrations, NAAG representatives, outside management experts, and current staff, AG Ford restructure leadership to create a flatter hierarchy with fewer levels of bureaucracy. The added benefits of this new structure include allowing senior managers to serve on opposing sides of internal conflict cases, adding capacity to the complex litigation team, and ensuring reporting to executive management is clear and consistent. This restructuring took place without any additional FTEs.

AG Ford immediately recognized a need for the office to have a fully staffed and well-supported group of attorneys to assist the Solicitor General and Head of Complex Litigation in handling particularly sensitive and high-stakes matters on behalf of the State. Using existing FTEs, he more than doubled the number of attorneys in these divisions, paving the way for effective management of complex and appellate litigation, and for office-wide assistance with appellate and trial-level briefing, strategy, and oral argument.

Internal processes have also been instituted to increase efficiency. The Fiscal Division, for example, applied additional measures to more appropriately and efficiently manage the AG Office's twenty-two budget accounts. AG fiscal staff also streamlined processes to reduce the administrative burden on grantees of federal and state grants administered by the AG's Office. The IT Division has spent thousands of hours performing long overdue technological upgrades, instituting electronic forms, and strengthening IT security systems to modernize the office and improve staff productivity.

Over the past two years, the AG's Office also increased the number of dedicated staff working on public records and made numerous process improvements. AG Ford's administration is committed to openness and transparency in government. Public record requests require the Office to balance First Amendment interests that are in tension with one another: the public's right to access information and the public interest in protecting personal privacy and other sensitive information. The number of public record requests received by the AG's Office has increased in quantity and size over time. Only ten years ago in 2009, the Office received only 33 requests, whereas in 2019 the Office received 187 public records requests and to date in 2020, the Office has received 127 requests. In addition, the volume of records requested has increased. This year the Office received several requests that require the review of large (e.g. 5,000) and very large (e.g. 480,000 to millions) numbers of potentially responsive records.

To increase training and professional development opportunities, the Office brought in professors from the local law school to present Continuing Legal Education

courses on a variety of topics, including CLEs on sexual harassment, criminal law, criminal justice reform, immigration issues, and labor law.

The Office also refined and increased the formality of the internship program. The heart of the Legal Intern Program is embedding interns in substantive units in our office. Interns have an opportunity to work on meaningful legal assignments under the supervision of a Deputy Attorney General. Interns are also assigned mentors outside of their supervisory chain, from whom they can seek additional feedback and guidance. Interns attend an orientation and workshops about the legal services our Office provides. When available, interns also attend trainings provided by other entities. Each intern receives a developmental plan that includes the type of projects they will work on, specific learning goals, meetings and other events to attend, and other learning opportunities as well as their responsibilities and obligations. Legal Interns may also have opportunities to observe Deputy Attorneys General prosecuting cases, at mediations, and while advising state agencies and licensing boards on administrative law. Legal Interns will meet weekly with their supervisors, or as a group, to discuss their tasks and experiences. At the conclusion of the internship, interns fill out an exit survey and participate in an exit interview.

The AG's Office has never been more critical to the state than during the COVID-19 pandemic. AG staff are instrumental to directive drafting, client advice, directive enforcement, directive defense, keeping people in their homes, protecting consumers, and assisting thousands of constituents in need. At the same time, the safety of AG staff is paramount. The administration, human resources staff, and legal office managers instituted new policies and procedures to protect the health of employees without sacrificing work product. IT staff, working many long hours with Enterprise Informational Technology Services (EITS), managed to move almost every employee to teleworking capability. This is particularly impressive for an agency of nearly 400 employees, almost all of whom only have a desktop computer. Even today, the AG's Office maintains a maximum of 25 percent employee capacity for in-office employees and has a robust employee contact tracing and notification system to prevent COVID-19 transmission in the office. At the same time, the AG's Office has never been busier or more successful in protecting and serving the State of Nevada.

The next biennium will have no shortage of challenges, from the continued COVID-19 pandemic, the state's economic crisis, and civil unrest. The Nevada Attorney General's Office is ready, willing, and able to serve the State of Nevada and its people.