



2011

AG's Domestic Violence Bill Signed into Law

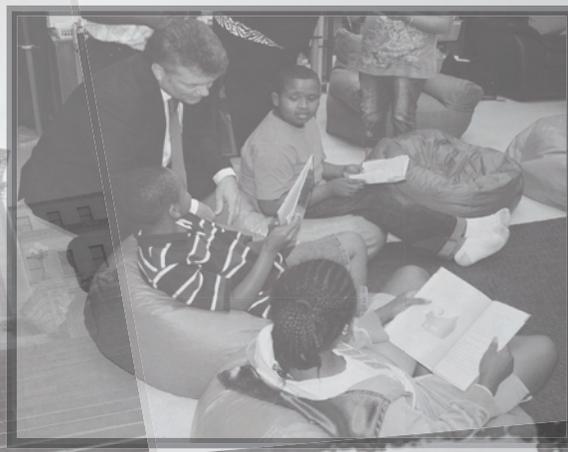
AG warns MS Residents of Lottery Scam

AG reminds consumers of DIRECTV deadline

The Democrat, 5/17/2011



AG gets grant to fight fake goods
Picayune Item



Hood sues for Feinberg's records
Sun-Herald, 7/12/3011

Mississippi has become lead Internet crime fighter

Sun-Herald, 1/23/2011

Office of the
Attorney General
STATE OF MISSISSIPPI

2011 Annual Report
Attorney General Jim Hood

A MESSAGE FROM ATTORNEY GENERAL JIM HOOD



Dear Fellow Mississippians:

Our FY2011 Annual Report represents my 8th year as your Attorney General, and I am proud of all we have accomplished during this time.

Always at the top of our priorities are victims. This year we saw an 18% increase in the amount of monetary assistance we were able to give victims of violent crime through our Crime Victim Compensation. The great part is all of this is paid for by criminals.

Our fight against child predators has gained strong momentum and you can bank on the fact that we will continue to work hard to arrest and prosecute those committing such heinous crimes in Mississippi.

Most of you identify our agency with our Consumer Protection Division which opened more than 300 identity theft cases this year, as well as over 250 home repair fraud cases. Rest assured that we are working diligently every day to fight these thieves and scam artists. This year, we have been able to do even more, thanks to federal grant resources, to combat dangerous, counterfeit goods and various types of intellectual property theft. While we want to stop all kinds of counterfeit goods, we have our sites targeted on those that are particularly dangerous such as counterfeit drugs.

I am pleased to report to you that our office recovered more than \$53 million of misused funds owed to the state during FY2011, more than five times our general fund budget. We will continue to go after those who steal from our state!

Please know that in all we do, we are honored to serve you.

Sincerely Yours,

A handwritten signature in black ink that reads "Jim Hood". The signature is written in a cursive, flowing style.

Jim Hood
Attorney General

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MISSISSIPPI ATTORNEY GENERAL'S EXECUTIVE SUMMARY

THE EXECUTIVE SUMMARY FOR THE MISSISSIPPI ATTORNEY GENERAL'S OFFICE OUTLINES THE WORK OF THE PRIMARY DIVISIONS OF THE AGO FROM JULY 1, 2010 THROUGH JUNE 30, 2011, THAT RESULTED IN A NOTED RETURN FOR THE STATE OF MISSISSIPPI.

CIVIL LITIGATION DIVISION

- Positive outcome in 95% of civil litigation cases in federal and state courts
- Positive outcome in 100% of prisoner complaints filed in federal courts
- Recovered \$934,719.38 for state and local taxpayers in audit and ethics matters, including recoveries for cities and counties

CONSUMER PROTECTION DIVISION

- Responded to 71,092 phone calls placed to the division
- Collected \$522,995 in restitution
- Recovered \$263,229 in costs and fees
- Litigated 61 cases
- Opened 2,041 cases
- 315 Identity Theft cases opened
- 256 Home Repair Fraud cases opened
- 10 Identity Theft arrests
- Seven Intellectual Property Crimes arrests
- 414 trained on Intellectual Property Crimes

CRIME PREVENTION AND VICTIM COMPENSATION

- Awarded \$4,125,424.91 (18.68 % increase) through the Crime Victim Compensation Fund; a record annual payout since the program's 1991 inception
- Awarded \$268,252.96 for Sexual Assault Forensic Examinations
- Provided 5,909 units of service to crime victims
- Provided direct services to 848 crime victims
- Trained 200 law enforcement officers from 45 agencies through "MAG" Pre-Certified Law Enforcement Training

CRIMINAL LITIGATION DIVISION

Appellate Section

- Filed 280 briefs, motions, and responses in the MS Supreme Court & Court of Appeals
- Won 87% of criminal cases filed
- Processed 115 extraditions

Federal Habeas Corpus Section

- Filed 239 answers, briefs, motions, and responses in the US District Courts of MS
- Obtained favorable results in 99% of cases litigated



MISSISSIPPI ATTORNEY GENERAL'S EXECUTIVE SUMMARY

DOMESTIC VIOLENCE DIVISION

- Trained 1,478 officers on Mississippi domestic violence and stalking laws
- Trained 394 officers from 214 jurisdictions on using the Domestic Violence Offense Report
- Trained more than 325 municipal justice, county, and chancery court clerks
- Provided advocacy and information to 166 male and female victims of domestic violence, sexual assault or stalking

MEDICAID FRAUD CONTROL UNIT

- Recovered \$3,392,507 in restitution and civil penalties
- Indicted 48 individuals
- Received over 2,300 complaints of abuse, neglect, or exploitation
- Convicted 46 individuals
- Provided 77 educational programs around the state

OPINIONS

- Issued more than 475 official opinions
- More than 81 % of official opinions were issued within 30 days of the request

PROSECUTORS' TRAINING

- Provided training to 482 law enforcement officers and 775 prosecutors
- Assisted with 21 criminal investigations
- Criminal investigations assistance led to 12 arrests and three indictments.

PUBLIC INTEGRITY

- Opened 83 investigations
- Received and worked through 793 complaints
- Obtained 19 convictions involving voter fraud, embezzlement and other crimes
- Investigations led to eight arrests, indictments and/or removals from office

Alcohol & Tobacco Enforcement Division

- Conducted 6,243 tobacco enforcement checks and 3,823 beer enforcement checks throughout the state
- Trained approximately 161 retail managers and clerks statewide

Child Desertion Unit

- Received approximately 265 complaints
- Opened 10 new investigations
- Obtained 17 indictments and nine convictions against deadbeat parents

Cyber Crimes Unit

- Opened 106 new cases
- Arrested 78 individuals, with Internet Crimes Against Children Task Force
- Obtained seven convictions



MISSISSIPPI ATTORNEY GENERAL'S EXECUTIVE SUMMARY

DUI

- 17 Standardized Field Sobriety Training classes were held
- Over 2,000 judges, prosecutors, and law enforcement officers received DUI training

Insurance Fraud Unit

- Responded to 65 new referrals
- Conducted 64 active criminal investigations
- Recovered \$170,517.73 from fees and restitution
- Made 24 arrests
- Convicted nine individuals

Vulnerable Adults Unit

- Received 2,233 complaints
- Opened 48 new cases and have 25 active cases in criminal investigations
- Conducted 26 training sessions and presentations
- Made 10 arrests
- Obtained nine convictions and 10 indictments

OPINIONS

- Returned 81% of formal opinions in 30 days or less
- Spent approximately 5,800 hours giving advice by telephone and email and approximately 240 hours preparing and conducting seminars around the state
- Trained local officials in implementation of new laws passed by the legislature

PROSECUTORS' TRAINING

- Provided training to 482 law enforcement officers and 775 prosecutors
- Assisted with 21 criminal investigations
- Assistance with criminal investigations led to 12 arrests and three indictments

SUPPORT SERVICES

- Entered into over \$4 million worth of grants and contracts
- Entered into 73 interagency contracts to provide legal services to state agencies
- Recovered over \$52 million owed to state



MISSISSIPPI ATTORNEY GENERAL'S EXECUTIVE SUMMARY

Source of Funds	Amount	Disposition
Medicaid Fraud Control Unit - Restitution and Civil Penalties	3,392,508	State of MS, Division of Medicaid, Attorney General
Consumer Protection Division - Restitution, Recovery of Costs	786,224	State of MS, Attorney General, Consumers
Civil Litigation Division - Audit Recoveries	7,068	State of MS
Insurance Integrity Enforcement - Restitution and Penalties	5,610	State of MS
Medicaid - Estate Recovery, Third Party Recovery and Subrogated Claims	3,754,000	State of MS, Division of Medicaid
MDOT - Damage Claims, W'Comp Subrogated Claims and Other Litigation	2,524,202	State of MS, MDOT
Maxim Intergrated Products - Securities Litigation	20,920	PERS, Attorney General
Merck Pharmaceuticals, Inc. - Vioxx Settlement	600,605	State of MS
Eli Lilly & Company - Ziprexa Settlement	18,500,000	State of MS, Attorney General
Microsot Corporation Settlement	2,514,468	State of MS, Attorney General
Schering Corporation - Average Wholesale Price Litigation	4,064,000	State of MS, Attorney General
Mylan, Inc. - Average Wholesale Price Litigation	5,097,000	State of MS, Attorney General
GlaxoSmithKline, LLC - Average Wholesale Price Litigation	8,000,000	State of MS, Attorney General
Sanofi-Aventis U.S. Inc. - Average Wholesale Price Litigation	3,080,000	State of MS, Attorney General
TOTAL FUNDS RECOVERED	52,346,605	

MISSISSIPPI ATTORNEY GENERAL'S OFFICE

EXECUTIVE BRANCH

CIVIL LITIGATION

CONSUMER PROTECTION DIVISION

CRIME PREVENTION AND VICTIM SERVICES

CRIMINAL LITIGATION

DOMESTIC VIOLENCE DIVISION

MEDICAID FRAUD DIVISION

OPINIONS AND LOCAL GOVERNMENT

PROSECUTORS' TRAINING

PUBLIC INTEGRITY DIVISION

(PUBLIC INTEGRITY UNIT, ALCOHOL AND TOBACCO ENFORCEMENT, CHILD DESERTION,
CYBER CRIME, DUI TRAINING, INSURANCE FRAUD, AND VULNERABLE ADULTS)

STATE AGENCIES

SUPPORT SERVICES DIVISION



EXECUTIVE BRANCH OF THE MISSISSIPPI ATTORNEY GENERAL'S OFFICE

The Executive Branch of the Office of the Attorney General is comprised of Attorney General Jim Hood and his Executive Assistant Melanie Webb, Deputy Attorneys General Mike Lanford and Onetta Whitley, Chief of Staff Geoffrey Morgan and his assistant Cindy Burnham, Special Assistant Attorney General Martin Millette, Public Information Officer Jan Schaefer, and Receptionists Donna Thomas and Marilyn Robinson.

ATTORNEY GENERAL

Attorney General Jim Hood is serving his second term as Attorney General. He has served since being sworn into office in January 2004. The Attorney General is the chief legal officer and advisor for the state in both civil and criminal matters. General Hood is a progressive leader who believes prevention is the best way to tackle crime. Attorney General Jim Hood is not afraid to go after those who threaten the livelihood of Mississippi citizens.

EXECUTIVE ASSISTANT

Attorney General Jim Hood is assisted by Melanie Webb. She manages the General's schedule, appointments and speaking engagements. She works closely with the staff at the National Association of Attorneys General to coordinate General Hood's involvement with issues of national importance to prosecutors.

DEPUTY ATTORNEYS GENERAL

Onetta Whitley and Mike Lanford serve as the Deputy Attorneys General. As Deputies, they are authorized to perform the duties and execute the powers of the Attorney General on his behalf, and to serve in his place on boards and commissions. The administration of the Attorney General's office is divided between the two Deputies. Onetta Whitley has responsibilities for the following divisions: Public Integrity, Medicaid Fraud Control Unit, Consumer Protection and various state agencies' representation. Mike Lanford has responsibilities for the following divisions: Opinions, Civil Litigation, Criminal Appeals and various state agencies' representation, including Departments of Transportation, Gaming and Finance and Administration.

CHIEF OF STAFF

The Chief of Staff, Geoffrey Morgan, handles office personnel issues and provides counsel to the Attorney General on a wide range of legal issues. The office also assists citizens with complaints and questions and handles outside counsel contracts throughout the SPAHRS system. Assisting the Chief of Staff in his daily duties is Cindy Burnham, who has over 30 years of service to the State of Mississippi.

SUPPORT STAFF

Receptionists Donna Thomas and Marilyn Robinson are an invaluable asset to the Attorney General and his staff. They are often the first contact callers have with this office and they cheerfully perform their duties each day. They answer numerous phone calls and direct the callers to the best person in the office to address their questions. These ladies also greet the many visitors the office receives each day.

EXECUTIVE BRANCH OF THE MISSISSIPPI ATTORNEY GENERAL'S OFFICE

PUBLIC INFORMATION OFFICE

The Mississippi Attorney General's Office recognizes the important role played by the press in our efforts to serve the people in our great state and supports an open relationship with members of the press. The Public Information Officer is Jan Schaefer, who has a Master's Degree in Communication and approximately 20 years experience in public relations, as well as print and broadcast journalism. The Public Information Office is responsible for writing and distributing news releases and agency publications, handling public inquiries and planning public events.

The Mississippi Attorney General's Office strives to keep the state's families, adolescents and elderly safe through prevention, education and awareness. Resources available from the Mississippi Attorney General's office:

Relating to Alcohol and Tobacco Enforcement

- *Underage Drinking: What Parents Should Know*
- *Youth Drug Abuse: What Parents Should Know*
- *"Drug Free" Crossword Puzzle Sheet*

Relating to Crime Prevention/Victim Services

- *Address Confidentiality Program*
- *A Victim's Guide*
- *Crime Victim Compensation Financial Assistance for Victims of Crime in the State of Mississippi*
- *Bully-Proof*
- *School Violence Prevention Guide*
- *Workplace Violence Prevention: A Guide*
- *Effective Responses to Victims of Violent Crime: A Guide for Law Enforcement*
- *A Guide to Child Safety: A Parent's PLAN*
- *Resource Guide for Combating Senior Financial Abuse in Mississippi*
- *Youth Suicide: What Parents Should Know*
- *Mississippi Crime Victims' Bill of Rights*
- *Post Conviction Procedures*

Relating to Cyber Crime

- *A Guide to Child Safety: A Parent's PLAN*
- *Keeping You Safe in Cyberspace*
- *Cyberbullying: What Parents Should Know*
- *Sexting: What Parents Should Know*
- *Illegal Downloads: What Parents Should Know*
- *Keeping You Safe in Cyberspace*

Relating to Vulnerable Adults

- *Vulnerable Adults Law Enforcement Guide*

Relating to Consumer Protection

- *Guidelines for Home Repair Contracting*
- *Identity Theft (Book and Pamphlet)*
- *Operation Knock Out Knock Offs*
- *Consumer Tips for Storm Victims*
- *What Determines the Price I Pay for Gasoline*
- *A Consumer Guide to Mississippi's Lemon Law*
- *Mississippi Guide to Consumer Protection Laws*
- *Spanish Brochures (El Fraude en Casa, El Fraude de Automovil, and El Fraude en la Billetera)*

Relating to Domestic Violence

- *Federal Firearms Law: Domestic Violence Offender Gun Ban*
- *Responding to a Domestic Violence Call: A Quick-Reference Guide for Mississippi Law Enforcement*
- *Stalking: Prevention and Awareness Guide*
- *Teen Dating Violence*
- *The Mississippi Domestic Abuse Protection Order*

Relating to the Opinions Division

- *Guide to Mississippi Open Meetings and Public Records Laws*
- *Safeguarding the Vote: Recognizing and Reporting Election Crimes*
- *Public Records Law (as revised in 2008) Affecting Law Enforcement*

Various

- *A Quick Reference Guide to the Office of Attorney General, State of Mississippi.*

CIVIL LITIGATION DIVISION

2011 Civil Litigation Division Accomplishments:

- *Positive outcome in 95% of civil litigation cases in federal and state courts*
- *Positive outcome in 100% of prisoner complaints filed in federal courts*
- *Recovered \$934,719.38 for state and local taxpayers in audit and ethics matters, including recoveries for cities and counties*

Significant or particularly successful litigation cases handled by the Civil Litigation Division or that are pending include the following:

Protecting Important Statewide Interests

Corban v. United Services Auto. Ass'n (Mississippi Supreme Court) In the aftermath of Hurricane Katrina, the Attorney General initiated and joined litigation against insurance companies conducting business in Mississippi seeking to enforce policy language that would require the companies to pay claims for hurricane damages caused by Katrina's unprecedented destruction. For example, in the Corban case, the Attorney General's Office submitted an amici curiae brief to the Mississippi Supreme Court arguing that certain insurance companies were improperly shifting the burden upon the policyholder to prove that the wind caused the damage rather than the insurer having to prove that the damage was excluded from coverage. The Supreme Court's opinion agreed with the arguments presented by the homeowner and the Attorney General and set a strong precedent in favor of the homeowners for future victims of natural disasters.

Metal Management Mississippi, Inc. v. Governor Haley Barbour (U.S. Dist. Ct., S.D. Miss.) To curb the epidemic of metal theft, the Legislature enacted new regulations on companies that purchase scrap metal. A scrap metal purchaser filed suit in federal court asserting the law violated the federal Constitution. The purchaser sought a preliminary injunction prohibiting the law from taking effect. The Civil Litigation Division filed a memorandum in opposition to the requested relief. After a lengthy oral argument, the federal court denied the purchaser's request to stay the law. In light of the arguments presented by the Division, the purchaser later dismissed the suit in its entirety.

Recovering Funds Due the State

Mississippi Surplus Lines Association v. J.K. Stringer, Jr. (U.S. Dist. Ct., S.D. Miss.) Pursuant to statutory authority, the Mississippi Commissioner of Insurance has enlisted the assistance of the Mississippi Surplus Lines Association (MSLA) in regulating certain insurance agents. By statute, the Commissioner authorized MSLA to collect a fee from agents in order to fund MSLA's operating expenses. By 2004, MSLA had accumulated a significant excess of statutory fees, and legislation was passed requiring MSLA to transfer \$2 million of its excess statutory fees to the Budget Contingency Fund. MSLA filed suit in federal court asserting that the statutory fees were private property that could not be taken by the State. After extensive briefing by both parties, the federal district court ruled for the State and adopted the Civil Litigation Division's argument that the \$2 million in statutory fees are the property of the State. MSLA appealed the decision to the Fifth Circuit Court of Appeals. The Fifth Circuit Court of Appeals agreed with the Division and affirmed the district court.

CIVIL LITIGATION DIVISION

Patients' Choice Medical Center of Humphreys County v. Robinson, et al. (U.S. Dist Ct., S.D. Miss.); (Hinds County Chancery Court) The Civil Litigation Division has been representing the Division of Medicaid in suits filed by Patients' Choice Medical Center of Humphreys County. In May 2007, Medicaid began withholding payments to Patients' Choice on all claims submitted by it for behavioral health services because of suspected fraud and/or abuse and/or willful misrepresentation. After auditing Patients' Choice, Medicaid determined that Patients' Choice had obtained \$4,082,471.79 in improper payments. Patients' Choice filed suit in federal court seeking an injunction preventing Medicaid from recouping the improper payments. The district court, after reviewing the arguments made by Civil Litigation, denied Patients' Choice's request for a preliminary injunction. Following the district court's rejection of its request for an injunction, Patients' Choice voluntarily dismissed its suit. Subsequently, Patients' Choice sued Medicaid in Hinds County Chancery Court, seeking a temporary restraining order stopping Medicaid from re-auditing; asking the Chancery Court to declare that the claims for behavioral health services that it had submitted were lawful under Medicaid's regulations; and requesting an injunction lifting the suspension of payment for behavioral health services. The Chancery Court denied Patients' Choice's petition for a restraining order on the ground that Patients' Choice was asking it to intervene in an ongoing administrative proceeding. The Civil Litigation Division has filed a Motion to Dismiss on behalf of Medicaid. At this time, the Motion to Dismiss is still pending.

Defending State Agencies and State Statutes

Denning, et al. v. Barbour, et al. (U.S. Dist. Ct., S.D. Miss.) In response to the significant increases in the cost of prescription drugs provided by the Division of Medicaid, the Legislature enacted a number of cost-saving measures including reducing the number of prescriptions covered by Medicaid to five per month for adult, non-institutionalized beneficiaries. A class of Medicaid beneficiaries filed suit in federal court seeking to prohibit the Division from enforcing the drug limitation. Plaintiffs alleged that the statutory changes violated the federal 1990 Medicaid Drug Rebate Act. The Civil Litigation Division has represented the Division of Medicaid and defended the statutory changes through extensive briefing and several court hearings. To date, our Office has persuaded the federal court not to order the drug limitation lifted, thereby saving the State millions of dollars per month.

United States v. State of Mississippi (U.S. Dist. Ct., S.D. Miss.); Morgan v. Sproat (U.S. Dist. Ct., S.D. Miss.); K.L.W. v. James (U.S. Dist. Ct., S.D. Miss.); J. A. v. Barbour (U.S. Dist. Ct., S.D. Miss.) The Civil Litigation Division is representing the Department of Human Services in suits filed by the United States Department of Justice and private plaintiffs relating to the operation of the Columbia and Oakley juvenile training schools. The suits relate to the conditions of confinement and allege, in part, that the constitutional rights of juveniles were being violated because of staff abuse, inadequate medical and health care, and the failure to provide required educational services. Under the direction of the Governor and in consultation with the Legislature, the State has entered into a comprehensive settlement with the United States Department of Justice requiring the Department to improve the conditions of the juvenile training schools. The Division continues to represent the Department during the implementation phases of the agreements.

CIVIL LITIGATION DIVISION

Olivia Y. , et al. v. Barbour, et al. (U.S. Dist. Ct., S.D. Miss.) The New York based Children’s Rights, Inc. has filed suit alleging that the foster care system administered by the Department of Human Services violates federal law and the constitutional rights of children by failing to provide adequate protective services and other related foster care benefits. The Civil Litigation Division moved to dismiss the complaint and argued that the allegations raised by Children’s Rights were not proper legal issues under federal law. The federal court agreed in large part and dismissed seven out of the eight claims. The dismissal significantly reduced the size of the plaintiff class from 15,000 to 20,000 children to the approximately 3,000 children in foster care. Because of the number of documents involved in this very large class action, the Civil Litigation Division has enlisted the assistance of outside counsel. At the direction of the Governor, in consultation with the Legislature, and with the approval of the federal district court, the State has entered into a settlement agreement requiring the Department of Human Services to achieve accreditation by the National Council on Accreditation and make other improvements to foster care.

Miss. State Democratic Party, et al. v. Haley Barbour, et al. (U.S. Dist. Ct., N.D. Miss.) The Democratic Party filed suit challenging the constitutionality of the state’s current open primary laws. The federal district court denied the Party’s request to enjoin enforcement of the laws during the 2006 primaries. After cross-motions for summary judgment, the federal court declared the open primary laws to be unconstitutional. The Civil Litigation Division, along with other parties, appealed the decision to the Fifth Circuit Court of Appeals. The Court of Appeals reversed the district court decision and reinstated the state’s open primary laws.

Deborah Ellis, et al. v. Mississippi Department of Health, et al. (U.S. Dist. Ct., N.D. Miss.) A child care facility challenged the authority of the Mississippi Department of Health to conduct warrantless searches of licensed facilities. The Civil Litigation Division successfully argued that the searches were constitutionally adequate and the actions of the agency’s employees were not objectively unreasonable. The District Judge’s dismissal of the case was affirmed by the Fifth Circuit Court of Appeals.

Defending State Employees Sued for Alleged Violations of Federal Law

Paul Morgan v. State of Mississippi (U.S. Dist. Ct., S.D. Miss.) This case involved an allegation by the Plaintiff that his rights under the Americans with Disabilities Act were violated by the Department of Correction’s alleged failure to accommodate his handicap. The Plaintiff alleged that the dining halls, showers and living quarters were not equipped for handicapped inmates such as himself and that the Department had taken no steps to bring its facilities into compliance with the ADA. The Plaintiff also alleged that he was denied proper medical treatment and supplies while incarcerated. Following a three day trial, the Court ruled in favor of Defendants finding no liability on the part of Department.

Stern v. Epps, et al.(U.S. Dist. Ct., S.D. Miss.) This civil action involved an alleged violation of Plaintiff’s right to be free from Environmental Tobacco Smoke (ETS)/second-hand smoke in the inmate housing unit. Stern alleged that the exposure to the second-hand smoke caused a bulging eye condition that ultimately affected his vision. This case was tried before a jury over the course of three days with the jury returning a verdict in favor of the State Defendants. The outcome set important parameters within the Southern District relating to the numerous claims of inmates regarding exposure to ETS within housing units.

CIVIL LITIGATION DIVISION

The prisoner litigation team has been successful in defending a number of additional claims to include claims of excessive force, deliberate indifference, retaliation, cruel and unusual punishment, and many others which are primarily resolved at the motion stage.

Estate of Michael Davenport v. MDOC (U.S. Dist. Ct., N.D. Miss.) This bench trial revolved around the issue of an inmate death which occurred during a response to a fire by the Parchman Volunteer Fire Department. Our office represented the Commissioner, Christopher Epps, Parchman Volunteer Fire Department and the Former, Fire Chief, Herman Wesley Knight. Davenport died on March 9, 2009 while fighting a house fire. Davenport had been in the house with another inmate firefighter, Robert Grays, and the PVFD captain, Billy Burchfield, when Knight entered the house and relieved the captain. The heat near a bedroom became very intense, causing Grays to vacate the house. Knight ordered Davenport to back out as well, and then exited the house himself. Knight did not have physical contact with Davenport, nor did he look behind him to ensure Davenport was exiting. Knight performed a head count once outside and after some confusion noticed Davenport was missing. His body was found after the fire was extinguished.

The issue was whether or not MDOC failed to insure the safety of an inmate under the Eighth Amendment and whether the process and procedure for clearing buildings during a fire were faulty. In the end, no liability was assessed and all MDOC defendants were cleared; further, this case was appealed to the fifth circuit and finally dismissed for want of prosecution.

Gregory Greenwood v. Ronald King, et al. (U.S. Dist. Ct., S.D. Miss.) This jury trial revolved around an excessive force claim, that during a routine shakedown of a building housing the plaintiff and other Security Threat Group (STG/gang leaders), that he was improperly beaten by two K-9 officers at the South Mississippi Correctional Institution. He also sued the Superintendent under respondent superior and failure to protect from harm. After two days and a full deliberation by the jury, all defendants were cleared by unanimous verdict.

A.D. Mills v. Ronald King, et al. (U.S. Dist. Ct., S.D. Miss.) This was another Jury trial involving the issues of excessive force and deliberate indifference at SMCI. Specifically, this Plaintiff sued the entire STG classification committee for improper classification as a disruptive core gang member (he was classified as such for his gang activity and assault of a correctional officer at Parchman). He also alleged that staff at SMCI, used excessive force on him in retaliation for his assault on the fellow officer at Parchman. This was a three-day trial, and after deliberations, all defendants were cleared by unanimous verdict.

Reese v. Monroe County Sheriff's Department (U.S. Dist. Ct., N.D. Miss.) Tried before United States District Court Judge Sharon Aycock, this civil action involved complex litigation, alleging an illegal search and seizure by Officers of the Mississippi Department of Corrections; probation, parole and house arrest officers. Originally, Monroe County Sheriff's Deputies was a part of the litigation as defendants along with MDOC officers. Summary Judgment was granted. However, the case was appealed by Attorney Jim Waide to the Fifth Circuit Court of Appeals, who sent the case back for trial. A three-day jury trial followed and no liability was assigned to the defendants.

CIVIL LITIGATION DIVISION

Jacqueline Williams, et al. v. Governor Haley Barbour, et al. (U.S. Dist. Ct. S.D. Miss.) A construction company brought suit against Governor Barbour, Mississippi Development Authority Director Gray Swoope, the State of Mississippi, the Mississippi Development Authority, and Toyota alleging that they were improperly denied the opportunity to bid on a construction contract with the automaker. The Civil Litigation Division secured a dismissal of all claims against the state, state agencies, and state officials at the earliest possible point in the proceedings, thereby saving the State from the expense of discovery and from the possibility of any financial liability.

Oliver E. Diaz, Jr., et al. v. Darlene Ballard (U.S. Dist. Ct. S.D. Miss.) A former Mississippi Supreme Court justice filed suit against a staff attorney with the Mississippi Judicial Performance Commission alleging that the attorney had violated state and federal law during her prosecution of a judicial performance complaint against the former justice. The Civil Litigation Division represented the staff attorney and argued to the Court that the staff attorney had violated no federal or state law. After extensive briefing, the Court agreed with the Division's arguments and dismissed all claims against the staff attorney.

In addition to the above, the Civil Litigation Division is monitoring or participating in dozens of other state or federal cases in which the constitutionality of a state statute is being challenged. Also, the Division is actively involved in many other cases challenging the constitutionality of actions by various state agencies, including the Medical Licensure Board, the Board of Bar Admissions, the Department of Public Safety, and the Department of Health.

Ensuring the Orderly Administration of Elections

In the weeks preceding the elections, numerous suits were filed in which plaintiffs asked a court to issue immediate orders enjoining all or part of the election. Plaintiffs asserted arguments including alleged violations of the federal Voting Rights Act and the State and federal constitutions. In each case, the Civil Litigation Division successfully defended the action, and the election proceeded as planned. **Jim Arnold v. State Election Commission (Hinds County Chancery Court); Shawn O'Hara, et al. v. Secretary of State (U.S. Dist. Ct., S.D. Miss.); Henry Boyd Jr., et al. v. Haley Barbour, et al. (U.S. Dist. Ct., S.D. Miss.); Floydist James Martin v. Haley Barbour, et al. (Consolidated with) Henry Kirksey et al. v. Haley Barbour, et al. (U.S. Dist. Ct., S.D. Miss.); George Dunbar Prewitt, Jr. v. State Board of Election Commissioners (Washington County Circuit Court); George Dunbar Prewitt, Jr. v. Eric Clark, Secretary of State, et al. (Washington County Circuit Court); George Dunbar Prewitt, Jr. v. State Board of Election Commissioners (U.S. Dist. Ct., S.D. Miss.); Leola Strickland, et al. v. Eric Clark, et al. (Hinds County Chancery Court); Jim Giles v. State Board of Election Commissioners (U.S. Dist. Ct., S.D. Miss.)** At the conclusion of the election, the Division obtained a writ of mandamus requiring the Noxubee County Board of Election Commissioners to canvass its election returns and report the results after the Board refused to certify the county's election. **Jim Hood, et al. v. Sylvester Tate, et al. (Lauderdale County Circuit Court).** Prior to the general election in Wilkinson County, the Division was called upon to obtain a writ of mandamus against Wilkinson County election officials who had announced their intention not to conduct the election. **Jim Hood, et al. v. Chantel Morris (Wilkinson County Circuit Court).**

CIVIL LITIGATION DIVISION

Employment Related Litigation and Defense of State Officials

The Civil Litigation Division devotes a significant amount of time and resources each year to defending state agencies and officials against discrimination actions, excessive force suits, and other litigation in which plaintiffs seek monetary damages. The Civil Litigation Division successfully defended the following cases:

Pamela Hervey v. Mississippi Department of Education (U.S. Dist. Ct., S.D. Miss.); Janet Schriver v. Mississippi Department of Education (U.S. Dist. Ct., S.D. Miss.); Cynthia Jeems v. Mississippi Department of Health (U.S. Dist. Ct., N.D. Miss.); Chamara Vaughn v. Mississippi Department of Mental Health (U.S. Dist. Ct., N.D. Miss.); Louise Reid v. Mississippi Department of Mental Health (U.S. Dist. Ct., N.D. Miss.); Calvin Ousby v. Mississippi Department of Public Safety (U.S. Dist. Ct., S.D. Miss.); Janice Nathaniel v. Mississippi Department of Wildlife, Fisheries and Parks (U.S. Dist. Ct., S.D. Miss.); Rudy Ware v. Mississippi Division of Medicaid (U.S. Dist. Ct., S.D. Miss.); Antonio Myers v. The Mississippi Office of Capital Post Conviction Counsel (U.S. Dist. Ct., S.D. Miss.); Cynthia Montgomery v. Wallace Rayborn and Ken Dunlap (U.S. Dist. Ct., S.D. Miss.); Mary Beth Watt v. Mississippi Department of Wildlife, Fisheries and Parks and Sam Polles (U.S. Dist. Ct., S.D. Miss.).

Protection of Charitable Assets

Pursuant to the Attorney General's duty to protect charitable assets, each year the Civil Litigation Division reviews transactions in which non-profit or charitable hospitals sell all or part of their assets to for-profit health care providers. In addition, the division filed suit in DeSoto County Chancery Court to protect multi-million dollar Maddox Foundation, located in Mississippi, from being forced by Tennessee entities to move to Nashville. The DeSoto Court enjoined the Foundation from transferring its assets out of the state. Because of the litigation initiated by this office, the Maddox Foundation and the State of Tennessee were able to reach a settlement ensuring the continued existence of the Foundation in Mississippi. **Jim Hood v. Maddox Foundation, et al. (DeSoto County Chancery Court).**

AUDIT SECTION

In fiscal year 2011, the Office of the State Auditor has secured or assisted in securing indictments, arrests or guilty pleas for 15 public officials and/or public employees, along with Housing Applicant Fraud indictments, arrests or guilty pleas, and has recovered \$934,719 with the help of the Civil Litigation division of the Attorney General's Office. Among the cases, which the Audit Section of the Civil Litigation Division assisted, are the following:

- Alvin Deloach, former City Clerk of the City of Brooksville, Noxubee County, Mississippi. On September 18, 2008, Deloach pled guilty to Embezzlement. On March 13, 2009, Deloach was sentenced to 10 years on ISP (House Arrest) for two years. She was ordered to pay restitution of \$60,874, plus a fine and court costs, with \$10,000 due on or before March 16, 2009. Collected \$50,000 from Ms. Deloach's bond for a total of \$63,392 collected from Ms. Deloach.

CIVIL LITIGATION DIVISION

- James C. Terry, former Supervisor of Lowndes County, Mississippi. On November 29, 2007, James Terry was convicted of embezzlement and sentenced to 13 months and ordered to pay restitution of \$6,227. The sentence was appealed, but was upheld by the Mississippi Supreme Court. On February 28, 2011, the bonding company paid full restitution in the amount of \$6,931.
- Danny Crotts, former Supervisor of Alcorn County, Mississippi. Collected \$127,213. from Crotts' two bonding companies for work on private property and other allegations of misuse of public funds.
- Barry Graham, former employee of the City of Vicksburg, Warren County, Mississippi. On July 29, 2010, Graham pled guilty to Embezzlement and was sentenced to 10 years, with five years suspended and five years probation. Graham was ordered restitution of \$29,060, with \$9,000 due within 30 days. Collected a total of \$28,530.
- Kay Magee, former employee of Hattiesburg High School, Forrest County, Mississippi. Collected \$21,085 from her bonding company. On August 17, 2010, Magee pled guilty to Embezzlement from Hattiesburg Public School District. She was sentenced to 20 years, with 18 months ISP. She was ordered to pay full restitution.
- Elesha Dailey, former Clerk of Town of Burnsville, Tishomingo County, Mississippi. Collected \$62,060 from bonding company. On May 16, 2011, Dailey pled guilty to embezzlement and was sentenced on Count I for 10 years with one year ISP, five years Post Release Supervision and restitution of \$22,395. On Count II and III, she received 10 years suspended, to run concurrent with each other and consecutive to Count I.

In addition, the Civil Litigation Division advised management concerning personnel issues, including re-writing the Agency's Personnel Policy and Procedure Handbook to include updates in travel policy, employment law, and information technology issues; drafting numerous contracts for management for independent contractors, contract audits, and contract employees and advising on various other employee-related issues.

They also assisted the Financial and Compliance Division with legal questions concerning audits and findings in audits, which led to the division taking exception to expenditures, which were returned directly to governmental entities. The division advised the Performance Audit Division on many of its ongoing projects.



CONSUMER PROTECTION DIVISION

2011 Consumer Protection Division Accomplishments:

- *Responded to 71,092 phone calls placed to the division*
- *Collected \$522, 995 in restitution*
- *Recovered \$263, 229 in costs and fees*
- *Litigated 61 cases*
- *Opened 2,041 cases*
- *315 Identity Theft cases opened*
- *256 Home Repair Fraud cases opened*
- *10 Identity Theft arrests*
- *Seven Intellectual Property Crimes arrests*
- *414 trained on Intellectual Property Crimes*

The Consumer Protection Division was created in 1974 by Section 75-24-1, et seq., Miss. Code Ann. (1972). The Consumer Protection Act of 1994 amended and strengthened these provisions. The Division handles a wide range of complaints from citizens located throughout the State of Mississippi. These complaints include, but are not limited to, lottery and sweepstakes scams, new and used car sales, and various forms of consumer fraud. The Division fields thousands of calls and emails each year. The Division is also charged with the investigation and prosecution of identity theft, home repair fraud, and intellectual property crimes. The Division promotes consumer awareness through participation in civic group functions, student lectures, law enforcement seminars, and other types of presentations throughout the state, as well as publishes and distributes public education brochures. Mediation of business complaints and investigation of deceptive business practices constitutes a large part of the Division's activities. To carry out its mission, the Division is also authorized to exercise various types of civil enforcement activities, including administrative subpoenas, cease and desist orders, assurances of voluntary compliance, injunctions, and collection of civil penalties.

Consumer Education Efforts

The Consumer Protection Division presented numerous speeches, presentations and exhibits across Mississippi in an effort to educate consumers regarding scams, identity theft, intellectual property theft crimes, automobile sales, home repair fraud, and mortgage/foreclosure issues. Some of the events included: Triad Senior Day at Camp Wesley Pines, Carthage Senior Citizens Day, Pine Lake Baptist Church, Newton Lions Club, and the MS Association for Planning and Development.

Highlights of Consumer Educational Efforts

Shred-It and Forget It Campaign

The Consumer Protection Division held its 5th Annual "Shred-It and Forget It" Campaign in March 2011. The purpose of the event is to educate Mississippians on the dangers of identity theft and offer them a means to safely discard their sensitive materials. The event was held statewide at shred stations in Jackson, Hattiesburg, D'Iberville and Tupelo. A total of 1,328 consumers across the state protected their identity by shredding 61,740 pounds of paper. The Consumer Protection Division teamed up with Shred It, Secretary of State's Office, Better Business Bureau, Wal-Mart, The Home Depot, Bancorp South, and CredAbility to host this event.

CONSUMER PROTECTION DIVISION



Lines were long at this year's Consumer Protection Shred-it Day

Did You Know Initiative

The Consumer Protection Division spearheaded the AGO's "Did You Know" initiative again in 2010. The initiative was originally created in 2009 to raise residents' awareness of all of the resources available from The Attorney General's Office. The 2010 initiative targeted schools and community groups. The highlighted divisions were: Victims' Compensation, Consumer Protection, Cyber Crimes Unit, Administrative Division, Domestic Violence, Child Desertion, Medicaid Fraud Control Unit, and Vulnerable Adults.

BE SMART Initiative

In conjunction with National Protect Your Identity Week 2010, the Consumer Protection Division, together with CredAbility and the Better Business Bureau, took part in an initiative to help educate consumers on the dangers of identity theft. Representatives were at the Ridgeland, MS WalMart location. The Jackson-based branch of Cintas provided the shred truck for this event.

The "Be SMART" campaign focused on five key prevention tips:

- Shred Sensitive Documents
- Make Wise Decisions with personal information
- Analyze Your Credit Report
- Report Identity Theft
- Take Precautions; know what safeguards are in place with your creditors

CONSUMER PROTECTION DIVISION

SIGNIFICANT LEGISLATION

During the 2011 legislative session, a new law was passed to help foster law enforcement's ability to get dangerous counterfeit goods off the streets:

HB 784 - allows for the seizure and forfeiture of property, both real and personal, used in forfeiture proceedings, while providing due process to lien holders and parties with security interests. The law also provides a method for the disposition of seized property and proceeds.

Rule 21 Amendment - The Public Service Commission ruled positively for consumers to an Amendment of Rule 21 which gives the factors and non-factors for determining utility rates to the public. In particular, the amendment makes the standards for the payment of attorney fees in rate calculation higher for utilities.

Ratepayers' Bill of Rights - On August 3, 2010, the Ratepayers' Bill of Rights were enacted to tell Consumers the rights they shall have concerning their utility and telecommunication needs. The Rights were created to highlight benefits that should naturally be derived from Public Service Commission Rules. They are available to all residential utility customers in the State of Mississippi and posted on the Public Service Commission's website.

SIGNIFICANT MULTI-STATE ACTIONS

DIRECTV - In December 2010, our office, along with 48 other states, announced that DIRECTV would pay \$13.25 million to settle consumer protection allegations. The settlement was effective January 1, 2011. The State of Mississippi received \$185,000 of the total settlement. The states alleged that the satellite TV provider engaged in deceptive and unfair sales practices. In addition to the \$13.25 million, DIRECTV also agreed to pay restitution to consumers and to alter its business practices in the future.

Publishers Clearing House - The Publishers Clearing House settlement was announced on September 13, 2010. The multi-state group investigated Publishers Clearing House's (PCH) compliance with judgments negotiated in 2000 and 2001. The original investigation was aimed at resolving allegations that PCH had engaged in deceptive marketing practices related to the mailing of promotional materials. The investigation revealed a failure to follow specific provisions of the prior judgments. The new settlement agreement includes stronger provisions to help ensure that consumers are not misled or confused by the company's sweepstakes promotions. PCH also agreed to pay \$3.5 million to the 32 states involved. Mississippi's share of the settlement was \$41,600.

SIGNIFICANT INVESTIGATIONS/LITIGATION

Identity Theft

Elderidge Simon, a former employee of the city of Pearl, used the routing number of the city's checking account to pay the utility bills for two people. Simon pled guilty to two counts of fraudulent use of identity on March 7, 2011. He was sentenced to serve five years on both counts (for a total of 10 years) followed by one year of post-release supervision. He was also ordered to pay \$500 to the Attorney General's crime investigation fund, restitution in the amount of \$44,253.07 and \$1,841 in court costs and fees.

CONSUMER PROTECTION DIVISION

Rosa Broome, who was a home-care nurse, stole information from the victim and used it to obtain credit cards in the victim's name where Broome was listed as an authorized user. Broome used those cards to purchase merchandise, which she later sold to third parties for cash. She pled guilty to identity theft on April 21, 2011, and was sentenced to four years with two years suspended and two years to serve followed by two years of supervised probation. She was also ordered to pay \$500 to the Attorney General's crime investigation fund and restitution in the amount of \$32,095.

Charmaine Kelly was convicted on three counts of fraudulent use of another's identity in Madison County, on March 16, 2011. Kelly was sentenced to a total of 15 years in the custody of the Mississippi Department of Corrections; 10 years and one day to serve; four years with 364 days suspended.

Edward Alexander obtained the personal identifying information of the victims and used it to file false tax returns and claim the refunds. He pled guilty to the charge of identity theft on January 29, 2010, and was sentenced to 10 years with four years suspended and six years to serve, followed by three years of supervised probation. He was also ordered to pay \$1,000 to the Crime Victim's Compensation fund, a \$1,000 fine, and \$26,577 in restitution.

Home Repair Fraud

William Mohr pled guilty to Home Repair Fraud. He received more than \$18,000 to install an elevator in the home of a disabled man, but never even ordered the elevator. He was sentenced to pay \$14,000 restitution, \$500 to the Attorney General's investigative fund, a \$1,000 fine, and \$200 to the Crime Victim's Compensation Fund on February 8, 2011.

Roger Hendren pled guilty to Home Repair Fraud in Harrison County on November 29, 2010. Restitution was ordered in the amount of \$12,500. Hendren was sentenced to five years suspended; five years post-release supervision, in the custody of the Mississippi Department of Corrections and to reimburse the Attorney General's investigative fund in the amount of \$1,000.

Jerome Short pled guilty to the charge of Home Repair Fraud in Copiah County, MS, on July 19, 2010. Restitution was ordered in the amount of \$10,000. Shorter was given a sentence of five years suspended in the custody of the Mississippi Department of Corrections. He was also ordered to pay a \$2,000 fine and \$500 to the Attorney General's investigative fund.

Bobby Gene Stimits pled guilty to Home Repair Fraud in Hancock County, on October 4, 2010. Restitution was ordered in the amount of \$14,000, and \$500 to be reimbursed to the Attorney General's investigative fund. Stimits was sentenced to 10 years suspended in the custody of the Mississippi Department of Corrections.

CONSUMER PROTECTION DIVISION

Intellectual Property Crimes

Katie Binger pled guilty to two counts of Sale of Recordings Without Display of Required Information on February 15, 2011, and was sentenced to three years suspended with three years non-adjudicated probation. She was ordered to pay a \$5,000 fine, \$500 for investigative costs, \$500 to the Crime Victim Compensation fund and to testify truthfully, if called.

Becky Foster pled guilty to two counts of Sale of Recordings Without Display of Required Information on June 13, 2011, and was sentenced to three years suspended and five years suspended with five years probation. She was ordered to pay a \$7,500 fine, \$2,000 for investigative costs and forfeiture of all money and merchandise seized.

Cindy Bingham pled guilty to unauthorized duplication of audiovisual recordings on February 15, 2011, in Lincoln County. Ms. Bingham was fined \$5,000 and required to reimburse the Attorney General's investigative fund in the amount of \$500. Bingham was sentenced to three years non-adjudicated probation.

Operation Knock Out Knock-Offs Continues

For a second year, the division was awarded a grant to help fight intellectual property theft crimes from the Office of Justice Program (OJP). The grant award is \$165,365. Our office combines a \$165,365 of in-kind state funds for a total of \$330,730 to develop and maintain a Mississippi Intellectual Property Crime Center ("MIPCC") and to continue Operation Knock Out Knock-Offs (K.O.K.O.).

The goals of Operation K.O.K.O. are to: (1) provide assistance to law enforcement in intelligence gathering, investigative coordination and cooperation, and enforcement; (2) reduce the number of intellectual property crimes in the state of Mississippi through increased law enforcement training; (3) enhance the ability of federal, state, and local authorities to investigate and prosecute intellectual property offenders by coordinating resources and knowledge; and (4) advance consumer safety by educating merchants and the general public about the dangers of intellectual property crimes.

Consumer Assistance Program Grant

The Department of Health and Human Services awarded the Division the Consumer Assistance Program Grant in the amount of \$332,596 to help educate Mississippians on the Affordable Care Act. The Division formed a consortium with two non-profit organizations, Mississippi Primary Health Care Association ("MPHCA") and Mississippi Health Advocacy Program ("MHAP"), to provide assistance to consumers as they attempt to navigate their way through the upcoming changes to the public and private health insurance systems. The consortium is titled the "Mississippi Consumer Assistance Program."

AG's Efforts to Combat Counterfeit Products Gets Another Boost

CONSUMER PROTECTION DIVISION

BP Oil Spill

The Consumer Protection Division has been closely monitoring the aftermath of the April 2010 oil spill in the Gulf of Mexico. In particular, the Division has focused on the fairness and transparency of the process designed to compensate victims of the oil spill.

On February 18, 2011, the Division served Kenneth Feinberg, administrator for the Gulf Coast Claims Facility (GCCF), with a subpoena requesting the production of documents related to the claims process. The subpoena seeks information that would allow the Division to determine whether the GCCF and Feinberg may have violated or may be violating the Consumer Protection Act.

In March, Division staff assisted with a series of town hall meetings along Mississippi's Gulf Coast to hear concerns from oil spill claimants. Held in coordination with the Mississippi Center for Justice (MCJ), Mississippi Center for Legal Services (MCLS) and the Mississippi Volunteer Lawyer's Project (MVLP) through the Mississippi Bar Association, the meetings were designed to hear about concerns with the claims process directly from claimants. Meetings were held in Waveland, Gulfport, Biloxi, and Pascagoula on March 29-30, 2011.

Attorney General Jim Hood Plans Town Hall Meetings for Oil Spill Claimants



Attorney General Hood talks with those affected by the BP Oil Spill on the Mississippi Gulf Coast.

CRIME PREVENTION AND VICTIM SERVICES

2011 Crime Prevention and Victim Services Division Accomplishments:

- *Awarded \$4,125,424.91 (18.68 % increase) through the Crime Victim Compensation Fund; a record annual payout since the program's 1991 inception*
- *Awarded \$268,252.96 for Sexual Assault Forensic Examinations*
- *Provided 5,909 units of service to crime victims*
- *Provided direct services to 848 crime victims*
- *Trained 200 law enforcement officers from 45 agencies through "MAG" Pre-Certified Law Enforcement Training*

YOUTH SERVICES

Youth Services supports prevention efforts that reduce juvenile delinquency, truancy, exploitation, and child abuse and neglect, through collaboration with after-school programs, mentoring initiatives, and other proactive youth endeavors. The Division partners with other state agencies, as well as nonprofit organizations, to expand and promote services for at-risk children. Through grants and existing public funds, the Division was able to provide opportunities for enhancement, training, and technical assistance to community programs and other state agencies.

The Oakley Youth Development Center Garden Project



On June 15, 2011, Attorney General Jim Hood, Department of Human Services Executive Director Don Thompson and Superintendent of Education Tom Burnham announced a new joint effort: the Oakley Youth Development Center Garden Project. During the official unveiling, youth showcased the beginning results of their work by picking the first crop from the garden. The first crop included okra, tomatoes, squash, peppers, blueberries and melons.

The garden project was made possible through a grant from the Mississippi Department of Agriculture and Commerce. Through the garden project, juveniles detained at Oakley Youth Development Center are exposed to the benefits of healthy eating and healthy living. Youth realize the benefits of healthy eating and healthy living on their physical and psychological well-being through a facility-based hands-on process of selecting, planting, cultivating, growing and harvesting their own specialty crops. This project will serve as a model for other secure facilities throughout the state.

The project is a collaborative effort between the Office of the Attorney General, Mississippi Department of Human Services Division of Youth Services, Partnership for a Healthy Mississippi, Mississippi Department of Education, Mississippi Department of Agriculture and Commerce, Mississippi State Extension Services, Hinds County Sheriff's Office and other agencies.

Through the Garden Project, detained youth will participate in healthy behavioral modification programs, healthy eating programs, and exercise programs. Since youth will be involved in every aspect of the project, they will unknowingly apply educational tools such as math, science, reading, and astronomy in developing and maintaining the garden. This should give them a sense of ownership, which will benefit them when they return to their communities. They will also take with them valuable skills, which could lead to employment.

CRIME PREVENTION AND VICTIM SERVICES

Save the Children

On September 8, 2010, Attorney General Hood and Mark K. Shriver, the senior vice-president of Save the Children's U. S. Programs announced the addition of the Save the Children literacy program at Houlika Attendance Center. Save the Children is the leading independent organization creating lasting change in the lives of children in need in the United States and around the world. Recognized for their commitment to accountability, innovation and collaboration, their work takes them into the heart of communities, where they help children and families help themselves.

Since implementing the program, Houlika Attendance Center received the first round Gold STAR award for meeting and exceeding the percent of children reading independently – 90% or higher. It also met the Gold STAR award prerequisites of 90 percent or more of students passing quizzes, 15 percent or fewer of children scoring below 85 percent correct on quizzes, and only five percent or fewer of students failing to take quizzes.

Save the Children's literacy program provides children in kindergarten through eighth grade with the opportunity to increase their reading achievement by supplying the tools they need to develop reading skills and the guidance and support they need to grow as readers. The hallmark of their literacy initiative is the Literacy Block, which consists of an hour of activities that support increased reading achievement including guided independent reading practice, fluency-building support and listening to books read aloud.

To provide additional reading support, staff members work with select groups of struggling readers during the school day to provide tutorials in phonics, sight word growth, and comprehension and vocabulary enhancement. There has been noticeable improvement in the performance of students participating in the program.

Cal Ripken, Sr. Foundation – Badges for Baseball Program



The Badges for Baseball Program is a community crime prevention initiative that utilizes law enforcement officials as mentors. The AGO began its long-term relationship with the Cal Ripken, Sr. Foundation in 2008 when it implemented the Badges for Baseball Program in Boys and Girls Clubs across the state. Locations participating in the program include Tunica, Batesville, Rosedale, Oxford, Cleveland, Grenada, Indianola, Greenville, Philadelphia, Drew, Itta Bena, Kosciusko, Yazoo City, Clinton, Jackson, Meridian, Laurel, McComb, Gulfport, and Houston.

On May 24-27, 2011, youth from Mississippi, Georgia, Florida and Missouri participated in the Badges for Baseball Camp sponsored by the Cal Ripken, Sr. Foundation in Baltimore, Maryland. For many of the youth, it was their first time on a plane, and for most of them, their first time at camp.

The mission of the Cal Ripken, Sr. Foundation is to reach young people in disadvantaged communities throughout America and teach them to learn and practice the skills needed to be healthy, happy and successful in life. Kids learn the value of a healthy lifestyle, the importance of setting goals, and how to achieve these goals by staying in school, not joining gangs, and staying away from drugs. In addition, children and their families begin to see their local law enforcement as an agent for positive change and safety. Most importantly, law enforcement officers and young people begin to have fun together and develop a mutual respect for each other and their community.

CRIME PREVENTION AND VICTIM SERVICES

Anti-Bullying Awareness and Training

On September 29, 2010, the Attorney General's Office, the Mississippi Department of Education, and several other state agencies held an anti-bullying conference that focused on engaging and inspiring students to take a stand against bullying in their schools. Through this collaboration, an educational website, www.fearstopshere.com was developed. The website serves as a resource page for students, parents and teachers. The awareness campaign also included the development of a statewide ad campaign to raise awareness of the problem of bullying.

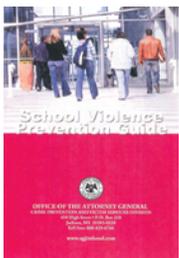
Our efforts continued by sponsoring an evidence-based curriculum, Bully Free Program, that brought together school administrators, teachers and counselors on what to do to combat bullying. Dr. Allan Beane, an internationally recognized expert, speaker and author on bullying, conducted the training. His Bully Free Program has been adopted by schools and districts throughout the United States.

The training began with a three-hour seminar presented to school administrators on April 17, 2011. The next step was to bring in a representative from each school district to be certified as a trainer for the Bully Free Program. There were more than 125 participants who were certified as trainers during the two-day training held on April 18-19, 2011. Participants were given access to more than 600 lesson plans focused on alleviating bullying in schools and communities.

SCHOOL SAFETY RESOURCES

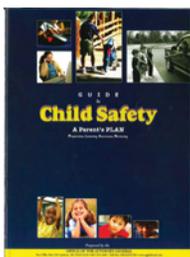
The Mississippi Office of the Attorney General website (www.agjimhood.com) offers publications that serve as resource materials to equip parents, teachers and administrators with the tools needed to protect children in communities and schools. The website also offers other publications that are valuable to the protection of children and adults.

School Violence Prevention Guide



This school violence prevention guide is designed to help teachers identify the warning signs of a potentially violent child and to help school administrators establish a protocol for students and teachers to report these signs before a violent act occurs.

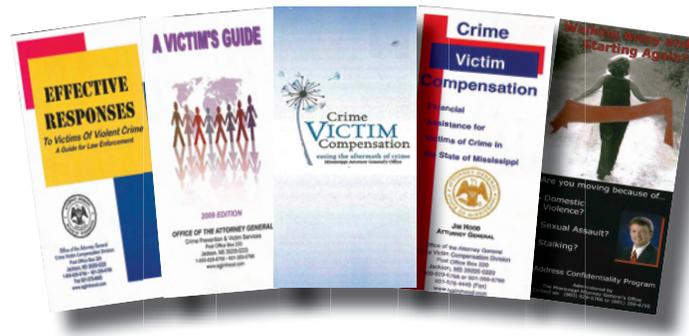
A Parent's PLAN to Child Safety



Vital factors in ensuring child safety are Preparation, Listening, Awareness, and Nurturing. Because dangerous situations are real in a child's world, parents must use every measure available to protect their children. Unfortunately, parents cannot be with their child at all times, so this PLAN provides parents with some indicators of predatory behavior, steps to implement, precautionary guidelines to follow and some basic safety skills for children.

CRIME PREVENTION AND VICTIM SERVICES

OTHER RESOURCES



The Crime Prevention and Victim Services division provides Mississippians many different resources like the ones shown above to help promote crime prevention measures for the safety of the state's citizens and provide services for the victims of crimes.

The Annie E. Casey Foundation – Juvenile Detention Alternatives Initiative (JDAI)

The Juvenile Detention Alternatives Initiative (JDAI) is being replicated in Adams County, Leflore County and Washington County. The JDAI Launch and Kick-Off served as an opportunity to bring together local stakeholders and state-level stakeholders to understand and commit to the goals and objectives of replicating JDAI. After more than a decade of innovation and replication, JDAI is one of the nation's most effective, influential, and widespread juvenile initiatives for justice system reform.

The Annie E. Casey Foundation recognized that effective and influential leaders - committed to juvenile detention reform - are needed to accelerate the achievement of results in the field. Consequently, it established the JDAI Applied Leadership Network. The Foundation hopes the program will “grow” highly skilled, visionary leaders working to strengthen and transform the juvenile justice system. Washington County Youth Court Judge Vernita King Johnson, and Washington County Public Defender Errick Simmons, was selected as members of the 2010 – 2011 JDAI's Applied Leadership Network Class. This was an honor for the two to be selected by the Annie E. Casey Foundation to participate in the rigorous leadership training. Their training will greatly benefit the juvenile reform efforts in Washington County and across the state.

In our efforts to expand JDAI into other counties, Rankin County Youth Court held its JDAI Kick-Off on February 23-24, 2011. Rankin County officially became the fourth JDAI site. The Rankin County JDAI Site funding was made available by a 2006 Juvenile Accountability Block Grant (JABG) from the Department of Public Safety Planning. Preliminary planning has begun to bring Harrison County on as the next JDAI site.

JDAI focuses on the juvenile detention component of the juvenile justice system and promotes changes to policies, practices, and programs to:

- reduce reliance on secure confinement;
- improve public safety;
- reduce racial disparities and bias;
- save taxpayers' dollars; and
- stimulate overall juvenile justice reforms.

CRIME PREVENTION AND VICTIM SERVICES

Other work of the Youth Services Division includes collaboration on the following:

- MS College School of Law, Child Advocacy Program Advisory Board
- MS KIDS COUNT Program Advisory Board
- Prevent Child Abuse Mississippi
- National Association of Attorneys General Youth Access to Alcohol Task Force
- Department of Mental Health Children's Services Task Force
- Commission on Children's Justice
- Child Death Review Board
- MDHS' State Level Case Review Team
- MDHS' Citizen Review Board
- MS Youth Transitional Advisory Council
- State Drug Court Advisory Committee
- MS Commission on the Status of Women
- Southern Christian Services for Children and Youth, Inc. Lookin' to the Future Conference Committee
- National Association of Attorneys General Task Force on School Safety
- MS Youth Suicide Prevention Council
- Mississippians Advocating Against Underage Drinking (MAAUD) Task Force
- Children's Justice Center Advisory Council
- Interagency Coordinating Council for Children and Youth
- Interagency System of Care Council
- Training provided for Youth Court Judges and Referees, Prosecutors, Guardians Ad Litem, Attorneys, Social Workers, Educators, Law Enforcement and others

CRIME VICTIM COMPENSATION

The Crime Victim Compensation Division provides financial assistance and support services to victims of crime and their family members. The goal of the Division is to relieve the hardships of victims and to assist in their recovery whenever possible. We are able to accomplish this goal through several program activities including, but not limited to: financial assistance, victim services, promoting and providing information on the MS Crime Victims' Bill of Rights, outreach and public awareness and strong collaborations and partnerships with local, state and federal agencies. The Division operates without tax dollars. Revenue is derived from fees/fines imposed on criminals, court-ordered restitution, reimbursement through subrogation rights, donations and federal grants.

VICTIM COMPENSATION PROGRAM

The financial burden of crime is reduced by reimbursing victims for their crime-related injury expenses not covered by any other source of benefits. Compensation may be awarded to the victim, the dependents of a deceased victim, survivors, or a person authorized to act on behalf of the victim and/or surviving dependent. Benefits are awarded for medical care, rehabilitation, counseling services, work loss, loss of support for dependents of homicide victims, domestic violence relocation and temporary housing assistance, court-related travel, repair and replacement costs, crime scene cleanup and funeral expenses.

CRIME PREVENTION AND VICTIM SERVICES

During July 1, 2010 through June 30, 2011, the Division received a total of 1,083 claim applications, awarded \$4,125,424.91 (18.68% increase) in financial assistance, and increased the average payout (\$6,436) by 14.98%. In addition, the Division awarded \$268,252.96 in payments for Sexual Assault Medical Forensic Examinations.

The Division received a \$1,116,000 Victims of Crime Act (VOCA) Victim Compensation federal grant from the U.S. Department of Justice, Office for Victims of Crime.

VICTIM ASSISTANCE PROGRAM

The Victim Assistance Program is committed to providing the most up-to-date resources and information and to creating a better understanding of the criminal justice system for all crime victims and survivors. This program serves as the single point of contact for crime victims, provides crisis intervention, assists with completion of financial aid applications, connects victims to support groups and other related services, educates law enforcement and victim service providers on victim rights and services, assists victims with invoking their rights and obtaining case and offender status. The Victim Assistance Program emphasizes providing assistance to individuals who live in rural areas where local victim services are not available.

Additionally, victim advocates aid victims in their recovery by lending emotional support, providing crisis intervention, assisting with supplying written documentation to criminal justice officials regarding the impact of the crime, requesting court-ordered restitution, and guiding victims and survivors through the criminal justice system.

Advocates are responsible for assisting the Mississippi Attorney General's Criminal Litigation Division by providing victims and/or survivors whose cases are pending appeal with weekly updates from the Mississippi Supreme Court and the Mississippi Court of Appeals. Court accompaniment for oral arguments before the Supreme Court and Court of Appeals is provided upon request. Advocates also assist the Attorney General's Medicaid Fraud Control Unit, Vulnerable Persons Unit, Cyber Crime Unit and the Public Integrity Division.

This fiscal period, the Victim Assistance Program assisted 848 victims of violent and non-violent crimes. Approximately 5,909 units of service were provided, including referrals, support, advocacy and information on the Crime Victim Compensation Division and the Crime Victims' Bill of Rights.

Advocates continue to provide year-round support and technical assistance to victim service providers, law enforcement and criminal justice officials. Updated victim resource directories are routinely distributed statewide to all Victim Assistance Coordinators and victim service providers. In addition, victim advocates collaborate extensively with the Mississippi Coalition for Survivors of Homicide, Mississippi Coalition Against Sexual Assault, and Mississippi Coalition Against Domestic Violence.

The Division maintains an automatic mailing list server to assist in the exchange of information between victim service providers. This includes information on awareness events, training opportunities, requests for assistance on various issues, available grants and legislative action regarding victim issues.

CRIME PREVENTION AND VICTIM SERVICES

ADDRESS CONFIDENTIALITY PROGRAM

The Address Confidentiality Program assists Mississippi residents who are attempting to escape from actual or threatened domestic violence, sexual assault or stalking by establishing a confidential address to prevent their assailants or probable assailants from finding the victim's location. Program participation allows the Division to act as the legal agent for the participant and gives the Division the authority to accept service of process on behalf of the participant. The Address Confidentiality Program helps victims keep their location confidential by providing them with a substitute address and a mail forwarding service for use when interacting with state and local agencies. All legal documents, first class, registered and certified mail, are routed from the Division to the victim's new, confidential location. By law, the addresses of those enrolled in the Address Confidentiality Program are exempt from the Mississippi Public Records Act.

OUTREACH, PUBLIC AWARENESS, AND COMMUNITY INVOLVEMENT

Training continues to be an ongoing and integral component of the Division. Staff conducted a total of 43 training sessions and awareness events. Those trainings and/or events included, but are not limited to, Mississippi Judicial College conferences, CASA and Gulf Coast Women's Center for Non-Violence Children's Resiliency Conference, University of Southern Mississippi Criminal Justice education forums, Lethality Assessment Protocol Training, Criminal Investigator Training, Citizen's Police Academy, Social Work Professional Development Conference, Sexual Assault Nurse Examiner (SANE) Trainings through the Mississippi Coalition Against Sexual Assault, Youth Leadership Conference, and NAACP State Conference.

The Division continues to co-host and/or participate in the Annual Crime Victims' Rights Week Events: Walk-A-Mile-In-Her-Shoes; the annual retreat for homicide survivors, A Beacon of Hope; and the Annual Tree Lighting Ceremony. During these events, individuals from across the state come together to honor and pay tribute to victims of violent crime; to bring awareness to the needs and services for crime victims; to promote the Crime Victims' Bill of Rights; and to recognize the many individuals who provide much needed services and assistance to victims and survivors alike.

SPECIAL PROJECTS

Mississippi Attorney General ("MAG") Certified Law Enforcement Training

The Division continues to partner with the Office on Law Enforcement, Emergency Telecommunications, and Detention Officer Standards and Training to offer statewide "MAG" (Mississippi Attorney General) Certified Law Enforcement Training. "MAG" training provided law enforcement officers, who are required to receive certified continuing education, with four opportunities to receive training in various locations across the state. These trainings took place in Gulfport, Morton, Mendenhall and Pascagoula. As a result of this partnership, 200 individual officers representing 45 law-enforcement agencies were trained.

Experienced advocates, attorneys, medical personnel and investigators provided lectures and/or workshops on topics specifically related to law enforcement, including, but not limited to, Intimate Partner Stalking, Location & Surveillance Technology, Staking Via Communication Technology, Using Information Technology to Stalk, Analyzing Your Stalking Statue, The Law Enforcement Response to Stalking, Crime Victims' Bill of Rights, Mississippi Attorney General's Crime Victim Compensation and Victim Services Programs, Death Notification, Investigating a Mass Murder, Legislative Updates, Media Relations and Gangs.

CRIME PREVENTION AND VICTIM SERVICES

Training evaluations reflected numerous positive responses including, but not limited to, the following:

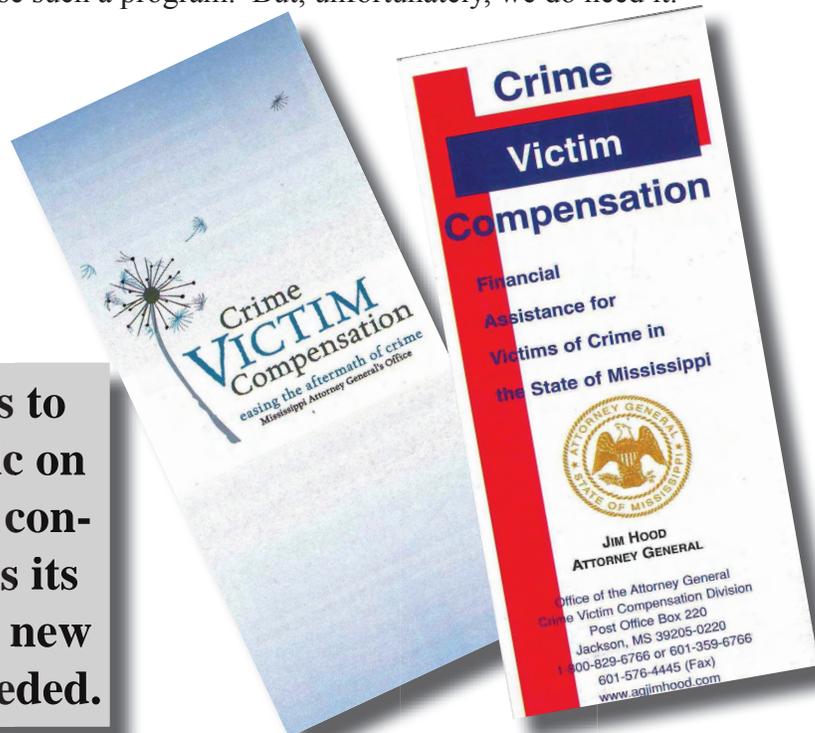
- “Great presentation. Good job “MAG”!
- “Great teachers/speakers. Very informative. I can use at my department.”
- “I appreciate the effort they put into this school.”
- “I really enjoyed the workshop, and I learned a lot.”
- “Great class. I would sit through it again.”
- “Very helpful. All officers should be taught this at the academy.”

Victim Compensation Response Form

As a way to assist the division in on-going efforts to continually enhance program effectiveness, participants awarded compensation benefits were sent a Victim Compensation Response Form.

These response forms reflected numerous positive remarks including, but not limited to, the following:

- “Me and my family have been extremely satisfied with the staff on this claim. My sincerest gratitude is due to you all. Thank you all for showing me respect and kindness throughout this horrible ordeal. Keep up all the good work and God Bless you all, Love in Christ.”
- “I think what you guys do is out of this world. Especially in this recession. It is hard paying bills from month to month, never mind to plan and pay for an unexpected untimely death.”
- “Thank you all so much. Words can’t express how grateful we are that you all were there for us when we needed financial help during this tragic and unexpected loss of my daughter. Again, thank you, and may God Bless Mr. Hood and Staff.”
- “I would like to say thank you for all the VCD has done for me and my family. You all have been great comfort each time I have called. Thank ya’ll so much.”
- The staff I’ve spoken with were extremely kind, caring and helpful. This is a great program, though I wish no one would ever need to use such a program. But, unfortunately, we do need it.”



The AGO strives to educate the public on crime issues, and continuously updates its publications with new information as needed.

CRIMINAL LITIGATION DIVISION

2011 Criminal Litigation Division Accomplishments:

Appellate Section

- *Filed 280 briefs, motions, and responses in the MS Supreme Court & Court of Appeals*
- *Won 87% of criminal cases filed*
- *Processed 115 extraditions*

Federal Habeas Corpus Section

- *Filed 239 answers, briefs, motions, and responses in the US District Courts of MS*
- *Obtained favorable results in 99% of cases litigated*

The Criminal Division is comprised of some of the most experienced attorneys in state government. Because they rely so heavily on judicial precedent, these attorneys have a keen interest in the history as well as the future development of the law. All briefs filed by Criminal Division attorneys are carefully researched and precisely argued to ensure that lawful convictions and sentences are upheld by the courts.

The Criminal Division is divided into three sections: the Appellate Section, the Death Penalty Section, and the Federal Habeas Corpus Section. The attorneys in all three sections provide advice and research resources to fellow prosecutors, law enforcement officers, and other public officials, as well as answer general information questions from the public on criminal matters. These attorneys also provide instruction at the Mississippi Law Enforcement Training Academy and at various seminars and conferences for public officials throughout the State of Mississippi.

APPELLATE SECTION

Appellate Section attorneys represent the state in all non-death penalty criminal appeals and other criminal proceedings in the Mississippi Supreme Court, the Mississippi Court of Appeals, and the Supreme Court of the United States. This section is also responsible for reviewing all extraditions in which Mississippi is either the asylum or the demanding state.

During Fiscal Year 2011, among other various matters, the attorneys in the Appellate Section filed 280 briefs, motions, and responses in the Mississippi Supreme Court and the Mississippi Court of Appeals, winning approximately 87% of the criminal cases disposed of by the Supreme Court and Court of Appeals. This section also processed 115 extraditions.

CRIMINAL LITIGATION DIVISION

SIGNIFICANT CASES IN FISCAL YEAR 2011

The Mississippi Court of Appeals affirmed the convictions for voter fraud against **Ada Tucker** and **Clint Moffitt** in Benton County, Mississippi. The case was prosecuted by the Office of the Mississippi Attorney General, Public Integrity Division.

Dante Lamar Evans's conviction was a Harrison County murder case affirmed by the Mississippi Court of Appeals. Evans was found guilty of shooting his sleeping father in the head. Evans had moved from his mother's North Carolina home and lived with his father for less than two months before murdering him.

Jay T. Magee's conviction for armed robbery and kidnaping in Pearl River County was affirmed by the Mississippi Court of Appeals. Magee and an accomplice committed an armed robbery and kidnaping at a Poplarville Sonic Drive-In. Magee was apprehended without clothing at a nearby carwash. Magee feigned that he was actually a crime victim, claiming that two men dragged him into the woods, took his clothes, and left. A K-9 with the sheriff's department tracked Magee's scent to the would-be getaway vehicle, which contained evidence of the crimes. The robbers were locked out of the vehicle after the robbery.

The Mississippi Supreme Court affirmed the aggravated driving under the influence conviction of **Jaison Harness**. Harness struck another car head on, and the driver died as a result. The Hinds County District Attorney's Office prosecuted the case.

The Mississippi Supreme Court affirmed the murder conviction and life sentence of **Kenneth Moore**. Moore was convicted of murdering Cordarius McChriston outside a night club in Holmes County. Moore argued on appeal that he should have been convicted of manslaughter and not murder. He claimed that he was acting in the heat of passion when he shot Mr. McChriston as the two had just been involved in a fist fight outside the club. The Supreme Court disagreed, holding and affirmed the conviction for murder.

The Court of Appeals upheld **Eric Deshawn Jackson's** three depraved heart convictions and three life sentences after he was convicted of killing Preston Qualls, Denise Jackson and Denise Jackson's unborn child. Eric Deshawn Jackson was seen shooting a rifle numerous times randomly into a neighborhood on Ken Karl Avenue in Vicksburg. Denise was sitting inside her grandfather's house with her children and grandfather when she was hit with a bullet. Preston was fleeing the area after Jackson was spotted with the weapon when he was shot. Jackson claimed on appeal that there was not sufficient evidence that he was the person shooting into the neighborhood. However, as the Court of Appeals held, there were numerous witnesses who saw Jackson fire the shots.

The Mississippi Supreme Court also upheld **John Willis Gilbert Jr.'s** aggravated assault conviction and life sentence as a habitual offender. Gilbert stabbed his ex-girlfriend numerous times at her house after the two, along with the victim's daughter, had eaten dinner together.

The Mississippi Court of Appeals affirmed **Benjamin Roberson's** conviction for the sexual battery of a child by a person in a position of trust or authority. He received a twenty-five year sentence. Roberson, an officer with the Greenville Police Department, was convicted after evidence revealed that he had sex with a 14 year-old runaway who he helped find and return home to her mother.

CRIMINAL LITIGATION DIVISION

DEATH PENALTY SECTION

The attorneys in the Death Penalty Section of the Criminal Division represent the State of Mississippi in all courts in defending the judgments entered in cases in which the death penalty has been imposed. The attorneys in this section are also called upon to handle post-conviction evidentiary hearings in state circuit courts in death penalty cases.

SIGNIFICANT CASES IN FISCAL YEAR 2011

During Fiscal Year 2011, among other various matters, the attorneys in the Death Penalty section litigated to conclusion the death penalty cases involving **Benny Joe Stevens** and **Rodney Gray** and the execution in these two cases were carried out. Stevens's case involved the murder of his ex-wife, her current husband and two young boys and the attempted murder of his daughter. Gray's case involved the kidnapping, robbery, rape and murder of a 78-year-old woman. In addition, the section has won affirmance of the denial of habeas relief in four additional death penalty cases in the United States Court of Appeals for the Fifth Circuit (Robert Simon; Edwin Turner; William Mitchell and Larry Puckett). These cases are approaching the end of litigation and could result in executions during FY 2012.

The members of the section also participated in four post-conviction evidentiary hearings, two involving claims of mental retardation (Ricky Chase and Eric Thorson) and two contending that they had been afforded ineffective assistance of counsel during their capital murder trials (Fred Sanford and Willie Manning). The trial court has denied relief in the Chase and Thorson cases and the Sanford and Manning cases are still pending a decision.

During Fiscal Year 2011, among other various matters, the attorneys in the Death Penalty Section prevailed in all pleadings filed in all courts with two exceptions. The Mississippi Supreme Court partially granted one post-conviction motion to allow a hearing on a claim of ineffective assistance of counsel, and the Supreme Court of the United States granted a stay of execution. That stay, however was later vacated, and on May 21, 2008, all appeals were completed, and the death sentence was carried out in the case of Earl Wesley Berry v. State.

FEDERAL HABEAS SECTION

The attorneys in the Federal Habeas Section of the Criminal Division represent the State of Mississippi in non-death penalty habeas corpus proceedings in all federal courts. During Fiscal Year 2011, the attorneys in the Federal Habeas Section of the Criminal Division filed 239 answers, briefs, motions, and responses in the United States District Courts for the Southern and Northern Districts of Mississippi and in the Court of Appeals for the Fifth Circuit, obtaining a favorable result in 99% of cases litigated.

SIGNIFICANT CASES IN FISCAL YEAR 2011

Frank Adam Seigfried v. Greer: The U.S. Supreme Court denied Seigfried's petition for a writ of certiorari on November 29, 2010. The Attorney General's Office previously successfully defended Seigfried's sexual battery conviction in both the United States District Court and the Fifth Circuit Court of Appeals.

CRIMINAL LITIGATION DIVISION

Mark D'Wayne Sumrell v. State of Mississippi: The Attorney General's office successfully defended the application of the habitual offender statute Miss. Code Ann. §99-19-83. The Fifth Circuit affirmed the United States District Court's holding that Sumrell is not entitled to federal habeas relief.

Elliot Culp v. Christopher Epps: On May 9, 2011, the United States District Court denied Culp federal habeas relief regarding the Holmes County conviction of Elliot Culp for conspiracy to commit robbery, rape, armed robbery, two counts of kidnaping, two counts of aggravated assault and two counts of arson in the third degree.

Edgar Ray Killen v. State of Mississippi: The Attorney General's Office is currently defending the conviction of Ku Klux Klan member Edgar Ray Killen for three counts of manslaughter arising from the 1964 murders of three civil rights workers Schwerner, Goodman and Chaney. This case is currently pending in the District Court.

Clara Brown v. Court of Appeals, Fifth Circuit: Clara Brown pled guilty to murdering her boyfriend by stabbing him to death multiple times and was sentenced to life in prison. Brown sought federal habeas review of her plea and sentence. Initially, following an evidentiary hearing, the United States Magistrate Judge found Brown's plea was not voluntarily made and granted a writ of habeas corpus. The Office of the Attorney General, on behalf of the respondent, filed objections to the Magistrate Judge's findings. Thereafter, the United States District Judge overturned the Magistrate Judge's findings and denied Brown's request for federal habeas corpus relief. Following oral argument on the case in the United States Court of Appeals for the Fifth Circuit, that court affirmed the district court's decision denying Brown's request for habeas relief and upholding her plea of guilty and sentence to life.

DOMESTIC VIOLENCE DIVISION

2011 Domestic Violence Division Accomplishments:

- *Trained 1,478 officers on Mississippi domestic violence and stalking laws*
- *Trained 394 officers from 214 jurisdictions on using the Domestic Violence Offense Report*
- *Trained over 325 municipal justice, county, and chancery court clerks*
- *Provided direct advocacy and information to 166 male and female victims of domestic violence, sexual assault or stalking*

The Domestic Violence Division of the Attorney General's Office continues to make great strides in improving the response of Mississippi's legal system to victims of domestic violence, stalking and sexual assault. The following is a summary of the activities performed by the Division during the period from July 1, 2010, through June 30, 2011.

ONGOING LAW ENFORCEMENT TRAINING

Throughout the year, the Division performed training workshops with local law enforcement agencies around the state. These training workshops are held around the state of Mississippi, to better enable local law enforcement to attend. In addition to this training, staff of the Division provides training to many of the law enforcement academies around the State, including teaching the new recruit, refresher, and investigator classes on domestic violence and stalking at the Mississippi Law Enforcement Officer Training Academy. The division works with other law enforcement academies throughout the State, as well as a number of reserve office academies, including Hinds, Rankin, Simpson and Lincoln counties. The total number of law enforcement officers who received training from staff of the Domestic Violence Division on Mississippi's domestic violence and stalking laws for the period of July 1, 2010, through June 30, 2011, was 1,478. The division staff trained 394 officers from 214 jurisdictions on the use of the statewide Uniform Domestic Violence Offense Report. Training was conducted for over 300 dispatchers statewide on two new web-based data collection systems to assist law enforcement officers in domestic violence calls.

SANE

The Domestic Violence Division continues to work closely with the MS Coalition Against Sexual Assault in its efforts to educate medical care providers in assisting victims of sexual assault, and prosecutors in presenting effective cases. The Division is an active participation in the Sexual Assault Nurse Examiner (SANE) program, and during the period in question, assisted in the training for 21 nurses, by conducting a mock trial.

COURT CLERKS AND JUDGES

Division staff has been active in assisting the judicial system and providing guidance on the domestic violence laws related to the protection order process. DV Division staff members are regular presenters at annual judicial and court clerk conferences or association meetings, having the opportunity to train over 500 court personnel at such conferences or association meetings. The division staff has also conducted regional training sessions for court clerks on the Uniform Domestic Violence Offense Report and the Mississippi Protection Order Registry, training over 325 municipal, justice, county and chancery court clerks.

DOMESTIC VIOLENCE DIVISION

ADVOCACY

Fiscal Year 2011 marked the first year a victim advocate was designated to solely respond to inquiries related to domestic violence, stalking and sexual assault. The Domestic Violence Victim Advocate provided direct advocacy or referrals and information to 166 male and female victims of domestic abuse, sexual assault or stalking.

OTHER INITIATIVES

In addition to the training outlined above, the division has also been instrumental in the development and implementation of the Statewide Uniform Domestic Violence Offense Report, which will be a web-based reporting system for all domestic violence and stalking offenses, to better enable law enforcement, prosecutors and judges to track offenders and their domestic violence history. The creation of the MS Protection Order Registry is another achievement of the Division. These two programs will, for the first time, offer Mississippi law enforcement and courts access to domestic violence records from the entire state, better improving officer safety, victim safety and streamlining judicial processes. Other activities of the Division involved researching and making recommendations to the Legislature for improvements to the laws related to domestic violence and stalking. The Division created and published a manual for Mississippi prosecutors in the effective handling of domestic violence prosecutions, and also developed a guide for victims, to assist them in navigating the process of obtaining a domestic violence protection order.



The Attorney General's Office sponsored and participated in the Walk-A-Mile-in-Her Shoes event on April 13, 2011.

MEDICAID FRAUD

2011 Medicaid Fraud Division Accomplishments:

- *Recovered \$3,392,507 in restitution and civil penalties*
- *Indicted 48 individuals*
- *Received over 2,300 complaints of abuse, neglect, or exploitation*
- *Convicted 46 individuals*
- *Provided 77 educational programs for health care faculty staff, civic clubs, health care associations, etc.*

The Medicaid Fraud Control Unit (MFCU) of the Mississippi Attorney General's Office has a two-fold mission: prosecuting Medicaid fraud committed by medical providers and prosecuting and/or assisting in the prosecution of the neglect, abuse, and exploitation of vulnerable adults who are patients or residents in health care facilities. MFCU negotiated settlements with numerous providers whose misconduct (e.g., erroneous billing, etc.) had not risen to the level of criminal fraud, but which justified payment of restitution, civil penalties and/or investigative costs. MFCU recovered \$3,392,507 in restitution and civil penalties from Medicaid providers through investigations and participation in global (multi-state) litigation.

MFCU received numerous allegations of provider fraud and opened several cases for criminal investigation. As a result of the MFCU investigation and prosecution, 48 individuals were indicted during Fiscal Year 2011. Over 2,300 complaints of abuse, neglect or exploitation in health care facilities were received by the MFCU. The unit reviewed and processed each complaint and obtained convictions of 46 individuals.

In addition to the criminal prosecution and civil litigation, the MFCU provided 77 educational programs for health care facility staff, civic clubs, professional organizations, educational institutions, planning and development districts, law enforcement agencies, and health care associations. With a total of 15 investigators assigned to the MFCU, the unit investigates allegations of neglect, abuse and exploitation of vulnerable adults and provider fraud throughout the State of Mississippi. The MFCU investigators continue to assist local law enforcement agencies and local prosecutors in the peculiarities of prosecuting elder abuse. We are still faced with an expansion of ever-evolving financial crimes against the elderly. We are working with local law enforcement and federal agencies to address abuse, neglect and fraud.

State to Receive \$38M from Medicaid Fraud Suit

OPINIONS AND LOCAL GOVERNMENT

The Opinions and Local Government Division discharges one of the Attorney General's primary statutory duties, i.e., issuing legal opinions of the Office to state and local officials, boards, agencies, and their attorneys. The Attorney General is the official Statutory Advisor to the Legislature. This division also reviews legislation that will potentially impact voting procedures or office holders in the state, submitting the same to the U.S. Justice Department and provides training and legal assistance to local officials.

In Fiscal Year 2011, we issued over 475 official opinions. Of these, more than 81% were issued within 30 days after the request was received. As always, the great majority of these opinions were issued to local governments. These opinions dealt with every facet of government, including purchasing, personnel, taxing, budgeting, contracts, insurance, retirement, elections, separation of powers, solid waste, garbage, gaming, constitutional issues, and many more. Eleven opinions were issued to Legislators.

SUPPORT TO STATE AND LOCAL OFFICIALS

The Opinions and Local Government Division is a primary source of support to public officials, public employees, and the attorneys who represent them, through training as well as direct advice. This section spent approximately 5,800 hours giving general advice by telephone or email in Fiscal Year 2011. Over 240 hours were spent in preparing and conducting seminars and programs across the state for local officials and their attorneys.

The Opinions Division provides year-round support to the Legislature and legislative staff, as well as to all agencies of state government. This support is manifested both in direct advice to agency officials and in assistance to other AG lawyers directly assigned to the agencies. Attorneys in this division also serve as hearing officers for state agencies.

ELECTIONS AND THE VOTING RIGHTS ACT

This office handles all questions and submissions pertaining to the Voting Rights Act of 1965. Fifteen submissions for administrative review by the United States Department of Justice were made in 2011 and all but one legislative bill had been approved as of June 30, 2011.

The Attorney General's Office participates in training sessions for election officials throughout the state. Training is conducted for circuit clerks, election commissioners and party executive committee members.

OPEN MEETINGS AND PUBLIC RECORDS

This Division helps public officials understand and comply with the open meetings and public records laws through continuing education programs, by responding to telephone inquiries from state and local officials as well as from members of the public and by working closely with the Mississippi Ethics Commission. The Attorney General is a member and director of the Mississippi Center for Freedom of Information.

PROSECUTORS' TRAINING

2011 Prosecutors' Training Division Accomplishments:

- *Provided training to 482 law enforcement officers and 775 prosecutors*
- *Assisted with 21 criminal investigations*
- *Assistance with criminal investigations led to 12 arrests and 3 indictments*

The Prosecutors' Training Division of the Attorney General's Office, in conjunction with the Mississippi Prosecutors' Association, identifies, develops and implements training and resource programs for prosecutors within the State of Mississippi and their supporting personnel. In addition, this division monitors criminal law as it develops in our state legislature and alerts District Attorneys, City and County Attorneys, Youth Court Prosecutors and Assistant Attorneys General regarding criminal justice legislation.

Under the direction of Attorney General Jim Hood, and the Mississippi Prosecutors' Association, the curriculum and the number of classes have expanded immensely. Prosecutors' Training offers two major statewide conferences every year for all prosecutors, with specialized training in up to six tracks ongoing at the same time. Each breakout track allows training sessions to target specific groups of prosecutors, i.e., youth court prosecutors, and often, narrowly tailored curriculum such as Capital Litigation Training. Beyond prosecutors, we offer training for investigators, victims' assistance coordinators and worthless check units. Throughout the year, our Division offers smaller conferences such as a municipal prosecutor conference and a separate district attorney and assistant district attorney conference. Our conferences are held at no cost to prosecutors, with training funds covering speakers' fees, lodging, food and travel expenses. Training funds are also used to send prosecutors to out-of-state training opportunities.

The Mississippi Prosecutors' Association is governed by a Board of Directors with District Attorney Tony Lawrence of the 19th Judicial District serving as President for 2011-2012. The Prosecutors' Training Division consists of Director, Camala Wyatt; Assistant, Amy Ashley; Rural Law Enforcement Prosecutor, Linda Davis, and part-time Rural Law Enforcement Prosecutor Project Officer, Brent McLemore.

Prosecutors' Training has worked diligently to provide knowledgeable and beneficial speakers to our members from the State of Mississippi, as well as national speakers. This year Prosecutors' Training trained over 775 prosecutors and offered 65.5 hours of Continuing Legal Education to Mississippi Prosecutors.

This Division continues to maintain a successful list server to assist in the exchange of information between prosecutors and supporting personnel. This includes information on expert witnesses and requests for assistance on various issues, as well as simple administrative announcements. Case updates from the United States Supreme Court, the Mississippi Supreme Court and the Mississippi Court of Appeals are sent out through the list server. The office also assists in conducting legal research as needed to include actual trial assistance.

PROSECUTORS' TRAINING

To better equip our prosecutors and protect the residents of our state, a District Attorney State -Wide Automated Case Management System known as CRIMES has been developed and is currently undergoing the roll-out implementation in several districts. This system allows District Attorneys' Offices to communicate automatically with the Criminal Information Center (CIC) of the Mississippi Department of Public Safety. Our prosecutors will use this information to share pertinent information on criminals, make crucial charging decisions and track criminals in our state.

Fiscal Year 2011 Conferences and Training

Separate specialized DA/ADA, Municipal and Youth Court Conferences: Every year, specialized conferences are held offering District Attorneys, Assistant District Attorneys, Municipal and Youth Court Prosecutors training in criminal matters specific to each.

Fall and Spring Prosecutors Conference: Two main conferences offer classes for all prosecutors in the state and provide technical assistance to the District Attorneys by offering training classes for criminal investigators, victim assistance coordinators and worthless check personnel. Further, these conferences offer state and national case law updates and provides training for new and senior prosecutors.

The Driving Under the Influence Visual Trial: The Attorney General Office's Traffic Safety Resource Prosecutor, Molly Miller, partnering with the Prosecutor Training Division, trained 34 prosecutors regarding the visual trial. This is an extensive training program offered at the 2011 Spring Prosecutors Conference to teach prosecutors how to bring evidence exhibits to life and use a variety of tools and techniques to enhance case presentation. It will include training on the basic concepts of adult learning, preparing and proving the DUI case, utilization of low and high tech visual aids, the CSI effect & myths, countering the CSI effect, a Power Point Lab, and a one-hour ethics presentation.

Domestic Violence Initiative: The Prosecutor Training Division and the Domestic Violence Division of the Attorney General's Office, along with AEquitas, a Washington, D.C. based technical assistance and training provider created to address the needs of prosecutors and allied professionals in the prosecution of domestic violence and strangulation cases, joined forces to provide training on Mississippi's new strangulation law at the 2011 Spring Prosecutors Conference.

Rural Law Enforcement Grant: The Mississippi Attorney General's Office was awarded a rural law enforcement grant under the American Reinvestment and Recovery Act in the fall of 2009. The purpose of said grant is to improve community safety by enhancing criminal investigations that will, in turn, make cases more prosecutable and ultimately help retain rural law enforcement jobs. To accomplish the purpose of the grant, the Mississippi Attorney General's Joint Rural Law Enforcement Task Force was formed and housed within the Prosecutors' Training Division. All rural law enforcement agencies are eligible to join the Task Force.

PROSECUTORS' TRAINING DIVISION

Under the Task Force and utilizing monies provided by the grant, participating law enforcement agencies may be reimbursed for salaries paid by them to investigating specific felony investigations; free training that meets continuing education requirements geared specifically to law enforcement is offered and participating departments may be reimbursed for officer attendance; participating law enforcement agencies may be reimbursed for salaries paid by them incident to the development of community programs; and a criminal prosecutor is dedicated as a law enforcement attorney to provide free legal advice and case review as desired.

Training consisted of classes on Report Writing, Testifying in Court, Interview and Interrogation, Basic Investigations, 4th, 5th and 6th Amendment Issues, Investigation of Counterfeit Products, Basic Gang Awareness, Meth In Mississippi, Vehicle Interdiction, and Vehicle Searches and Hidden Compartments. Planned courses include Informant Development, Police Subject Control (Defensive Tactics) and Officer Survival Tactics for Patrol Officers.

Investigations include murder, kidnapping, shooting into residence, aggravated assault, felony B & drugs being sold in schools. To date, the Task Force has provided training to 482 law enforcement officers and is assisting with 21 criminal investigations and eight community programs. The criminal investigations have resulted in 12 arrests, and three indictments.

Youth Court Seminar: The Prosecutors' Training Division offered a day-long seminar offering continuing legal education and youth court hours to youth court prosecutors throughout the state. The seminar addressed many issues affecting youth court, including the new Youth Court Rules.

Operation Fair Play: This is a basic peer-to-peer investigations course designed to train participants in the use of cutting-edge software tools for conducting undercover, investigative and computer forensic functions regarding multiple file-sharing networks. The undercover infrastructure is designed to provide real-time deconfliction and historical lookups of usernames, screen names, email addresses, IP addresses, phone numbers, addresses, undercover chat sessions and peer-to-peer file sharing networks. It can also build a custom download file based on logged history of a given offender. The investigative infrastructure, which is also used for computer forensics, includes the ability to hash files, instantly identify notable images, cross-reference notes with other investigators in real-time, geo-locate IP addresses, track software serial numbers, and identify service providers for legal process. Additionally, the software now includes the ability to manage your own library of child exploitation images and quickly find the image related to your current investigation.

Counterfeit Product Initiative: In the third installation of the Criminal Intellectual Property Grant, attendees were trained by the Consumer Protection Division Prosecutors and Investigators in identifying counterfeit pharmaceuticals and the dangers therein. Further, members from the FDA task force provided additional training on how to investigate and prosecute those who engage in this life-threatening criminal trend.

John R. Justice Grant: Prosecutors' Training was awarded the JRJ grant. This funding is administered by the individual states and is an effort to encourage qualified attorneys to choose careers as prosecutors and public defenders and to continue in that service. It provides up to a yearly maximum of \$10,000 in loan repayment for state prosecutors and public defenders. The aggregate maximum amount is \$60,000.

PROSECUTORS' TRAINING DIVISION

It covers loans made under the Higher Education Act of 1965, including consolidation loans. Repayment benefits for grant recipients are awarded by a selection committee to borrowers who agree to remain employed as prosecutors or public defenders for at least three years and exhibit the least ability to pay his or her education loans. The first disbursement was scheduled for September 30, 2011.

Upcoming Programs and Training Opportunities:

Rural Law Enforcement Grant: Prosecutors' Training will continue to educate law enforcement at various conferences throughout the state and throughout the year on issues such as courtroom testimony, report writing, investigations, etc. Further, the task force has scheduled meetings throughout the year to discuss ongoing investigations and seek prosecutorial advice from the Rural Law Enforcement Prosecutor.

John R. Justice Grant: Prosecutors' Training has again applied for the JRJ grant. The amount awarded will remain at \$100,000. Again, it provides up to a yearly maximum of \$10,000 in loan repayment for state prosecutors and public defenders. The aggregate maximum amount is \$60,000. It covers loans made under the Higher Education Act of 1965, including consolidation loans. This year special consideration will be given to those who applied the previous year and who agree to remain employed as prosecutors or public defenders for at least three more years.



Adequate training ensures effective case-building in rural court systems, which may lack valuable research resources.

PUBLIC INTEGRITY DIVISION

The staff of attorneys and investigators in the Public Integrity Division (PID) are responsible for the prosecution of several types of criminal cases in the State Courts in Mississippi. As its primary mission, PID is charged with the responsibility of investigating and prosecuting public corruption and white collar crime. PID works closely with various State agencies, such as the Mississippi Auditor's Office and Mississippi Secretary of State's Office, as well as with federal agencies and local law enforcement in the investigation and prosecution of corrupt public employees or private citizens conducting business with the State in a fraudulent or otherwise illegal manner.

The division provides assistance to local law enforcement officials, local prosecutors and the State's 22 district attorneys in the performance of their duties. Further, PID is charged with the responsibility of impaneling a state-wide grand jury to investigate and prosecute large-scale drug violators. PID works with the Mississippi Bureau of Narcotics in investigating and prosecuting large-scale drug organizations through both criminal prosecution and civil forfeiture actions.

In addition to its primary mission, the Public Integrity Division includes several units charged with enforcing particular areas of law in this State, either independently or in conjunction with local law enforcement and prosecution: Public Integrity, Alcohol & Tobacco Enforcement, Child Desertion, Cyber Crime, DUI Training, Insurance Fraud, and Vulnerable Adult.

2011 Public Integrity Unit Accomplishments:

- *Opened 83 investigations*
- *Received and worked through 793 complaints*
- *Obtained 19 convictions involving Voter Fraud, Embezzlement and other crimes*
- *Investigations led to eight arrests, indictments and/or removals from office*

Pearl River County Woman found Guilty of Conspiracy to Intimidate a Witness

Anita Carol Pearson was found guilty by a jury on June 16, 2011, before Special Circuit Court Judge Henry Lackey. Judge Lackey ordered a pre-sentencing investigation to be done by MDOC prior to setting a sentencing date.

Hinds County Man found Guilty of Manslaughter

Johnny Brown was found guilty by a jury on March 31, 2011, before Hinds County Circuit Court Judge Winston Kidd. Brown was sentenced to 20 years in prison for manslaughter as a habitual offender. He will be required to serve the full sentence.

Benton County Resident Pleads Guilty to Conspiracy to Commit Voter Fraud

Ronnie Wilkerson pled guilty on September 27, 2010, to one count of voter fraud before Judge Andrew Howorth in Benton County Circuit Court. Wilkerson was sentenced to five years, with four suspended and one to serve on house arrest and four years of post release supervision. Wilkerson must pay \$1,000 to the Crime Victims Compensation Fund.

Benton County Resident Pleads Guilty to Voter Fraud

Jasper Buggs pled guilty on September 27, 2010, to two counts of voter fraud before Judge Andrew Howorth in Benton County Circuit Court. Buggs was sentenced to five years, with four suspended and one to serve under house arrest on each count with all counts to run concurrently. Buggs received four years of post release supervision and must pay \$1,000 to the Crime Victim Compensation Fund.

Benton County Resident Pleads Guilty to Voter Fraud

James Bullock pled guilty on September 27, 2010, to five counts of voter fraud before Judge Andrew Howorth in Benton County Circuit Court. Bullock was sentenced to five years, with four suspended and one to serve under house arrest on each count with all counts to run concurrently. Bullock received four years of post release supervision and must pay \$1,000 to the

PUBLIC INTEGRITY DIVISION

Benton County Resident Pleads Guilty to Voter Fraud

Billy Street pled guilty on September 28, 2010, to two counts of voter fraud before Judge Andrew Howorth in Benton County Circuit Court. Bowen was sentenced to five years in the custody of the Mississippi Department of Corrections with 4 ½ years suspended, six months to serve on house arrest and 4 ½ years on post release supervision. Bowen must pay \$1,000 to the Crime Victims' Compensation Fund.

Benton County Resident Sentenced in Voter Fraud Case

Tate King was sentenced on October 11, 2010, on two counts of voter fraud before Judge Andrew Howorth. King was sentenced to five years, two suspended, one year to serve in the custody of the Mississippi Department of Corrections (MDOC), two years to serve on house arrest, two years on post release supervision and a \$5,000 fine. King was ordered to report to the Benton County for transportation to MDOC.

Benton County Resident Sentenced in Conspiracy to Commit Voter Fraud Case

Henry Massey, was sentenced on October 11, 2010, on one count of conspiracy to commit voter fraud, before Judge Andrew Howorth. Massey was sentenced to three years, one year of house arrest followed by two years of post release supervision and court costs.

Benton County Resident Pleads Guilty to Conspiracy to Commit Voter Fraud

Lillie Jean Norton was sentenced on October 11, 2010, on one count of conspiracy to commit voter fraud, before Judge Andrew Howorth. Norton received three years supervised probation after pleading guilty.

Benton County Resident Sentenced in Conspiracy to Commit Voter Fraud Case

David Massey was sentenced on January 11, 2011, before Judge Andrew Howorth. Massey was indicted on one count of conspiracy to commit voter fraud and three counts of voter fraud. Massey entered an open plea in court, meaning that he refused to accept the state's recommended sentence and threw himself on the mercy of the court. Massey was sentenced to five years in the custody of the Mississippi Department of Corrections (MDOC) with five years to serve. He must also pay a \$5,000 fine and was ordered to report to the Benton County jail to MDOC.

Former Corrections Officer Sentenced on Embezzlement Charges

Gerald D. Jones was sentenced on October 20, 2011, before Hinds County Circuit Court Judge W. Swan Yerger on three counts of embezzlement. Jones entered an open plea, meaning he refused to accept the state's recommended sentence and threw himself on the mercy of the court. Jones was sentenced to five years in the custody of the Mississippi Department of Corrections (MDOC), four suspended and one year of house arrest, followed by two years of unsupervised probation. During the first six months of house arrest, Jones must pay \$110 in restitution for a total of \$660.

Jefferson County Man Sentenced on Grand Larceny Charge

Duane Dampier entered an open plea of guilty on July 21, 2010, before Judge Lamar Pickard to one count of Grand Larceny. Dampier was sentenced to five years (suspended), two years on ISP, followed by three years on PRS, and to pay \$1,500 to the Crime Victim Compensation Fund, \$1,500 in attorney's fees, and restitution and costs of court.

PUBLIC INTEGRITY DIVISION

Jefferson County Woman Sentenced on Receiving Stolen Property and Accessory Charges

Kimberly Walker entered an open plea of guilty on July 21, 2010, before Judge Lamar Pickard to one count of Receiving Stolen Property and one count of Accessory. Walker was sentenced to six months (suspended), on the first count, and five years suspended under the non-adjudication statute. She must pay \$1,500 to the Crime Victim Compensation Fund, \$500 to Court Improvement Fund, \$1,500 in attorney's fees, and court costs.

George County Woman Pleads Guilty to Embezzlement

Betty Warren entered an open plea of guilty on September 2, 2010, before Judge Robert Krebs to one count of Embezzlement. Warren was sentenced to five years (suspended), under the non-adjudication statute, and to pay \$1,200 in restitution, a \$500 fine, and \$500 to the Crime Victim Compensation Fund and court costs.

Adams County Man Pleads Guilty to Charges of Conversion

Theodore "Bubba" West pled guilty to three counts of conversion and was sentenced to probation and restitution July 29, 2010.

Hinds County Women Plead Guilty to Embezzlement

Catrina Vance pled guilty to Embezzlement and was sent to Pre-trial Diversion Program with agreement of victim. Erica Stimage, pled guilty to Embezzlement and was sent to Pre-trial Diversion Program with agreement of victim.

Coahoma County Mayor Pleads Guilty to Misdemeanor Charges

Mayor James Washington pled guilty to misdemeanor embezzlement on May 10, 2011.

Lauderdale County Man Pleads Guilty to Receiving Stolen Property

Bryant Moore pled guilty to receiving stolen property and was sentenced to serve time December 14, 2010.

Harrison County Attorney Convicted of DUI

Michael Crosby was convicted of DUI and Reckless Driving during a bench trial.

INDICTMENTS/ARRESTS

Adams County Employee Arrested for Embezzlement

Allen Jones was arrested December 15, 2010, on one count of embezzlement from Adams County. Jones was booked at the Adams County Jail and released on a \$5,000 bond.

Lauderdale County Man Arrested for Distribution of Child Porn

Sean Rowell was arrested on March 10, 2011, on 25 counts of distributing child porn. He was booked into the Lauderdale County Sheriff's Office and bond set at \$25,000 per count, for a total bond of \$500,000.

Harrison County Man Arrested for Practicing Dentistry Without a License

Donald S. King was arrested on March 30, 2011, for practicing dentistry without a license. King was booked into the Gulfport jail and given a \$1,000 bond.

PUBLIC INTEGRITY DIVISION

Greene County Supervisor Removed from Office

Earnest Holder was removed from the Greene County Supervisor Position on May 20, 2011.

Hinds County Man Indicted on Possession of Marijuana Charge

Rashad Greenfield was indicted on February 1, 2011, in Hinds County on one count of Possession of Marijuana (over 30 grams).

Madison County Man Indicted on Possession of a Firearm by a Convicted Felon

Zebelum Smith was indicted on May 25, 2011, in Madison County on one count of Possession of a Firearm by a Convicted Felon.

Madison County Woman Indicted for Hindering Prosecution in the First Degree

Cassandra Moore was indicted on May 25, 2011, in Madison County on one count of Hindering Prosecution.

Hinds County Man Indicted on Possession of a Controlled Substance

Seth Anil Kumar was indicted on June 1, 2011, in Hinds County on two counts of possession of a controlled substance with the intent to distribute.

ALCOHOL AND TOBACCO ENFORCEMENT

Tobacco and Beer Enforcement Checks

During the last fiscal year, the Division conducted 6,243 tobacco enforcement checks and 3,823 beer enforcement checks.

In June 2010 the Alcohol and Tobacco Unit was issued a contract with the Food and Drug Administration to enforce the Federal Tobacco Laws. Because of our past efforts and existing program we were the first state in the nation to be up and running under this contract

Retailer Training

Recognizing that proper training of clerks is an important component in reducing the availability of age-restricted products to minors, the Division has continued to conduct retailer training sessions. The Division conducted 37 retailer training sessions in which approximately 161 managers and clerks were trained.

PUBLIC INTEGRITY DIVISION

OVERALL STATISTICS FOR ALCOHOL AND TOBACCO ENFORCEMENT

Year	Number of Checks	Buy Rate
2002	8,682	7%
2003	7,130	7%
2004	7,889	6%
2005	7,742	4%
2006	5,665	5%
2007	5,172	5%
2008	8,222	4%
2009	7,418	4%
2010	6,489	5%

The first month that the Division conducted tobacco compliance checks, the buy rate was 38%.

Beer Compliance Checks

Year	Number of Checks	Buy Rate
2002	7,502	10%
2003	6,814	10%
2004	7,068	8%
2005	6,578	5%
2006	5,604	7%
2007	4,627	8%
2008	6,913	5%
2009	7,121	3%
2010	3,823	3%

The first month that this Division conducted beer compliance checks, the buy rate was 26%. Over the past nine years, a total of 289 cases have been turned over to the Tax Commission for beer permit suspension and 437 retailer training sessions have been conducted with 6,676 clerks trained.

CHILD DESERTION UNIT

2011 Child Desertion Unit Accomplishments:

- *Received approximately 265 complaints*
- *Opened 10 new investigations*
- *Obtained 17 indictments and nine convictions against deadbeat parents*

PUBLIC INTEGRITY DIVISION

CONVICTIONS

Robert E. Matthews pled guilty and was sentenced on July 19, 2010, for Felony Non-Support of a Child before Copiah County Circuit Court Judge Lamar Pickard. The Judge sentenced Matthews to 10 years in the custody of the Mississippi Department of Corrections (five years each count to run consecutive), five years suspended post release supervision, meaning he will serve five years in the custody of the Mississippi Department of Corrections. Matthews' arrearage amount of \$42,000 is to be totally paid at the end of his probation.

Frank M. Turner pled guilty and was sentenced on July 27, 2011, for Felony Non-Support of a Child before Pontotoc County Circuit Court Judge Thomas Gardner. The Judge sentenced Turner to five years in the custody of the Mississippi Department of Corrections and five years suspended probation, non-adjudication. Turner was also ordered to pay \$200 a month on top of his regular child support, \$500 fine, and court costs. Turner paid \$2,700 before court. Turner's arrearage amount of \$20,000 is to be totally paid at the end of his probation.

Kenneth McCarty pled guilty and was sentenced August 17, 2010, for Felony Non-Support of a Child before Jones County Circuit Court Judge Billy Joe Landrum. The judge sentenced McCarty to five years in the custody of the Mississippi Department of Corrections and five years suspended with supervised probation. McCarty was also ordered to pay \$300 a month on top of his regular child support and court costs. McCarty's arrearage amount of \$20,000 is to be totally paid at the end of his probation.

Cammie Collins was sentenced on September 17, 2010, in Hinds County to five years subject to the successful completion of the non-adjudication program. He is to pay \$8,012 in restitution, and he is to pay \$2,000 up front and \$132.52 monthly.

Robert Reed was sentenced concurrently on September 16, 2010, by Chief U.S. District Judge Richard F. Cebull in Billings, Montana Division, for conspiracy to possess and distribute cocaine and also by Leake County MS Circuit Court Judge Marcus Gordon for violation of probation of felony non-support of a child. Reed is to serve 26 months imprisonment in the custody of the United States Bureau of Prisons, the federal prison in Florence, Colorado. Within 90 days from release from the federal penitentiary, Reed is to begin paying an extra \$200 on top of his regular child support payment. Reed's arrearage amount of \$40,000 is to be totally paid at the end of his probation. He was sentenced in May 2009 in MS for felony non-support of a child.

Troy Ellis was sentenced on October 8, 2010, into the NAOG program subject to five years supervised probation. Ellis was to pay \$1,500 on October 8, 2010 and another \$1,500 within 90 days. Ellis owes \$2,200 in child support and \$200 per month by way of payroll deduction.

Norman McGowan was sentenced on October 22, 2010, to five years in jail with five suspended; pending successful completion of five years probation in NAOG program. He was ordered to pay \$13,000 in restitution with \$4,500 due the day of his sentencing and \$200 per month until paid in full. McGowan will also pay court costs, fees and assessments.

PUBLIC INTEGRITY DIVISION

Travis Unbehagen was sentenced on November 24, 2010 to five years probation with MDOC, non-adjudicated. He was to pay \$2,000 due at the time of sentencing and the remaining balance to be paid in monthly payments of \$100, with the entire balance to be paid in full by the end of the supervision period. The monthly payments are in addition to his monthly court ordered child support payments by the Forrest County Chancery Court.

Wallace Townsend pled guilty and was sentenced on May 17, 2011 to five years in MDOC custody. All five years will be served on house arrest, as well as four years of supervised probation. Townsend is to pay an additional \$500 a month in addition to his regular child support obligation. His total arrearage amount is \$60,000.

INDICTMENTS

The following people were indicted for Felonious Non-Support of a Child:

- Travis Unbehagen with a child support arrearage of \$23,000.
- Alan Moon was indicted in Rankin County with a child support arrearage of \$20,000.
- Norman McGowan was indicted in Hinds County with a child support arrearage of \$13,000.
- Judy Harmon was indicted in Clay County with a child support arrearage of \$30,000.
- Randy Goines was indicted in Union County with a child support arrearage of \$33,000.
- Corey Mabry was indicted in Lee County with a child support arrearage of \$13,000.
- Rickey Bowden was indicted in Lowndes County with a child support arrearage of 14,000.
- James Hockman was indicted in Madison County with a child support arrearage of \$11,000.
- Fredrick Hilliard was indicted in Hinds County with a child support arrearage of \$15,000.
- Anthony Flock and Harry Gonsoulin, Jr were both indicted in Jackson County.
- Judy Harmon was indicted in Clay County with an arrearage of \$30,000. This was her second indictment.
- Sha Helton was indicted in Harrison County with an arrearage of \$12,000.
- Andrea Sam was indicted in Neshoba County with an arrearage of \$20,000.
- Edward Willis was indicted in Neshoba County with an arrearage of \$17,000.
- Aaron Freeman was indicted in Warren County with an arrearage of \$17,000.
- Doyce Walley was indicted in Pearl River County with an arrearage of \$26,000.
- James Wright was indicted in Rankin County with an arrearage of \$11,000.

CYBER CRIME UNIT

2011 Cyber Crime Unit Accomplishments:

- *Opened 106 new cases*
- *Arrested 78 individuals*
- *Obtained seven convictions*

The forensics lab under ICAC standards performed 60 examinations on 63 separate requests for a total of approximately 41 terrabytes of data that were analyzed, including the following media: 71 computers, 32 cellular devices, 72 other external media, and 967 optical disks.

PUBLIC INTEGRITY DIVISION

The Mississippi Attorney General's Internet Crimes Against Children Cyber Crime Unit is a multi-jurisdictional, multi-disciplinary agency covering 82 counties. The unit is dedicated to its mission of 1) proactive and reactive investigations, 2) the forensic analyses of electronic evidence, 3) the prosecutions of technological crimes against children and 4) the education of law enforcement and the public. The Internet Crimes Against Children section of the unit (ICAC) implements strategies for the detection of internet crimes against children by engaging in online undercover operations, conducting online peer precision searches of ongoing criminal activity, and by expanding technical assistance to law enforcement and prosecutors. The ICAC teaches and mentors law enforcement students in its training facility, which connects 16 laptops to the Internet at a time.

MS Attorney General Warns Students About Cyberbullying

Since the ICAC unit was established with the 2007 DOJ award, the unit now has 46 local, state and federal law enforcement, affiliate agencies and multi-disciplinary partners, which include the Office of District Attorney Ninth Circuit Court District, Office of District Attorney Nineteenth Circuit Court District, Alcorn County Sheriff's Office, Biloxi Police Department, Brandon Police Department, Cleveland Police Department, Columbus Police Department, Copiah County Sheriff's Office, Desoto County Sheriff's Office, D'Iberville Police Department, Florence Police Department, Fulton Police Department, George County Sheriff's Office, George County School District Police Department, Greenwood Police Department, Guntown Police Department, Hancock County Sheriff's Office, Harrison County Sheriff's Office, Hinds County Sheriff's Office, Jackson/Hinds County Child Protection Task Force, Horn Lake Police Department, Itawamba County Sheriff's Office, Iuka Police Department, Jackson County Sheriff's Office, Lauderdale County Sheriff's Office, Laurel Police Department, Lee County Sheriff's Office, Long Beach Police Department, Madison Police Department, Meridian Police Department, Mississippi Bureau of Investigation, Ocean Springs Police Department, Oktibbeha County Sheriff's Office, Olive Branch Police Department, Petal Police Department, Prentiss County Sheriff's Office, Rankin County Sheriff's Office, Richland Police Department, Ridgeland Police Department, Ripley Police Department, Southaven Police Department, Tippah County Sheriff's Office, Tupelo Police Department, Warren County Sheriff's Office, Waveland Police Department, U.S. Department of Justice, Northern District and U.S. Department of Justice, Southern District. The focus of ICAC investigations is now both reactive and proactive, particularly with the addition of the Wyoming Toolkit software to our statewide fight against sexually explicit electronic crimes against children.

ICAC investigators and prosecutors attended a three-day training on P2P investigations taught by Flint Waters and Randy Huff in Tunica, MS. The 40 attendees included FBI, U.S. Attorneys and ICAC affiliates. Additional P2P training was provided to new affiliates in the Cyber Crime Center. Laptops and Write Blockers were provided to new affiliates through the ICAC grant.

PUBLIC INTEGRITY DIVISION

Cases in which a live child is at the home or there is evidence of physical abuse of a child, take priority in the forensics lab. Unfortunately, analysts are finding that offenders who share files in open networks are more sophisticated than offenders who only chatted and sent webcam pictures; file sharing offenders store their collections of child pornography on thumb drives, in hard drives with terabyte storage capacity, or wipe their drives. Obviously, the amount of media to be examined on a case increases the amount of time needed to analyze the data for prosecution.

With the rise in criminal activity on the internet, the Office of the Attorney General has made it a priority to educate Mississippians about the dangers of cybercrime. The safety of children on the internet is seen as a matter of critical importance, and Attorney General Jim Hood has devoted the resources of his office to insure that Mississippi's children will be safe from internet predators. Educational seminars, speeches, and professional trainings are offered across the state by professionals in the Cyber Crime Unit of the office. In addition, the Cyber Crime Unit houses the ICAC (Internet Crimes Against Children) Task Force whose mission is to investigate and prosecute those who prey upon Mississippi's children using computer and internet technology. In an effort to reach adults and children with critical messages about internet safety, members of the ICAC unit have traveled across the state making presentations to civic, school and church groups, as well as training professionals on the dangers inherent in technology.

In the fiscal year July 2010 through June 2011 members of the ICAC Unit made presentations to more than 55 groups across the state. Internet safety presentations were given to 2,672 students, 667 adults, 341 members of law enforcement and 1,236 other professionals, for a total of 4,916 persons across Mississippi who were educated on the critical issue of online child exploitation.

Topics covered in the various trainings included Internet Safety (for children, tweens, teens and adults), Cybercrime, Cyberbullying, Sexting, Computer Forensics, Online Grooming, Child and Adolescent Vulnerabilities to Online Crime, Illegal Downloads, and Human Trafficking. With the passage of the new bullying law, the cyber unit will train teachers and students on alternative ways of combating bullying and cyber bullying.

In addition to the trainings listed above, the ICAC Unit has initiated a project to identify Mississippi children who have been victimized by child pornography and whose images have been shared on the internet. Partnering with the State Department of Children and Family Services, the ICAC Unit is asking all child protection workers to review their caseloads for any potential victims. In addition, the ICAC unit is enlisting the help of federal, state, and local prosecutors to identify victims. The ultimate goal of the project is to attempt, with the use of investigative techniques, to identify the images as they are traded. Once identified, requests will be made of internet service providers to remove the images from their computers.

The Attorney General is also working with other Attorneys General and with internet service providers to stop the transmission of child pornography on the internet, and actively participates in national initiatives on illegal downloading of music, including the National Association of Attorneys General's social network executive committee on MySpace and Facebook.

In addition to the ICAC grant, we received \$1 from each traffic ticket issued, plus support from Mississippi State University as a subgrantee through DOJ.

Mississippi Introduces Anti-Bullying Campaign



CONVICTIONS

Charles R. Hays pled guilty in Hinds County Circuit Court to three counts of possession of child porn. He was sentenced to a 10-year sentence with seven years to serve and three years suspended. Hays was ordered to pay a \$50,000 fine, with \$45,000 suspended. He must also register as a sex offender and pay \$1,000 to the crime victims compensation fund and \$1,000 to the Attorney General's office for investigative costs.

Tommie Logan, II, pled guilty in Yazoo County Circuit Court to five counts of possession of child porn. He was sentenced to 10 years with five years to serve and five years of post-release supervision on each of the five counts that are to run concurrently. Logan must also pay a \$1,000 fine and \$1,000 to the Attorney General's Crime Victims' Compensation Fund. Logan was ordered to receive psychiatric counseling and he must register as a sex offender.

Stephen Joel Risher pled guilty to four counts of possession of child porn in Lauderdale County Circuit Court. He was sentenced to serve a term of 12 years in the custody of the Mississippi Department of Corrections with 11 suspended and five years reporting probation under the supervision of the Mississippi Department of Corrections. Risher must also pay a \$50,000 fine with \$49,000 suspended and \$1,000 to the Children's Trust Fund. Risher, a music teacher in the Lauderdale County school system, took his computer to be repaired and the technicians discovered child pornography on Risher's personal computer. Risher downloaded the pictures and kept them in a folder on his computer called "Hidden."

PUBLIC INTEGRITY DIVISION

David Michael Barton (also known as David Michael Mims) pled guilty to one count of fraudulent use of a social security number and identifying information to obtain goods in Rankin County Circuit Court. He was sentenced to five years in jail and a \$1,000 fine that must be paid to the crime victims' compensation fund. The Attorney General's investigation showed that Barton used his position as a telephone company customer service representative to obtain a credit report of an individual customer. He then used that information to apply for a credit card in the individual's name.

Samuel Paul Fletcher pled guilty to one count of Exploitation of a Child. He was sentenced to serve 15 years with 10 suspended, five to serve. Fletcher was also given five years probation and must register as a sex offender. Additionally, he must pay a \$2,000 fine and another \$200 to the crime victim compensation fund.

Alfred R. Smith pled guilty in Adams County Circuit Court to 40 counts of possession of child porn. He was sentenced to 30 years behind bars with 10 to serve and 20 suspended. Smith was also given five years post release supervision. He must pay \$1,000 to the Crime Victim Compensation Fund and register as a sex offender upon release.

Issac Hartley pled guilty in Madison County Circuit Court to one count of exploitation of a child. He was sentenced to 15 years with 10 years suspended and five years of supervised probation. Hartley was ordered to pay a \$50,000 fine, with \$50,000 suspended. He must also pay \$1,000 to the crime victims compensation fund and \$1,000 to the Attorney General's Office for investigative costs.

DUI UNIT

The DUI Unit is part of the Public Integrity Division of the Office of the Attorney General. The unit is staffed by one attorney, an office assistant, and two part-time legal interns. The Traffic Safety Resource Prosecutor (TSRP) operates under a federal grant from the Office of Highway Safety/Department of Public Safety Division of Public Safety Planning. The purpose of the TSRP is to serve as both a resource and as a liaison, while providing technical legal assistance and training to all the State's prosecutors, law enforcement officers, and judges.

The TSRP coordinates the training of all state prosecutors on traffic safety issues, primarily DUI prosecutions, and provides legal assistance on matters related to such cases. Such assistance includes, but is not limited to: assisting with pre-trial investigations; upon request, serving as lead or second chair or assisting in the prosecution of DUI, vehicular homicide, or DUI maiming court cases; researching and writing motions and briefs; drafting DUI legislation; writing and updating the DUI Manual; and preparing a bi-annual newsletter regarding "hot topic" issues of highway safety. The TSRP also coordinates joint training of prosecutors with their local law enforcement officers by corroborating with the Mississippi Law Enforcement Liaison's Office. The TSRP is available daily to prosecutors, law enforcement, and judges should the need for assistance in DUI and traffic-related cases arise. On average, the DUI Unit handles approximately six or more technical/legal calls daily regarding DUI cases or DUI-related issues from across the state.

The TSRP works with the Mississippi Highway Safety Patrol to provide in-service training for Mississippi State Troopers regarding DUI Basic training, report writing, and testimony training. In the past year, the final MHP SFST class was held totaling approximately 400 MS Highway Patrolmen that were trained in Standardized Field Sobriety Testing during 2009-2010. The TSRP handled the legal section (Cops in Court Training) of these 14 training classes.

PUBLIC INTEGRITY DIVISION

The TSRP also teaches on a regular basis at the Mississippi Law Enforcement Training Academy to the Basic Recruit Class. During the 2010-2011 year, the TSRP conducted DUI Basic Training and Rules of the Road to four classes totaling approximately 180 officers. Upon request, the TSRP also provides DUI In-Service training to law enforcement agencies. This past year, some of the in-service training conducted was on K2/Spice (a synthetic cannabinoid that was designated as a Schedule I controlled substance during the 2010 MS Legislative Special Session.). Additionally, the TSRP provides testimony training to law enforcement officers in conjunction with every Standardized Field Sobriety Training class provided and taught by the Mississippi Law Enforcement Liaison's Office. There were 17 SFST classes and approximately 300 officers that went through this training this past year. Another training that was recently added was A.R.I.D.E. (Advanced Roadside Impairment Driving Enforcement). This two-day training focuses on DUI Drug cases. Of the nine A.R.I.D.E. classes offered this past year, the TSRP taught the legal portion of the training, which included providing relevant DUI Drug caselaw to approximately 125 officers.

In 2008, Mississippi became the 45th Drug Recognition Expert (DRE) state (there are currently 48 DRE states). A DRE is a highly effective officer skilled in the detection and identification of persons impaired by alcohol and/or drugs. A DRE is trained to conduct a systematic and standardized 12-step evaluation consisting of physical, mental, and medical components. This year, the state had its second DRE School. Currently, the 19 hand-selected officers are in the final stages to become certified DREs. The TSRP was actively involved in this two-week school, as well as observing portions of the 40-60 hours of drug field certifications.

The TSRP also works in conjunction with the Mississippi Judicial College (MJC) to provide legal training and caselaw updates on DUI and traffic-related issues to our judges statewide. This past year, the TSRP also worked with MJC in creating Mississippi's DUI Benchbook, a DUI manual to assist judges, prosecutors, and law enforcement officers. The manual is in its final stage of revisions, and should be published sometime later this summer or early fall.



The TSRP participates in numerous traffic safety organizations and trainings both statewide and nationally, including the MS Association of Highway Safety Leaders, S.T.O.R.M. (Sobriety Trained Officers Representing Mississippi), National Conference on Highway Safety Priorities (Lifesavers), and the Int'l Assoc. of Chiefs of Police Training Conference on Drugs, Alcohol, and Impaired Driving.

PUBLIC INTEGRITY DIVISION

In the past fiscal year, the TSRP provided DUI training to approximately 2,000 judges, prosecutors, and law enforcement officers. Some of the TSRP's activities included, but was not limited to, the following:

- Seventeen cops in court trainings statewide at the Law Enforcement Liaison Office's Standardized Field Sobriety Training classes. These trainings involved basic DUI law, as well as, mock trial simulations;
- Nine A.R.I.D.E (ADVANCED ROADSIDE IMPAIRMENT DRIVING ENFORCEMENT) trainings - this 2-day training focused on drug-related DUIs, including a review of MS's DUI statute & relevant caselaw;
- FOUR basic DUI Law and Rules of the Road to basic recruit classes at the MS Law Enforcement Officer's Training Academy in Rankin County, MS;
- Completion of Mississippi Highway Safety Patrol SFST Training – this project involved training approximately 400 MS Highway Patrolmen in basic DUI law, as well as mock trials in preparation for courtroom testimony during 2009-2010;
- Provided legal updates on recent DUI and traffic-related case law at fall and spring prosecutors conferences;
- Mississippi's second DRE (DRUG RECOGNITION EXPERT) SCHOOL - The Drug Evaluation & Classification Program (DEC) through the MS Law Enforcement Liaison's Office & MS's DRE Instructors trained 19 SFST-certified officers who had attended an A.R.I.D.E class, and were hand-selected to participate in this intensive 2-week training (approximately 72 class hours w/40-60 hours of field certification) to become a certified DRE.
- DUI: The Visual Trial training at the Spring Prosecutors' Conference;
- Provided legal updates on recent DUI and traffic-related case law and fall and spring MS Judicial College's justice court judges conferences;
- Provided a legal update on recent DUI and traffic-related caselaw at MS Judicial College's summer municipal judges seminar;
- Wrote and distributed two editions of the DUI newsletter, "Driven"
- Updating/revising of Mississippi's DUI Benchbook - a DUI Manual for judges, prosecutors, and law enforcement officers.
- Appointed a special prosecutor in Gulfport DUI case - (March 2011) Defendant was tried and convicted of Reckless Driving and DUI.



PUBLIC INTEGRITY DIVISION

INSURANCE FRAUD UNIT

2011 Insurance Fraud Division Accomplishments:

- *Responded to 65 new referrals*
- *Conducted 64 active criminal investigations*
- *Recovered \$170,517.73 from fees and restitution*
- *Obtained 24 arrests*
- *Convicted nine individuals*

The Insurance Integrity Enforcement Bureau (IIEB) has completed an active year of investigation and prosecution throughout the state, encountering both criminal defendants and victims from all walks of life. Over the last fiscal year, the IIEB has had strong positive interaction with the National Insurance Crime Bureau, as well as, numerous local, state, and federal entities in the course of fighting fraud within the state of Mississippi.

Below is a brief synopsis of our activity during the last fiscal year.

INDICTMENTS

Kwame Smith, age 30, of 1501 E. Reed St. Greenville, MS, was arrested Tuesday, March 2, on four counts of Conspiracy, Insurance Fraud, Mail Fraud, and False Representation. Smith was employed with Poplarville Schools at the time of the alleged crime.

Tambrella Johnson, age 25, of 1810 Hill Ave. Jackson, MS, was arrested Tuesday, March 2, on one count of Conspiracy, Insurance Fraud, Mail Fraud, and False Representation. She was employed with Mississippi State Hospital at time of the alleged crime.

Contessa Davis, age 37, of 817 Buena Vista Ave. Jackson, MS, was arrested Tuesday, March 2 on one count of Conspiracy, Insurance Fraud, Mail Fraud, and False Representation. She was employed with Mississippi Department of Corrections at time of the alleged crime.

Crystal Barnes, age 36, of 850 Primos Ave. Jackson, MS was arrested Tuesday, March 2, on one count of Conspiracy, Insurance Fraud, Mail Fraud, and False Representation. Barnes was employed with Jackson Public Schools at time of the alleged crime.

Isis Young, age 34, of 1224 Booker St. Jackson, MS was arrested Tuesday, March 2 on three counts of Conspiracy, Insurance Fraud, Mail Fraud, and False Representation. She was employed with the Mississippi Department of Corrections at time of the alleged crime.

Zaveon Cooper, age 36, of 1810 Hill Ave. Jackson, MS, was arrested Tuesday, March 2 on three counts of Conspiracy, Insurance Fraud, Mail Fraud, and False Representation. This defendant is an alleged third party used to cash checks.

PUBLIC INTEGRITY DIVISION

Veronica Newell, age 43, of 148 Clinton Cr. Jackson, MS was arrested Tuesday, March 2 on six counts of Conspiracy, Insurance Fraud, Mail Fraud, and False Representation. She was employed with Blue Cross Blue Shield of Mississippi at the time of the alleged crime.

Fonda Church, age 46, of Jackson, MS was arrested Tuesday, March 2, on two counts of Conspiracy, Insurance Fraud, Mail Fraud, and False Representation. Church was employed with Mississippi State Board of Health at the time of the alleged crime.

Shantwana Johnson, age 36, was arrested Tuesday, March 2, on two counts each of Conspiracy, Insurance Fraud, Mail Fraud, and False Representation. She was employed with the Mississippi Department of Employment Security at time of alleged crime.

Kathy Carter, age 40, was arrested Tuesday, March 2, on two counts of Conspiracy, Insurance Fraud, Mail Fraud, and False Representation. She was employed with Mississippi Division of Medicaid at the time of the alleged crime.

Erica Ball, age 37, was arrested on two counts of Conspiracy, Insurance Fraud, Mail Fraud, and False Representation. Ball was employed with the Mississippi Department of Human Services at the time of the alleged crime.

Christine Degrate, age 34, of 641 Woodbury Rd. Jackson, MS, was arrested on four counts of Conspiracy, Insurance Fraud, Mail Fraud, and False Representation. Degrate was employed with Jackson State University at the time of the alleged crime.

Tiana Whitsett, age 35, of 4651 Meadowridge Dr. Jackson, MS, was arrested on nine counts of Conspiracy, Insurance Fraud, Mail Fraud, and False Representation. She was employed with Blue Cross Blue Shield of Mississippi at the time of the alleged crime.

Sonya Mitchell, age 35, of 4340 Redwood Circle, Jackson, MS, was arrested on November 16, 2010, and charged with six counts of Insurance Fraud, Mail Fraud, and False Representation. Employed with Blue Cross/Blue Shield of Mississippi at the time of the alleged crime.

Johnetta White, age 23, a resident of Camden, MS was arrested by the Madison County Sheriff's Office following an investigation by the Mississippi Attorney General's Public Integrity Division/Insurance Fraud Unit. White was indicted in Madison County on a single count of Insurance Fraud after she allegedly filed a fraudulent automobile insurance claim with AllState. White was involved in what is believed to be an accidental collision in February of 2010 that resulted in an insurance claim being filed for damages to her vehicle. A few months, later in April of 2010, White again filed a claim for the same damages, but allegedly reported a fictitious cause as to how the damages occurred. White was under house arrest at the time of the offense for a 2009 conviction in Madison County for Embezzlement.

PUBLIC INTEGRITY DIVISION

Dinah Haralson, age 30, 106 Glendale St, Clinton, MS who employed with Hinds County Nursing Rehab, was arrested November 13, 2010 and has been charged with two counts of Insurance Fraud. She has been charged in two separate indictments with 12 counts of insurance fraud. Her charges also stem from allegedly filing fraudulent medical records and insurance claim forms she submitted for herself and her daughter with American Family Life Assurance Company in an attempt to receive insurance benefits. The records she filed are all alleged to have occurred between March 2007 and May 2010. Among the charges, Dinah Haralson is accused of filing false records on behalf of her daughter for injuries reportedly received from a bicycle accident in January 2008 and in September 2008, for a skating accident in March 2008 and for an automobile accident in April 2009. Additionally, Dinah Haralson claimed to have received severe burns while cooking in March 2007, to have had a bicycle wreck in February 2008, to have fallen down a set of stairs in April 2008 and to have had automobile accidents in August 2008 and April 2009.

The following participants have recently been indicted, arrested and charged with a single felony count of Attempted Insurance Fraud. The incident took place in August of 2008 and involved two vehicles and several minors that were not charged in the case.

Earnest Jackson of Panola County, MS has been indicted and arrested for his alleged involvement in staging a car accident in Lafayette County for the purpose of collecting insurance money.

Clint Jones of Panola County, MS has been indicted and arrested for his alleged involvement in staging a car accident in Lafayette County for the purpose of collecting insurance money.

Pamela Johnson of Panola County, MS has been indicted and arrested for their alleged involvement in staging a car accident in Lafayette County for the purpose of collecting insurance money.

Jason Morgan of Panola County, MS has been indicted and arrested for their alleged involvement in staging a car accident in Lafayette County for the purpose of collecting insurance money.

Lisa Jones is one of six Panola County residents that have been indicted and arrested for their alleged involvement in staging a car accident in Lafayette County for the purpose of collecting insurance money.

Betty Shorte of Panola County, MS has been indicted and arrested for their alleged involvement in staging a car accident in Lafayette County for the purpose of collecting insurance money.

Billy Moore, age 52, of 329 S. Mound Street, Grenada, MS was arrested on seven counts of Workers Compensation Fraud by investigators with the Insurance Fraud Unit of the Attorney General's Office and deputies with the Grenada County Sheriffs Office for allegedly collecting workers compensation disability checks while being gainfully employed. Moore was "out on disability" from his job as a prison guard at the Central Mississippi Correctional Facility and was receiving pay to work as a security guard for a private company. The charges arose after Moore signed workers comp checks containing a statement swearing that he was NOT gainfully employed, thus concealing his outside employment.

PUBLIC INTEGRITY DIVISION

Justin Matthews Hughes was indicted in Madison County in September 2010 on three counts of worker's compensation fraud. These charges involve false and fraudulent representations Hughes made to AmFed Companies, LLC in order to receive workers' compensation benefits

Dr. James Donovan, age 63, of the Donovan Chiropractic Clinic in Columbus, turned himself in to the Lowndes County Sheriff's Office after being indicted by a Lowndes Grand Jury on four counts of insurance fraud. Donovan was arrested May 2010 by investigators with the Insurance Fraud Unit of the Attorney General's Office. An investigation revealed that Donovan made false or fraudulent claims on the insurance policies of four patients between January 1, 2007 and March 23, 2008.

Dr. Larry Cruel, a Jackson doctor, was arrested following an insurance fraud investigation and convicted on one count of insurance fraudulent medical billing scheme.

Brady Everett Toulme pled guilty on March 18, 2001 to two counts of filing false or fraudulent insurance claims. Received five years suspended probation and ordered to pay \$83,000 in restitution.

Algea Hamilton was convicted of insurance fraud following her involvement in a slip and fall scheme at a Washington County retail store.

Deborah Cherry of Union County entered a plea of guilty to misdemeanor false pretense resulting from an attempt to collect insurance proceeds on a false claim. Ms Cherry was sentenced by Judge Chris Childers to six months suspended, \$1,100 in investigative fees, and \$500 to the CVCF and cost of court.

Edward Carskadden was convicted of insurance fraud following his involvement in defrauding his employees of their health care coverage. Carskadden collected payments from employee paychecks but did not pay for health insurance coverage.

Kevin Jones, 236 Williams Lane of Lexington, MS entered an open plea on December 1, before Circuit Court Judge Jannie M. Lewis to one count of attempted insurance fraud. Jones was sentenced to serve two years in the custody of the Mississippi Department of Corrections (MDOC) consecutive to a five year sentence that he is already serving out of Holmes County. Following his release, he is to serve one year of post release supervision. Jones is also required to pay \$1,000 to the Crime Victims Compensation Fund, and all investigative costs.

Kildrick Deering, age 24, of 4100 Ebenezer Road, Lexington, MS entered an open plea to two counts of attempted insurance fraud before Circuit Court Judge Jannie M. Lewis. Deering was sentenced to three years per count to run concurrently, with three years suspended. He was also placed on one year of house arrest to be followed by two years of supervised probation, and must pay \$273.50 for court costs.

PUBLIC INTEGRITY DIVISION

Lorenzo Deering, age 24, of 1511 Ebenezer Pickens Road in Pickens, MS appeared before Judge Jannie M. Lewis in Yazoo County Circuit Court on August 13, 2010 and entered an open plea to the charges against him. An open plea means the defendant refused to accept the state's recommended sentence and threw himself on the mercy of the court. Judge Lewis sentenced Deering to three years in the custody of the Mississippi Department of Corrections with three years suspended, and sent Deering to the restitution center to pay all fines and court costs. If the defendant pays all of the court costs and fines then the Court will non-adjudicate his sentence.

VULNERABLE ADULTS

2011 Vulnerable Adults Unit Accomplishments:

- *Received 2,233 complaints*
- *Opened 48 new cases and have 25 active cases in criminal investigations*
- *Conducted 26 training sessions and presentations*
- Made 10 arrests
- OBTAINED nine convictions and 10 indictments

CONVICTIONS

The following were charged and/or convicted of various crimes:

Della Mack was convicted in Rankin County on eight counts of exploitation of a vulnerable person. She was sentenced to eight years with all eight suspended and five years supervised probation. Mack is expected to pay a \$1,000 fine and all costs of the court.

Carolyn Judon was convicted in Pontotoc County of exploitation. He pled guilty and sentenced as a non-adjudication. Judon is expected to pay a \$500 fine and all costs of the court. The court ordered Judon to pay restitution in the amount of \$15,374.

Godiva Fox was convicted in Lowndes County of physical abuse and exploitation. He pled guilty and was sentenced to five years with five suspended. Fox will serve five years probation and be responsible for the payment of all costs of the court. The court ordered restitution in the amount of \$12,268.

Antionette Fulton was convicted in Warren County on charges of exploitation. Fulton pled Guilty and received a suspended jail sentence with five years supervised probation. Fulton is responsible for a \$1,000 fine and \$1,000 to the Mississippi Attorney General's Office, Victim Compensation Fund and all costs of the court. The court ordered restitution in the amount of \$14,207 payable to the MS Division of Medicaid.

PUBLIC INTEGRITY DIVISION

INDICTMENTS/ARRESTS

The following people were indicted on one or more felony counts:

- John McKissack, indicted in Lee County for Exploitation of a Vulnerable Adult
- George Matthews, indicted in Bolivar County for Exploitation of a Vulnerable Adult
- Peggy Thornton, indicted in Lauderdale County for Exploitation of a Vulnerable Adult Patricia Newcomb, indicted in Winston County for Exploitation of a Vulnerable Adult
- Jeffrey Jerome Rivers, indicted in Hinds County for Exploitation of a Vulnerable Adult. Rivers was a habitual offender
- Hazel Emmons, indicted in Jones County for Exploitation of a Vulnerable Adult
- Kathy Lyles, indicted in Lee County for Exploitation of a Vulnerable Adult
- Lisa Perkins, indicted in Rankin County for Uttering Forgery
- Erica Chivon Jackson, indicted in Simpson County for Exploitation of a Vulnerable
- Joey Carroll, was arrested on June 22, 2011, in Washington County on eleven counts of Exploitation of a Vulnerable Adult by Affidavit. This case is pending an indictment.

TRIAL

Mary Harris & Roy Friday were tried on May 17, 2010 in Lowndes County on two counts of exploitation of a vulnerable adult. After two days of trial and after the state rested, the court declared a mistrial when the defendant Mary Harris suffered a seizure during cross-examination. Ms. Harris was transported by ambulance to the emergency room. The trial was re-scheduled for August 2011.

The unit has several cases awaiting presentation to various Grand Juries across the state and continues to actively pursue charges against those who abuse, neglect or exploit vulnerable persons.

The Vulnerable Adult Unit (VAU) is currently staffed by one attorney, two criminal investigators and one administrative assistant, to serve the State of Mississippi, prosecuting crimes against vulnerable persons and providing training to judges, prosecutors, law enforcement, financial institutions, civic groups and others.



AGRICULTURE DIVISION

The Agriculture Division performs legal services for the state's agriculture-related agencies, including the Department of Agriculture, Board of Animal Health, Land Water & Timber Board, Farmer's Market, Fair Commission and the Mississippi Livestock Show.

The attorneys in this division are Bob Graves, Julie McLemore and Rebecca Wilson. They have been providing legal and other professional services to this division for a combined total of 38 years.

The attorneys in this division deliver a wide variety of services to their agencies, such as representing the state in administrative proceedings, drafting legislation and regulations, conducting litigation, giving advice in the procurement process, representing agencies in personnel matters, drafting contracts and attending agency board meetings.

One attorney spent several months renumbering and giving a statutory source for all of the agencies' regulations pursuant to a mandate from the Secretary of State. All of the agencies' regulations are now on their respective websites and are updated whenever amendments are made or new regulations are adopted.

Our attorneys advised the Board of Animal Health and prepared the necessary paperwork to impose a statewide quarantine on the state's poultry flock in the wake of an outbreak of Infectious Laryngotracheitis. Quarantine lines were moved on a daily basis in response to the fluid movement of the disease throughout the state.

The Department of Agriculture suspended for three years the license of a crop duster who was spraying crops with the wrong size nozzles and without a global positioning system.

Our attorneys handled the foreclosure and sale of some industrial equipment and the subsequent deficiency suit against an individual that had obtained a grant from the Land Water & Timber Board.

One of our attorneys drafted a new set of bylaws for the Mississippi Agriculture and Forestry Museum Foundation.

Our attorneys represented all of our agencies in a number of personnel actions dealing with disciplinary violations and claims for unemployment compensation. We continue to receive a large number of requests for documents under the Open Records Act.

One of our attorneys handled an administrative proceeding against a grocery store for retail food sanitation violations, resulting in the closing of the store.

Our attorneys prosecuted several administrative cases, resulting in the cancellation or suspension of the licenses of some pest control operators for various violations of environmental laws and regulations.

DEPARTMENT OF CORRECTIONS

Special Assistant Attorneys General David Scott, Stewart Smith and Jim Norris serve as legal counsel to the Mississippi Department of Corrections (MDOC), and Linda Craft serves as legal secretary. MDOC has over 3,000 employees who have the responsibility of overseeing more than 50,000 inmates, probationers and parolees. Providing legal assistance to such a large agency necessitates addressing numerous legal issues on a daily basis. The duties of the legal counsel include representing the agency in administrative, civil litigation and inmate litigation proceedings; drafting and reviewing contracts, policies, procedures and proposed legislation; responding to inquiries from prosecutors, judges, attorneys, inmate family members and the public; advising the department on all legal matters related to the operation of the agency including both employee and inmate matters; and overseeing agency compliance with existing court orders. Special Assistant Attorneys General Charles Irvin and Tommy Goodwin also assist MDOC with civil litigation matters.

DEPARTMENT OF MENTAL HEALTH

The legal division of the Department of Mental Health represents the agencies in actions filed against the Department of Mental Health, including EEOC claims, discrimination claims, Americans with disabilities claims, and other matters that are filed against the Department of Mental Health and its various statewide facilities. The division representative attends court on behalf of the Department of Mental Health whenever a minor with special needs is a party and acts as a liaison between the Department of Mental Health and various judges when questions arise concerning the placement of minors or adults with mental illness or intellectual developmental disabilities. In addition, the division representative is working with the United States Department of Justice on possible litigation regarding the State of Mississippi's Mental Health System.

MISSISSIPPI DEVELOPMENT AUTHORITY

Waverly Harkins and Royce Cole serve as legal counsel to the Mississippi Development Authority (MDA) and the Mississippi Major Economic Impact Authority (MMEIA).

MMEIA was created by the legislature as a method of competing for major projects through statutory incentives to bring new business and industry into this State and to assist existing Mississippi industries to expand. MDA also competes for major projects using the Mississippi Industry Incentive Financing Revolving Fund (MIIFRF) created by the legislature in 2010.

MISSISSIPPI DEVELOPMENT AUTHORITY

MDA successfully located companies like KiOR, McKesson, Soladigm and Olin/Winchester with those companies creating over 3,300 jobs and investing over 1.3 billion in the State of Mississippi. Legal advice provided to the Executive Director and staff includes, but is not limited to, drafting of special legislation, contracts, loan agreements and security agreements between the State and major companies and other related companies that relocate to Mississippi as a result of MMEIA and MIIFRF projects.

MDA administers Community Development Block Grant (CDBG) funds with a Division devoted exclusively to Katrina CDBG programs. MDA as the recipient of HUD funds under the American Recovery and Reinvestment Act has created a number of new programs, one of which is designed to place foreclosed and abandoned homes in the hands of qualified homeowners. MDA's Energy Department received an award of funds from the Department of Energy which is being used to fund programs that will make publicly owned buildings more energy efficient and to fund endeavors promoting renewable energy. There are a number of statutory grant and loan programs administered by MDA which are used to promote economic development. Legal services relative to the above entail writing and reviewing grant agreements, leases, other contracts and working with staff and local public officials in support of MDA's mission to promote economic development in all parts of the State of Mississippi.

MMEIA also serves as the body responsible for the duties of the former Mineral Leasing Commission and MDA. They oversee the Mississippi State Port Authority and the Yellow Creek State Inland Port Authority. Legal service to these agencies includes: representing the agency in administrative and civil litigation proceedings including Employee Appeals Board Hearings and EEOC matters; drafting and reviewing contracts, policies, procedures and legislation; reviewing Regional Economic Development Alliances, tax incentive agreements and port contracts; responding to public records requests; preparing bond resolutions; drafting incentive agreements; providing legal research and general advice to the agency.



The Mississippi Development Authority has played an integral role in helping grow Mississippi by bringing new resources to the state like the Jackson Convention Center and the Nissan plant.

DEPARTMENT OF EDUCATION

For the fiscal year 2011, Kathy Boteler, Leigh Patterson and Raina Lee served as legal counsel to the State Department of Education and the State Board of Education, which includes the Mississippi School for the Deaf, the Mississippi School for the Blind, the Mississippi School for Mathematics and Science and the Mississippi School for the Arts. Kathy Boteler and Raina Lee counsel the board and agency in matters which include: representing the department's two commissions, the Commission on School Accreditation and the Commission on Teacher and Administrator Education, Certification and Licensure and Development; reviewing and drafting contracts; drafting attorney general opinions; handling personnel matters (including employee grievances, EAB appeals, and EEOC complaints); providing general advice on policy and regulatory matters; responding to public records requests; analyzing pending state and federal legislation; providing legal research and general legal advice to the agency's bureaus; providing assistance to local school districts; and responding to citizen questions and complaints. Leigh Patterson represents the department and the board in all matters related to special education.

Attorneys for the department provided counsel as financial, educational and safety concerns were addressed in the Drew School District which led to a declaration of a state of emergency by the Governor and the take-over of this school district by the board and department. And, attorneys for the department continue to counsel the board and the department in their efforts after the declaration of a state of emergency and the take-over of the North Panola School District, Hazlehurst City School District, Indianola School District, Tate County School District, Okolona Municipal Separate School District and the Sunflower County School District. Attorneys worked with the department to draft the Mississippi Educator Code of Ethics and Standards of Conduct and legislation to provide specific grounds for revocation or suspension of a teacher's or administrator's license for sexual misconduct with a student. This legislation that was signed into law during the 2011 Legislative Session specifies that superintendents and school principals must report to the Department incidences of sexual involvement of a school employee with a student or face criminal penalties and license revocation.

In 1975, the Mattie T. class action lawsuit was filed against the Mississippi Department of Education on behalf of all Mississippi students with disabilities and those suspected of having disabilities. In December, 2003, the parties entered into a Modified Mattie T. Consent Decree that was approved by United States District Court Judge Mike Mills of the Northern District of Mississippi. By the December 1, 2010 Child Count, local school districts and the Department were responsible for obtaining substantial compliance with the provisions in the Consent Decree related to (1) Child Find for Other Health Impaired and Emotionally Disturbed students and (2) African-American students being disproportionately identified as Educable Mentally Retarded and Specific Learning Disabled. The Department of Education attorneys have worked with the Office of Special Education to obtain substantial compliance with the provisions of the consent decree. The school districts that did not meet the consent decree's targets are in the process of developing Plans of Rapid Compliance with the goal of attaining compliance by March 31, 2012. Attorneys continue to advise the Office of Special Education with regard to the State Performance Plan and Annual Performance Reports filed with the United States Department of Education pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (IDEA). Attorneys also assist the Office of Special Education with the resolution of individual and class complaints filed under the IDEA.

DEPARTMENT OF FINANCE AND ADMINISTRATION

Special Assistant Attorneys General Romaine L. Richards and Aubrey Leigh Goodwin serve as legal counsel to the Department of Finance and Administration and its divisions. As counsel for these entities, Ms. Richards and Mrs. Goodwin represent the department in administrative and civil litigation proceedings; draft and review contracts, policies, procedures, and proposed legislation; and provide legal advice on various matters including, but not limited to, employment law, contractual issues, construction law, garnishments, bankruptcies, public records requests, open meetings, public purchasing, real property, and bid protests.

Ms. Richards provides assistance to the Executive Director on legal matters relating to the department, including the preparation of the State's Comprehensive Annual Financial Report (CAFR) and to the Health Insurance Management Board, which governs the State and School Employees' Health and Life Insurance Plan (the plan). She also serves as general counsel to the State Bond Commission. In addition to these duties, Ms. Richards provides counsel and representation to the Department of Finance and Administration on matters pertaining to: the Office of Budget and Accounting, which is responsible for budgeting, accounting, purchasing, and payroll functions; the Office of Fiscal Management, which is responsible for providing oversight and assistance to other state agencies to insure compliance with state laws, rules and regulations; the Office of Capitol Facilities, which is responsible for providing security and maintenance for the buildings located within the Capitol Complex; the Office of Capitol Police; the Office of Surplus Property (State and Federal); the Office of Information Technology, which is responsible for the management of data processing of the DFA; the Office of Insurance, which administers the State and School Employees' Health and Life Insurance Plan, the State Agencies' Self Insurance Workers' Compensation Pool, and the Employment Compensation Revolving Fund, as well as administers the Children's Health Insurance Program (CHIP); the Office of Personnel and Training; and the Office of Air Transport, which provides air transportation to all state government entities.

Mrs. Goodwin serves as counsel to the Bureau of Building, Grounds and Real Property Management (the BOB), whose primary function is to properly administer funds, appropriated by the Legislature in accordance with state laws, regulations and established procedures, for construction and maintenance of state-owned facilities and real property. Mrs. Goodwin is responsible for reviewing both construction and professional contracts for all projects under the control of the Bureau of Buildings; providing legal advice during the progress of construction projects and other real property transactions; counseling on procurement matters and other related issues. Mrs. Goodwin also advises the Public Procurement Review Board, which approves procurement by state entities and hears protests and contract disputes generating from those procurements and the Office of Purchasing and Travel, and Fleet management, which serves as the State Procurement Office, on legal matters regarding procurement, statutes, regulations, contracts, policies and procedures, protests and the State's Master Lease Purchase Program.

MISSISSIPPI FORESTRY COMMISSION

The Forestry Commission offers a variety of forest management services to private and non-industrial land owners. The Commission also actively manages much of Mississippi's public timberland, including Sixteenth Section school lands and State Parks. The Forestry Commission by statute has the primary duty of wildfire suppression. Forestry Commission crews suppress wildfires occurring day or night on nearly 17 million acres of timbered and uncultivated land. The Commission provides assistance and training to urban areas in developing community forestry programs including assistance with tree ordinances and urban forest management plans.

As the Attorney General's lawyer for the Commission, Richard Compere provides advice and assistance to the Forestry Commission in all areas of its operations where legal counsel is needed. This can be divided into areas of personnel, purchasing, accounting, fire protection, timber management and general administration. Compere assists with all aspects of personnel actions and discipline. He also assists with questions regarding the purchasing laws and procedures, and is involved as needed with questions regarding the interpretation of the regulations dealing with payroll, bid laws, ethics laws and contract disputes. He reviews and drafts contracts as needed.

Day in and day out, the commission engages in operations and services that require and create legal issues. By statute, the Commission has the duty to suppress wildfires and has the authority to recover the costs of the suppression from the party responsible for the fire. Legal representation has been provided to assist in the normal daily operations of the commission.



Redbud trees bloom along the Natchez Trace Parkway

MISSISSIPPI GAMING COMMISSION

The Gaming Control Division is tasked with representing the Mississippi Gaming Commission in all its legal matters, including administrative hearings, regulatory functions, litigation, appeals, intra-agency issues and whatever else may present itself. In addition, the division is often called on to assist local law enforcement authorities regarding matters relating to the gambling laws of Mississippi, as well as assist other government agencies and the public at large when legal questions touching on gambling and gaming arise.

Once again, this year saw both office and staff changes. Throughout these changes, the division stayed active with rebuilding efforts on the Coast by continuing the addition of new gaming jurisdictions in the region, the proliferation of internet gambling, and the adoption of new laws and technologies effecting Mississippi. However, the biggest challenges faced by the division dealt with the effects of an historic natural disaster and a catastrophic man-made calamity. The widespread and unprecedented flooding of the Mississippi River and its tributaries wreaked havoc on the casino industry along the river and presented legal issues not faced in some time, if ever. Almost as damaging and legally troubling was the BP oil spill and its effects on the southern gaming counties. Nevertheless, both regions seem to be recovering, as evidenced by rising gaming revenues and increased interest in expansion.

The division was also busy with more predictable but no less important duties. The attorneys represented the Gaming Commission in the revocation of gaming work permits and in the appeal of denials of applications for gaming work permits. In all, division attorneys handled nearly 30 administrative hearings related to work permit applications during the fiscal year. In addition, the division advised the Commission on numerous requests for unanimous approval of work permit applications. During the same period, division attorneys reviewed and prepared 22 patron dispute matters between the casinos and customers. Eight of these files progressed to administrative hearings. The division also assisted as the commission issued Orders to Show Cause for various violations of the Gaming Control Act and/or the Mississippi Gaming Regulations. Gaming Control Division attorneys drafted complaints as well as stipulations and agreements imposing monetary fines and other disciplinary actions against certain licensees. The attorneys advised the commission in conducting its hearings and imposing disciplinary action when appropriate. The division was also instrumental in advising and assisting the Charitable Gaming Division of the commission in its regulation of charitable bingo activities in the state.

The Gaming Control Division has been busy in other areas as well. The division is presently monitoring and assisting in two Tort Claims actions. In addition, as part of its duties in advising the commission, the division has been busy examining the legality of numerous proposed casino sites, both along the river and the Gulf Coast. These proposals are in various states of progress, and some, most notably Jimmy Buffet's Margaritaville Casino and Restaurant, have garnered considerable publicity and are well on the way to becoming a reality. Inevitably, as more sites are approved by the Commission, the numbers of appeals are predicted to rise. In the realm of appeals, the year saw a number of cases wind through the court system that may finally put to rest several issues regarding the effect of a person's criminal history and the ability to obtain a gaming work permit. Also, finally finding resolution this year was *Moore v. State*, 2011 WL 1136464. This case involved the seizure of dozens of illegal gambling devices operating under the guise of an "internet café."

MISSISSIPPI GAMING COMMISSION

The Gaming Control Division staff provides assistance on a daily basis to the general public with requests for public records and basic information related to gaming in Mississippi, including an increasing number of inquiries into the legality of raffles and other fund-raising ventures. The coming year is shaping up to be increasingly busy and just as full of changes and challenges. The Mississippi Gaming Commission will have a new Executive Director for the first time in over a decade. Also, after several years as a staff attorney and later as the Hearing Examiner, Joan Myers retired at the end of the fiscal year. We wish her a fond farewell and all the best going forward. At the same time, the division is excited to have Deanne Saltzman, Special Assistant Attorney General, assume the position after a stint with the Institutes of Higher Learning. Mrs. Saltzman previously worked as a staff attorney in the Gaming Control Division. As always, throughout these changes, the Gaming Control Division continues to busy itself providing general legal advice to the Mississippi Gaming Commission, local government entities and the State concerning all matters of gaming and gambling law.



Biloxi is known to be one of the biggest gaming cities in the southern region.

MISSISSIPPI DEPARTMENT OF HEALTH

The Health Law Section of the Attorney General's Office represents the Mississippi State Department of Health and its governing body, the Mississippi State Board of Health. This representation includes legal services to the Board, the State Health Officer, who serves as Director of the Department, the Department's various divisions, nine public health districts and 81 county health departments.

GENERAL ADVICE

In the past year, the five attorneys in this section provided advice to the Department of Health in a wide variety of areas including, but not limited to: conducting meetings under the Open Meetings Law; drafting proposed legislation and proposed amendments to regulations; assisting with compliance with the Administrative Procedures Act; reviewing and enforcing licensure and certification determinations; assisting with the enforcement of orders for the promotion of public health; reviewing the disclosure of documents under the Public Records Act; assisting with the disclosure of medical records through subpoena and otherwise; reviewing contracts; providing planning and policy assistance; processing garnishment upon employees; preparing Attorney General's Opinions on questions posed by the Department; handling personnel matters, and responding to inquiries from Department of Health staff and members of the public on health-related matters.

ENFORCEMENT OF ENVIRONMENTAL LAWS

The department's Bureau of Environmental Health was assisted with enforcement of environmental laws in the areas of boiler and pressure vessel safety, radiological health, food sanitation, general sanitation involving regulation of wastewater, institutional sanitation, milk sanitation, water supply involving enforcement of Mississippi Safe Drinking Water Act and certification of operators of water systems. Activity in these areas involved advice, administrative hearings and litigation.

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ENFORCEMENT EFFORTS IN THESE AREAS INVOLVED THE FOLLOWING ACTIONS:

Onsite Wastewater - Assistance in enforcement training of new employees. Administrative enforcement actions against professional installers. Advised staff regarding cases in justice court concerning failing wastewater systems and resulting sewage on neighboring property. Worked with the Department of Environmental Quality, boards of supervisors and departmental staff in resolving wastewater issues in several counties.

Public Water Supply - Administrative and court enforcement actions against public water systems for endangerment of the health of their customers by noncompliance with applicable statutes and regulations.

MISSISSIPPI DEPARTMENT OF HEALTH

Food Protection - Administrative enforcement actions against retail food service facilities for endangerment of the health of their customers by noncompliance with applicable regulations governing retail food sanitation.

HEALTH FACILITIES LICENSURE AND CERTIFICATION

In conjunction with the Bureau of Licensure and Certification of Health Care Facilities, the attorneys provided ongoing legal counsel in areas including, but not limited to, utilization review, subpoenas, public records requests, and licensure of hospitals, long-term care facilities, personal care homes, ambulatory surgical facilities, abortion clinics, hospice, and home-health care providers. The attorneys also assisted the Bureau in matters concerning the transition of rural hospitals to critical access hospitals.

The attorneys handled administrative hearings against certified nurse aides charged with abuse and/or neglect of residents in long-term care facilities, as well as hearings for matters of denial or revocation of licenses. The attorneys also provide advice and counsel to the Bureau in matters involving the informal dispute resolution process and the federal administrative law hearing process.

CERTIFICATE OF NEED AND HEALTH PLANNING

In the Certificate of Need (CON) Program, our attorneys assisted the Division of Health Planning on procedural and evidentiary matters at administrative hearings, and represented the Department in CON appeals to Chancery Court and the Mississippi Supreme Court. The attorneys also provided ongoing legal advice in matters including, but not limited to, requests for declaratory rulings under CON law, review of changes of ownership of health care facilities, and legal review of staff analyses of new projects proposed under CON law.

EMERGENCY MEDICAL SERVICES (“EMS”) LICENSURE AND THE STATEWIDE TRAUMA SYSTEM

Our attorneys provided legal advice to the department in matters pertaining to the licensure and regulation of emergency medical technicians and emergency medical (ambulance) services, including disciplinary proceedings. They have also continued to assist the department in the operation of Mississippi’s first statewide trauma system. They have counseled the department on such matters as procedures for trauma center designation and the development of reimbursement policies and procedures for indigent trauma care.

VITAL RECORDS

During the past year this section handled approximately 950 chancery court complaints to correct birth certificates, death certificates and other vital records, responded to telephone calls and letters from attorneys having filed such complaints or planning to do so, and met with numerous such attorneys. In addition, general advice was provided to the public regarding vital records and statistics.

COMMUNITY HEALTH SERVICES

Assistance was given to the department in administrative and court actions to enforce vaccination requirements and to quarantine persons with AIDS, other sexually transmitted diseases, and tuberculosis to prevent the spread of such diseases, and to compel hospitalization and treatment for those with active, infectious, communicable diseases.

MISSISSIPPI DEPARTMENT OF HEALTH

CHILD CARE AND PROFESSIONAL LICENSURE

Our attorneys represented the agency in administrative hearings to determine the qualifications of applicants and in disciplinary hearings which may have resulted in suspension or revocation of the license or registration of the following: child care centers, occupational therapists, occupational therapy assistants, dietitians, respiratory care practitioners, medical radiation technologists, hearing aid dealers, athletic trainers, speech-language pathologists, speech-language pathology aides, audiologists and audiology aides. Additionally, our attorneys reviewed criminal history records and determined eligibility for every person applying to work in a child care facility.

DISASTER PREPARATION

The department has continued to focus on training in and outbreak intervention and disaster response. The attorneys have participated in training programs in order to provide legal advice and assistance in the development of strategies and plans for dealing with a major bioterrorism attack against the State or other public health emergencies. They have also provided valuable legal advice to the Division of Health Protection on measures for disease control, including interventions against the West Nile Virus.

PRIVACY LAW CONSIDERATIONS

The federal Privacy Rule continued to impact the department in various ways, and under the guidance of the HIPAA steering committee and the legal department, the department continued to monitor patient disclosure forms and patient authorization forms and modified contracts with business associates to protect individually identifiable health information. While implementing these new protections for individual privacy, the department continued to pursue its essential public health objectives for public health research, bioterrorism preparedness, health surveillance and outbreak investigations, and general health promotion.

PERSONNEL

Our attorneys assisted the Department in personnel matters through continuing advice and representing the agency in hearings before the Employee Appeals Board of the Mississippi State Personnel Board. They also worked in conjunction with the Civil Litigation Division of the Attorney General's Office to defend the agency in federal litigation originating from claims filed with the Equal Employment Opportunity Commission (EEOC)

HUMAN SERVICES DIVISION

The Human Services section of the Attorney General's Office offers legal assistance to the Mississippi Department of Human Services (MDHS) and its county offices in providing services through assistance to needy and disadvantaged individuals and families found or living in the State of Mississippi. It offers legal counsel, advice, and representation to the executive director, division directors, managers, supervisors, and other employees in matters relating to child protective services, adult protective services, family support services, child support enforcement, and in developing and enhancing service delivery tools.

The division represented MDHS before various administrative and judicial bodies, conferred with MDHS on the agency's legislative needs, wrote advisory opinions, continuously replied to questions from MDHS' service recipients, providers of services, public officials and the general public; consulted on child support cases; acted on records requests pursuant to subpoenas, subpoena duces tecum, and the Public Records Act; and helped with tort claims. We worked with MDHS in providing for the care of children with mental illnesses or multiple disorders, and children requiring interstate placement.

CONTRACTS

Contractual procurement agreements and partnerships remain essential to MDHS' service delivery system. During FY 2011, the Human Services Division:

- Reviewed, revised, drafted, and/or negotiated more than 729 contracts, subgrants, requests for proposals, memoranda of understanding and other agreements.

DIVISION OF YOUTH SERVICES

Through this division subgrants with community-based organizations were issued to operate its Adolescent Offender Program (AOP), which provide intervention and prevention services designed to decrease criminal activity among adolescents and to safely divert adolescent offenders from further contact with the criminal justice system. The AOP served 1,488 clients. Thus far, there are 34 programs covering 41 counties.

DIVISION OF COMMUNITY SERVICES

Subgrants between the Division of Community Services and community action agencies/human resource agencies, allowed MDHS-DCS to provide assistance to the elderly, disabled, and children through Weatherization, CSBG and LIHEAP programs.

- For state fiscal year 2011, the Weatherization Program provided assistance to a total of 3,792 homes. This amount includes regular Weatherization and ARRA Weatherization.
- In addition, The Division of Community Services assisted more than 160,055 people through its LIHEAP and CSBG programs.

HUMAN SERVICES DIVISION

DIVISION OF FAMILY AND CHILDREN SERVICES

The Division of Family and Children Services provide a safety net for those children who have been abused and/or neglected; however, it is also their responsibility to reunite these children with their parents. When the effort failed or was not possible, MDHS referred the cases to the Human Services' Division for Termination of Parental Rights (TPR).

- In FY 2011, 253 new TPR cases were referred to this Division. Human Services attorneys obtained court orders terminating parental rights for 341 children.
- The division worked with MDHS in placements for hard-to-place children such as those with mental illness and behavior problems.
- The division handled 12 vulnerable adults cases.
- Conducted 76 administrative fair hearings. These hearings involved persons whose names appeared on MDHS' Child Abuse/Neglect Central Registry.
- 257 legal clearances completed by legal staff for the adoption unit, which allowed children to be adopted by loving families.
- Conducted local and state level training sessions with social workers.

DIVISION OF HUMAN RESOURCES

- Our Division handled 40 personnel cases for MDHS.
- Responded to more than 185 subpoenas and summonses.
- Responded to 107 open public records requests.
- Processed over 252 writs of garnishments and other wage-withholding matters.
- Represented the Department in response to six cases filed in the U. S. Bankruptcy Court.

OAKLEY TRAINING SCHOOL AND COLOMBIA TRAINING SCHOOL

During the last 12 months, Oakley Training School has maintained compliance in the areas of Medical and Dental Services and Special Education Services while continuing to work on improving services in the areas of Protection from Harm, Suicide Prevention and Mental Health. In May 2011, the Department of Justice and the State of Mississippi renegotiated the Consent Decree and the Memorandum of Agreement and reduced the number of provisions from 73 to five.

INFORMATION TECHNOLOGY SERVICES

During the past fiscal year, Donna Rogers drafted and/or negotiated 245 contracts of various types (software licenses, software development contracts, turnkey agreements, purchase contracts, maintenance contracts, leases, application service provider (“ASP”) contracts, and professional services contracts) with providers of data processing and telecommunications hardware, software and services. Some of those contracts involved projects for a pension and benefits administration system for the Mississippi Public Employees Retirement System, and an integrated tax management system for the Mississippi Department of Revenue. In addition to contract negotiations, Rogers provided legal advice to the Executive Director and staff of ITS, and responded to garnishments and public records requests.

MISSISSIPPI DEPARTMENT OF INSURANCE

The Attorney General’s Insurance Division provides legal support for the Mississippi Insurance Department. The department primarily regulates the business of insurance in the state, and in that respect is responsible for administering Title 83 of the Mississippi Code. There are currently over 1,700 insurance companies and nearly 100,000 insurance producers (agents or agencies) licensed in the state. The department licenses bail bondsmen, with some 1,700 professional bail agents, bail soliciting agents and bail enforcement agents in the state.

The Commissioner of Insurance is the chief officer of the department, and also serves by statute as State Fire Marshal. The State Fire Marshal’s Office, a division of the department that has law enforcement authority, is directed by the State Chief Deputy Fire Marshal. This Office conducts arson investigations and fire code inspections throughout the state. It is also the state licensing authority for factory-built homes, residential electronic protection systems, and liquefied compressed gas dealers. Further, the office oversees Fire Services Development, Fire Safety Education and pyrotechnics permits at the state level. Another department division is the State Fire Academy. The Academy, which is located on an 85 acre complex in Rankin County, trained over 16,000 students in fiscal year 2011 in basic and advanced fire fighting.

The Insurance Division advises and represents the department on all matters within its purview. This includes, but is not limited to, financial and market conduct examinations, producer and insurer disciplinary actions, administrative hearings, drafting of regulations and bulletins, insolvency proceedings (rehabilitations and liquidations), fraud investigations, consumer complaint resolution, and mergers, acquisitions and redomestications of insurers. Special Assistant Attorneys General Joel R. Jones, Kim Causey, Stephanie Ganuchau, Linda Boozer, Michelle Partridge are members of the Insurance Division. There are also two department staff attorneys and two department legal secretaries who also work under the direct supervision of the division director.

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Special Assistant Attorneys General Joseph Runnels and Sandy Chesnut serve as general counsel to the Mississippi Department of Marine Resources (MDMR) and the Mississippi Commission on Marine Resources (MCMR). Their duties include: drafting legislative amendments to marine resources related statutes and MCMR ordinances; coordinating defense with outside counsel on tort claims; drafting and reviewing contracts, memoranda of agreement, and memoranda of understanding; handling employee law issues including EEOC Complaints and employment grievance cases appealed to the Mississippi Employee Appeals Board; pursuing enforcement of non-compliance with the MCMR's wetlands restoration orders and derelict vessel removal notices; prosecuting judicial and administrative forfeiture of seized illegal equipment; counseling the Executive Director and the MCMR during Commission meetings; interpreting laws, ordinances, policies and other controlling authorities (e.g., Mississippi Coastal Program and federal environmental laws) advising MDMR personnel and the MCMR on compliance and enforcement issues; drafting Official Attorney General Opinions applicable to the MCMR and MDMR; identifying and disseminating legal reference materials applicable to the MDMR and MCMR's duties and responsibilities; and defending the MCMR and MDMR's actions and orders which are the subject of appeal, a duty that includes preparing the record and pleadings and making oral arguments to appellate courts. The Special Assistant Attorneys General for the MCMR/MDMR are actively engaged in administrative proceedings and in litigation.

Legal Counsel for the MDMR/MCMR continue to deal with the aftermath of the Deepwater Horizon Oil Spill, by reviewing contracts, responding to public records requests, and advising staff in conjunction with same.

DIVISION OF MEDICAID

Four Special Assistant Attorneys General, Chuck Quarterman, Bill Mounger, Elizabeth Carr, Nicole Litton, and two administrative assistants, Pam Thomas and Saranne Smith, provided legal services to the Division of Medicaid during FY 2011. The Division of Medicaid, with more than 900 employees, has a total budget of more than \$4 billion dollars and provides health care coverage to approximately one out of every four Mississippians.

The attorneys represented the agency on a variety of matters, including statutory and regulatory issues, administrative appeals and hearings, contracts and procurements, personnel actions, requests for public information, third party subrogation, estate recovery, garnishments, levies, bankruptcies and tax liens. In addition, the attorneys facilitate investigations for the Medicaid Fraud Control Unit and coordinate defense of complex civil litigation through the Attorney General's Civil Litigation Division. The attorneys working with third-party recovery cases have approximately 500 active files and have successfully recovered more than \$1,400,000 for the agency during FY 2011. The attorneys working in the estate recovery area have approximately 1,000 active files and have successfully recovered more than \$1,379,000 for the agency during FY 2011, and also have recovered more than \$975,000 from income trusts.

In addition to state level agency administrative hearings, our attorneys have also represented the Division of Medicaid in matters before the Employee Appeals Board, the EEOC, United States Bankruptcy Court, and other state and federal courts. In addition, the agency and the attorneys continue to assist special counsel retained by the Office of the Attorney General to pursue State claims against pharmaceutical manufacturers concerning prescription drugs, including the AWP litigation involving the fraudulent pricing of drugs.

STATE PERSONNEL BOARD

Special Assistant Attorney General Sara DeLoach serves as General Counsel to the Mississippi State Personnel Board (MSPB). As General Counsel, DeLoach provides legal advice to the MSPB, the Personal Service Contract Review Board (PSCRB) and the Employee Appeals Board (EAB). She assists the MSPB Executive Director and staff in performing their statutory responsibilities and developing regulations and procedures for personnel policy. DeLoach provides legal advice regarding the application of state and federal law to MSPB policy and assists state agencies and state employees with specific employment and human resource issues, including personal and medical leave issues, wage and hour practices, accommodation of disabilities and employee discipline, evaluation and separation. The State Personnel Board analyzes all legal services contracts submitted to the MSPB for approval, and represents the MSPB in any litigation matters in all courts. Ms. DeLoach also assists the MSPB in developing and drafting proposed rules and regulations of the MSPB and serves as a liaison between the MSPB and the Office of the Attorney General.

As counsel to the Personal Service Contract Review Board, DeLoach reviews all personal and professional service contracts with state agencies in excess of \$100,000 to ensure compliance with state law and PSCRB procurement regulations. She provides legal advice to the PSCRB and assists the PSCRB in the development and implementation of policies and procedures regulating state agency procurement of personal and professional services.

PROFESSIONAL LICENSURE AND REGULATORY SECTION

The Professional Licensure and Regulatory Section of the State Government Division of the Attorney General's Office, consisting of Deputy Attorney General Onetta Whitley and Assistant Attorneys General Leyser Morris-Hayes, Maudine Eckford and Gloria Green, is charged with providing legal representation to the various professional licensing and regulatory boards and commissions of the State of Mississippi. This representation includes, but is not limited to, providing general counsel and advice, representing agency staff in administrative hearings, serving as hearing officers in administrative proceedings, handling a variety of personnel issues, including employee discipline and equal employment compliance, and advising on matters pertaining to rule making. In addition, this Section represents the various agencies in courts of law on matters of injunctive relief, some civil litigation and appeals from administrative decisions.

The agencies include the State Board of Professional Engineers and Land Surveyors, State Board of Public Accountancy, State Board of Dental Examiners, Board of Psychology, State Board of Cosmetology, State Board of Funeral Service, Mississippi Auctioneer Commission, Real Estate Appraiser Licensing and Certification Board, Licensed Professional Counselors, Massage Therapists, Physical Therapists, Fire Fighter Certification Board, Commercial Mobile Radio Services Board, Home Inspector Board as well as several others.

In addition to providing general counsel to the professional licensing agencies, this section also provides general counsel to a variety of other state agencies in the Executive Branch of Government including Mississippi Emergency Management, Mississippi Authority for Educational Television, Mississippi Industries for the Blind, the Athletic Commission, and others.

This year the legal services provided to agencies via contractual agreements between the agencies and the Office of the Attorney General have resulted in an estimated savings of \$12,018,572 in legal costs.

DEPARTMENT OF REHABILITATION SERVICES

Special Assistant Attorney General Billy Taylor represents the Department of Rehabilitation Services, which includes the Office of Vocational Rehabilitation, the Office of Vocational Rehabilitation for the Blind, the Office of Disability Determination Services, the Office of Special Disability Programs and Support Services, as well as the Department's governing entity, the State Board of Rehabilitation Services. In his capacity as legal counsel he advises the board and department regarding employment and personnel issues, in house, as well as before the Equal Employment Opportunity Commission, Employee Appeals Board, and the Employment Security Commission. He also advises and represents the agency concerning Open Meetings, Public Records, subrogation, bankruptcy, garnishments, Administrative Procedures, subpoenas, public purchasing, Workers' Compensation, immigration, American Indians, contracts, leases, policy, Americans with Disabilities Act, Social Security Disability and other disability related issues.

PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS)

Special Assistant Attorney General Jane Mapp serves as legal counsel to PERS. The Retirement System is responsible for administering the Public Employees' Retirement System, the Mississippi Highway Safety Patrol Retirement System, the Government Employees Deferred Compensation Plan, the Mississippi Municipal Retirement Systems, the Supplemental Legislative Retirement Plan, the Retiree Group Life and Health Benefits, the Optional Retirement Plan for the Institutions of Higher Learning, and the Federal State Agreement providing Social Security coverage to eligible participants.

Mapp's responsibilities include: ensuring the governmental status of entities for requesting membership in the System; drafting of contracts; assisting outside counsel on securities cases; assisting the third party administrator for the Deferred Compensation Program address legal questions relative to the Plan as well as ensuring that federal guidelines are satisfied; assisting in personnel matters; providing necessary assistance to the Civil Litigation Division on cases involving the Retirement System, and representation of PERS at administrative hearings and in Circuit Court and Supreme Court appeals relative to disability claims and membership service claims. Presently there are 28 appeals before the Circuit and/or Supreme Court.

Mapp also assists the Personnel Director with issues relative to employee relations; offers advice and assistance in drafting legislation and agency regulations; and assists the staff within the Retirement System, as well as staff from other agencies, respond to questions regarding the application of the statutes which govern the administration of PERS and the separate plans it administers. Issues include, but are not limited to, service credit, disability benefits, garnishments, beneficiary disputes, eligibility for benefits, membership in PERS or other retirement plans, refunds, investments, the fiduciary responsibility of the Board of Trustees and monitoring of federal legislation for impact on PERS.

SECRETARY OF STATE PUBLIC LANDS DIVISION

Special Assistant Attorney General Nancy Morse Parkes is assigned to the Secretary of State's Office Public Lands Division. Her duties include providing general legal advice regarding tax sales, AG opinion research, and other related matters. Additionally, she works closely with the Secretary of State's Senior Public Lands Attorney on 16th Section Land issues. Parkes handles all suits to clear title in which the state is named as a defendant. In defending these cases, she works with the Secretary of State's office to determine what interest, if any, the State has in the property in question, and files the appropriate answer and other pleadings. The division handled more than 333 of such suits last year. Parkes represents the Secretary of State in eminent domain suits where the Secretary of State is named as a defendant due to possible interests via un-matured tax sales. Her further litigation duties include protecting the state's interest in lawsuits where individuals claim to own 16th Section School Trust land and Public Trust Tidelands.

Parkes provides legal assistance to the Elections Division in regard to the campaign finance reporting and lobbying laws, and this fiscal year has provided legal assistance to the Business Regulation and Enforcement Division in regard to a cemetery receivership. She also handles employee appeals board hearings for the Secretary of State. Additionally, she regularly meets with and advises the Assistant Secretary of State for Public Lands and the Senior Public Lands Attorney on a variety of issues ranging from dealing with other agencies to litigation being handled by outside counsel.



MISSISSIPPI DEPARTMENT OF TRANSPORTATION

The Transportation Division of the Attorney General's Office employs six Special Assistant Attorneys General full time and two others on a part-time basis under its contract with the Mississippi Transportation Commission, and coordinates with three attorneys outside the division who act in an administrative capacity: one Senior Attorney in Human Resources Division and two Senior Attorneys in Right-of-Way Division. The Mississippi Department of Transportation also employs one staff attorney who is housed in the Transportation Division. The division's support staff includes one Branch Director, one Special Projects Officer, and one administrative assistant employed by the Attorney General, as well as a law clerk, two paralegals, one legal secretary, and a receptionist working on direct contract with MDOT. They assist the agency in implementing its mission of providing an efficient transportation system in a cost-effective and environmentally friendly manner. This includes implementing programs involving highways, railroads, public transit systems, aviation, ports and waterways for the safety and convenience of the citizens of the state.

The commission also had master contracts with a number of attorneys who provided services on an hourly, as-needed basis for various reasons, such as in situations where special expertise was required, or when the in-house attorneys had a conflict.

Fiscal year 2011 was a busy year for the Transportation Division. In addition to the usual and customary work for MDOT, several of the lawyers in the office took on extra duties as managing attorneys for tobacco litigation, patent and copyright work for the state's universities and colleges, representation of the Mississippi Emergency Management Agency, and the Secretary of State's office. These services were provided to the outside agency on an hourly basis for which the MDOT is reimbursed. Others were busy serving as members and/or chairman of national committees for the National Transportation Research Board and the American Association of State Highway and Transportation Officials.

For MDOT, the office assisted with the acceleration of the real property acquisition process for State Route 9 from Pontotoc to U.S. Highway 78, in order to meet timelines that were necessitated by the opening of the Toyota manufacturing facility at Blue Springs. To date, except for three parcels, all lands necessary for the construction of the road have been acquired without condemnation, and in record time.

The commission paid approximately \$999,634 under its contract with the Attorney General. It also paid \$1,053,088 to 11 different firms for eminent domain work; \$434,070 to six firms for title and closing work related to property acquisition; and \$357,905 to 10 different law firms, expert witnesses, forensic accountants, and related litigation support firms in bond issues, admiralty, workers' compensation, and various other types of lawsuits.

LITIGATION

The Division has continued to take on increasingly complex litigation in house, including defending high-dollar construction claims and a \$20 million suit filed against the Commission by Madison County, with Chief Counsel Roy Tipton acting as lead attorney. Utilizing the services of an outside Admiralty attorney, the division recovered \$2,083,750 from Southern Towing, Inc. for damages to the Popps Ferry Bridge in Biloxi. With assistance from counsel appointed by the Attorney General, the Transportation Commission is a named plaintiff in a multimillion-dollar bond price-fixing class-action suit in Federal Court in New York. Special Assistant Attorney General Margaret Ellis continues her deep involvement in the ongoing tobacco litigation.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

The Transportation Division joined the rest of the Attorney General's Office, and a host of other people throughout the state, in mourning the death of Special Assistant R. Lloyd Arnold in the fall of 2010. Mr. Arnold was not replaced, but Administrative Assistant Paula Lewis transferred from another division into Transportation.

The Division continued to support the Department of Transportation's efforts to find creative methods of funding, planning, and building public transportation facilities. Contracts with the State of Tennessee, as well as various counties and municipalities within Mississippi, allowed the expedited planning and construction of facilities of many different types.

Special Assistant Thomas S. Coleman worked to facilitate grants from the Mississippi Development Authority, through the Economic Development Highway and Community Development Block Grant programs, funded with state bonds and with U.S. Department of Housing and Urban Development monies.

Thanks to the efforts of Law Clerk Ben Jones, the division moved one step further into the digital era by implementing an innovative electronic document management and scanning system as a flexible solution to managing and exchanging paper.

Jimmy Isonhood continued his work on the often controversial task of controlling encroachments on the public right-of-way and controlling billboards adjacent to the right-of-way. In furthering the advancement of law in these areas, Mr. Isonhood chairs the Committee on Eminent Domain and Land Use for the National Transportation Research Board (NTRB) and continues to be active in both the American Association of State Highway and Transportation Officials (AASHTO) Outdoor Advertising Technical Subcommittee, the NTRB Digital Billboard Committee, and multiple committees for the National Alliance of Highway Beautification Agencies (NAHBA). In addition to his work in these organizations, Mr. Isonhood has participated in a Federal Highway Administration study under the Osprey Group, which has developed Federal Guidance Memoranda on pressing outdoor advertising law.

Margaret Ellis was appointed to the Tort Liability and Risk Management Committee of the National Transportation Research Board.

Special Assistant Larry Schemmel, a qualified trademark and copyright attorney and licensed patent attorney, spent a great deal of his time representing the Institutions of Higher Learning and other state agencies in securing patents, trademarks, and related intellectual property rights. A great amount of his time was charged to agencies other than the Transportation Commission.

As always, the Division provided the general day-to-day advice, assistance, and representation expected by an agency with some 3,300 employees, 14,000 miles of roadway to maintain, offices in all 82 counties, and an annual budget which exceeds a billion dollars.

PROPERTY ACQUISITION:

The Commission acquires thousands of parcels of property in a typical year to utilize in construction of highways and other facilities, a process overseen by Special Assistant Attorney General Billy D. Hall. The agency's Right-of-Way Division has continued to place extra emphasis on making good faith efforts to purchase this property at fair market value rather than condemning it, so only 133 new cases were filed during the year, while 94 suits were either tried or settled.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

Some 193 cases were active at the end of the fiscal year. For a variety of reasons, notably that local attorneys are more effective in selecting juries when engaged in the emotionally charged issue of taking property away from its owners, most eminent domain cases were pursued by outside counsel.

PROPERTY DAMAGE CLAIMS:

Asserting claims against those responsible for damage to MDOT facilities and equipment continues to generate a significant workload for the Division. Special Assistant Margaret Ellis, with assistance from paralegal Shannon Cleveland, has aggressively continued to represent the public's interests. Through their efforts they collected and returned to the citizens of Mississippi a total of \$419,650.

WORKERS' COMPENSATION:

The Division continued to represent the Commission's self-insured, self-administered Workers' Compensation program. This program paid \$1,186,814.39 in disability benefits and \$517,918 in 13 compromise settlements to current and former employees of the agency, as well as \$2,057,906 to medical providers. This reflects a reduction of more than \$873,000 compared to the benefits paid in Fiscal Year 2010. There were approximately 44 controverted cases active at some point during the year, with Staff Attorney Rodney Love and Special Assistant J.D. "Woody" Woodcock as lead counsel in a number of them, and the rest being assigned to three private firms. The sum of \$20,801.19 was recovered for the agency through subrogation claims asserted against third parties responsible for accidents which resulted in claims.

The Transportation Division of the Attorney General's Office continued to strive to give the best possible representation to the Transportation Commission and to the State of Mississippi as a whole, while minimizing the public's expenditures. Several of the attorneys billed substantial amounts of time to other agencies, thereby reducing the division's cost to the Commission and properly allocating the expense. Despite the reduced time applied to transportation issues by the Division, the agency received adequate representation at a rate substantially less expensive than that charged by outside counsel, so the mutually beneficial relationship between the client and its attorneys flourished.



UNIVERSITIES DIVISION

Keyla McCullum, Deanne Saltzman, and Stephanie Jones serve as legal counsel to the Board of Trustees of State Institutions of Higher Learning (IHL), the Commissioner of Higher Education, the eight state institutions of higher learning, as well as various other public agencies associated with the Board. Additional university campus attorneys have been authorized and assigned to Jackson State University, Mississippi State University, Mississippi University for Women, The University of Mississippi, The University of Mississippi Medical Center, and The University of Southern Mississippi. McCullum, Saltzman and Jones coordinate activities with each campus attorney and participate in joint efforts maximizing the legal representation available to the various institutions of higher learning in Mississippi.

McCullum, Saltzman, and Jones are active in the management of litigation involving higher education. The division receives inquiries from students and parents and assists in resolving problems relating to the institutions. The attorneys in this division work closely with the faculty, staff, and administrators of the eight state universities. In addition, the three attorneys in this division are the actual campus counsel for Alcorn State University, Mississippi Valley State University, and Delta State University.

The IHL Board Offices and the Institutions of Higher Learning, pursuant to legislative authorization, operate under the Mississippi Tort Claims Act separately from the administration provided by the State Tort Claims Board. The Universities Division works closely with the IHL Insurance and Risk Management Division and plays a vital and significant role in the evaluation and disposition of tort claims filed thereunder. This division of the Attorney General's Office provides a myriad of other legal services to the agency, including, but not limited to, the following:

- This division has provided advice and assisted with numerous construction and renovation projects developing facilities on and off campus at each of the institutions;
- has assisted the University Press of Mississippi with various intellectual property and contractual issues this year;
- has assisted the State Office of Student Financial Aid with the development of and amendments to the contracts, notes and regulations for the various types of financial aid which it administers;
- represents Mississippi Automated Resource Information Systems and reviews their contracts with other agencies;
- works closely with the Commissioner of Higher Education in drafting new policies and bylaws for the Institutions of Higher Learning;
- serves as in-house counsel to the Mississippi Commission on College Accreditation, which has offices located in the Education and Resource Center;
- advises on IHL on Ayers implementation issues in furtherance of the settlement of that lawsuit;
- works closely with the IHL Board Office of Human Resources in advising on various employment issues;
- works closely with the IHL Office of Contracts and Grants in reviewing and/or drafting all contracts for that office;
- represents and advises GEAR-UP in all legal matters; and
- represents and advises America Reads Mississippi in all legal matters.

STATE VETERAN'S AFFAIRS BOARD

The State Veterans Affairs Board assists former and present members of the Armed Forces of the United States and their dependents in securing benefits or privileges under any federal or state law or regulation to which they are entitled and to advise the Governor and Legislature on veterans affairs. The State Veterans Nursing Homes in Collins, Jackson, Kosciusko and Oxford are also maintained and operated by the State Veterans Affairs Board. The State Veterans Affairs Board is also charged with the duty to inspect, approve and supervise schools, institutions and establishments for war orphan and veteran training under the GI Bill. Furthermore, the State Veterans Affairs Board has established and begun the operation of the State Veterans Memorial Cemetery and the Persian Gulf War Memorial.

SVAB maintains copies of military discharges (DD 214) for individuals recently released from military service who list Mississippi as their home of record on the DD 214. SVAB can access Mississippi Draft cards from WW II through post Korea and can access some records pertaining to World War II and Korean War discharges. SVAB provides speakers for meetings and works with the legislature, governor and veterans organizations regarding veterans' issues.

Additionally, the veterans' service officers of the Claims Division within the State Veterans Affairs Board provide free advice and guidance to veterans and dependents concerning VA claims, VA casework, hearings, appeals, and discharge upgrades. These service officers are also responsible for the training of county veterans' service officers. Claims Division employees represent the Mississippi State Veterans Affairs Board and are accredited representatives for the American Legion, American Red Cross, American Ex-POWs, Blinded Veterans Association, Fleet Reserve Association, Non Commissioned Officers Association, and the Veterans of Foreign Wars.

Special Assistant Attorney General Avery Mounger Lee serves as General Counsel to the State Veterans Affairs Board. Her duties include representing the agency before the Equal Employment Opportunity Commission, the Employee Appeals Board and various other agencies and courts. As in-house counsel, she advises and represents the agency concerning Open Meetings, Public Records, Administrative Procedures, contracts, leases and policies as well as provides on-site training to the employees of the nursing homes



DEPARTMENT OF WILDLIFE, FISHERIES, AND PARKS

Special Assistant Attorney General Doug Mann is assigned as legal counsel to the Department of Wildlife, Fisheries and Parks and the Mississippi Commission on Wildlife, Fisheries and Parks. He is assisted by Annette Clark. Mann provides legal services including drafting, negotiating and reviewing contracts, real property transactions, representing the department in the initiation of seized property civil forfeiture proceedings (of which there were approximately 100 actions initiated last year), and advising and representing the department concerning State Personnel Board matters and hearings before the Mississippi Employee Appeals Board. This agency is one of the largest in terms of number of employees with more than 850 full-time employees.

One primary function of the department is law enforcement which includes not only violations of the game and fish statutes and environmental matters, but also safe boating enforcement and the recovery of stolen boats and motors. Mann makes presentations at training sessions for all law enforcement personnel and advises them daily on legal matters. He has also had the privilege of addressing the Prosecutors' Training seminars sponsored by the Office of the Attorney General.

In addition, the attorney advises department management on various matters dealing with the operation of 25 state parks.

In 2010, Mann assisted and advised the department and commission on matters ranging from helping revise regulations to assisting sister agencies in the development of public works projects. The attorney also provided advice and counsel on more recent inter-governmental efforts regarding the claims process for reimbursement of agency efforts during the BP Gulf Oil Spill and the cooperative effort for handling record flooding of the Mississippi River. In addition, the attorney provides continuing advice and counsel on compliance with State purchasing regulations as well as the regulations of the Personnel Services Contract Review Board. Risk management issues at state parks and wildlife management areas remain a high priority for the department. The attorney maintains a close working relationship with the Tort Claims Board in order to ensure that claims are processed promptly, as well as providing support and assistance to law firms hired by the Tort Claims Board to defend the Department in liability suits.

The legal staff also assists Departmental staff in advising the Chairmen of the Wildlife, Fisheries and Parks Committees of both the House and Senate when reviewing proposed legislation, drafting changes and researching legislation. The Attorney also took an active role in national and regional Wildlife organizations such as the Association of Fish and Wildlife Agencies (AFWA) and the Southeastern Association of Fish and Wildlife Agencies (SEAFWA). Participating on the Legal Committees of these organizations, Mann has contributed to official comments on proposed Federal regulations affecting interstate movement of captive deer, elk and other cervids and control of Chronic Wasting Disease (CWD). He continues to assist with the review or development of contracts for the department and provides any other legal support that is needed by the department.



SUPPORT SERVICES DIVISION

The Attorney General's Support Services Division is responsible for providing overall administrative and technical support to the office in the areas of finance and accounting, budgeting, human resources and personnel, grant management and reporting, purchasing, payroll, maintenance of the law library, management of interagency legal contracts and information systems.

FINANCE AND ACCOUNTING

Support Services is responsible for the management of the day-to-day accounting activities through the Statewide Automated Accounting System (SAAS) and the analysis of financial reports and preparation of cost projections to manage agency funds and to ensure compliance with spending authority requirements contained in the Agency's appropriation bill. The Finance and Accounting area also prepares Generally Accepted Accounting Principles (GAAP) financial statements and related information for inclusion in the Comprehensive Annual Financial Report and the preparation of the agency's indirect cost plan and negotiation of the indirect cost rate with the Federal Division of Cost Allocation

Support Services is also responsible for the administration of the Law Enforcement Officers and Fire Fighters Disability Benefits Trust Fund. Mississippi Code Section 45-2-21 (1972, annotated) transferred supervision of this fund from the Department of Public Safety to the Attorney General's Office beginning July 1, 2006. Any actively employed law enforcement officer or fire fighter who is accidentally or intentionally injured in the line of duty as the direct result of a single incident is eligible to receive benefits. If approved, the Attorney General's Office will make a monthly disability payment equal to 34% of the covered individual's regular base salary at the time of injury. If the covered individual also receives workers' compensation benefits, then payments from the Law Enforcement Officers and Fire Fighters Disability Benefits Trust Fund will be limited to the difference between the workers' compensation benefits and the amount of the covered individual's regular base salary. Up to 12 payments for any single injury can be made. Applications and instructions for submission are posted on the Attorney General's Website at www.agjimhood.state.ms.us.

BUDGETING

The budgeting area includes the planning and preparation of the agency's annual budget for submission to the Legislative Budget Office; this process includes reviewing and compiling financial information for all funds and programs and maintaining systems and methods to capture performance measurement data to comply with the "Mississippi Performance Budget and Strategic Planning Act of 1994." A part of the budgeting process is the compilation of supplemental information on program accomplishments and assistance in Legislative Budget Hearings through compilation of costs associated with new, expanding, and/or existing programs. The culmination of the budgeting process is the preparation of the agency's Z-1 budget with subsequent revisions as necessary throughout the fiscal year. An additional part of the legislative budget process is the preparation of the personal services budget as required by the State Personnel Board which ensures adequate manpower in accomplishing the office's mandates.

SUPPORT SERVICES DIVISION

HUMAN RESOURCES AND PERSONNEL

The Human Resources and Personnel area ensures compliance with all state and federal laws, rules and regulations regarding employment and employees (SPB, Section 125, FLSA, Title VII, FMLA, HIPAA, COBRA, etc.). Other functions of this area include maintaining agency, position, and employee data in SPAHRS; ensuring that leave usage complies with state and federal laws; conducting employee orientation; coordinating Benefits Training and Cafeteria Plan Enrollment; ensuring uniform implementation of Performance Appraisal Review (PAR); and maintaining the Office's organizational chart.

GRANT MANAGEMENT AND REPORTING

Support Services provides financial and administrative support to all divisions within the Office working under grants and contracts. This support includes assisting with the preparation of grant applications and budgets, interpreting grant language, making recommendation on implementation, and fulfilling all grant reporting requirements, e.g., Financial Status Reports (FSR), Cost Reimbursement Reports, Federal Cash Transactions Reports, and various programmatic reports. During FY 2011, the office entered into over \$4,054,127 in grants/contracts with DHHS-Medicaid Fraud, Public Safety, Department of Justice, and National Science Foundation through Mississippi State University.

PURCHASING, PROPERTY MANAGEMENT, SPACE MANAGEMENT

Support Services is responsible for all procurement of goods and services for the office in compliance with the Department of Finance and Administration and ITS including preparation of bid specifications and local advertisement for certain goods, negotiation of building leases, office moves, and space management.

PAYROLL

Support Services is responsible for processing a monthly payroll for 280+ full-time employees utilizing the State-wide Payroll and Human Resources System (SPAHRS) inclusive of maintaining direct deposit information and balancing/payment of deductions and for processing a bi-weekly payroll for 70-100 individuals including interns, minors participating in alcohol and tobacco enforcement, and other contractual workers.

LAW LIBRARY

The law librarian is responsible for all library materials received by the office; handling book orders, cancellations, and account inquiries/problems; verifying statements from book vendors; updating all current library materials; and maintaining library records on the Inmagic database. The librarian also maintains a directory of Westlaw passwords and trains employees on Westlaw, often assisting attorneys in their legal research.

SUPPORT SERVICES DIVISION

MANAGEMENT OF INTERAGENCY CONTRACTS AND OUTSIDE LEGAL COUNSEL

During FY 2011, the Attorney General's Office entered into 73 interagency contracts to provide legal services to various state agencies, boards and commissions. Support Services prepares all contracts, computes costs, maintains all contracts on file, makes adjustments when necessary, prepares invoices and ensures collection of amounts billed. Additionally, Support Services is responsible for ensuring the review and processing of all Outside Legal Counsel Contracts.

INFORMATION SYSTEMS

The Information Systems (IS) staff provides software/hardware support for the Office's Wide Area Network (WAN). The WAN includes staff housed in the Walter Sillers Building, Bolden Office Building, as well as staff housed in other state agencies. IS provides assistance with Office Suite software, on-line Legal Research and Internet access. The Office supports and maintains its own Web Server which is regularly updated with Press releases and Consumer news. The IS staff supports and creates reports for an in-house case management system (CRIMES) that is used office-wide to track case information and time entry. The Office recently migrated from a Novell environment to Microsoft environment. This includes the file system (Windows 2008 R2) and email (Exchange 2010). The Office has also implemented a VMWare solution for its existing servers.

The Information Systems and Consumer Protection staff members are currently working with our case management vendor, Ciber, Inc., to allow electronic submission of Consumer complaints. In addition, to better equip our prosecutors and protect the residents of our state, a District Attorney State-Wide Automated Case Management System (CRIMES) has been developed by Ciber, Inc. The system allows District Attorney's Offices to communicate automatically with the Criminal Information Center (CIC) of the Mississippi Department of Public Safety. This system will have the ability to interface with the National Crimes Information Center (NCIC) and provide case disposition data. There are currently five District Attorneys (DA's) on a shared database located at the Attorney General's Office in Jackson. An additional two DA's will be added by the end of the 2011 calendar year. The remaining DA's that desire to be on the shared system will be brought on in the 2012 calendar year. The office has also implemented a Domestic Violence Uniform Reporting system and a Protective Order Registry. Both of these will be statewide repository data systems with search capability via NCIC. The office is in the process of implementing a web portal for rural law enforcement. This web portal will provide access to training materials that may be accessed via the internet.

FUNDS RECOVERED DURING FISCAL YEAR 2011

Source of Funds	Amount	Disposition
Medicaid Fraud Control Unit - Restitution and Civil Penalties	3,392,508	State of MS, Division of Medicaid, Attorney General
Consumer Protection Division - Restitution, Recovery of Costs	786,224	State of MS, Attorney General, Consumers
Civil Litigation Division - Audit Recoveries	7,068	State of MS
Insurance Integrity Enforcement - Restitution and Penalties	5,610	State of MS
Medicaid - Estate Recovery, Third Party Recovery and Subrogated Claims	3,754,000	State of MS, Division of Medicaid
MDOT - Damage Claims, W'Comp Subrogated Claims and Other Litigation	2,524,202	State of MS, MDOT
Maxim Intergrated Products - Securities Litigation	20,920	PERS, Attorney General
Merck Pharmaceuticals, Inc. - Vioxx Settlement	600,605	State of MS
Eli Lilly & Company - Ziprexa Settlement	18,500,000	State of MS, Attorney General
Microsot Corporation Settlement	2,514,468	State of MS, Attorney General
Schering Corporation - Average Wholesale Price Litigation	4,064,000	State of MS, Attorney General
Mylan, Inc. - Average Wholesale Price Litigation	5,097,000	State of MS, Attorney General
GlaxoSmithKline, LLC - Average Wholesale Price Litigation	8,000,000	State of MS, Attorney General
Sanofi-Aventis U.S. Inc. - Average Wholesale Price Litigation	3,080,000	State of MS, Attorney General
TOTAL FUNDS RECOVERED	52,346,605	

EXPENSES DURING FISCAL YEAR 2011

ACTUAL EXPENDITURES

FISCAL YEAR ENDING JUNE 30, 2011

PERSONAL SERVICES

Salaries, Wages & Fringe Benefits	\$20,027,914
Travel & Subsistence (In-State)	\$664,000
Travel & Subsistence (Out-of-State)	\$183,414

TOTAL PERSONAL SERVICES **\$20,875,328**

CONTRACTUAL SERVICES

Tuition	\$57,407
Communications & Utilities	\$90,938
Public Information	\$55,921
Rents	\$1,218,891
Repairs & Services	\$60,427
Fees, Professional & Other Services	\$1,112,680
Other Contractual Services	\$170,264
Data Processing	\$767,944
Other	\$40,112

TOTAL CONTRACTUAL SERVICES **\$3,574,584**

COMMODITIES

Printing & Office Supplies & Materials	\$242,814
Equipment, Repair Parts, Supplies & Accessories	\$141,152
Professional & Scientific Supplies & Materials	\$300
Other Supplies & Materials	\$315,879

TOTAL COMMODITIES **\$700,145**

CAPITAL OUTLAY

Vehicles	\$8,490
Office Machines, Furniture, Fixtures & Equipment	\$17,717
IS Equipment (Data Processing & Telecommunications)	\$198,714
Other Equipment	\$60,477
Wireless Communication Devices	\$309

TOTAL CAPITAL OUTLAY **\$285,707**

SUBSIDIES, LOANS & GRANTS

TOTAL SUBSIDIES, LOANS & GRANTS **\$410,266**

TOTAL EXPENDITURES **\$25,846,030**

REPORT OF STATE OWNED AUTOMOBILES

DESCRIPTION	MILES TRAVELED IN FY 2010	DEPRECIATION EXPENSE FY 2010
2004 Ford Taurus	12,173	Fully Depreciated
2006 Pontiac Grand Prix	260	Fully Depreciated
2006 Pontiac Grand Prix	24,331	Fully Depreciated
2006 Pontiac Grand Prix	1,706	Fully Depreciated
2006 Pontiac Grand Prix	2,782	Fully Depreciated
2007 Ford Crown Victoria	24,662	Fully Depreciated
2007 Ford Crown Victoria	20,468	Fully Depreciated
2008 Chevrolet Impala	26,881	\$4,138
2008 Chevrolet Impala	27,690	\$4,192
2008 Chevrolet Impala	14,534	\$4,192
2008 Chevrolet Impala	28,032	\$4,138
2008 Chevrolet Impala	30,407	\$4,138
2008 Chevrolet Impala	14,870	\$4,138
2009 Chevrolet Impala	21,720	\$4,193
2009 Chevrolet Impala	35,518	\$4,193
2009 Chevrolet Impala	25,949	\$4,193
2009 Chevrolet Impala	11,680	\$4,193
2009 Chevrolet Impala	24,954	\$4,193
2009 Chevrolet Impala	18,342	\$4,193
2009 Chevrolet Impala	51,265	\$4,193
2009 Chevrolet Impala	25,281	\$4,193
2009 Chevrolet Impala	21,230	\$4,193
2009 Chevrolet Impala	24,105	\$4,560
2009 Chevrolet Impala	17,844	\$4,560
2009 Chevrolet Impala	28,888	\$4,560
2009 Ford F-150	18,287	\$4,192
2009 Ford F-150	15,976	\$4,192
2009 Jeep Cherokee	22,734	\$5,257
2009 Jeep Cherokee	12,271	\$5,257
2009 Jeep Cherokee	26,750	\$5,257
2009 Jeep Cherokee	31,605	\$5,257
2009 Jeep Cherokee	21,275	\$5,257
2010 Ford Fusion	11,184	\$4,937
2010 Ford Fusion	9,552	\$4,937
2010 Ford Fusion	21,614	\$4,937
2010 Ford Fusion	19,071	\$4,937
2010 Dodge Charger	22,135	\$4,492
2010 Dodge Charger	29,822	\$4,492
2010 Dodge Charger	19,298	\$4,492
2010 Ford F-150	37,726	\$4,799
2010 Ford F-150	24,792	\$4,799
2011 Chevrolet Silverado	14,383	\$4,463
TOTAL	894,047	\$158,307

REPORT OF STATE OWNED AUTOMOBILES

FY 2011 State-Owned Automobiles Costs:

Number of State-Owned Automobiles:	42
Depreciation expense	\$126, 669
Repairs & maintenance, fuel, tires	<u>\$133, 525</u>
Total Costs	\$328,826
Average Cost Per Mile:	\$0.37

CONTACT US AT:

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WWW.AGJIMHOOD.COM

MAIN HELP LINE: 1-601-359-3680

ALCOHOL & TOBACCO ENFORCEMENT DIVISION: 1-888-213-8830

CHILD DESERTION UNIT: 1-601-359-4250

CONSUMER PROTECTION DIVISION: 1-800-281-4418
(CONSUMER PROTECTION DIVISION, BILOXI OFFICE: 1-228-386-4400)

CRIME PREVENTION AND VICTIM SERVICES: 1-800-829-6766

CYBERCRIME UNIT: 1-601-576-4281

DOMESTIC VIOLENCE: 1-601-359-9681

INSURANCE FRAUD DIVISION: 1-888-528-5780

MEDICAID FRAUD DIVISION: 1-800-852-8341

PROSECUTORS' TRAINING DIVISION: 1-800-852-1281

PUBLIC INTEGRITY DIVISION: 1-601-359-4258

PUBLIC INFORMATION OFFICE: 1-601-359-2002

VULNERABLE ADULTS: 1-601-359-4158

FACEBOOK: MISSISSIPPI ATTORNEY GENERAL'S OFFICE

TWITTER: @MISSISSIPPIAGO