

OFFICE OF THE ATTORNEY GENERAL

CATHERINE CORTEZ MASTO, ATTORNEY GENERAL

Purpose:

- It is the duty of the Office of Attorney General to protect the health, safety and welfare of the people of the State of Nevada. The Attorney General and her staff provide leadership, advocacy, and education with state and local governments to:
 - Enforce and apply the laws and Constitution of Nevada consistently and equally;
 - Represent the State of Nevada before trial and appellate courts in criminal, and civil matters;
 - Serve as legal counsel to the state's constitutional officers, most state agencies, boards, commissions and departments; and
 - Enforce Nevada's Open Meeting Law and assist the state's prosecutors in investigatory, criminal, and civil matters.
- Nevada statutes grant the Attorney General broad law enforcement authority and jurisdiction. The Attorney General has original jurisdiction over most major fraud crimes, all prison inmate crimes, all state employee crimes, and those crimes referred by district attorneys' offices due to conflicts of interest. Nevada Revised Statutes grant the Attorney General the authority to "appear in, take exclusive charge of and conduct any prosecution in any court of this state for a violation of any law of this state, when in her opinion it is necessary or when requested to do so by the governor." The statutes further provide "when the Attorney General is acting in a criminal matter and a statutory duty or right is provided for the district attorney related to the prosecution of that offense, the statutory provision applies to the Attorney General as it would apply to the district attorney if he were conducting the prosecution."
- Active Attorney General criminal prosecutions number in the hundreds. Their subject matter is quite broad: insurance, Medicaid, consumer and workers' compensation fraud; capital murder; battery with substantial bodily harm; prison escape; misconduct by a public officer; burglary; theft; child abduction; controlled substances offenses; and many, many others. Our Bureau of Consumer Protection also investigates fraud and deceptive trade practices.
- The Attorney General's federal habeas group is the only team of prosecutors in Nevada charged with defending federal post-conviction attacks upon state criminal convictions.
- Still other crime prevention, coordination, and public outreach programs quartered within the Office of the Attorney General include: Special

Prosecutions, the Public Integrity Unit, the Advisory Council for Prosecuting Attorneys, the Senior Nevadans on Guard program, the Child Protection Unit, the Senior Protection Unit, the Domestic Violence Ombudsman, and the Technological Crime Advisory Board.

- The Attorney General has 25 deputized criminal prosecutors in 4 regional offices throughout the state. Our prosecutors include two former elected district attorneys, 7 former deputy district attorneys from Clark, Washoe, Mineral, Humboldt, and Nye Counties, and a former deputy from the Las Vegas City Attorney's Office. Their combined experience includes over 200 felony jury trials in the courts of Nevada.
- The Attorney General also has a Chief and Assistant Chief Solicitors General that supervises 15 trial lawyers assigned regionally to represent and defend the state in civil litigation. These trial lawyers bring a wealth of both private sector and public law experience in civil and appellate legal advocacy.
- The Nevada Constitution and Nevada law stipulate that the Attorney General is a member or chair of a number of state boards, including the Board of Examiners, Transportation Board, Prison Commissioners Board, Pardons Board, Private Investigator's Licensing Board, the Advisory Council for Prosecuting Attorneys, the Technological Crime Advisory Board, the Domestic Violence Prevention Council and the Advisory Commission on the Administration of Justice.

Organizational Structure:

- The Nevada Office of the Attorney General carries out its constitutional responsibilities through a dedicated staff of approximately 350 employees. Of these, approximately 150 are deputy attorneys general, approximately 40 are investigators, 3 are executive directors of units and the balance of 157 consists of various skilled support personnel. The office operates statewide with branches in Las Vegas, Carson City, Reno and Ely Nevada. The office budget is approximately \$51 million.
- The Attorney General carries out her duties through the Assistant Attorney General, Chief of Staff, 4 Office Chiefs, the Chief Solicitor General, the Consumer Advocate, and the Medicaid Fraud Control Chief, overseeing 15 separate internal divisions and units and several associated entities: Administration, Criminal Justice, Civil, Gaming, Health and Human Services, Litigation, Investigations, Information Services, Transportation and Public Safety, Bureau of Consumer Protection, Tobacco Enforcement, Extraditions, Missing Children, Open Meeting Law Unit, Medicaid Fraud Control Unit, Domestic Violence Prevention Council, Private Investigator's Licensing Board, Advisory Council for Prosecuting Attorneys, and the Cyber-Crime Task Force. Both the Criminal Justice and Civil Divisions have numerous subdivisions and units that are represented below as well.
- The Office of the Attorney General underwent a structural reorganization in November 2007. This report is submitted based on the organization of the Office as it existed in 2006 and 2007, prior to the reorganization.

- NDOJ attorneys appear in all local jurisdiction Nevada courts, the Nevada Supreme Court, Nevada federal courts, the 9th Circuit Court of Appeals, the District of Columbia Court of Appeals and the United States Supreme Court.

Publications:

The Attorney General's office produces several publications that are used by state agencies and the citizens of Nevada. Among these publications are:

- Opinions of the Attorney General;
- Administrative Rulemaking Manual (for regulatory and oversight agencies);
- Board and Commission Manual;
- Open Meeting Law Manual;
- Open Meeting Law Opinions;
- Guide to Non-Profit Board Directors and Officers;
- Sex Offenders and Community Notification;
- Publications link: <http://www.ag.state.nv.us/publications/publications.htm>

ADMINISTRATION DIVISION

KEITH G. MUNRO, ASSISTANT ATTORNEY GENERAL

Purpose:

- Under the direction of the Assistant Attorney General, the Administration Division is responsible for the overall administration and management of the Office of Attorney General. The division oversees all operations within the office and establishes office-wide policy and procedures.

Goals:

- Manage statewide personnel policies and procedures.
- Assist in significant legislation and other legal matters and, like all other attorneys in the office, have client or case assignments.
- Oversee and coordinate all Attorney General Opinions, Open Meeting Law Opinions, legislation and amicus reviews.
- Prepare the Attorney General's budget, proposed legislation and handle all financial management for the office.
- Serve as liaison to the public, press, other executive officers and agencies, legislative and judicial agencies, and federal officers and agencies.

Accomplishments:

- The Administration Division has a comprehensive office-wide strategic plan. The division maintains the Attorney General Policy and Procedure Manual.
- The division requested and cooperated with an Internal Audit Division review of all the Attorney General's fraud units that resulted in procedures to allow the units to operate more efficiently and initiated successful legislation to consolidate the budgets and redundant expenses of the Workers' Compensation Fraud Control Unit and the Insurance Fraud Control Unit.
- The division also restructured its organizational management structure and position locations to better utilize the available authorized positions to meet the growing needs in the Las Vegas and Reno offices.

BUREAU OF CRIMINAL JUSTICE

CONRAD HAFEN, CHIEF DEPUTY ATTORNEY GENERAL

Purpose:

- Prosecute, prevent, and punish crime under the Attorney General's criminal prosecution authority and to uphold the convictions of Nevada's most serious offenders in federal habeas corpus actions.
- The Criminal Justice Division is composed of 20 prosecutors in 8 diverse prosecution units in 4 regional offices in Nevada. The Bureau of Criminal Justice oversees the Public Integrity Unit, Special Prosecutions Unit, Insurance Fraud Unit, Workers' Compensation Fraud Unit, Missing Children unit and Securities Fraud Unit. In addition, a Senior Protection Unit and Mortgage Lending Fraud Unit was created by the 2007 legislature
- The Public Integrity Unit prosecutes crimes committed by state employees and elected officials. The Special Prosecutions Unit prosecutes crimes committed by state prisoners, and crimes referred by the district attorneys of Nevada. In addition, Special Prosecutions include the only team of lawyers in Nevada that defends federal habeas petitions filed by Nevada's most serious offenders.
- The Special Prosecution Unit prosecutes a variety of crimes committed by prison inmates. These cases range from first degree murder, trafficking in controlled substances, to theft. This unit will also prosecute conflict cases submitted by district attorneys throughout the state as well as cases from federal agencies. In addition, the prosecutors in this unit represent the State of Nevada in all federal capital and non-capital habeas petitions filed by prison inmates.
- The Insurance Fraud Unit prosecutes all criminal violations pursuant to Nevada Revises Statutes 686A and more specifically 686A.2815. Typically, these cases involve individuals who fraudulently submit insurance claims.
- The Workers Compensation Fraud Unit prosecutes all criminal violations pursuant to NRS 616D. These cases involve either employers who fail to obtain workers compensation coverage for their employees or employees who submit fraudulent workers compensation claims.

- The Missing Children Unit prosecutes individuals who have kidnapped or removed a child from the custody of the court appointed custodial parent.
- The Securities Fraud Unit prosecutes all criminal violations pursuant to NRS 90. These cases involve individuals who make material misrepresentations or material omissions to consumers about investment opportunities.
- The Mortgage lending Fraud Unit prosecutes all criminal violations of our mortgage lending statutes.
- The Senior Protection Unit prosecutes cases under our elder abuse laws. These cases involve the abuse or exploitation of citizens 60 years and older who are victims of physical, mental, emotional or financial abuse.

Goals:

- Aggressively prosecute crimes within the Attorney General's criminal prosecution authority.
- Ensure honesty and integrity in state government.
- Promote security and deterrence in the state prison system.
- Protect Nevada citizens and businesses from fraud.
- Protect all seniors from financial exploitation, abuse, and neglect.
- Assist law enforcement and the courts in the recovery of missing and abducted children.

SPECIAL PROSECUTIONS AND PUBLIC INTEGRITY UNIT

Purpose:

- Prosecute crimes committed by state employees and officials, crimes committed by state prisoners, and crimes referred by the district attorneys of Nevada.
- Defend federal habeas petitions in the federal district courts of Nevada.

Goals:

- Exercise a zero tolerance policy for state employee crime by aggressively prosecuting public corruption and official misconduct cases.
- Deter crime within the prison system and seek enhanced prison terms for recidivist offenders.
- Assist Nevada's district attorneys in conflict of interest matters.
- Uphold state convictions in habeas corpus litigation in the federal district courts and courts of appeal.

Accomplishments:

- Successfully prosecuted state employees who committed theft of state property.
- Successfully prosecuted over 60 inmates who escaped from the Casa Grande Transitional Housing Center. As a result, Casa Grande experienced approximately 40% reduction in inmate escapes.

- Reviewed more than 120 public integrity and district attorney conflict matters; initiated prosecution in more than 90 matters.
- Reviewed 310 state prisoner referrals; initiated prosecutions in over 220 matters – approximately 50% increase in prison prosecutions over previous biennium.
- Prosecuted and held accountable public officials who violated criminal laws related to their public office and the public trust.

Key Long Term Goals:

- Increase prosecution and conviction rates in criminal matters, particularly in mortgage lending fraud and elder abuse.
- Create electronic brief bank.
- Promote more referrals from non-law enforcement state agencies by continued outreach and review of criminal referrals from such agencies.
- Establish the Attorney General’s Office as the state’s preeminent criminal prosecution agency.

Significant Legislative or Executive Actions Affecting the Agency:

- Supported and helped pass AB 383 Human trafficking bill that targeted individual human traffickers and increased penalties relating to such conduct.
- Drafted and achieved passage of AB 148 which implemented greater restrictions on the sale of precursors used for the manufacturing of methamphetamine. This bill mirrored the Federal Meth Combat Act passed by Congress the previous year.

INSURANCE FRAUD CONTROL UNIT

BRIAN KUNZI, SENIOR DEPUTY ATTORNEY GENERAL

Purpose:

- Investigate and prosecute false claims for insurance benefits and fraudulent applications for insurance.

Goals:

- Aggressively prosecute insurance fraud to help reduce costs to insurers associated with fraudulent claims, which costs result in higher insurance premiums for consumers.

Accomplishments:

- Referrals to the Insurance Fraud Unit continued to increase to an average of 1060 referrals over the biennium, a 91% increase from the average for the previous 3 years.
- Awards for restitution, fines, costs and forfeitures increased to an average of \$320,396 per year up from a previous average of \$302, 396.
- Prosecutions in 2007 increased 29% over the previous 5 years despite the loss of one prosecutor and one investigator position due to the continuing reduction in the amount of money collected by the Division of Insurance from assessments made against insurance companies for the direct funding of the Unit.
- Increased number of jury trials conducted resulting in convictions for arson and false auto theft claims. Also prosecuted a six week trial in federal court against a health care provider for fraudulent billing practices.
- Worked with local law enforcement agencies resulting in more prompt action being taken on auto theft investigations involving false owner claims and thus increasing the likelihood of successful prosecutions.

Key Long Term Goals:

- Continue efforts with the insurance industry to restructure the assessment responsible for the funding of the Unit to reverse the continuing annual decrease, which threatens to further reduce available resources at a time when additional resources are needed to respond to ever increasing referrals of fraud cases.

WORKERS' COMPENSATION FRAUD UNIT

BRIAN KUNZI, SENIOR DEPUTY ATTORNEY GENERAL

Purpose:

- Investigate and prosecute false claims for industrial insurance.
- Enforce employers' obligation to carry adequate industrial insurance.
- Prosecute criminal cases referred by the Employment Security Division (ESD) involving allegations of unemployment compensation benefits fraud.

Goals:

- Work closely with private insurance carriers, self-insured employers, and related state agencies to ensure compliance with industrial insurance laws.
- Discourage the filing of fraudulent benefit claims through aggressive prosecution to assist insurers and self-insured employers in reducing costs affecting the setting of rates.
- Reduce the exposure to the state uninsured claimant fund and ensure employers provide coverage for injured workers by aggressively prosecuting employers in violation of workers' compensation regulations.

Accomplishments:

- During the last biennium, awards for reimbursements to the Department of Industrial Relations (DIR), Uninsured Employers Claim Fund, increased to an average of \$587,781 per year from an average of \$214,443 for the previous three years.
- Total restitution amounts for private carriers, self-insured employers and medical care providers increased to an average of \$237,511 during the last biennium from an average of \$149,625 for the previous three years.
- Restitution awarded to the Employment Security Division increased from a three year average of \$64,822 to an average during the last biennium of \$200,909.
- Court fines and reimbursements to the Workers' Compensation Fraud Control Unit also showed increases from the previous three year average. Court fines increased from a three year average of \$62,381 to \$79,939 for the biennium.
- Reimbursements to the Workers' Compensation Fraud Control Unit increased from an average of \$60,006 to \$76,373.
- An increased emphasis on strict enforcement resulted in two successful jury trials, the first in over 5 years. One of the trials resulted in a direct savings to a private carrier in excess of \$400,000 due to the forfeiture of workers' compensation benefits.
- Public outreach activities were continued with the implementation of new efforts to increase public awareness. Articles on various workers' compensation fraud issues were published in each quarterly newsletter produced by the DIR Workers' Compensation Section. Instructors were also provided to national and state workers' compensation seminars for attorneys, claims adjusters and other industry professionals on fraud issues.

Key Long Term Goals:

- Increase involvement in initiating investigations and prosecutions pertaining to premium fraud and fraud by medical providers and cooperate with other agencies both within Nevada and from other jurisdictions on increasing complex issues involving multi-national companies.
- Develop public awareness programs to help educate the insurance industry, employers, and the general public in the costs of workers' compensation fraud and how to recognize and report such fraud.

CHILD PROTECTION UNIT

VICTOR-HUGO SCHULZE, II, S.D.A.G.

NEVADA STATE CHILDREN'S ADVOCATE

Purpose:

- To coordinate local, interstate, and international law enforcement and legal action for the recovery of abducted, missing and exploited children in Nevada, in conjunction with the National Center for Missing and Exploited Children and other agencies.
- The Nevada State Children's Advocate further serves on the Statewide Amber Alert Committee and the Clark County Child Fatality Review Committee.
- To provide advocacy for children and children's issues in the State of Nevada.

Goals:

- To provide investigative assistance and litigation support in the recovery of abducted children.
- To maintain strong connections with local law enforcement agencies to ensure proper reporting and investigation of missing or exploited children cases.
- To provide liaison with other organizations committed to issues related to missing and exploited children and provide information and training related to the prevention of child abduction and exploitation.
- To provide legal and organizational assistance to the AMBER Alert Committee.

Accomplishments:

- Opened 120 cases investigating missing children and closed 100 of those cases through the recovery of the missing children.
- Recovered a total of 130 children.
- Provided investigative assistance and litigation support in response to 358 referrals from agencies including the Clark County School District, local law enforcement agencies, Child Protective Services, the Family Courts, Juvenile Referees, the National Center for Missing and Exploited Children, and numerous out-of-state agencies and court systems.
- Opened 20 criminal prosecutions involving parental abductions.
- Worked closely with local law enforcement agencies and the National Center for Missing and Exploited Children, as well as law enforcement agencies across the nation and globally as part of the national effort to reunite missing children with their families.
- Became involved in numerous criminal investigations and prosecutions, an increasing number of which involve flight to other jurisdictions and result in conflicts over jurisdiction, and initiated criminal extraditions from Canada and Australia of child abductors, and prosecuted an abductor who fled to Mexico.

- Developed a stronger and closer working relationship with Southern Nevada police agencies in enforcement efforts.
- developing protocols and prosecution standards by which charging decisions can be analyzed.
- Launched an informational program to disseminate child safety information to parents in the State, and began a series of outreach efforts in Nevada to publicize the efforts of the national child recovery system.
- Handled approximately 2400 telephone calls requesting assistance and information on issues related to missing children (400 calls handled by the attorney and over 2,200 handled by the investigator).
- Fostered a closer working relationship with the National Center for Missing and Exploited Children and the National Amber Alert effort.

Key Long Term Goals:

- Improve compliance of local law enforcement agencies in reporting missing children cases and develop improved databases for tracking statistics regarding missing children.
- Investigate means and opportunities to increase community outreach programs and crime prevention activities.
- Develop a system of policies and procedures to enforce foreign custody orders under the new provisions of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) and draft forms to provide assistance to persons unable to afford legal representation or upon the request of a court.
- Provide assistance to the U.S. Department of Justice with the Presidents' DNA Initiative and promoting model legislation with respect to missing persons and unidentified remains.
- Develop new protocols and procedures for the Statewide Amber Alert Committee.

MEDICAID FRAUD CONTROL UNIT

TIM TERRY, CHIEF DEPUTY ATTORNEY GENERAL

Purpose:

- To investigate and prosecute allegations of medical provider fraud in the Nevada Medicaid program, misappropriation of patient trust funds at medical facilities receiving Medicaid funding, and neglect or abuse of patients in Medicaid funded medical facilities and non-Medicaid funded board and care facilities.

Goals:

- To timely and thoroughly investigate and prosecute allegations of suspected provider fraud in the Nevada Medicaid program and the abuse or neglect of patients; to recover substantial restitution for the Nevada Medicaid program, investigative costs incurred by the State, and appropriate financial fines from wrongdoers; to deter future fraudulent schemes or abuse/neglect of the elderly; to educate providers, patients, and the public about Medicaid fraud and the abuse or neglect of the elderly.

Accomplishments:

- Opened 84 criminal investigations.
- Ongoing litigation in 72 qui tam actions.
- Obtained 46 criminal convictions.
- Recovered over \$4 million in restitution, investigative costs, and penalties.
- Successfully passed an audit performed by the Office of the Inspector General.
- Achieved re-certification for operation by Health and Human Services / Office of the Inspector General (originally certified in 1991 and continually recertified since that time).
- Presented the training “Exploitation of Older and Vulnerable Adults” to financial Institutions pursuant to AB 87 which was signed into law on June 4, 2007.

Key Long Term Goals or Objectives:

- To successfully resolve ongoing complex multi-district pharmaceuticals litigation.
- To obtain continuing recertification by HHS/OIG.

Significant Legislative or Executive Action Affecting the Agency:

- MFCU supported Senate Bill 529 which amended the Nevada False Claims Act to comply with the Deficit Reduction Act of 2005. SB 529 became effective on July 1, 2007.

Publications:

This unit helps to maintain the following publications in print for the public:

- “Elder Abuse: An Action Plan to Better Protect Nevada’s Elderly”;
- “Long Term Care Task Force: Choices for Seniors”;
- “Guide for Mandated Reporters of Elder Abuse”;
- “Elder Abuse is a Crime”;
- “Medical Financial Fraud, Patient Abuse or Neglect, Theft of Patient’s Funds”.

EXTRADITIONS AND DETAINERS

WENDY LIVERMORE, EXTRADITION COORDINATOR

Purpose:

- Coordinate, manage, and administer the extradition programs of the State of Nevada, including all matters relating to the Uniform Criminal Extradition Act and the Interstate Agreement on Detainer Act.

Goals:

- Effectuate the return or temporary transfer of fugitives who have taken asylum in this State to the requesting states.
- Effectuate the return or temporary transfer to Nevada of fugitives who have taken asylum in other states.
- Recover monetary costs to which the State of Nevada is entitled by virtue of this undertaking.
- Provide continuing legal education on all aspects of extradition and detainer laws to law enforcement and other governmental agencies.
- Successfully interact with the governors, attorneys general, state and local police departments, prosecutors, and prison officials throughout the country as well as the office of international affairs of the U.S. Department of Justice.

Accomplishments:

- 1,409 felons successfully returned to Nevada.
- Conducted four training classes at the National Association of Extradition Officials (NAEO) 42nd and 43rd annual conferences. The 2006 conference was attended by 180 officials from 38 states and Virgin Islands. The 2007 conference was attended by 242 officials from 38 states. Six continuing legal education statewide Extradition/Detainer Training Classes were also conducted, three in Las Vegas, one each in Pershing County, Washoe County, and Carson City for approximately a total of 150 officials and staff of state and county prosecutor's offices, law enforcement agencies, and correctional officials.
- The unit's Program Officer III was again elected in 2006 and served as NAEO Board Director and was appointed in 2007 as NAEO Vice President representing the State of Nevada during both years.
- The unit processed and coordinated a total of 215 formal extraditions requests and 177 agreement on detainer requests, both from Nevada and other states.
- The unit collected a total of \$180,040 in reimbursement payments from felons returned to Nevada.
- A total of 4,170 waivers of extradition signed by fugitives arrested in Nevada and returned to the requesting states were recorded and filed by this unit.
- In 2007 developed a system to collect unpaid restitution due the State of Nevada from fugitives who have been discharged by the court and/or Parole Board.

- Data converted from a dataflex program to an ACCESS program

Key Long Term Goals:

- Work with the Nevada Department of Parole and Probation regarding uncollected restitution project and combine and share efforts in order for both departments to streamline the process and be more successful in collecting restitution.
- Effectively transition the review and approval of all extradition requests from legal review by a deputy attorney general to the extradition officer and/or the Program Officer; thus streamlining the process.
- Develop and prepare desk manuals for all three positions within the extradition division.

CIVIL DIVISION

WAYNE HOWLE, SOLICITOR GENERAL, CARSON CITY

CHRISTINE GUERCI, CHIEF DEPUTY ATTORNEY GENERAL,

LAS VEGAS

Purpose:

- The Civil Division provides legal services to more than 140 clients. The division is the office's largest consisting of over 40 attorneys and is divided into northern and southern regions managed by 2 regional chiefs and numerous supervision teams determined primarily by the nature of the clients. Teams are supervised by senior deputy attorneys general in concentration areas of conservation and natural resources, boards and commissions, taxation, government affairs and commerce.
- Legal services to our clients include representation in civil litigation in state and federal court, prosecution of contested cases before state boards and commissions, opinion writing, rulemaking, contract development and review, assistance with legislative efforts, and board counsel services when separate counsel is needed to represent a board or commission sitting as an adjudicating body.

Goals:

- Provide prompt, thorough, and consistent legal advice to all clients, to zealously prosecute contested cases and defend our clients in litigation, all in a professional and competent manner.

Accomplishments:

- Successfully defended a federal employment law case involving the termination of an employee of the Department of Employment, Training & Rehabilitation (DETR), settled a long-standing arbitration case involving a blind vending facility at the Hoover Dam, and successfully defended the Department in several administrative cases involving the Vocational Rehabilitation Program.
- Assisted the Governor's Energy Office in the adoption of regulations implementing a law providing tax credits to developers of "Green Buildings."
- Assisted the Controller's Office in drafting regulations to improve the state's procedures for the collection of past due debts owed to the State.
- Recovered \$100,000 for Nevada consumers on behalf of the State Insurance Commissioner.
- Provided legal representation to our clients in numerous administrative and judicial cases involving state employment and contracting law.
- Provided legal representation to the Public Employee's Retirement System.
- Drafted numerous formal and informal written legal opinions on various issues facing our clients.

PUBLIC SAFETY DIVISION

JOSEPH L. WARD, JR., CHIEF DEPUTY ATTORNEY GENERAL

Purpose:

- The Public Safety Division (Division) has nine attorneys and two legal researchers in the Las Vegas office, assisted by a Supervising Legal Secretary and four secretaries. In Carson City, the Division has fifteen attorneys and two legal researchers, assisted by a Supervising Legal Secretary and four secretaries. The Division provides a full spectrum of legal services to the clients mentioned below.

The Department of Motor Vehicles (DMV) is a diverse agency, the second largest in the state, dealing with the public in a licensing and regulatory capacity. Additionally, they license and regulate car dealers, emissions stations, and driving schools.

The Department of Public Safety (DPS) is primarily a law enforcement agency with many divisions, including the Nevada Highway Patrol (NHP), Nevada Division of Investigation (NDI), the Board of Parole Commissioners (Parole Board), the Division of Parole and Probation (P&P), Capitol Police, the Nevada Fire Marshal. The various commissions and committees of DPS include the Substance Abuse Commission, Criminal Justice Assistance, Fire Safety Board, State

Emergency Response Commission, the Central Criminal History Repository and the Division of Emergency Management.

The Governor's Office of Homeland Security, the Commission on Homeland Security, the Nevada Communications Steering Committee, the Governor's special executive committee - Homeland Security Grant Programs Working Group, the Nevada Earthquake Safety Council and the Nevada Hazard Mitigation Planning Committee.

The Commission on Peace Officers' Standards and Training (POST) is a commission with members appointed by the Governor. POST sets minimum training standards for the certification and continuing education of peace officers statewide.

The Nevada Department of Corrections (NDOC) is Nevada's largest agency. Its nine prisons function as small cities, supervising over 13,000 inmates in its custody.

The state district courts and their judges, Board of Pardons Commissioners (Pardons Board), Board of State Prison Commissioners and Advisory Commission on the Administration of Justice, which is undertaking a complete review of the criminal statutes regarding sentencing, the operations of the prisons, P&P and the Parole Board, are also represented by this Division.

- Division represents the State of Nevada, its executive and judicial officers and the departments, divisions, boards, commissions or agencies mentioned above in the litigation of complex civil rights and tort cases.
- Division provides day-to-day advice and counsel for the State of Nevada, its executive and judicial officers and the departments, divisions, boards, commissions or agencies mentioned above.

Goals:

- Division provides legal advice and counsel to the State's executive and judicial officers, including employees of the departments, divisions, boards, commissions or agencies mentioned above, while diligently protecting the State's Treasury.
- Division continues being a key resource for litigation advice and strategy for other divisions within this office.
- Division provides training in trial techniques and other related litigation subjects.
- Division works with clients so they can be proactive and prevent liability from being incurred.
- Division aggressively litigates a variety of challenging cases in all levels of court.
- The Tort Claims Fund Manager occupies office space with the Division. Although he is part of the Administration Division and is under the office's Chief Financial Officer, the Division works with him to minimize payments by

verifying claims against the Tort Claims Fund and making reasonable payments for actual losses.

Key Long Term Goals:

- Strive to expand its ability to handle varied and complex litigation within the Attorney General's Office.
- Apply its expertise to minimize liability and judgments against the State.
- Work toward proactive involvement with executive officers and agencies to train state employees in methods to avoid liability exposure.

Accomplishments:

- Defends hundreds of cases per year. It has had numerous successes in inmate litigation and other important cases.
- Key resource of litigation advice and strategy for other divisions within this office.
- Provides training in trial techniques and other related litigation subjects.
- Works closely with the NDOC to revise and update its administrative regulations.
- The deputies in this Division assisting DPS and DMV handled over 374 active cases in 2006 and 2007, with over 318 new cases opened and 253 cases closed during this period. Through drug civil forfeiture actions, the deputies assigned to DPS obtained \$ 97,565.00 in FY2006 and \$ 87,620.41 through February of FY2007. In addition to currency, the deputies were successful in obtaining forfeiture of 15 vehicles and 31 firearms. Deputies reviewed over 4,398 contracts and leases and issued 117 legal opinions.
- Furthermore, the deputies assigned to represent DPS and DMV have successfully handled numerous cases. The majority of the litigation matters involved personal injury/negligence actions and civil rights/police misconduct actions. In reviewing contracts, the deputies continued to assume a proactive approach in an effort to reduce and prevent lawsuits stemming from the performance of those contracts. The deputy representing the DPS Division of Emergency Management continues to work closely with his client and the Governor's Office.

GAMING DIVISION

MICHAEL WILSON, CHIEF DEPUTY ATTORNEY GENERAL

Purpose:

- Division represents the Nevada Gaming Commission (Commission), the State Gaming Control Board (Board), the Nevada Gaming Policy Committee, and the Review Panel of the Gaming Policy Committee (Review Panel). In addition to its

civil and administrative litigation and general administrative caseload, which includes representing the Board and Commission at two (2) separate public meetings each month, the division provides a high volume of daily legal advice to its client agencies. A large portion of the division's administrative litigation is comprised of disciplinary actions brought against gaming licensees for violations of gaming regulations and statutes, litigating disputes regarding the proper payment of taxes and fees, hearings on the revocation or surrender of gaming licenses for non-payment of taxes and fees, and actions to add individuals to the list of excluded persons (Black Book).

Goals:

- Provide accurate, timely, and consistent legal advice to the members, agents and staff of the Board, Commission, Review Panel, and Gaming Policy Committee.
- Zealously prosecute contested cases and defend our clients in civil and administrative litigation, in a highly professional and competent manner.

Accomplishments:

- During the biennium, the division drafted (or assisted in the drafting of) numerous sets of administrative regulations, which include the operation of closely held (non-public) corporate, limited partnership and limited liability company licensees, locations where restricted gaming operations may be conducted, revised credit instrument collection procedures, foreign gaming operation procedures, and surveillance standards.
- The division conducted numerous legal research projects, involving major on-going projects into Internet gaming, issues affecting the operations of various types of licensees, as well as procedures and operations of the Board and Commission,
- Negotiated numerous Class III gaming compacts with Nevada based Native American tribes.
- Successfully prosecuted numerous disciplinary actions before the Commission.
- Provided legal assistance and advice to the Review Panel in two (2) appeals from the City of Las Vegas, Nevada, concerning Gaming Enterprise Districts.

HEALTH AND HUMAN SERVICES DIVISION

CINDY PYZEL, CHIEF DEPUTY ATTORNEY GENERAL

Purpose:

- The 19 deputies and two legal researchers in this division provide a full spectrum of legal services to the Nevada Department of Health and Human Services (DHHS), which includes its Divisions of Health Care Finance and Policy

(Medicaid), Welfare and Supportive Services, Health, Mental Health and Developmental Services, Aging Services, and the Division of Child and Family Services. The department also houses the Office of Disability Services, the State Public Defender, and the Indian Commission. Two deputies work on issues related to Tobacco and the Master Settlement Agreement, and the division also houses the program officer for the Senior Medicare Patrol. The department is responsible for a budget in excess of 5 billion dollars in state general fund and federal funds, and employs over 4,000 state employees to accomplish its mission.

Goals:

- Provide legal advice, review, contract support, and personnel and litigation support to the DHHS and its divisions. This involves practice in specialized areas of federal and state law. We aim to practice proactively to prevent and reduce liability from being incurred, and we litigate a variety of challenging cases in all levels of court.

Accomplishments:

- Recovered substantial sums through Medicaid subrogation of third party claims and Medicaid Estate Recovery, which sums are returned to the program for the benefit of future recipients of aid. Worked on proposal for legislative change and handled additional caseload after the U.S. Supreme Court decision in *Ahlborn* altered the approach to subrogation. Represented both Welfare and Health Care Financing and Policy in multiple administrative hearings.
- Expanded our efforts in Child Support Enforcement by assuming responsibility for the programs in White Pine, Lincoln, Nye, Esmeralda, Mineral Counties and Carson City to increase timely support of child support for recipients of public assistance.
- Continued work with Washoe and Clark Counties on child protection and child welfare issues, as well as supporting the State's efforts in rural Nevada, including children's mental health and juvenile justice. Extensive work has been put forth to assist the division in its Program Improvement Plan, and in the areas of child death review and diversion plans to strengthen families before their children need to be removed for safety's sake. Terminated parental rights of children to free them for adoption in rural Nevada, including several contested trials and appeals to the Supreme Court. Represented state defendants in a federal class action concerning foster care in Clark County.
- Assisted the Health Division in its substantial revisions to regulations dealing with a wide spectrum of public health issues. In addition, considerable work has been done in conjunction with the Division of Emergency Management on Homeland Security issues, and with the county health authorities with respect to epidemiology and the ban on smoking in public facilities.

- Litigated a variety of personal injury cases involving the mentally ill. Successfully resolved a challenge in federal court to the system of transporting mentally disordered offenders from jails to Lake's Crossing Center, and won dismissal of a case challenging our information exchange policies and procedures with an advocacy organization.
- Worked on the creation of the Senior Protection Unit in order to implement new enforcement tools granted by the Legislature, and made many appearances in communities across the state to educate and inform the elderly of their rights and to teach them to spot and avoid those who would take advantage of them.
- The Tobacco Unit has been active in aggressively pursuing Nevada's share of the proceeds from the Master Settlement Agreement, and has been continuing its efforts at enforcing the laws on sales to minors by performing stings, as well as providing outreach and education to vendors. They have a case pending decision in the Nevada Supreme Court concerning choice of arbitration in disputes with the tobacco industry.
- Within the division, we encourage the practice of education and preventive law in order to reduce the State's exposure to liability and enable the department and divisions to provide quality services. We encourage collaborative practice because the issues we work on affect a variety of interests within the department.

LITIGATION DIVISION

DANIEL WONG, CHIEF SOLICITOR GENERAL

Purpose:

- Represents the State of Nevada, its executive and judicial officers and most state agencies in the litigation of complex cases and defense of the high volume of civil rights and tort cases filed by inmates.
- Provides day-to-day advice and counsel for the Department of Corrections and advises and represents it in personnel disciplinary matters.

Goals:

- Provides superior legal advice and counsel to the State's executive and judicial officers and agencies while diligently protecting the State's Treasury.
- Continue being a key resource for litigation advice and strategy for other divisions within this office.
- Provides training in trial techniques and other related litigation subjects.

- The Tort Claims Fund Manager occupies a position within the division and he strives to minimize payments by verifying claims against the Tort Claims Fund and making reasonable payments for actual losses.

Key Long Term Goals:

- Strive to expand its ability to handle varied and complex litigation within the Attorney General's Office.
- Apply its expertise to minimize liability and judgments against the State.
- Work toward proactive involvement with executive officers and agencies to train state employees in methods to avoid liability exposure.

Accomplishments:

- Defended hundreds of active cases per year. It has had numerous successes in inmate litigation and other important cases.
- Continued to be a key resource of litigation advice and strategy for other divisions within this office.
- Provided training in trial techniques and other related litigation subjects.
- Continued to work closely with the Department of Corrections to revise and update its administrative regulations. Said work includes working with other entities as it recently did with the Nevada Indian Commission to reach an agreeable revision of the Department's Native American Religious Practices Administrative Regulation.
- Continued to provide total support to outside trial counsel in the 100+ plaintiffs *Aoyama-Atkins* litigation involving alleged mold exposure in a state building.
- The Tort Claim Fund Manager continued to monitor the method for assessing premiums to State agencies. In addition to the regular premiums, agencies have been assessed 5% of the amount paid out in claims on their behalf for the prior year.
- The Tort Claim Fund Manager in conjunction with Risk Management sponsored sexual harassment prevention training for scores of state agency directors and administrators in 2004 and 2005.

TRANSPORTATION AND PUBLIC SAFETY DIVISION

DANIEL WONG

CHIEF DEPUTY ATTORNEY GENERAL and CHIEF COUNSEL

Purpose:

- Transportation and Public Safety Division provided legal services to the Nevada Department of Transportation (NDOT), the Department of Motor Vehicles (DMV), the Department of Public Safety (DPS), the Transportation Services

Authority (TSA) in the Department of Business and Industry, the Commission on Peace Officers' Standards and Training (POST) and the Division of Emergency Management and Homeland Security (DEM).

Goals:

- Provide day-to-day counsel and legal advice in multiple diverse areas of law, contract review, policy and regulation drafting, and review and implementation of policy and procedures and legislation for assigned clients.
- Provide preventative law to decrease liability.
- Aggressively litigate, plaintiff and defense, a variety of challenging cases including but not limited to condemnation and eminent domain, contracts, torts and personnel and employment, and law enforcement in and at administrative hearings and all state and federal court levels.

Accomplishments:

- The deputies assigned to the Transportation and Public Safety Division handled over many, many active cases in 2006 and 2007, with over 200 new cases opened and 200 cases closed during this period. Through drug civil forfeiture actions, the DPS Deputies obtained thousands of dollars in FY2005 and FY2006. In addition to currency, the Deputies were successful in obtaining forfeiture of multiple vehicles and firearms. Tort claim adjusters and Deputies reviewed over a thousand tort claims. Deputies reviewed over 5,000 contracts and leases and issued multiple legal opinions. The Transportation Services Authority collected thousands of dollars in administrative fines.
- Transportation Deputies continued to provide legal support to the work on major highway construction projects including the bypass interstate U.S. 580 freeway in Carson City and Washoe Valley, the largest widening project ever undertaken on U.S. 95 in Las Vegas and a new bridge under construction over the Colorado River between Nevada and Arizona. Transportation Deputies assisted in reviewing many other highway construction projects at all stages from planning to property acquisition and construction. They also handle numerous condemnation and inverse condemnation cases and served as liaisons to NDOT on those cases handled by outside counsel.
- Preventive and protective measures continued to be a primary focus of the Tort Claims Adjusters who provided liability avoidance training to the assigned clients. Deputies also counseled clients on liability avoidance topics and issues. The Tort Claims Adjusters recommended payments on valid tort claims and rejected and saved the State many dollars on claims of questionable or no merit.
- The Deputies assigned to represent the DMV and DPS successfully handled numerous litigation cases. Much of the litigation involved personal injury/negligence actions and civil rights/police misconduct actions.
- In reviewing contracts, the Deputies continued to assume a proactive approach to reduce and prevent lawsuits stemming from the performance of those contracts.

- The Deputies handled diverse duties. The Deputy for the TSA handled issues unique to that agency. A DPS Deputy client represented the Central Criminal History Repository and attended meetings of the Nevada Advisory Council for Community Notification of Sex Offenders. A Deputy represented the Commission on Peace Officers' Standards and Training. A Deputy provided legal advice on emergency management issues for the DEM of the DPS and worked closely with his client and the Governor's Office.

INVESTIGATIONS DIVISION

GREGORY SMITH, CHIEF INVESTIGATOR

Purpose:

- The Investigations Division operates under a variety of Nevada Revised Statutes. There are approximately 44 authorized and currently 38 sworn peace officer positions located in the cities of Carson City, Las Vegas and Reno. The division includes the following units: Bureau of Consumer Protection; General Investigations; Hi-Tech Crimes; Identity Theft Passport Program; Insurance Fraud; Medicaid Fraud Control; Missing Children; Safety Committee; Tobacco Compliance; and Workers' Compensation Fraud.
- Investigate criminal offenses allegedly committed by state officers and employees.
- Investigate criminal cases referred by the district attorneys of Nevada due to conflicts of interests.
- Conduct fraud investigations as required by chapter 228 of the Nevada Revised Statute.
- Assist the non-criminal divisions of the Nevada Attorney General's Office with the service of subpoenas, summons, orders and other forms of process.
- Assist local, state and federal law enforcement agencies both within and outside of the state of Nevada, as requested by the Attorney General.

Goal:

- Protect and serve the citizens of the State of Nevada.
- Maintain a close working relationship with local, state and federal law enforcement agencies.
- Increase the visibility of the Identity Theft Passport Program.

Accomplishments:

- The Investigations Division has continued to maintain a high rate of case turnover as evidenced by the statistics of the fraud unit directors and chiefs in the criminal divisions.

- A Memorandum of Understanding (MOU) was signed between the Attorney General's Office and the Federal Bureau of Investigations. The purpose of the MOU was to have a Las Vegas-based investigator assist a task force with the increased number of investigations regarding mortgage fraud. In the past two years (2006 & 2007) law enforcement agencies have been inundated with mortgage fraud referrals.
- The Nevada Legislature passed a bill to combat the growing problem of Identity Theft. SB 304 required the Nevada Attorney General's Office to create and operate the statewide "ID Theft Passport Program." As of March 1, 2008 approximately 154 passports have been issued.
- In 2007 the Nevada Legislature funded several positions to assist in the prevention and detection of computer crimes. As of March 1, 2008 all but one of the positions has been filled. Currently 3 A.G. Investigators are assigned to the Hi-Tech Crimes Task Force in both Las Vegas and Reno.

Key Long Term Goals:

- Achieve "classified" employment status for the investigators through the Nevada Legislature. Classification would allow the investigators to be placed in the same pay category as other law enforcement officers employed by the state. Currently the investigators are paid on average approximately 23% less than their counterparts.
- Increase the number of investigators assigned to the General Investigations Unit. Currently there are three investigators in both the Carson City and Las Vegas offices assigned to this unit. Additional investigators would give the Attorney General more flexibility with regard to assigning cases, duties and special assignments.

INFORMATION SERVICES UNIT

JOE GALLEGOS, IT MANAGER II

Purpose:

- Responsible for installing, supporting, and maintaining the all hardware and software with in the Wide Area Network (WAN) for the Attorney General's Reno, Carson City, Las Vegas, and Ely offices.
- Complete WEB services are also provided by the Information Services Unit for its nearly 400 users connected through several Local Area Networks (LAN) and the WAN.
- Support the ProLaw Case Tracking Database program which provides a complete case management, docketing, calendaring, and billing services system for most of the office.

Goals:

- Identify strategic departmental opportunities for utilizing existing and developing information technology.
- Identify the total cost of ownership for information technology initiatives.
- Emphasize integration of current and planned State/Departmental information systems and data.
- Implement information technology solutions that will have a positive net value for the Office of the Attorney General over the technology's projected useful life.
- Plan for the integration of all MS Access Databases to a SQL server platform
- Plan for the bolstering database infrastructure with distributed and replicated servers.
- Plan for additional personnel and training
- Identify opportunities to improve service levels through hardware and data redundancy. Examples of this include the use of storage area networks and database replication strategies.

Accomplishments:

- The replacement of over 100 desktop computers and 6 Data and application Servers
- .Installation of a 7 terabyte Storage Area Device SAN Solution
- Conversion from Novell network operating and GroupWise email to Microsoft server and Exchange system.
- Replication of Prolaw Database between Carson City and Las Vegas
- Installation of a new disaster recovery plan that includes the replication of data from Carson City to Las Vegas
- Migration of a new Prolaw system from Sybase to SQL

Installation of 2 Firewalls ,1 Intrusion detection device, and 4 new routers

OPEN MEETING LAW UNIT

GEORGE H. TAYLOR, SENIOR DEPUTY ATTORNEY GENERAL

Purpose:

- Implement and enforce the provisions of NRS Chapter 241 (Open Meeting Law) on a statewide basis.
- Ensure that when the law requires, all state and local public bodies conduct the people's business in open and that their deliberations and actions occur in open.
- Prevent and prosecute violations of the Open Meeting Law.
- Provide legal interpretation to state and local public bodies to ensure compliance with the Open Meeting Law.

Goals:

- Publish revisions to NEVADA OPEN MEETING LAW MANUAL.
- Ensure that all Open Meeting Law complaints filed with the Office of the Nevada Attorney General receive a thorough review and investigation, if necessary.
- Continue to draft Open Meeting Law Opinions and conduct training sessions to assist state and local public bodies with properly implementing the Open Meeting Law.
- Continue to litigate Open Meeting Law violations pursuant to the Office of the Nevada Attorney General's prosecutorial discretion.
- Obtain 100% compliance from all public bodies in Nevada.

Accomplishments:

- In 2006 through 2007, more than 100 OML complaints were opened and investigated resulting in 18 new formal OMLO opinions and other determinations were made in the rest which successfully concluded the investigation.
- In 2007, alone, more than 20 training courses on the Open Meeting Law were presented throughout the State of Nevada to both state and local public bodies.
- In 2007, special training courses for public lawyers were developed and presented in CLE format to more than 75 public lawyers from throughout the state.

TOBACCO UNIT

VICKY OLDENBURG, SENIOR DEPUTY ATTORNEY GENERAL

Purpose:

- Implement and enforce the provisions of the National Tobacco Master Settlement Agreement (MSA), and NRS Chapters 370 and 370A to secure the state's entitlement to annual settlement payments under the MSA. Since 1999, the state has received over \$325 million in tobacco settlement money.
- Secure escrow deposits from tobacco product manufacturers who are not parties to the MSA, as required by NRS Chapters 370 and 370A, and prosecute those who fail to adhere to the escrow requirements.
- Maintain the Nevada Tobacco Directory.
- Prosecute tobacco product manufacturers and distributors who violate provisions of NRS Chapters 370 and 370A relative to the sale and distribution of tobacco products.
- Prosecute persons who illegally sell tobacco to minors in violation of NRS Chapter 202.

Goals:

- Continue to secure the state's receipt of MSA annual settlement payments through enforcement of NRS Chapters 370 and 370A.
- Defend the state in litigation seeking to void the MSA, and litigation seeking to lower and/or eliminate future MSA annual settlement payments to the state.
- Secure 100% compliance with state law governing tobacco product manufacturers and licensed distributors.
- Continue to maintain a low youth tobacco buy rate.

Accomplishments:

- Obtained \$2,275,982.00 in judgments against tobacco product manufacturers that are not parties to the MSA for violations of NRS Chapter 370A.
- Implemented the first Tobacco Directory in the State which assists the state in monitoring compliance with and prosecuting violations of NRS Chapters 370 and 370A, thereby securing the state's continued entitlement to annual settlement payments under the MSA.
- Conducted 9,921 tobacco compliance checks of retail establishments throughout Nevada resulting in 771 citations issued for illegal sales. Achieved an overall tobacco buy rate of 8.62%, which is among the lowest in the nation.
- Executed agreements with CVS, Chevron, and Kroger corporations requiring the companies to employ best practices and implement new procedures designed to reduce the sale of tobacco to minors.

BUREAU OF CONSUMER PROTECTION

ERIC WITKOSKI, CONSUMER ADVOCATE

Purpose:

- Represents the public interest to protect Nevada consumers and prosecutes those who violate state consumer protection, and antitrust laws.
- Represents the interests of residential and small business customers of public utilities in proceedings before the Public Utilities Commission, any court, regulatory agency, board, or commission with jurisdiction over Nevada regulated utilities.
- In addition to administrative, civil, and criminal enforcement, the bureau is actively engaged in consumer education and outreach through participation in law enforcement task forces, consumer seminars, community and school presentations, consumer alerts and public service announcements.
- Participates pursuant to statute as the administrative support for the Nevada Task Force for Renewable Energy and Energy Conservation.

Goals:

- Investigate and prosecute unfair and deceptive trade practices, telemarketing fraud, consumer fraud, and violations of securities and antitrust laws through civil and criminal enforcement actions in order to protect consumers and preserve the free, open, and competitive nature of the market system for commerce in Nevada.
- Represent the interests of customers of public utilities to ensure reliable electric, natural gas, water, and telephone service at the lowest possible cost.

Accomplishments:

- Conducted 130 public outreach announcements and presentations to the public.
- Processed 7,776 consumer contacts.
- Obtained Court Orders for consumer restitution in the amount of \$2,936,404.88.
- Obtained Court Orders for fines, penalties and damages to the state in the amount of \$555,805.42.
- Obtained Court Orders for attorneys fees and costs in the amount of \$2,060,765.07.

NEVADA COUNCIL FOR THE PREVENTION OF DOMESTIC VIOLENCE

ATTORNEY GENERAL CATHERINE CORTEZ MASTO, CHAIR

Purpose:

The mission of the Nevada Council for the Prevention of Domestic Violence (NCPDV), which is chaired by the Attorney General, is to prevent and eliminate domestic violence by:

- Increasing awareness of the existence and unacceptability of domestic violence.
- Making recommendation for necessary legislation relating to domestic violence.
- Providing financial support to programs for the prevention of domestic violence in the State.

The NCPDV, which meets quarterly, consists of some 30 individuals who represent a variety of disciplines, including law enforcement, the judiciary, prosecution, victim services, health care, education, and domestic violence survivors. The Attorney General appoints the council members, provides legal counsel and office staff to the NCPDV. NCPDV now statutorily relies on funding from the Domestic Violence Court Assessment Account.

Goals:

The Council has adopted a five-year plan to focus its priorities. Key areas include:

- Education and training programs for professionals. The Council will partner with professional associations, victims services, law enforcement, prosecutors and the judiciary.
- Developing best practices for advocates in systems that interact with domestic violence victims and perpetrators -including law enforcement, prosecutors, corrections, and social services.
- Working to enhance education of children on issues relating to domestic violence, teen dating violence, healthy relationships and conflict resolution.
- Identifying and working with underserved populations.

Accomplishments:

- Conducted a Southern Nevada rural tour and meeting in 2007. The Attorney General NCPDV members, and Attorney General staff was able to connect with underserved communities in two counties and three communities by conducting town hall meetings.
- The Legislative Committee was instrumental in passing AB 194, which provided key legislation for protecting domestic violence victims by adding new law regarding extended protection orders and firearms.
- The Underserved Committee conducted a Battered Women’s Immigrant Summit in 2006.
- NCPDV conducted its first statutorily mandated rural meeting in Winnemucca, Nevada in 2006.
- NCPDV, in partnership with the Nevada Network Against Domestic Violence and the Nevada Peace Officers Standards Training, held a press conference for Domestic Violence Awareness Month and distributed educational materials.

DOMESTIC VIOLENCE OMBUDSMAN

KAREEN PRENTICE, DOMESTIC VIOLENCE OMBUDSMAN

Purpose:

- Pursuant to NRS 228.450, the Domestic Violence Ombudsman, housed within the Attorney General’s Office, provides information, education, and technical assistance to victims, the criminal justice system, and the general public. The Ombudsman produces quarterly reports on domestic violence from information contained with the Criminal History Repository when available, and administers the Court Assessment Account for Domestic Violence.

Goals:

- Encourage and coordinate efforts to create greater consistency among victim services, law enforcement, prosecution and judiciary, particularly in the areas of service provision, protocol development, domestic violence training, and data gathering.
- Works closely with a deputy attorney general in a multitude of legislative and policy efforts continuously underway regarding domestic violence prevention.
- Assists the Attorney General's Office in its role as grant administrator of various grants from the federal Office on Violence Against Women of the U.S. Department of Justice that support domestic violence, sexual assault, dating violence and stalking services and projects throughout Nevada.

Accomplishments:

- Among the various efforts to raise public awareness about domestic violence, the Ombudsman coordinated the Teen Dating Violence Initiative (TDVI). This project provided a teen dating violence curriculum, educational materials, and healthy relationship activities on a CD-ROM that was distributed to every middle and high school in Nevada as well as all prosecuting attorneys and domestic violence and sexual violence victim advocacy agencies in February 2007.
- Worked with the Advisory Council for Prosecuting Attorneys on the development of Best Practices Guidelines in the prosecution of domestic violence cases and is a member of the advisory team. Assisted three sites (City of Henderson Attorney's Office, Churchill County District Attorney's Office, and Humboldt County District Attorney's Office) to implement the Best Practices in their community.
- Conducted numerous presentations and trainings throughout the year in order to increase awareness and educate individuals about domestic violence.
- Participated in several statewide advisory teams, committees, coalitions, and projects committed to addressing the many issues concerning domestic violence and its effects on our communities statewide.
- Developed the *Office of the Attorney General Domestic Violence and Elder Abuse Investigations* four hour POST certified interactive CD-ROM training. The CD-ROM was distributed to every law enforcement agency and prosecuting attorneys office in Nevada.

COMMITTEE ON DOMESTIC VIOLENCE

KAREEN PRENTICE, DOMESTIC VIOLENCE OMBUDSMAN

Purpose:

- The Committee on Domestic Violence (CDV) statutorily relies on funding from the Domestic Violence Court Assessment Account to evaluate, certify and monitor programs for the treatment of persons who commit domestic violence. The Attorney General appoints the nine committee members, provides legal

counsel and office space to the committee staff. The CDV is also responsible for reviewing and evaluating peace officer training relating to domestic violence.

Goals:

- Effectively evaluate, certify, and monitor programs for the treatment of persons who commit domestic violence in Nevada.

Accomplishments:

- Using a consultant, the CDV continued its practice of conducting unannounced site visits of treatment programs in the State. Treatment programs that are not in compliance with the committee's regulations were contacted and have entered into corrective action plans with the committee thus bringing them into compliance with the regulations.
- Effectively resolved several complaints it received regarding treatment programs that were not operating in compliance with the committee's regulations.
- Replaced the batterer slot with a judicial representative by working with Assemblyman Kihuen to successfully pass AB 381.
- Amended and promulgated regulations that were submitted to the Legislative Council Bureau in 2008.

**TECHNOLOGICAL CRIME ADVISORY BOARD
(NRS 205A)**

**(FORMERLY THE ADVISORY BOARD FOR NEVADA TASK FORCE
FOR TECHNOLOGICAL CRIME)**

CHAIR

ATTORNEY GENERAL CATHERINE CORTEZ MASTO

JAMES D. EARL, EXECUTIVE DIRECTOR

Purpose:

- Facilitate cooperation among state, local and federal officers in detecting, investigating, and prosecuting technological crimes.
- Support two multi-agency task forces (Reno and Las Vegas) consisting of trained computer forensic examiners and investigators.
- Coordinate training and education concerning the prevention, detection and investigation of technological crimes.
- Assist the Department of Information Technology in securing government information systems against illegal intrusions and other criminal activities.

- Evaluate and recommend changes to existing civil and criminal laws relating to technological crimes in response to current and projected technological changes.
- Distribute money from forfeiture funds in accordance with NRS 205A.090.

Goals:

- Expand task force participation to include personnel from the Attorney General's Office and local law enforcement to augment FBI and ICE computer forensic experts.
- Establish liaison and cooperation in Las Vegas between the Economic Crimes Task Force (LVMPD and U.S. Secret Service) and the Southern Task Force (LVMPD, FBI, and Attorney General's Office)
- Expand membership of this executive-legislative agency to allow inclusion of all major law enforcement agencies involved in technological crime: AGO, U.S. Secret Service, ICE, FBI, LVMPD, and Washoe County Sheriff's Department and increased economic sector participation.
- Add necessary computer forensic staff to the AGO.
- Obtain passage of legislation allowing technological crime forfeiture funds to support law enforcement activities.

Accomplishments:

- Conducted Mission Review during spring 2006 that involved questionnaires sent to State and local law enforcement organizations (with roughly a 75% response). This program review led to the Board recommendation that 3 computer forensic examiners, 2 computer forensic investigators, and a program specialist be added to the staff of the Attorney General.
- Through reprogramming of funds, provided three forensic computers and necessary software to the north and south task forces (approximately \$10K each).
- Organized a multi-agency selection board to engage in a nation-wide recruiting effort that resulted in hiring the State's first special purpose computer forensic examiners.
- Coordinated training of 4 AGO attorneys in initial electronic evidence handling and prosecution in conjunction with the Department of Justice.
- Established a nascent newsletter to inform Nevada law enforcement of trends and training opportunities regarding technological crime. Co-sponsored specialized training with LVMPD for law enforcement.
- Supported community outreach and education efforts in coordination with the AGO.

Significant Legislative or Executive Actions Affecting the Agency:

- Drafted, testified, and obtained passage of AB 306, which enlarged Board membership and provides for criminal forfeitures and new procedures to use forfeiture money in technological crime prosecutions to support law enforcement.

- Testified and successfully supported AGO budget initiatives to provide the State with its first special purpose computer forensic examiners, investigator, and program analyst.
- Researched and supported Board action resulting in AG Chanos recommending action to Nevada's Congressional Delegation to deal with data breach at the U.S. Veterans Administration.

Key Long Term Goals:

- Stimulate interest and encourage training in electronic evidence safeguarding and use at trial among law enforcement, prosecutors, and judges.
- Expand task force participation to include law enforcement agencies across the State.
- Support task force activities by providing personnel, equipment and software commensurate with the growth and severity of technological crime.
- Ensure Nevada's legal framework addresses both current and projected technological developments and criminal initiatives.
- Ensure appropriate liaison and cooperation between law enforcement and homeland security personnel relating to technological crime.

PRIVATE INVESTIGATORS LICENSING BOARD

MECHELE RAY, EXECUTIVE DIRECTOR

Purpose:

- The Nevada State Private Investigators Licensing Board (PILB) was established by the Nevada State Legislature to protect the citizens of Nevada from unlicensed and dishonest business practices for the industries we regulate. The Board consists of five members appointed by the Governor. Board membership consists of a licensed private investigator, a licensed private patrolman, and a licensed polygraph examiner. Two members must be from the general public.

Goals:

- Regulate the standards of conduct for the profession, investigate complaints, examine, audit and take disciplinary action against licensees who have violated the statutes.
- Conducts background investigations for the licensure of private investigators, private patrolman, process servers, repossessioners, polygraph examiners, polygraph examiner interns and canine handlers. Licenses are approved on a quarterly basis and renewed annually.

Accomplishments:

- Granted 250 licenses, denied 10 licenses, conducted 1 disciplinary hearings, heard 10 appeal hearings for unlicensed activity citations, two appeals on violations, suspended one license, held 3 legislative workshops, 3 public hearings to adopt regulations and several sub-committee meetings.
- Received a total of 268 complaints, 120 cease and desist letters were sent to the unlicensed entities and 69 unlicensed activity citations were issued. Of the 268 complaints received during the biennium, 129 are still pending.
- The board's executive director conducted 9 field/personnel audits, and issued 117 violation notices to licensees for various non-compliance issues.
- Compliance checks were conducted at 19 special events and 320 security personnel were identified and in compliance.
- A total of \$81,566 was collected for unlicensed activity citations and notices of violations and \$41,966 was transferred to the general fund.
- All of our applications and many of our forms are now available on line.
- Our newsletters, agendas and minutes are available on-line.
- Law enforcement, licensees or the general public are able to access our web-site to obtain licensing or registration information on individuals current in the system.
- In the process of hiring a compliance investigator to assist with enforcement issues.

Key Long Term Goals:

- Continue to enhance our existing web-site.
- Re-write the existing exams given to applicants as part of the licensing process.
- Review the current regulations and amend accordingly.
- Amend the current NRS so that work cards currently issued by the county will be issued at the State level.
- Continue to enhance community awareness by conducting workshops and send out a quarterly newsletter to keep the industry informed about what takes place at our board meetings.
- Public service announcements to inform the general public about licensing issues.
- Continue to staff the southern Nevada office to keep up with the growth of the industry.

ADVISORY COUNCIL FOR PROSECUTING ATTORNEYS

BRETT KANDT, EXECUTIVE DIRECTOR

Purpose:

- The Advisory Council is an executive branch state agency created pursuant to NRS chapter 241A, responsible for providing leadership, technical assistance and legislative advocacy on legal and public policy issues related to the duties of the Attorney General of Nevada, Nevada's 17 elected district attorneys, all city attorneys, and all deputy attorneys employed by these officials.

Goals:

- Provide leadership on legal and public policy issues related to the duties of prosecutors (as defined in NRS 241A.030).
- Enhance communication and cooperation among prosecutors and the judiciary, law enforcement, state and local government, the bar, and other public and private organizations concerned with the administration of justice.
- Provide training, education, resources and support to prosecutors and their support staff, law enforcement, government agencies, and the citizens of the State of Nevada.
- Foster professionalism and competency among the offices of prosecutors in the State of Nevada by providing a forum for communication and cooperation.

Accomplishments:

- For FY 2006-07, the Advisory Council held 10 conferences, seminars, and training sessions through which approximately 500 state, county, and city prosecutors and support staff received training. The Advisory Council annually conducts the Prosecutors Conference in the fall, the Key Personnel Seminar in the winter, and the Government Civil Attorneys Conference in the spring, along with additional multi-disciplinary training specifically focusing on the prosecution of impaired driving, domestic violence, sexual assault, and death penalty cases.
- Although federal grant programs experienced decreased funding, for FY 2006-07 the Advisory Council was awarded \$50,000 in Bureau of Justice Assistance Capital Litigation Improvement Initiative grant funding, \$21,000 in Violence Against Women Act STOP subgrant funding, \$15,000 in funding under National Highway Traffic Safety Administration Cooperative Agreement DTNH22-97-H-05257, \$10,700 in Byrne Memorial Formula subgrant funding, and \$4,747 in Project Safe Neighborhood subgrant funding. To most effectively utilize grant funding, the Advisory Council has formed successful partnerships with many public agencies and private organizations for collaborative, multi-disciplinary training efforts that are offered without cost or at a nominal cost to prosecutors.
- The Advisory Council partnered with the Nevada Attorney General's Office and other state agencies to obtain \$300,000 under the Grants to Encourage Arrest

- Policies Program from the U.S. Department of Justice's Violence Against Women Office, which was utilized to successfully develop and implement best practices in the prosecution of domestic violence cases throughout the state.
- For FY 2006-07, the Executive Director chaired or served on the following boards: Nevada Gang Task Force; Nevada Domestic Violence Prosecution Best Practices Project; Nevada Impaired Driving Advisory Council; Nevada Advisory Board for a Statewide Strategy for Drug Control; Nevada Elder Abuse Task Force; Nevada Domestic Violence Prevention Council; Nevada Supreme Court Access to Justice Commission; Nevada Court Security Task Force; and State Bar of Nevada Public Lawyers Section.

Significant Legislative or Executive Actions Affecting the Agency:

The Advisory Council successfully pursued the prosecutors' legislative agenda in the 2007 state legislative session, which included the passage of the following:

- A.B. 72, amending NRS 201.560(1), which makes it a crime to use technology to lure a child who is less than 16 years of age and at least 5 years younger than the perpetrator, to provide that the section is violated if the perpetrator believes the victim to be a child, regardless of whether the victim is actually a child.
- A.B. 482, amending NRS chapter 171 to prohibit government officials from requiring a victim of an alleged sexual offense from submitting to a polygraph examination as a condition of investigation or prosecution, and amending NRS chapter 176 to require the court to notify a person convicted of a misdemeanor or felony that constitutes domestic violence of any federal or state firearms prohibition.
- S.B. 35, amending NRS 50.315 and NRS 50.320 to allow the State to introduce the affidavits of certain persons at DUI trials and authorizing the testimony required under each section to be made by means of simultaneous audio-visual transmission.

Publications:

- Spanish Phrasebook for Law Enforcement;
- Your Rights and Responsibilities as a Crime Victim and Witness; and
- Nevada Domestic Violence Resource Manual.