



2013

OFFICE OF THE ATTORNEY GENERAL
State of Mississippi

2013 ANNUAL REPORT
Attorney General Jim Hood

A MESSAGE FROM ATTORNEY GENERAL JIM HOOD



Dear Fellow Mississippians:

Enclosed in the following pages is our office's accountability report for Fiscal Year 2013. In it you will see an overview of the thousands of cases this office has worked, as well as the many positive outcomes of our hard work serving this great state. We are proud to have awarded almost \$3 million to crime victims through our crime victim compensation fund with revenue derived from fees and assessments imposed on criminals and through court ordered restitution.

In FY13 alone, we recovered over \$58 million for the state. That number is approximately five times our annual budget and brings our total number of recoveries since I have been in office to over \$700 million. I am proud that this office always brings in way more than it expends.

I hope you will take note of all the areas where we conduct training for your prosecutors, law enforcement, judges, clerks and general public across the state. I am a big believer in the power of training and education to help curb our crime statistics. We must take a preventative approach in tackling the problem if we are to ever see a difference.

One area where I hope we can help folks is through our National Mortgage Settlement Funds. I wanted everyone in the state facing mortgage issues to receive help so we took part of the money received in the settlement and created the Mississippi Foreclosure Prevention Consortium. You can read more about it on page 22 of this report. Please do so, and continue to spread the word about the service.

This annual report represents my tenth year as your attorney general. I thank you for the honor and privilege.

May God bless you and yours,

A handwritten signature in black ink that reads "Jim Hood". The signature is written in a cursive, slightly stylized font.

Jim Hood

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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, 2012, THROUGH JUNE 30, 2013, THAT RESULTED IN A NOTED RETURN FOR THE STATE OF MISSISSIPPI.

CIVIL LITIGATION DIVISION

- Positive outcome in 98% of civil litigation cases in federal and state courts
- Positive outcome in 100% of prisoner complaints filed in federal courts
- Recovered \$ 2,297,215.50 for state and local taxpayers in audit and ethics matters, including recoveries for cities and counties

CONSUMER PROTECTION DIVISION

- Responded to 73,257 phone calls placed to the division
- Collected \$437,370.80 in restitution
- Recovered \$1,284,124.50 in costs and fees
- Litigated 82 cases
- Opened 2,352 cases
- Opened 91 identity theft cases
- Opened nine home repair fraud cases
- Made two identity theft arrests
- Made eight intellectual property crimes arrests
- Made 11 other arrests (i.e. murder, wire fraud, false pretense, grand larceny, price gouging, etc.)

CRIME PREVENTION AND VICTIM COMPENSATION

- Awarded \$2,998,653.24 through the Crime Victim Compensation Fund
- Awarded \$207,738.95 for Sexual Assault Forensic Examinations
- Provided 4,426 units of service to crime victims
- Provided direct services to 645 crime victims
- Trained 100 law enforcement officers representing 34 agencies through "MAG" Law Enforcement Training

CRIMINAL LITIGATION DIVISION

Appellate Section

- Filed 293 briefs, 50 motions and responses in the Mississippi Supreme Court and Court of Appeals
- Won 88% of criminal cases filed
- Processed 110 extraditions

Federal Habeas Corpus Section

- Filed 212 answers, briefs, motions and responses in the U.S. District Courts of Mississippi
- Obtained favorable results in all but two of the cases decided

Death Penalty Section

- Filed 43 briefs, responses and motions in the Mississippi Supreme Court, state trial courts, federal district courts, the U.S. Court of Appeals for the Fifth Circuit
- Obtained favorable results in 100% of decisions

MISSISSIPPI ATTORNEY GENERAL EXECUTIVE SUMMARY

DOMESTIC VIOLENCE DIVISION

- Trained over 2,300 officers on Mississippi domestic violence and stalking laws
- Trained 107 nurses in the effective care of sexual assault victims
- Trained over 800 municipal justice, county and chancery court clerks
- Provided direct advocacy and information to 318 male and female victims of domestic violence, sexual assault or stalking
- Educated approximately 900 social workers, advocates, private attorneys, community members and faith-based groups on issues of domestic violence and human trafficking

MEDICAID FRAUD CONTROL UNIT

- Recovered \$18,286,851.29 in restitution and civil penalties
- Indicted 51 individuals
- Received over 1,901 complaints of abuse, neglect or exploitation
- Convicted 59 individuals
- Provided 53 educational programs for health care faculty staff, civic clubs, health care associations and others
- Achieved 100% conviction rate for Medicaid Fraud
- Achieved 98% conviction rate for Medicaid Abuse, an increase of 3% this year

OPINIONS

- Issued more than 400 official opinions
- Returned 90% of formal opinions within 30 days or less
- Spent approximately 6,000 hours giving advice by telephone and email and over 300 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 over 956 prosecutors, investigators, victims assistance coordinators and check unit personnel
- Offered 61 hours of Continuing Legal Education to Mississippi Prosecutors

PUBLIC INTEGRITY

- Opened 73 investigations
- Received and worked through 1,540 complaints
- Obtained 18 convictions involving voter fraud, embezzlement and other crimes
- Secured 12 arrests, indictments and/or removals from office

ALCOHOL & TOBACCO ENFORCEMENT DIVISION

- Conducted 10,404 tobacco enforcement checks and 6,194 beer enforcement checks throughout the state
- Trained approximately 469 retail manager and clerks statewide

MISSISSIPPI ATTORNEY GENERAL EXECUTIVE SUMMARY

CHILD DESERTION UNIT

- Received approximately 250 complaints
- Opened seven new investigations
- Obtained 13 indictments and 10 convictions against deadbeat parents

CYBER CRIMES UNIT

- Opened 85 new cases
- Obtained 45 convictions

DUI

- Conducted DUI Basic Training and Rules of the Road to five classes, approximately 217 officers
- Participated in 18 Standardized Field Sobriety Testing classes and approximately 366 officers went through the training
- Provided DUI training to more than 1,500 judges, prosecutors and law enforcement officers
- Participated in nine Advanced Roadside Impairment Driving Enforcement classes and taught the legal portion of the training to approximately 93 officers

INSURANCE FRAUD UNIT

- Recovered \$46,511.32 from fees and restitutions
- Received 135 complaints
- Conducted 102 active insurance fraud investigations
- Obtained 70 arrests and convictions for insurance fraud
- Conducted 21 active criminal workers compensation investigation
- Obtained six arrests and convictions for workers compensation fraud

VULNERABLE ADULTS UNIT

- Recovered \$76,635.96 in restitution to victims and \$4,700 in investigation costs to the Attorney General's Office
- Received 3,199 complaints
- Opened 207 new cases and have 47 active cases in criminal investigations
- Conducted 23 training sessions and presentations
- 139 cases resolved and/or closed through prosecution
- Obtained 11 convictions and 16 indictments

SUPPORT SERVICES

- Obtained over \$4 million in grants and contracts
- Entered into 70 interagency contracts to provide legal services to state agencies
- Recovered over \$58 million owed to state

**MISSISSIPPI ATTORNEY GENERAL
EXECUTIVE SUMMARY**

FUNDS RECOVERED DURING FISCAL YEAR 2013

SOURCE OF FUNDS	AMOUNT	DISPOSITION
Medicaid Fraud Control Unit - Restitution and Civil Penalties	\$16,633,393	State of MS, Division of Medicaid, Attorney General
Consumer Protection Division - Restitution, Investigative Costs and Fees	\$521,328	State of MS, Attorney General, Consumers
Consumer Protection Settlement - Lender Processing Services, LLC	\$507,115	State of MS
Consumer Protection Settlement - State of MS vs. Toyota	\$578,057	State of MS
Consumer Protection Settlement - Google	\$114,995	State of MS
Japan Display East (Hitachi) - LCD Litigation	\$1,584,357	State of MS, Attorney General
Public Integrity Division - Fines, Fees and Investigative Costs	\$11,057	State of MS, Attorney General
Civil Litigation Division - Audit Recoveries	\$2,297,216	State of MS
Medicaid - Subrogation; Estate Recovery; Special Needs Trusts and Income Trusts	\$3,630,269	State of MS, Division of Medicaid
MDOT - W'Comp Subrogated Claims; Motor Vehicle Damage and Other Property Damage	\$405,004	State of MS, MDOT
Hoffman - LaRoche Inc. - Average Wholesale Price Litigation	\$2,604,663	State of MS, Attorney General
Goldman Sachs - Securities Litigation	\$29,080	PERS, Attorney General
Merck Sharp and Dohme Corp - Average Wholesale Price Litigation	\$9,200,000	State of MS, Attorney General
Bristol-Myers Squibb Co - Average Wholesale Price Litigation	\$9,640,000	State of MS, Attorney General
McKesson Corporation - Average Wholesale Price Litigation	\$6,890,305	State of MS, Attorney General
Novartis Pharmaceutical Corp - Average Wholesale Price Litigation	\$3,400,000	State of MS, Attorney General
TOTAL FUNDS RECOVERED	\$58,046,839	

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 Attorneys General Blake Bee and Mary Jo Woods, Public Information Officer Jan Schaefer, and Receptionists Donna Thomas, Marilyn Robinson and Nicole Martin.

ATTORNEY GENERAL

Attorney General Jim Hood is serving his third 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. She is assisted by Betty Newell. 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. He is assisted by Delisa Jones.

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 Chief of Staff 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, Marilyn Robinson and Nicole Martin are invaluable assets to the Attorney General, his staff and the people of Mississippi. 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 callers to the best person in the office to address their questions. These ladies also greet the many visitors the office receives each day.

**MISSISSIPPI ATTORNEY GENERAL
EXECUTIVE BRANCH OF THE ATTORNEY GENERAL'S OFFICE**

PUBLIC INFORMATION OFFICE

The Mississippi Attorney General's Office recognizes the important role played by the media 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 Public Information Office include the following publications:

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 Merchant's Guide to Mississippi's Price Gouging Law*
- *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*
- *Dating Violence: Expect Respect*
- *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

2013 Civil Litigation Accomplishments:

- Positive outcome in 98% of civil litigation cases in federal and state courts
- Positive outcome in 100% of prisoner complaints filed in federal courts
- Recovered \$ 2,297,215.50 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

JACKSON WOMEN'S HEALTH ORGANIZATION AND WILLIE PARKER, M.D. v. MARY CURRIER, M.D., M.P.H., IN HER OFFICIAL CAPACITY AS STATE HEALTH OFFICER OF THE MISSISSIPPI DEPARTMENT OF HEALTH (U.S. DIST. CT., S.D. Miss.) The Civil Litigation Division is representing State Health Officer Mary Currier, M.D., M.P.H. in a lawsuit filed by a Mississippi abortion clinic challenging the constitutionality of House Bill 1390, which went into effect on July 1, 2012. HB1390 requires all physicians associated with an abortion facility to have admitting and staff privileges at a local hospital and to be board certified or board eligible in obstetrics and gynecology. The federal court has entered a preliminary injunction barring the State from enforcing the admitting privileges and board certification requirements of HB1390, but the Division continues to aggressively defend Dr. Currier and the constitutionality of the statute.

C. DELBERT HOSEMANN, JR. SECRETARY OF STATE FOR STATE OF MISSISSIPPI, POPLARVILLE SPECIAL MUNICIPAL SCHOOL DISTRICT AND PEARL RIVER COUNTY SCHOOL DISTRICT v. HAROLD SIMMONS (PEARL RIVER COUNTY CIRCUIT COURT) The Civil Litigation Division is representing the Secretary of State in a lawsuit to maximize the return on 16th Section school lands for the benefit of Mississippi schoolchildren. Two Mississippi school districts contracted with a logger to cut timber on 16th Section school lands. After receiving an anonymous tip that the logger was not paying for all the timber he was cutting from the school lands, the Secretary of State, the Mississippi Department of Agriculture, and the Mississippi Forestry Commission jointly investigated and determined that approximately \$300,000 worth of additional timber had been cut, but not paid for, by the logger. The Division is pursuing the recovery of damages against the logger, and the local district attorney has obtained a criminal indictment related to the same events.

**MISSISSIPPI ATTORNEY GENERAL
CIVIL LITIGATION DIVISION**

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 TO 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.

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.

**MISSISSIPPI ATTORNEY GENERAL
CIVIL LITIGATION DIVISION**

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.

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 (7) out of the eight (8) 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.

**MISSISSIPPI ATTORNEY GENERAL
CIVIL LITIGATION DIVISION**

KENYATA HARMON V. ROBERT STURDIVANT, ET AL. (U.S. DIST. CT., N.D. Miss.) Plaintiff, an inmate in the custody of the Mississippi Department of Corrections and housed at the Mississippi State Penitentiary, filed this suit alleging that correctional officers at the Mississippi State Penitentiary used excessive force on him in violation of his constitutional rights. This case was tried before a jury and a verdict was returned in favor of the State Defendants.

BRIAN RUNNELS V. LARRY LEE (U.S. DIST. CT., S.D. Miss.) This civil action arose from the alleged violation of Plaintiff's constitutional rights while in the custody of the Mississippi Department of Corrections at the Wilkinson County Correctional Facility. Plaintiff alleged that Larry Lee, an employee of the Mississippi Department of Corrections, denied him the right to practice the Rastafarian faith by denying his requests to grow dreadlocks, wear a religious medallion and hold a Rastafarian worship service. After a trial before the honorable Magistrate Judge Robert H. Walker, a verdict was rendered on behalf of State Defendant Larry Lee.

MARCUS DAVIS V. REGINA HANCOCK, ET AL. (U.S. DIST. CT., S.D. Miss.) Plaintiff filed this suit alleging that correctional officers at the South Mississippi Correctional Institution used excessive force on him in violation of his constitutional rights. This matter was tried before a jury with the honorable District Judge Keith Starrett presiding. At the conclusion of the trial the jury rendered a verdict in favor of the State Defendants and found that the amount of force used was not excessive.

OLLIE EVANS V. SARAH JAMES (U.S. DIST. CT., S.D. Miss.) Plaintiff, an inmate in the custody of the Mississippi Department of Corrections and housed at South Mississippi Correctional Institution ("SMCI"), filed the present suit alleging a violation of his constitutional rights by State employee Sarah James. Specifically, Plaintiff alleged that James denied him access to the GED courses at SMCI because of his race and age. The matter was tried before the honorable Magistrate Judge Michael T. Parker and a verdict was returned in favor of State Defendant Sarah James finding that Plaintiff was not the victim of race and/or age discrimination.

STEPHEN EUGENE WINDHAM V. CHARLES SCARBOROUGH, ET AL. (U.S. DIST. CT., S.D. Miss.) This civil action arose from the alleged violation of Plaintiff's constitutional rights. Specifically, Plaintiff alleges that correctional officers at the South Mississippi Correctional Institution subjected him to excessive force resulting in physical injury. This matter was tried before the honorable Magistrate Judge Michael T. Parker and a judgment was entered in favor of the State Defendants.

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.

MISSISSIPPI ATTORNEY GENERAL CIVIL LITIGATION DIVISION

In addition to the above matters, 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.); FLOYD 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).

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).

OFFICE OF THE STATE AUDITOR CIVIL LITIGATION

In fiscal year 2013, the Office of the State Auditor has secured or assisted in the recovery of \$2,297,215.50 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:

FORMER MANAGER OF THE CROSSROADS ARENA & CONVENTION CENTER IN ALCORN COUNTY, REGGIE CHURCHWELL. A written formal demand in the amount of \$34,678.29 was issued on October 20, 2011. For Fiscal Year 2013, payment from his bond in the amount of \$34,678.29 was received and returned to the appropriate deserving entity.

FORMER SECRETARY OF THE HOUSTON SCHOOL DISTRICT, CHICKASAW COUNTY, KATHY NEAL. A written formal demand in the amount of \$25,550.63 was issued on July 30, 2007. For Fiscal Year 2013, payment from her bond in the amount of \$24,550.63 was received and returned to the appropriate deserving entity.

FORMER CIRCUIT CLERK OF CLAY COUNTY, BOBBIE C. DAVIS. A written formal demand in the amount of \$88,938.14 was issued on December 2, 2010. For Fiscal Year 2013, a negotiated settlement of \$69,220.86 was received from his bond and returned to the appropriate deserving entity.

FORMER MAYOR OF SOUTHAVEN, GREG DAVIS. A written formal demand in the amount of \$170,782.28 was issued on November 2, 2011. A second formal demand was issued on April 20, 2012, for an additional \$11,033.38. For Fiscal Year 2012, payment in the amount of \$96,000.00 was received, and \$11,900.39 credit for receipts was given, leaving a balance of \$73,915.27. On December 18, 2012, Davis was indicted on two counts of Embezzlement by a Public Official and One Count of False Pretense. A civil case was tried for two days in January 2013 and five days in May, 2013. The civil trial will continue in October 2013.

FORMER COLLECTIONS CLERK FOR OLIVE BRANCH, ANITA COWAN. On June 11, 2013, payment from her bond in the amount of \$66,885.78 was returned to the appropriate deserving entity and the balance paid in full.

FORMER BUSINESS MANAGER FOR THE FRANKLIN COUNTY SCHOOL DISTRICT AND FORMER BOOKKEEPER FOR THE TOWN OF ROXIE, RAMONA MULLINS. A written formal demand in the amount of \$86,285.36 was issued on September 4, 2012, for her School District Manager position. On December 12, 2012, Mullins was sentenced to serve three years in the Mississippi Department of Corrections and restitution in the amount of \$86,285.36. For Fiscal Year 2013, a negotiated settlement in the amount of \$75,000.00 was received from her bond and returned to the appropriate deserving entity.



CONSUMER PROTECTION DIVISION

2013 Consumer Protection Division Accomplishments:

- Responded to 73,257 phone calls placed to the division
- Collected \$437,370.80 in restitution
- Recovered \$1,284,124.50 in costs and fees
- Litigated 82 cases
- Opened 2,352 cases
- Opened 91 identity theft cases
- Opened nine home repair fraud cases
- Made two identity theft arrests
- Made eight intellectual property crimes arrests
- Made 11 other arrests (i.e. murder, wire fraud, false pretense, grand larceny, price gouging, etc.)

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, disaster related crimes, home repair fraud, and mortgage/foreclosure issues. Some of the events included: Copiah County Triad Day, Carthage Senior Citizens Day, Madison County WIN Job Center Officers Council Meeting, Jefferson County Nursing Home, Jackson Medical Mall Disaster Expo, Jackson Convention Center Senior Health & Wellness Fair and Raleigh Senior Citizens Day.

HIGHLIGHTS OF CONSUMER EDUCATIONAL EFFORTS

SHRED IT AND FORGET IT CAMPAIGN

The Consumer Protection Division held its seventh annual “Shred-It and Forget-It” campaign on March 8th and 9th, 2013. The event promotes consumer awareness about identity theft. It was held in six locations statewide: Vicksburg, Meridian, Tupelo, Jackson, Hattiesburg and D’Iberville. Consumers brought personal documents for free shredding. This year 1,118 consumers across the state protected their identity by shredding more than 50,120 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, BancorpSouth and CredAbility and other Mississippi Consumer Education Partnership members to host this event.



Buggie lines full of many consumers’ documents stayed long at this year’s Consumer Protection Shred-it Day in Jackson, MS.

REAL WORLD PROGRAM

The Consumer Protection Division participated in Mississippi State University’s “Real World Program.” Real World is a financial literacy program which leaves lasting impressions on high school students as they get a taste of the “real world.” The events take place at various high schools in Mississippi. Our office sends volunteers to help the students make informed choices about their responsibilities, purchases and living expenses.

SIGNIFICANT MULTI-STATE ACTIONS

TOYOTA MOTOR SALES

This multistate investigation and resulting settlement arose from a lack of timely disclosures as well as misrepresentations to consumers regarding the safety of certain Toyota and Lexus vehicles. National Highway Traffic Safety Administration initiated a parallel but separate investigation in early 2010 focusing on the underlying design defects. Both investigations prompted Toyota to initiate an independent review, known as the Slater Panel, in December 2010. The independent review confirmed the states’ concerns in May 2011 and motivated Toyota to settle although the process took another 18 months. Mississippi received \$578,056 from the settlement.

E-BOOKS MULTISTATE SETTLEMENT

Mississippi Attorney General Jim Hood, along with 54 Attorneys General in other states, districts and U.S. territories, reached an antitrust settlement with three of the largest book publishers in the United States. Hachette Book Group Inc., HarperCollins Publishers L.L.C. and Simon & Schuster Inc. which resulted in more than \$69 million being returned to consumers to resolve antitrust claims of an alleged unlawful conspiracy to fix the prices of electronic books (E-books). The Attorney General’s office received \$43,917 from Hachette Book Group, Harper Collins, and Simon & Schuster.

SIGNIFICANT INVESTIGATIONS/LITIGATION

NATIONAL MORTGAGE SETTLEMENT:

In July, 2012, the Consumer Protection Division launched the “Mississippi Foreclosure Prevention Consortium” project to assist homeowners who are struggling as a result of the foreclosure crisis. The Consortium was created through funding provided under the National Mortgage Settlement that was entered into in February 2012 with the nation’s five largest mortgage servicers: Ally/GMAC, Bank of America, Citi, JPMorgan Chase and Wells Fargo. The settlement was the result of a multi-state investigation into foreclosure abuses and fraud, and unacceptable mortgage servicing practices.

As part of the settlement, Mississippi received \$13,580,374 to be used for: purposes intended to avoid preventable foreclosures, to ameliorate the effects of the foreclosure crisis, to enhance law enforcement efforts to prevent and prosecute financial fraud, or unfair or deceptive acts or practices and to compensate the State for costs resulting from the alleged unlawful conduct of the subject servicers.



Of this amount, \$5.8 million was allocated for creation and administration of the Consortium for a period of three years. The remaining \$7.7 million was sent to the State General Fund for use by the Mississippi Legislature.

The Consortium was created through partnerships with non-profit and community action organizations to provide mortgage assistance to homeowners statewide.

Partners include: Money Management International, Mississippi Home Corporation, Mississippi Center for Justice, Mississippi Center for Legal Services, North Mississippi Rural Legal Services and the Mississippi Military Department.



Attorney General Jim Hood speaks at the free legal clinic in Tupelo’s Lee County Library.

Through the Consortium, consumers receive services that include:

- a dedicated, toll-free hotline that serves as the initial point of contact for distressed homeowners who are seeking to apply for assistance through the Consortium,
- information about the National Mortgage Settlement Program and consumer assistance in completing the steps necessary to receive benefits provided under the settlement, as well as through the Consortium,
- free HUD-approved housing counseling and individual counseling,
- free legal counsel, advice and representation, and
- mortgage payment assistance to honorable discharged veterans and currently serving members of the Armed Forces who qualify for veteran status.

In addition to the assistance provided through the hotline, the Consortium has traveled across the state, providing face-to-face/one-on-one legal assistance and housing counseling. In November 2012, the Consortium set up clinics in 10 different cities including Greenville, Clarksdale, Hernando, Tupelo, Columbus, Meridian, Jackson, Hattiesburg, Gautier and Bay St. Louis. In April 2012, the Consortium traveled to 12 different cities including Corinth, Oxford, Grenada, Vicksburg, Brandon, Lexington, Philadelphia, Starkville, Laurel, Biloxi, Columbia and Brookhaven.

AG reminds consumers of upcoming claims deadline in National Mortgage Settlement, Sea Coast Echo, 1-12-13

PICKWICK PINES RESORT

This Consumer Protection Act enforcement action began in December 2008 regarding misrepresentations of homeowner fees and amenities made to 200+ homeowners (mostly retired and on fixed incomes) when they purchased homes at the development. The Resort owner quadrupled homeowner fees, threatened to restrict access to their homes if the homeowners do not pay, and failed to provide the promised amenities and services including the legal provision of water and sewer. Working with the Mississippi Public Service Commission, Short Coleman Water Supply was able to take over the water system and obtain proper certification; however, the sewer system is still illegally operating. The Defendant filed for bankruptcy in June 2013 and the remaining enforcement action was removed to bankruptcy as an adversary proceeding.

GOOGLE STREETVIEW

The Mississippi Attorney General's Office received \$114,995 from a settlement with Internet giant Google over its collection of data from unsecured wireless networks nationwide while taking photographs for its Street View service between 2008 and March 2010. Google's Street View cars were equipped with antennae and open-source software that the company acknowledged collected network identification information for use in future geolocation services. At the same time, Google collected and stored data frames and other "payload data" being transmitted over those unsecured business and personal wireless networks. Google has since disabled or removed the equipment and software used to collect the payload data from its Street View vehicles, and agreed not to collect any additional information without notice and consent. The information collected was segregated and secured, and under terms of the agreement, will be destroyed as soon as legally practicable. Further, Google agreed that the payload data was not used, and will not be used, in any product or service, and that the information collected in the United States was not disclosed to a third party.

IDENTITY THEFT

ELIZABETH CRAWFORD pleaded guilty to one felony count of identity theft and was sentenced in Hinds County Circuit Court. Crawford obtained the personal identity information of the victim with the intent to unlawfully use that information to commit the illegal act of prescription forgery. She was arrested when pharmacy personnel became suspicious and called the police. The court sentenced Crawford to five years in prison, with all five years suspended, and five years of supervised probation. It also imposed a \$1,000 fine, a payment of \$500 to the Attorney General's Investigative Fund, and a payment of \$500 restitution to the victim.

MILTON QUARLES pleaded guilty to one count of fraudulent use of identity and received three years to serve as well as pay \$4,513.19 in restitution and \$250 to the Attorney General's Offices' Crime Victim's Compensation Fund. Quarles worked as a temp employee for the Mississippi Board of Pharmacy. After it was discovered that unauthorized purchases were being made for items at various places, an investigation was launched. It was discovered that Mr. Quarles was the likely culprit based on numerous factors. The transactions stopped when he unexpectedly stopped working there. He was indicted in 2009 but not prosecuted because he left the state and could not be found. He was picked up in Georgia and bought back to Mississippi for prosecution in 2012.

HOME REPAIR FRAUD

CHARLES LYNN REEDER, age 53, of Wiggins, pleaded guilty to one count of felony false pretense and one count of home repair fraud in Harrison County Circuit Court. Reeder was sentenced to the maximum ten year sentence on the false pretense charge and five years for the home repair fraud charge with three years suspended, meaning he will serve 12 years in the custody of the Mississippi Department of Corrections followed by three years post release supervision. The charges arose out of two separate cases involving Reeder's company, ABC House Leveling and Home Maintenance, in which Reeder entered into agreements to perform construction work for two elderly victims to repair their Katrina damaged residences. In the false pretense case, Reeder lied to the victim about work he claimed he had performed. In the home repair fraud case, Reeder misled the victim by claiming he was a licensed and insured contractor, which he was not. He also performed a small amount of work which was not up to code. Reeder was extradited to Mississippi from Missouri where he had served time as a result of three convictions of home repair fraud related charges.

ALVIN DENNIS HALL, age 47, of Carthage, pleaded guilty to one felony count of home repair fraud and was sentenced in Madison County Circuit Court. Hall had contracted with a homeowner in Madison for the construction of a concrete slab, for which he was paid \$10,000. The Attorney General's investigation revealed that Hall did not do the work, despite the efforts of the homeowner to get him to. Finally, the homeowner hired and paid another contractor to do the job. The sentencing order requires that Hall serve one year in prison, along with two more years for two unrelated felonies, after which he will be released on the condition that he pay full restitution. Hall will be on supervised probation for five years after his period of incarceration. In addition to the prison term, Hall was ordered to pay \$8,000 in restitution to the homeowner, \$2,000 to the Attorney General's Office's Investigative Fund and \$1,000 to the Attorney General's Offices' Crime Victim's Compensation Fund.

INTELLECTUAL PROPERTY CRIMES

ALICIA OSPINA, age 61, of Ridgeland, pleaded guilty to selling counterfeit Viagra from a business in Ridgeland. She was sentenced to four years suspended and one year to serve in the custody of the Mississippi Department of Corrections, followed by five years of supervised probation. She must also pay a \$1,500 fine, \$550 to Attorney General's Offices Investigative fund, and court costs. Ospina was arrested following an investigation by the Attorney General's Office in cooperation with the U.S. Attorney's Office, Homeland Security Investigations, and the Food and Drug Administration, all in partnership via Mississippi's Operation Knock Out Knock-Offs Task Force. During the joint operation, 26 search warrants were issued at businesses statewide. Every business was issued a warning letter to cease and desist in the sale of counterfeit pharmaceuticals. Follow up inspections showed that the businesses heeded the warning.

PATRICK KING, age 37, of Hazlehurst, pleaded guilty to six felony counts of selling pirated DVDs and CDs and was sentenced to 18 years by the Copiah County Circuit Court. The sentencing order requires him to serve 15 years in the custody of the Mississippi Department of Corrections, with the final three years of incarceration running concurrently with the 15 years he will serve. He will then be on post release supervision for three years. King was arrested at his business in Hazlehurst after selling pirated copies of five movies and one music CD to an undercover investigator from the Attorney General's Intellectual Property Theft Task Force. During a search of King's store and home, investigators seized 10,510 pirated discs, along with computer equipment used for making the copies. They also found and confiscated several weapons, including an assault rifle. King had previously been convicted of two felonies. In 1995, he was sentenced to five years for assault on a law enforcement officer. And in 2003, the Attorney General's Office successfully prosecuted King for compact disc piracy, for which he served one year in MDOC's Intensive Supervision/House Arrest Program.

ANTWUN SHARRELL JONES pleaded guilty to one count of sale of counterfeit DVD and was sentenced in Neshoba County Circuit Court. Jones received a two year sentence to service along with a \$3,000 fine. Also, Jones was ordered to pay \$1,000 to the Attorney General's Office's Crime Victim's Fund and \$1,000 to the Attorney General's Offices' Investigation Fund.

OTHER SIGNIFICANT CASES

TRACEY LYNN GARNER (formerly known as Morris Garner) was indicted on two separate counts of depraved heart murder. In June 2013, Garner was indicted in Hinds County on charges involving the death of a Selma, Alabama resident while Garner was performing a buttocks augmentation. The indictment alleges that Garner injected a silicone substance into the victims' bodies. Garner was arrested at his home where he was under house arrest facing charges in another depraved heart murder case involving the death of Atlanta Georgia resident.

NATASHA STEWART, a.k.a. Pebbelz, age 39, of Memphis was arrested by the Shelby County Tennessee Sheriff's Office January 3, 2013, following an indictment by a Hinds County Grand Jury on one count of murder, one count of wire fraud, one count conspiracy to commit murder and one count conspiracy to commit wire fraud. Stewart waived extradition and returned to Mississippi. Her arrest is the second in the case involving the death of an Atlanta, Georgia resident who received injections of a foreign and possible counterfeit substance during an illegal medical procedure in Jackson.

MARTY WARE pleaded guilty to one felony count of false pretense in Rankin County Circuit Court. Ware had placed an ad on Craigslist offering to lease land in a remote part of Rankin County for a hunting camp. He entered into a lease agreement and collected the rent in advance. The lessee made various improvements to the property and purchased the \$1 million liability insurance policy required by the lease. Then he discovered that Ware did not own the property. The real owners leased it to someone else for the hunting

season, who locked out Ware's victim. The victim complained and the Attorney General's office began an investigation that resulted in the guilty plea. The court sentenced Ware to five years in prison, but ordered him released after serving one day on the condition that he pay full restitution to the victim in the amount of \$1,981, plus a \$1,500 fine, \$2,000 to the Attorney General's Investigative Fund, \$1,000 to the Attorney General's Crime Victim Fund, and court costs of \$531.50. The court also placed Ware on five years of post-release supervision.

SAMANTHA JOHNSON, age 40, of Sardis, a former Secretary for a Batesville law office used her position to compose a fictitious Chancery Court divorce document by forging signatures, including a Deputy Clerk's and presenting the document to an unsuspecting client as if the document had been approved and filed, when in fact it had not. Immediately following the trial, Johnson was sentenced to serve 10 years, day for day, in the custody of the Mississippi Department of Corrections by Circuit Court Judge Jimmy McClure. Johnson was sentenced as a habitual offender (99-19-81) because she had previously been convicted of nine other felonies, including seven convictions of forgery and two embezzlement convictions in Panola County during 1999 and 2003.



CRIME PREVENTION AND VICTIM SERVICES

2013 Crime Prevention and Victim Services Accomplishments:

- Awarded \$2,998,653.24 through the Crime Victim Compensation Fund
- Awarded \$207,738.95 for Sexual Assault Forensic Examinations
- Provided 4,426 units of service to crime victims
- Provided direct services to 645 crime victims
- Trained 100 law enforcement officers representing 34 agencies through “MAG” Law Enforcement Training

YOUTH SERVICES

The Youth Services Division supports prevention efforts to reduce juvenile delinquency, truancy, exploitation, and child abuse and neglect. 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.

HEALTHY CHOICES FOR TEENS PROGRAM – IGU (“I GOT YOU”)

This is an educational community health outreach program for 8th and 10th graders in Mississippi. The program was developed by Central Mississippi Residential Center in partnership with area schools, local law enforcement, the Mississippi Department of Mental Health Bureau of Alcohol and Drug Abuse, Care Lodge Domestic Violence Shelter, Mississippi State University Extension Service and the Mississippi Attorney General's Office.

Students travel to Central Mississippi Residential Center during school hours to learn about topics including suicide prevention, healthy dating relationships, alcohol and drug abuse prevention, bullying and cyber bullying, self-injury and healthy coping skills. The program presenters are professionals who not only are experienced in their field, but also are able to connect with the students.

Students learn how to better cope with challenging situations, why it is important to seek help, and what resources are available. Pre and post-program surveys are used to evaluate and improve the presentations. Survey results indicate that the program has had a significant positive impact on students. Schools report that as a result of the program they have observed an improvement in academic performance and an increase in coping skills as well as a decrease in behavior-related office referrals.

To develop and expand the I Got You program, Central Mississippi Residential Center was awarded a U.S. Department of Health and Human Services, Health Resources and Services Administration, Rural Health Care Services Outreach Grant.

THE OAKLEY YOUTH DEVELOPMENT CENTER GARDEN PROJECT



On April 8, 2010, representatives from 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 met to unveil a garden project for juveniles detained at the Oakley Youth Development Center. The project is funded by the Mississippi Department of Agriculture and Commerce. 2013 is the 3rd year of the three-year project.

The Garden Project exposes juveniles at Oakley Youth Development Center to the benefits of healthy eating and healthy living. Youth are educated on 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. It is our hope that this project will serve as a model for other secure facilities throughout the state.

Through the Garden Project, youth participate in healthy behavioral modification programs; healthy eating programs and exercise programs. Since

youth are involved in every aspect of the project, they unknowingly apply educational tools, such as, math, science, reading and astronomy in developing and maintaining the garden. This, by all studies, 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.



CAL RIPKEN, SR. FOUNDATION – BADGES FOR BASEBALL PROGRAM

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. Through its many programs, the Cal Ripken, Sr. Foundation helps kids understand the importance of choosing to stay in school, staying off harmful substances, and staying away from negative peer groups and gangs.

The Mississippi 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.

THE ANNIE E. CASEY FOUNDATION – JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI)

The Juvenile Detention Alternatives Initiative (JDAI) is being replicated in Adams, Leflore, Washington, Rankin and Harrison counties. After more than a decade of innovation and replication, JDAI is one of the nation's most effective, influential, and widespread juvenile initiatives for juvenile justice system improvement.

In January 2012, the Annie E. Casey Foundation awarded the Attorney General's Office a grant to organize a delegation of state officials and key stakeholders to visit JDAI's model "state site" in New Jersey. The purpose of the visit was to gain insight on practical examples and strategies utilized to implement JDAI statewide. The plan for going to scale in Mississippi is to replicate JDAI principles in each county court jurisdiction with a juvenile detention facility.

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.

JUVENILE DETENTION AND ALTERNATIVES TASK FORCE

As the coordinator of the Annie E. Casey Juvenile Detention Alternatives Initiative, the Attorney General's Office has been involved in the Juvenile Detention and Alternatives Task Force which was established by the Legislature in the 2012 Regular Session. The purpose of the task force is to support the expansion of juvenile detention alternatives and recommend licensing standards for juvenile detention facilities throughout the state. On or before November 1, 2013, the task force was required to report to the Legislature as to a plan for supporting juvenile detention alternatives, for reducing the financial burden incurred by counties for providing juvenile detention services, increasing cross-county collaboration, reducing duplication of services and maximizing support from federal, state and private sources, propose juvenile detention licensing standards, recommend which state agency should handle the licensing standards and regulations of juvenile detention centers, recommend legislation and raise other issues related to juvenile detention centers or alternatives to juvenile detention.

CRIME VICTIM COMPENSATION DIVISION

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 eligible 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. During July 1, 2012 through June 30, 2013, the Division received a total of 1187 claim applications, and awarded \$2,999,263.

The Division received a \$2,219,000.00 Victims of Crime Act (VOCA) Victim Compensation federal grant from the U.S. Department of Justice, Office for Victims of Crime.

SEXUAL ASSAULT MEDICAL FORENSIC EXAM PAYMENT PROGRAM

From July 1, 2012 through June 30, 2013, the Division paid a total of \$207,738.95 to medical providers for costs of 329 Sexual Assault Medical Forensic Examinations. By law, the victim should not receive the bill for the exam nor should the victim be held responsible for payment.

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, 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 645 victims of violent and non-violent crimes. Approximately 4,426 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 service 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 a victim service provider network to assist in the exchange of information among 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.

ADDRESS CONFIDENTIALITY PROGRAM (ACP)

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 in an effort to prevent their assailants or probable assailants from finding the victim's location as one part of an overall safety plan. 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 22 trainings and awareness events. Those trainings and/or events included, but are not limited to Internet Crimes Against Children meetings, Mississippi Prosecutor's Association Training, Sexual Assault Nurse Examiner (SANE) Trainings through the Mississippi Coalition Against Sexual Assault, National Guard Sexual Assault Advocate Training, and Mississippi Coalition Against Domestic Violence training.

The Division continues to co-host and/or participate in 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 remember, honor and pay tribute to victims of violent crime; to bring awareness to the needs of 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. During 2013, MAG training provided law enforcement officers who are required to receive certified continuing education with three (3) opportunities to receive training in various locations across the state. These trainings took place in Flowood, Laurel and Waveland, Mississippi. As a result of this partnership, approximately 100 individual officers representing 34 agencies were trained.

Experienced advocates, attorneys, medical personnel and investigators provided lectures and/or workshops on topics specifically related to law enforcement, including Legislative/Case Law Update, The Intersection of Technology & Sexual Violence, Workplace Violence, Interview Techniques, Effective Responses to Victims of Violent Crime, Crime Victim Compensation, Drug Facilitated Sexual Assault and Care for the Caregiver.

Training evaluations reflected numerous positive responses including the following:

- “Awesome training.”
- “Very well done!”
- “Overall great class and instructors.”
- “Overall, enjoyed the class, thought it was very informative, with current issues and ways to address them.”
- “The presentation was outstanding. Training and/or workshops are excellent when the presenters and/or instructors are comfortable and knowledgeable of the material they are presenting.”

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 the following:

- “I just want to say thank you all for your help over the past year. I have tried my best trying to see how was I going to pay this bill, and I heard that it was for victims like me.”
- “We are very grateful for the help my daughter, was able to receive from the Victim Compensation Division, which made all the difference in the world to us for her injuries.”
- “Thank you for your help during this devastating time. I am very fortunate to be alive and grateful someone was there to help during the financial burden from the injuries. Thank you.”
- “Staff at VCP was extremely helpful and knowledgeable.”
- “Thank you, Mr. Jim Hood and staff.”
- I do appreciate the help that was given. Thank you, it shows that someone does care.”



CRIMINAL LITIGATION DIVISION

2013 Criminal Litigation Accomplishments:

Appellate Section

- Filed 293 briefs, 50 motions and responses in the Mississippi Supreme Court and Court of Appeals
- Won 88% of criminal cases filed
- Processed 110 extraditions

Federal Habeas Corpus Section

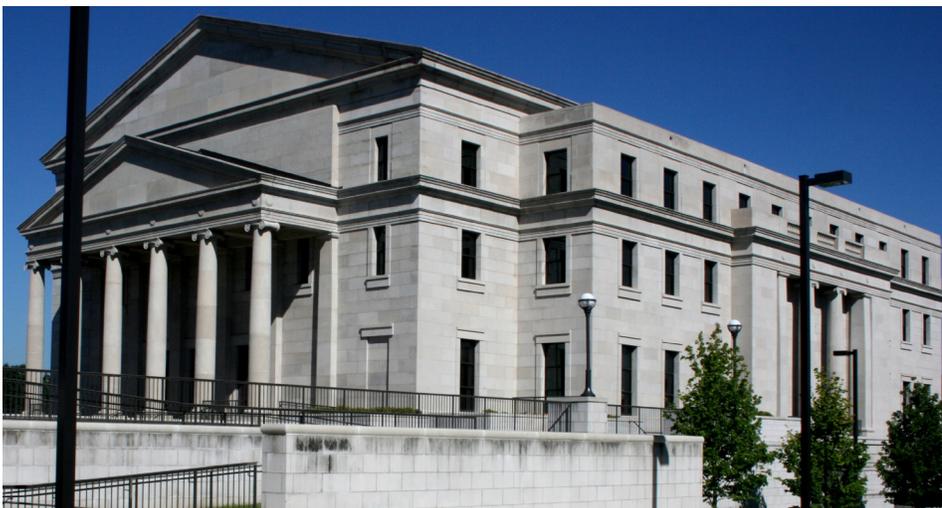
- Filed 212 answers, briefs, motions and responses in the U.S. District Courts of Mississippi
- Obtained favorable results in all but two of the cases decided

Death Penalty Section

- Filed 43 briefs, responses and motions in the Mississippi Supreme Court, state trial courts, federal district courts, the U.S. Court of Appeals for the Fifth Circuit
- Obtained favorable results in 100% of decisions

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: Appellate Section, Death Penalty Section and Federal Habeas Corpus Section. 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 2013, among other various matters, attorneys in the Appellate Section filed 293 briefs, as well as 50 motions and responses in the Mississippi Supreme Court and the Mississippi Court of Appeals, winning approximately 88 percent of the criminal cases disposed of by the Supreme Court and Court of Appeals. This section also processed 110 extraditions.

SIGNIFICANT CASES IN FISCAL YEAR 2013

SMITH V. STATE- The Court of Appeals affirmed Scott Smith's capital murder conviction for the murder of his 17 month old child. The case was one of first impression in this State concerning the authentication of Facebook messages. The Court also held that messages written by Smith were not hearsay.

HYE V. STATE- The Court of Appeals upheld Hye's capital murder conviction for the robbery and murder of a man outside of a store in Jackson County. Hye was 16 years of age at the time of the killing. The Court remanded the case for a sentencing hearing in accordance with Miller v. Alabama.

JONES V. STATE- The Mississippi Supreme Court held that Miller v. Alabama, 132 S.Ct 2455 (2012) applies retroactively to cases on collateral review. Miller held that the Eighth Amendment forbids a sentencing scheme that mandates life without parole for juveniles.

PARKER V. STATE- Parker was fifteen years old when he committed murder. Upon conviction he was sentenced to life imprisonment. By statute, those convicted of murder are not eligible for parole. The Court created a "stop gap" procedure for the circuit court to determine whether to apply the parole statute in Parker's case. It did this in light of the Miller decision.

VEAZY V. STATE- (MISSISSIPPI 2013). In this case, a person, using a pistol, took his own car from a mechanic who had done work on the car. The conviction for armed robbery was affirmed. The mechanic had the right of possession of the car because he had a lien on the car for the work he had done on it.

DEATH PENALTY SECTION

The attorneys in the Death Penalty Section of the Criminal Division represent the State of Mississippi in all courts in defending 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.

FEDERAL HABEAS CORPUS SECTION

The attorneys in the Federal Corpus 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 2013, the attorneys in the Section filed 212 answers, briefs, motions and responses in the U.S. District Courts for the Southern and Northern Districts of Mississippi and in the U.S. Court of Appeals for the Fifth Circuit.

SIGNIFICANT CASES IN FISCAL YEAR 2013

YOUNG v. KING- Young was convicted of murder and sentenced to life imprisonment. He filed a federal habeas petition, alleging a violation of due process as a result of pre-indictment delay as well as a violation of his right to a speedy trial. These issues were examined in detail and found to be without merit. The state appellate courts' decisions on the point were neither contrary to or an unreasonable application of clearly established federal law.

HIGGINBOTHAM v. KING- Higginbotham was convicted by his plea of murder in the circuit court of Winston County in 2009. He challenged his conviction in a federal habeas action. The habeas section was successful in having his challenge dismissed, the challenge having been brought after the expiration of the statute of limitations.

HOSEY v. STATE- Hosey was convicted of possession of a controlled substance with intent to deliver in Harrison County, and sentenced as an habitual offender. He filed a habeas action, asserting numerous issues. All were found to be without merit. The federal court found that the State appellate court's decision on those issues was neither contrary to nor an unreasonable application of clearly established federal law

ANDERSON v. KING- Anderson was convicted of capital murder and armed robbery in Hinds County and sentenced to life imprisonment on both convictions. Anderson raised a number of issues in his petition. All but one was found to be without merit. The federal court did find that the State's appellate court's rejection of an ineffective assistance of counsel claim was unreasonable in light of consistent State precedent that only a jury can impose a life sentence for armed robbery. The trial court judge imposed that sentence, rather than the jury, and Anderson's counsel failed to object to it.



DOMESTIC VIOLENCE DIVISION

2013 Domestic Violence Division Accomplishments:

- Trained over 2,300 officers on Mississippi domestic violence and stalking laws
- Trained 107 nurses in the effective care of sexual assault victims
- Trained over 800 municipal justice, county and chancery court clerks
- Provided direct advocacy and information to 318 male and female victims of domestic violence, sexual assault or stalking
- Educated approximately 900 social workers, advocates, private attorneys, community members and faith based groups on issues of domestic violence and human trafficking

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, as well as raising the awareness of and spearheading Mississippi's response to the crime of Human Trafficking. The following is a summary of the activities performed by the Division during the period from July 1, 2012, through June 30, 2013.

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, and are provided free of charge at the request of the agency. Topics of instruction included appropriate response to domestic violence calls, report writing, use of the statewide database, advanced investigative techniques in stalking and strangulation cases, and protection order procedures and violations. In addition to this training, Division staff provides training to many law enforcement academies around the State, including teaching the new recruit, refresher and investigator classes at the Mississippi Law Enforcement Officer Training Academy. The Division works with other law enforcement academies in Mississippi, including the Southern Regional Public Safety Institute, the Mississippi Delta Law Enforcement Academy, the Northwest Mississippi Law Enforcement Academy and a number of reserve office academies, including those in Hinds, Rankin and Simpson Counties. Training was also provided in cooperation with the MSU Extension Service for dispatchers and TAC officers. The Domestic Violence Division trained over 2,300 law enforcement officers and dispatchers on various aspects of Mississippi law.

SEXUAL ASSAULT NURSE EXAMINER (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 participant in the Sexual Assault Nurse Examiner (SANE) program, and during the period in question, assisted in the training for 107 nurses.

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. Division staff members are regular presenters at annual judicial and court clerk conferences or association meetings. Division staff has also conducted regional training sessions for court clerks on the Uniform Domestic Violence Offense Report and the Mississippi Protection Order Registry. Division staff trained or otherwise provided instruction to over 800 court personnel (judges and clerks) on various aspects of state law related to domestic violence and human trafficking.

ADVOCACY

Within the Domestic Violence Division, a victim advocate is designated to solely respond to inquiries related to domestic violence, stalking and sexual assault. During FY 2013, the Domestic Violence Victim Advocate provided direct advocacy or referrals and information to 318 male and female victims of domestic abuse, sexual assault or stalking.

PROSECUTORS

The Domestic Violence Division has on staff the state's Violence Against Women Resource Prosecutor, who works closely with prosecutors around the state to help facilitate the prosecution of domestic violence offenders. Division staff are regular presenters at the semi-annual training conferences organized by the MS Prosecutor's Association and the Attorney General's Prosecutor Training Division. The Division sponsored and funded presentations and education on the topic of strangulation cases at the annual Spring Prosecutor's Conference and also sponsored a two-day intensive training seminar on the effective prosecution of strangulation cases.

OTHER INITIATIVES

In addition to the training outlined above, the Division trained many other professionals, including social workers, advocates, private attorneys, community members and faith-based groups, reaching an estimated 900 additional persons. The Division has also been instrumental in the development and passage of human trafficking legislation to improve the response of the State of Mississippi to this crime and has conducted a number of awareness and training events on the topic. Division staff has been appointed to serve as a member of the State Domestic Violence Task Force, charged with reviewing and making recommendations regarding the delivery of services to victims of domestic violence. With regard to law enforcement education, Division staff worked closely with the MS Board of Law Enforcement Standards and Training to make improvements to the training provided to new law enforcement officers to require more instruction on responding to domestic violence calls.



MEDICAID FRAUD CONTROL UNIT

2013 Medicaid Fraud Control Unit Accomplishments:

- Recovered \$18,286,851.29 in restitution and civil penalties
- Indicted 51 individuals
- Received over 1,901 complaints of abuse, neglect or exploitation
- Convicted 59 individuals
- Provided 53 educational programs for health care faculty staff, civic clubs, health care associations and others
- Achieved 100% conviction rate for Medicaid Fraud
- Achieved 98% conviction rate for Medicaid Abuse, an increase of 3% this year

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 \$18,286,851.29 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, 51 individuals were indicted during fiscal year 2013. Over 1,901 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 59 individuals.

In addition to the criminal prosecution and civil litigation, MFCU provided 53 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 17 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. MFCU investigators continue to assist local law enforcement agencies and local prosecutors in the peculiarities of prosecuting elder abuse. The state is still faced with an expansion of ever-evolving financial crimes against the elderly. MFCU will continue working with local law enforcement and federal agencies to address abuse, neglect and fraud.



OPINIONS AND LOCAL GOVERNMENT

2013 Opinions and Local Government Accomplishments:

- Issued more than 400 official opinions
- Returned 90% of formal opinions within 30 days or less
- Spent approximately 6,000 hours giving advice by telephone and email and over 300 hours preparing and conducting seminars around the state
- Trained local officials in implementation of new laws passed by the legislature

The Opinions and Local Government Division discharges one of the Attorney General's primary statutory duties- 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, if required, and provides training and legal assistance to local officials.

In Fiscal Year 2013, we issued over 400 official opinions. Of these, more than 90% 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. A total of seven 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 6,000 hours giving general advice by telephone or email in Fiscal Year 2013. Over 300 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. Sixteen submissions for administrative review by the United States Department of Justice were made in Fiscal Year 2013.

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.





PROSECUTORS TRAINING DIVISION

2013 Prosecutors Training Division Accomplishments:

- Provided training to over 956 prosecutors, investigators, victims assistance coordinators and check unit personnel
- Offered 61 hours of Continuing Legal Education to Mississippi Prosecutors

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 continue to expand. 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, Worthless Check and Pre-Trial Diversion 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 educational opportunities.

The Mississippi Prosecutors Association is governed by a Board of Directors with District Attorney Richard E. Smith, Jr. of the Ninth Judicial District serving as President for 2013-2014. The Prosecutor Training Division consists of Director, Camala Wyatt and Assistant, Patty Pettis.

Prosecutors Training has worked diligently to provide knowledgeable speakers on timely topics to our members from the State of Mississippi, as well as national speakers. This year Prosecutor Training trained over 956 prosecutors, investigators, victims assistance coordinators and check unit personnel and offered 61 hours of Continuing Legal Education to Mississippi Prosecutors.

This Division maintains a successful listserv to assist in the exchange of information between prosecutors and supporting personnel. This includes exchanging information on points of law, expert witnesses, national criminal justice trends 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.

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 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.

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, Worthless Check and Pre-Trial Diversion Personnel. Further, these conferences offer state and national case law updates and provides training for new and senior prosecutors.

DISTRICT ATTORNEY AND ASSISTANT DISTRICT ATTORNEY SUMMER TRAINING: Prosecutors Training hosted a training for Mississippi's felony prosecutors centered on the prosecution of felony crimes. Classes ranged from Constitutional Issues, such as Fourth Amendment Search and Seizure, Indictments and Jury Instructions and Prosecutor Accountability.

DUI TRAINING: The Basics of Commercial Motor Vehicle Licensing, Violations, Enforcement and Prosecution – The Attorney General Office's Traffic Safety Resource Prosecutor, Molly Miller, partnering with the Prosecutors Training Division, trained 24 prosecutors and 23 law enforcement officers regarding commercial motor vehicles at the 2013 Spring Prosecutor's Conference. The training provided a basic understanding of the history of commercial motor vehicle transportation, development of the federal regulatory scheme that governs modern day commercial motor vehicle operators, and issues in prosecuting drinking, drugs, and distractions in commercial vehicle cases. By the end of the training, prosecutors and officers: 1) were familiar with commonly used commercial motor vehicle related terms and their definitions; 2) had a basic understanding of relevant commercial driver's license-related federal regulations; 3) were able to easily locate additional applicable federal regulations; 4) recognized the importance of consistent and proactive prosecution of commercial driver offenses, including but not limited to, drunk and drugged driving, and distracted driving; and 5) understood the critical role that proper reporting of commercial driver's license violations plays in the ongoing mission of traffic safety.

CONFERENCES AND TRAINING

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. This year's seminar focused on current issues affecting Mississippi and the nation such as Juvenile Detention Alternatives, Children with Disabilities in the Justice System and the Impact on Role as Witness, Victim and Defendant, and the Uniform Rules of Youth Court Practice.

TRIAL ADVOCACY TWO DAY SEMINAR: A two-day trial advocacy seminar was held in conjunction with the Domestic Violence Division of the Attorney General's Office and the materials were written by Domestic Violence Resource Prosecutor Paula Broome. Using domestic violence criminal scenarios, this class focused on the fundamentals of conducting a trial including Grand Jury, Voir Dire, Openings and Closings and Direct Examination. Further, students were observed by seasoned prosecutors and offered critiques to help students learn.

JOHN R. JUSTICE GRANT

Prosecutors Training was awarded the JRJ grant for the third year. 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. 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 second disbursement occurred on September 30, 2012 to selected recipients, and the third disbursement was madeh September 30, 2013.



PUBLIC INTEGRITY DIVISION

2013 Public Integrity Division Accomplishments:

- Opened 73 investigations
- Received and worked through 1,540 complaints
- Obtained 18 convictions involving voter fraud, embezzlement and other crimes
- Secured 12 arrests, indictments and/or removals from office

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 Auditor's Office and 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 statewide 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 and Tobacco Enforcement, Child Desertion, Cyber Crime, DUI Training, Insurance Fraud and Vulnerable Adult.

CONVICTIONS

The following were charged, convicted, and/or removed from office:

SADONYA WILSON, of Madison County, pleaded guilty on April 29, 2013, pursuant to a Bill of Information to one count of Grand Larceny before Judge William Chapman in Madison County Circuit Court. Wilson was sentenced to 10 years, seven suspended, three years on ISP followed by five years of supervised probation, \$5,4160 in restitution, \$1,000 to the Crime Victim's Compensation Fund, a \$1,000 fine and court costs.

UNDRAY DAVIS pleaded guilty to one count of wire fraud on January 7, 2013, before Judge John Emfinger. Davis was sentenced to five years, four suspended, one year to serve followed by four years of post release supervision, \$7,000 in restitution, \$1,000 to the Crime Victims Compensation Fund, a \$1,000 fine and court costs.

SETH BRADSHAW, age 35, of Pigott, Arkansas, pleaded guilty on June 17, 2013, to three counts of false pretense before Judge Bettye Sanders in Sunflower County Circuit Court. Bradshaw was sentenced to five years with all but five days suspended. Bradshaw must also pay full restitution of \$37,000 in the amount of \$638 per month until paid in full, \$250 to the Mississippi Crime Victim's Compensation Fund and all court costs.

**MISSISSIPPI ATTORNEY GENERAL
PUBLIC INTEGRITY DIVISION**

DUSTIN LOWERY, age 28, of Tylertown, pleaded guilty on January 17, 2013, to one count of felony child abuse and one count of manslaughter before Judge Michael Taylor in Walthall County Circuit Court. Lowery was sentenced to 40 years for the felony child abuse, 20 years suspended for manslaughter with both counts consecutive. Lowery was ordered to pay \$1,000 to the Mississippi Crime Victims Compensation Fund, a \$1,000 fine and serve five years post release supervision.

RAMONA MULLINS, age 52, of Roxie, entered an open plea of guilty on February 21, 2013, before Judge Forrest Johnson in Franklin County Circuit Court. Mullins was sentenced on two counts of embezzlement by a public employee and was sentenced to nine years, six suspended, three to serve, followed by three years post release supervision. She was ordered to pay \$77,396.42 in restitution to the Franklin County School District, \$16,866.51 in restitution to the Town of Roxie, \$16,973.12 to the Mississippi State Auditors Office for the cost of recovery and a \$225 investigative fee.

STEVEN CRAIG WALTER, age 51, of Jackson, entered an open plea to two counts of accepting bribes from defendants to fix cases on October 29, 2012, before Judge Winston Kidd in Hinds County Circuit Court. On one count, he was sentenced to five years, four years suspended, one year to serve on house arrest, two years supervised probation, a \$500 fine, \$250 to the Attorney General's Office for investigative costs and \$200 restitution to Attorney General's Office. On the second count, he was sentenced to five years, four years suspended, one year to serve on house arrest, two years supervised probation, \$250 to the Attorney General's Office for investigative costs and \$750 restitution to the Attorney General's Office, with the counts to run concurrent.

TERRELL THOMPSON was convicted by a jury of wire fraud on January 28, 2013, before Judge Robert Bailey in Lauderdale County Circuit Court. Thompson was sentenced to five years, four years suspended and five years supervised probation. He was ordered to pay a \$2,500 fine, \$420.50 in court costs and \$500 to the Mississippi Crime Victims Compensation.

JAMIE HOOKER, age 40, of Hattiesburg, entered an open plea of guilty on February 21, 2013, before Circuit Court Judge Bob Helfrich. Hooker was sentenced to five years, five suspended. He was ordered to pay a \$2,500 fine and \$250 to the Crime Victim's Compensation Fund.

STEVEN CRAIG WALTERS, age 51, of Jackson, was sentenced on December 3, 2012, by Hinds County Circuit Court Judge Winston Kidd. Walters was sentenced to five years, four suspended, one to serve on house arrest, two years supervised probation on both counts. He was also ordered to pay a \$500 fine, \$200 in restitution, a \$250 investigative cost for count one, and a \$250 investigative cost, and \$750 in restitution for count two. Counts one and two are to run concurrent.

MICHAEL SALTS, of Lee County, pleaded guilty on November 5, 2012, to felony and misdemeanor embezzlement in Lee County Circuit Court. He was sentenced to four years on the felony count and one year on the misdemeanor count. Both counts are to run concurrent with credit for time served.

MARIE SALTS, of Lee County, pleaded guilty on December 13, 2012, to misdemeanor embezzlement. She was given credit for previous time served.

NICOLE BROWN, of Tunica County, pleaded guilty on May 2, 2013, to seven counts of embezzlement in Tunica County Circuit Court before Judge Charles Webster. She was sentenced to 10 years suspended, five years supervised probation, and five years unsupervised probation. Brown was ordered to pay \$8,708 in restitution, a \$1,000 fine and \$1,000 to the Crime Victim's Compensation Fund. All seven counts are to run concurrent.

LANESSA SMICKER, of Hinds County, was convicted of Felony DUI on May 10, 2013, before Hinds County Circuit Court Judge Jeff Weill. Smicker is currently awaiting sentencing.

JIMMY LEWIS, of Hinds County, was convicted of simple assault on August 20, 2012, before Judge Jimmy Morton. Lewis was sentenced to six months, six months suspended and ordered to pay a \$250 fine and \$168.75 in court costs.

ANTONIO MARSHALL, of Hinds County, pleaded guilty on December 12, 2012, to aggravated assault. Marshall was sentenced to 20 years, 10 suspended.

ANDREA JONES, of Coahoma County, pleaded guilty by criminal information and was placed in the Pre-Trial Diversion Program on December 18, 2012, after being indicted on a prescription fraud charge. Jones was ordered to pay \$1,915.50 in fines and court costs.

JACK KING, of Bolivar County, pleaded guilty by criminal information and was placed in the Pre-Trial Diversion Program on December 10, 2012, after being indicted for embezzlement. King was ordered to pay a \$125 administrative fee, \$419.50 in court costs and \$138,500 in restitution.

HARVEY JACKSON, of Bolivar County, pleaded guilty by criminal information and was placed in the Pre-Trial Diversion Program on December 10, 2012, after being indicted for embezzlement. Jackson was ordered to pay a \$125 administrative fee, \$419.50 in court costs and \$158,500 in restitution.

INDICTMENTS/ARRESTS

- Anthony Hall was indicted on January 15, 2013, on one count of False Pretense.
- Sadonya Wilson was indicted on September 13, 2012, on two counts of credit card fraud.
- Undray Davis was indicted on July 10, 2012, on one count of wire fraud.
- Stephanie Kelly was indicted on February 20, 2013, on three counts of embezzlement.
- Angela Ivory was indicted on May 6, 2013, on three counts of embezzlement.
- Louis Aldridge was indicted on June 6, 2013, on three counts of embezzlement.
- Janice Aldridge was indicted on June 6, 2013, on two counts of embezzlement.
- Brian Aldridge was indicted on June 6, 2013, on one count of embezzlement.
- Dwight Gibson, was arrested on August 27, 2012, and charged with felony false pretense.
- Richard McGahey was arrested on September 4, 2012, for accepting a bribe.
- Dewayne Dearing, was indicted on May 23, 2013, for extortion and threatening a prosecutor.
- Azalean Rogers was removed from her position as Alderman for the City of Boyle, Mississippi on May 29, 2013.

Embezzlement charge
for ex-probation officer,
Vicksburg Post, 7/13/2012



ALCOHOL AND TOBACCO ENFORCEMENT DIVISION

2013 Alcohol and Tobacco Enforcement Division Accomplishments:

- Conducted 10,404 tobacco enforcement checks and 6,194 beer enforcement checks throughout the state
- Trained approximately 469 retail manager and clerks statewide

TOBACCO AND BEER ENFORCEMENT CHECKS

During the last fiscal year, the Division conducted 10,404 tobacco enforcement checks and 6,194 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 86 retailer training sessions with 383 retailer clerks in attendance.

OVERALL STATISTICS FOR ALCOHOL AND TOBACCO UNIT

TOBACCO COMPLIANCE CHECKS

Year	Number of Checks	Buy Rate
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%
2011	9,043	5%
2012	10,404	2%

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

BEER COMPLIANCE CHECKS

Year	Number of Checks	Buy Rate
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%
2011	6,202	3%
2012	6,194	4%

The first month that this Division conducted beer compliance checks, the buy rate was 26 percent.



CHILD DESERTION UNIT

2013 Child Desertion Unit Accomplishments:

- Received approximately 250 complaints
- Opened seven new investigations
- Obtained 13 indictments and 10 convictions against deadbeat parents

CONVICTIONS

LARRY HANCOCK, age 35, of Webster County, entered a Felony Non-adjudication on June 28, 2013, for two counts of non-support of a child before Webster County Circuit Court Judge Joseph Loper. Judge Loper sentenced Hancock to a possible 10 years in the custody of the Mississippi Department of Corrections, with the First Count on five years suspended, on non-adjudicated probation with of the Mississippi Department of Corrections, thus reporting probation, and the second count to five years consecutive to the first count and on non-reporting status. The Judge also ordered, and the defendant pay \$300 per month towards his \$50,000 in back in child support. The defendant was also ordered to pay court costs. During the first five-year sentence, if Hancock fails to pay or otherwise fails to comply with the Judge's Order, his probation could be revoked, and he would be adjudicated guilty and possibly spend the remainder of the 10 years in prison.

JAMES FENDLEY, age 41, of Madison County, pleaded guilty and was sentenced on February 4, 2013, for felony non-support of a child before Madison County Circuit Court Judge John Emfinger. Judge Emfinger sentenced Fendley to five years in the custody of the Mississippi Department of Corrections, with said five years suspended, post-release supervision in the custody of the Mississippi Department of Corrections. The Judge also ordered, and the defendant paid \$5,000 towards his \$40,000 in back child support. The defendant was also ordered to pay court costs. During the five-year sentence, Fendley is to pay an additional \$250 a month on top of his regular child support obligation until his arrearage of \$40,000 is paid-in-full.

CHERYL LAMBERT, age 39, of Corpus Christi, Texas, pleaded guilty and was sentenced on April 15, 2013, for two counts of felony non-support of her children before Rankin County Circuit Court Judge William E. Chapman. Judge Chapman sentenced Walton concurrently on each count to five years in the custody of the Mississippi Department of Corrections, suspended, with post-release supervision and subject to non-adjudication. The Judge also ordered, and the defendant paid, \$5,000 toward her back child support. The defendant must also pay court costs and extradition costs of \$700. During the five year sentence, Smith is to pay an additional \$270 a month on top of her regular child support obligation until her arrearage is paid in full.

RUSSELL ROBINSON, age 60, of Leflore County, pleaded guilty and was sentenced on June 17, 2013, for felony non-support of his two children before Leflore County Circuit Court Judge Richard A. Smith. As to each count, Judge Smith sentenced Robinson concurrently to five years in the custody of the Mississippi Department of Corrections, with five years suspended, non-adjudication. The Judge also ordered, and the defendant paid \$1,500 towards his back child support of \$25,000. The defendant was also ordered to pay court costs. Robinson is to, during the course of the five year sentence, pay an additional \$300 a month on top of his regular child support obligation until his arrearage is paid in full.

WILLIAM DEW, of Lauderdale County, pleaded guilty and was sentenced on June 18, 2013, for felony non-support of his two children before Lauderdale County Circuit Court Judge Lester Williamson, Jr. As to each count, Judge Williamson sentenced Dew concurrently to five years in the custody of the Mississippi Department of Corrections, with five years suspended, post-release supervision. The Judge also ordered, and the defendant paid \$1,200 towards his back child support of \$14,500. The defendant was also ordered to pay court costs. Dew is to (during the course of the five year sentence) pay an additional \$300 a month on top of his regular child support obligation until his arrearage is paid in full.

JAMES WRIGHT, age 39, of Boone County, Arkansas, was extradited July 20, 2012, to face one count of felony non-support of a child in Brandon (Rankin County). He was booked into the Rankin County jail where he currently remains. He turned over to the Attorney General's Office a check for the full amount of his child support arrearage amount of over \$11,000.

ROBERT BAGGETT, age 45, of Conehatta, appeared before Newton County Circuit Court Judge Vernon Cotten on August 14, 2012, following his indictment in January 2012 on one count of felony non-support of a child in Decatur, Mississippi. Baggett paid the full amount of his child support arrearage of approximately \$15,000. As a result, the criminal prosecution of this case has ended.

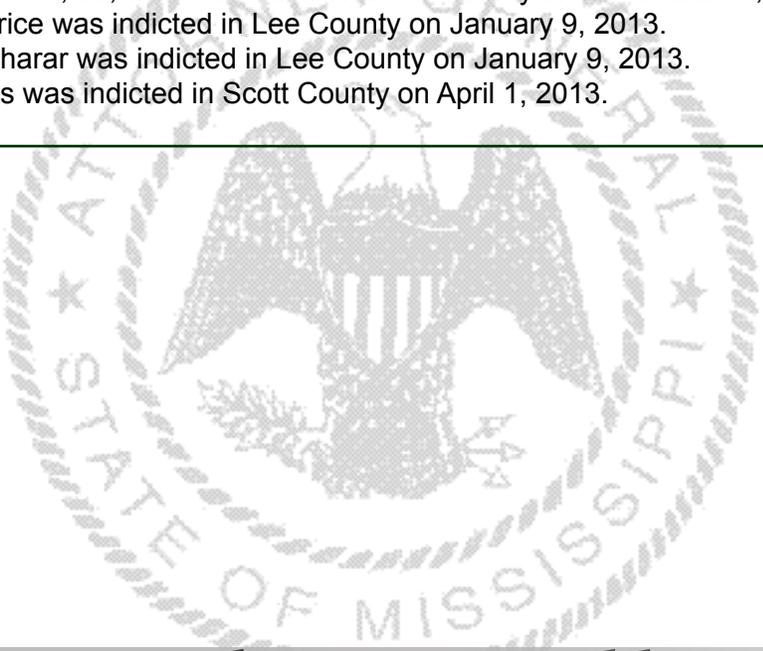
VERNON RICHARD, age 35, of Jackson, pleaded guilty and was sentenced on October 22, 2012, for felony non-support of his two children before Bolivar County Circuit Court Judge Johnny Walls. Judge Walls sentenced Richard to ten years in the custody of the Mississippi Department of Corrections (five years each count to run consecutive), ten years suspended, with ten years of probation in the custody of the Mississippi Department of Corrections. The Judge also ordered and the defendant paid \$2,540 toward his back child support plus court costs. During the ten year sentence, Richard is to pay an additional \$200 a month on top of his regular child support obligation until his arrearage of \$53,000 is paid in full.

ANTHONY FLOCK, age 45, of Winston, Oregon, appeared in court on November 1, 2012, in Jackson County and paid his back child support of over \$14,000. Flock was indicted by a Jackson County Grand Jury on one count of felony non-support of a child in 2011. The payment ends criminal prosecution of the case.

JAMES SCOTT JONES, age 42, of Eupora, pleaded guilty and was sentenced on January 25, 2013, for felony non-support of a child before Lowndes County Circuit Court Judge James T. Kitchens, Jr. Judge Kitchens sentenced Jones to five years in the custody of the Mississippi Department of Corrections, with two and a half months of imprisonment, and four years and 10 and a half months of supervised post-release supervision in the custody of the Mississippi Department of Corrections. The Judge also ordered, and the defendant paid, court costs. During the five-year sentence, Jones is to pay an additional \$250 a month (garnished from employment) on top of his regular child support obligation until his arrearage of \$25,000 is paid in full.

INDICTMENTS

- Russell Robinson, 60, was indicted in Leflore County on August 14, 2012.
- William T. Dew, 39, was indicted in Lauderdale County on September 25, 2012.
- Daryl Spann was indicted in Hinds County on October 2, 2012.
- James Fendley, 41, was indicted in Madison County on October 10, 2012.
- Charles Northrop was indicted in Harrison County on October 18, 2012.
- James Jones, 42, was indicted in Lowndes County on October 23, 2012.
- Richard Davis was indicted in Itawamba County on October 23, 2012.
- Anthony Lumpkin was indicted in Warren County on October 31, 2012.
- Houston Webb was indicted in Lincoln County on November 28, 2012.
- Larry Hancock, 35, was indicted in Webster County on December 11, 2012.
- Antonio Price was indicted in Lee County on January 9, 2013.
- Michael Sharar was indicted in Lee County on January 9, 2013.
- Otis Qualls was indicted in Scott County on April 1, 2013.



State works to collect child support, Parents could face jail time for failure to pay
Cleveland Current, 7/29/2012



CYBER CRIME UNIT

2013 Cyber Crime Unit Accomplishments:

- Opened 85 new cases
- Obtained 45 convictions

The forensics lab under ICAC standards performed 854 examinations on 46 separate requests for a total of approximately 88 terabytes of data that were analyzed, including the following media: 77 computers, 22 cellular devices, 93 floppy disk, 122 other external media, and 540 optical disks.

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 on-line undercover operations, conducting on-line 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 that connects 16 laptops to the Internet simultaneously.

Since the ICAC unit was established with the 2007 DOJ award, the unit now has 55 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, Adams County Sheriff's Office, Alcorn County Sheriff's Office, Biloxi Police Department, Brandon Police Department, Brooksville 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, Lowndes County Sheriff's Office, Madison Police Department, Meridian Police Department, Mississippi Bureau of Investigation, Monroe County Sheriff's Office, Moss Point Police Department, Newton Police Department, 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, Stone County Sheriff's Office, Tippah County Sheriff's Office, Tupelo Police Department, Warren County Sheriff's Office, Waveland Police Department, West Point Police Department, Union County Sheriff's Office, U.S. Department of Justice, Northern District and U.S. Department of Justice, Southern District.

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.

EDUCATION EFFORTS

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 2012 through June 2013, members of the ICAC Unit made 145 presentations across the state. Internet safety presentations were given to 13,831 students, 397 adults, 60 members of law enforcement and 1,536 other professionals, for a total of 15,824 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.

General Hood has served as co-chairman of the technology committee for NAAG. In that capacity, he has led the conversations with other Attorneys General, Internet Service Providers and social network representatives. He is particularly concerned about children on the internet and the lack of parental controls.

CONVICTIONS

DWIGHT BRINSON, age 49, of Florence, was sentenced by Judge William Chapman III in Rankin County Circuit Court after entering an open plea of guilty (meaning he refused the state's recommendation and threw himself on the mercy of the court) to three counts possession of child porn. Judge Chapman sentenced Brinson to 40 years, 25 to serve, as well as five years of post-release supervision. He must also register as a sex offender upon his release.

DAVID BROTHER, age 57, of Pass Christian, appeared before Judge Roger T. Clark in Harrison County after entering an open plea of guilty to one count of exploitation of a child. Judge Clark sentenced him to 10 Years, suspending 8 years, leaving two years to serve day for day in the custody of the Mississippi Department of Corrections, followed by five years of reporting post-release supervision. The Judge ordered Brothers to pay all court cost and a \$50,000 fine; however the Court suspended \$48,000, leaving a total fine of \$2,000. He must also register as a sex offender upon his release.

JOHN A. BROWN, age 61, of Starkville, appeared before Judge Lee Coleman in Oktibbeha County and plead guilty to one count possession of child pornography. Judge Coleman sentenced Brown to 20 years, 15 suspended, five to serve with five years post-release supervision. The Judge also slapped Brown with a \$50,000 fine and he must register as a sex offender upon his release.

SEAN EDWARD DIETZ, age 25, of Biloxi, appeared for sentencing before Judge Lisa P. Dodson in Harrison County Circuit Court after entering an open plea to one count of possession of child porn. Judge Dodson sentenced Dietz to 20 years in the custody of the Mississippi Department of Corrections, with 15 years suspended, five to serve and five years post-release supervision. The Judge also ordered Dietz to pay a \$2,000 fine, plus \$300 to the Crime Victim Compensation Fund. He must also register as a sex offender upon his release.

PAUL DYBAS, age 48, of Pass Christian, appeared before Judge Lisa Dodson in Harrison County Circuit Court to be sentenced after pleading guilty to 10 counts of possession of child pornography. Judge Dodson sentenced Dybas to 40 years, with 15 to serve. He must also register as a sex offender upon his release. Upon sentencing, the Judge told the defendant that he had a serious addiction that caused her great concern.

ANDREW FORTUNE, age 23, of Falkner, was sentenced by Judge Robert Elliott in Tippah County Circuit Clerk after entering an open plea of guilty to one count of child exploitation. Fortune was sentenced to serve a term of 10 years in the custody of Mississippi Department of Corrections in a facility to be designated by said department; the 10 years shall be suspended; and that the defendant be placed on supervised probation for five years.

WAYNE STEVEN McLAIN, age 54, of Laurel, appeared before Judge Billy Joe Landrum in Jones County Circuit Court and plead guilty to 25 counts of child exploitation. McLain was sentenced to 25 years with the Mississippi Department of Corrections, with 10 years to serve in the full time custody of Mississippi Department of Corrections and the remaining 15 years suspended on condition of the successful completion of five years on post-release supervision and successful completion of the Circuit Court Community Service Program. He was ordered to pay court costs of \$382.50 and a fine of \$1,000. Also, the defendant is to reimburse the Cyber Crime unit \$1,000 and the Crime Victim's Compensation Fund \$1,000 and must register as a sex offender.

JOSHUA POMES, age 23, of Carriere, was sentenced by Judge Prentiss G. Harrell in Pearl River County after entering an open plea of guilty to two counts of child exploitation. Pomes was sentenced to 10 years, three of them to be served in an Intensive Supervision Program (house arrest) and seven years on post-release supervision.

JOSEPH STOCKMAN, age 35, of Enterprise, appeared before Judge Robert W. Bailey in Clarke County Circuit Court after entering an open plea to one count exploitation of a child. Judge Bailey sentenced Stockman to 10 years, six suspended, four to serve in the custody of the Mississippi Department of Corrections. Stockman was also ordered to pay \$2,000 in fines (\$50,000 with \$48,000 suspended), serve five years post-release supervision and must register as a sex offender upon his release from prison.

**Hoods office
cracking down on
internet crooks,
Daily Times Leader, 7/20/2012**



DUI UNIT

2013 DUI Unit Accomplishments:

- Conducted DUI Basic Training and Rules of the Road to five classes, approximately 217 officers
- Participated in 18 Standardized Field Sobriety Testing classes and approximately 366 officers went through the training
- Provided DUI training to more than 1,500 judges, prosecutors and law enforcement officers
- Participated in nine Advanced Roadside Impairment Driving Enforcement classes and taught the legal portion of the training to approximately 93 officers

The DUI Unit is part of the Public Integrity Division (PID) of the Office of the Attorney General of Mississippi. 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 a prosecutor, a resource, and a liaison, while also 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, DUI Death, 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 collaborating 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/traffic-related issues from across the state. Some of the information given is on blood draws, Drug Recognition Expert (DRE) Drug Evaluations, non-DRE drug cases, PBT use, use/non-use of Standardized Field Sobriety Testing (SFSTs), ignition interlocks, Daubert issues in blood cases, reasonable suspicion to stop, urine/blood draw warrants, breath test refusal, predicate questions for prosecutors, checkpoint issues, "margin of error" for testing instruments, and calibration issues on testing instruments. Additionally, the TSRP received the assistance of the national TSRP network and the National Traffic Law Center when necessary; most notably when seeking information on defense expert witnesses.

The TSRP works with all the state's law enforcement agencies, including the Mississippi Highway Safety Patrol, to provide assistance in DUI/traffic-related issues. When a Mississippi Highway Safety Patrol Cadet School is scheduled, the TSRP spends at least one full day instructing on Basic DUI law and courtroom testimony preparation.

**MISSISSIPPI ATTORNEY GENERAL
PUBLIC INTEGRITY DIVISION**

The TSRP teaches on a regular basis at the Mississippi Law Enforcement Training Academy to the Basic Recruit Class. During the 2012 and 2013 year, the TSRP conducted DUI Basic Training and Rules of the Road to five classes totaling approximately 217 officers. Additionally, the TSRP provides testimony training to law enforcement officers in conjunction with every Standardized Field Sobriety Testing class provided and taught by the Mississippi Law Enforcement Liaison's Office. The TSRP participated in 18 SFST classes and approximately 366 officers went through this training this past year. A.R.I.D.E, which stands for Advanced Roadside Impairment Driving Enforcement, is another training offered to law enforcement officers that lasts two days and focuses on DUI Drug cases. The TSRP participated in nine A.R.I.D.E. classes and taught the legal portion of the training, which included providing relevant DUI Drug case law to approximately 93 officers.

In 2008, Mississippi became the 45th Drug Recognition Expert (DRE) state (there are currently 49 DRE states with West Virginia currently in process to become one). 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. Currently, Mississippi has 41 Drug Recognition Experts across the state. Mississippi's 4th DRE School was scheduled for August 18-31, 2013.

The TSRP works in conjunction with the Mississippi Judicial College (MJC) to provide legal training and case law updates on DUI and traffic related issues to our judges statewide. In April 2013, the TSRP and MJC completed and published the Mississippi DUI Benchbook, a DUI manual to assist judges, prosecutors and law enforcement officers. We are now currently in the process of updating the manual.

The TSRP also participated in numerous traffic safety organizations and trainings both statewide and nationally. These include, 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.



In the past fiscal year, the TSRP provided DUI training to approximately 1,500 judges, prosecutors, and law enforcement officers. Some of the TSRP's activities, included, but were not limited to, the following:

- **18 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.
- **NINE A.R.I.D.E. (ADVANCED ROADSIDE IMPAIRMENT DRIVING ENFORCEMENT) TRAININGS-** This two day training focused on drug-related DUIs, including a review of Mississippi's DUI statute and relevant caselaw.
- **FIVE BASIC DUI LAW AND RULES OF THE ROAD TO BASIC RECRUIT CLASSES** at the Mississippi Law Enforcement Officer's Training Academy in Rankin County, Mississippi
- **PROVIDED LEGAL UPDATES ON RECENT DUI AND TRAFFIC-RELATED CASE LAW** at fall and spring Prosecutors conferences
- **THE BASICS OF COMMERCIAL MOTOR VEHICLE LICENSING, VIOLATIONS, ENFORCEMENT AND PROSECUTION TRAINING** at the Mississippi Spring Prosecutors' Conference was provided as a separate two (2) day DUI/CDL break-out training
- **PROVIDED LEGAL UPDATES ON RECENT DUI AND TRAFFIC-RELATED CASE LAW** at fall and spring Mississippi Judicial College's Justice Court Judges Conferences
- **PROVIDED LEGAL UPDATES ON RECENT DUI AND TRAFFIC-RELATED CASE LAW** at Mississippi Judicial College's Summer Municipal Judges Seminar
- **WROTE AND DISTRIBUTED** two editions of the DUI Newsletter, DRIVEN
- **UPDATED THE MISSISSIPPI DUI BENCHBOOK-** a DUI Manual for judges, prosecutors and law enforcement officers
- **GAVE PRESENTATIONS ON UNDERAGE DRINKING AND DUIs** in youth court to Lafayette County schools and the ninth annual Mississippi Association of Drug Court Professionals Conference.



INSURANCE FRAUD UNIT

2013 Insurance Fraud Unit Accomplishments:

- Recovered \$46,511.32 from fees and restitutions
- Received 135 complaints
- Conducted 102 active insurance fraud Investigations
- Obtained 70 arrests and convictions for insurance fraud
- Conducted 21 active criminal workers compensation investigations
- Obtained six arrests and convictions for workers compensation fraud

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.

CONVICTIONS

LAKISHA FORSHEE, age 38, of Okolona, pleaded guilty before Chickasaw County Circuit Court on February 4, 2013, to one count insurance fraud. Forshee was sentenced to three years in the custody of the Mississippi Department of Corrections with one year suspended, two years post-release supervision and ordered to pay restitution as determined by the Mississippi Attorney General's Office, \$300 to the Mississippi Crime Victim Compensation Fund and \$500 in fines and courts cost.

JAMES ERIC REED, of Harrison County, pleaded guilty before Judge Lisa Dodson to two counts conspiracy to commit insurance fraud, two counts insurance fraud and two counts wire fraud. For two counts of conspiracy, Reed was sentenced to five years with credit for time served and the balance suspended. For insurance fraud, Reed was sentenced to three years with one year suspended, leaving two years to serve in the custody of the Mississippi Department of Corrections. For wire fraud, Reed was sentenced to five years with credit for time served and the balance suspended and five years post-release supervision. All counts run consecutive. Reed was ordered to pay \$6,409.36 in restitution to Nationwide Insurance Company, reimbursement of \$2,240 to the State General Fund for the cost of the investigation, \$300 to the Mississippi Crime Victim Compensation Fund, a \$1,000 fine and court cost.

VICKIE TUCKER appeared before Judge Jimmy Morton in Hinds County Circuit Court on May 29, 2013, and pleaded guilty to false pretense.

MARTIN CUSHMAN made a plea agreement on April 10, 2013, in Tate County. Cushman was accepted in the Desoto County Pretrial Intervention Program for a period of three years and ordered to pay \$1,393.61 in restitution to Allstate Insurance Company, a reimbursement fee of \$1,575 to the State General Fund for the cost of the investigation and all other costs of court associated with the program.

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BRITTNEY LATHAM, age 22, of Columbus, pleaded guilty on December 3, 2012, in Lowndes County before Judge Lee Coleman to one count insurance fraud. Latham was sentenced to three years in the custody of the Mississippi Department of Corrections, three years suspended and was placed on supervised probation with standard terms of supervision. Latham was ordered to pay a reimbursement fee of \$2,160 to the Mississippi Attorney General's Office for investigation and court costs, \$500 in restitution to Safeway Insurance Company and \$100 to the Mississippi Crime Victim Compensation Fund.

JOHNNETTA WHITE, age 23, of Camden, entered an open plea of guilty to one count of insurance fraud on October 22, 2012, in Madison County Circuit Court before Judge John H. Emfinger. White was sentenced to three years in the custody of the Mississippi Department of Corrections with two suspended, one to serve. White was ordered to pay \$2,720 in restitution to Allstate Insurance, \$3,250 of reimbursement to the State General Fund for the cost of the investigation, \$498.50 in court costs and five years on post-release supervision upon her release from custody.

RUSSELL HARDY III, age 53, of Ridgeland, pleaded guilty on October 17, 2012, in Madison County before Judge John Emfinger to making a fraudulent claim with State Farm Insurance Company. Hardy was sentenced to three years in the custody of the Mississippi Department of Corrections, ordered to pay \$2,720 in restitution to Allstate Insurance, a reimbursement fee of \$500 to the State General Fund for the cost of the investigation, \$500 to the Attorney General's Crime Victim Compensation Fund and all court costs.

TERRELL McANDREWS, age 31, of Heidelberg, pleaded guilty on October 17, 2012, in Jones County before Circuit Court Judge Billy Joe Landrum to one count of insurance fraud. McAndrews was sentenced to three years in the custody of the Mississippi Department of Corrections and ordered to pay \$3,605.64 in restitution, \$100 to the Mississippi Crime Victim Compensation Fund, a \$500 fine and a reimbursement of \$2,400 to the Mississippi Attorney General's Office for the cost of the investigation.

TRACEY LEIGH DAVIDSON, age 36, of Southaven, pleaded guilty on September 7, 2012, in DeSoto County before Circuit Court Judge Robert Chamberlin to the insurance fraud charges. Davidson was sentenced as a habitual offender and ordered to pay \$5752.50 in restitution to Nationwide Insurance Company and the Attorney General's Office for investigative/prosecution cost, \$1,000 in fines, \$517 to SE Emergency Physicians, \$390 to Mid-South Imaging and Therapeutics, \$612 to the City of Horn Lake (Ambulance Service). Davidson was ordered to repay these fines within 60 days of her release from custody.

REDONDA LASAUN SMITH, age 30, of Crystal Springs, pleaded guilty on July 24, 2012, before Circuit Court Judge Lamar Pickard of Copiah County to one count of insurance fraud. Smith was sentenced to three years supervised probation, ordered to pay \$1,256.86 in restitution to Mendota Insurance Group, \$5,775 to the State General Fund for the cost of the investigation, \$100 to the Mississippi Crime Victim Compensation Fund, a \$500 fine, \$110 bond fee and \$416.50 in court costs.

JENNIFER PITTMAN pleaded guilty in Lincoln County Justice Court on July 10, 2012, to one count of misdemeanor false pretense. Pittman was sentenced to 12 months probation, ordered to pay a reimbursement fee of \$1,627.50 to the State General Fund for the cost of the investigation, a \$50 fine and \$193.50 in court costs.

INDICTMENTS/ARRESTS

JILL THOMAS was indicted in Tunica County on April 4, 2013. Thomas was accepted in the Tunica County Pretrial Intervention Program for a period of three years. Thomas was ordered to pay \$3,434.79 in restitution to Geico Insurance Company, a reimbursement fee of \$1,955 to the State General Fund for the cost of the investigation, \$100 to the Mississippi Crime Victim Compensation Fund, a \$500 fine and all costs of court associated with the program.

DEMIKO LASHEA SMITH, age 40, of Natchez, was arrested on June 13, 2013, by investigators of the Attorney General's Office following indictment by a Harrison County Grand Jury on one count of conspiracy and two counts insurance fraud. Willie B. Jones' uninsured 2008 Kia Optima was towed to Natchez Ford due to damage caused from an accident. On April 17, 2012, the unrepaired vehicle was towed to Smith's residence. Smith purchased an automobile insurance policy from Progressive Insurance Company for the 2008 Kia Optima. Jones was listed as owner of the vehicle. Smith was listed as an authorized driver on the policy. On April 27, 2012, a claim was filed with Progressive for the April 16, 2012, unrepaired damage. Jones told Progressive the damage occurred on April 27, 2012. Jones filed a police report with Natchez Police Department reporting damage that occurred on April 27, 2012. Progressive learned the damage occurred prior to the insurance policy being purchased. Defendants confessed to filing the fraudulent claim.

WILLIE B. JONES, age 58, of Natchez, was arrested on June 13, 2013, by investigators of the Attorney General's Office following indictment by a Harrison County Grand Jury on one count of conspiracy and two counts insurance fraud. Jones' uninsured 2008 Kia Optima was towed to Natchez Ford due to damage caused from an accident. On April 17, 2012, the unrepaired vehicle was towed to Demiko Lashea Smith's Natchez residence. Smith purchased an automobile insurance policy from Progressive Insurance Company for the 2008 Kia Optima. Jones was listed as owner of the vehicle. Smith was listed as an authorized driver on the policy. On April 27, 2012, a claim was filed with Progressive for the April 16, 2012, unrepaired damage. Jones told Progressive the damage occurred on April 27, 2012. Jones filed a police report with Natchez Police Department reporting damage that occurred on April 27, 2012. Progressive learned the damage occurred prior to the insurance policy being purchased. Defendants confessed to filing the fraudulent claim.

ROBERT POLK, age 46, of Tupelo, was arrested on March 27, 2013, following indictment by the Chickasaw Grand Jury on one count of fraudulent use of an insurance card. Polk is accused of presenting a fraudulent insurance card to the Chickasaw County Justice Court Clerk stating he had insurance at the time he was cited for not having insurance. Polk is accused of presenting a card belonging to another individual.

PAMELA FEWELL (AKA PAMELA PARKER), age 50, of Bolton, was arrested on March 27, 2013, following indictment by the Chickasaw Grand Jury on one count of fraudulent use of an insurance card and one count of wire fraud. Fewell is alleged to have faxed a fraudulent insurance card to the Chickasaw County Justice Court stating she had insurance at the time she was cited for not having insurance. The card faxed is alleged to be fictitious.

LAJARRANCE STANDFIELD, age 23, of Okolona, was arrested on March 27, 2013, following indictment by the Chickasaw County Grand Jury on one count of fraudulent use of an insurance card. Standfield is alleged to have presented a fraudulent insurance card to the Chickasaw County Justice Court Clerk stating he had insurance at the time he was cited for not having insurance. Standfield is alleged to have presented a card belonging to another individual.

JENTRY DESHEA TOWNES, age 30, was arrested on February 25, 2013, in Monroe County by investigators with the Attorney General's Insurance Integrity Enforcement Unit, with assistance from the Aberdeen Police Department, following indictment on one count of insurance fraud and one count of wire fraud. The indictment alleges that Townes "filed a false and fraudulent insurance claim with the intent to defraud Liberty Mutual Insurance Company" and he did "wilfully, unlawfully and feloniously having devised a scheme to defraud and/or for obtaining money from Liberty Mutual Insurance Company, to which he was not entitled, and for the purpose of executing said scheme did transmit or cause to be transmitted across county or state jurisdictional lines, a false and fraudulent sales invoice."

GREGORY HENDSON, age 37, of Bay St. Louis, was arrested by law enforcement in Hancock County to face prosecution by the Attorney General's Office Insurance Integrity Unit. The indictment alleged the defendant executed a scheme to defraud Geico Insurance Company and Liberty Mutual Insurance Company. On one count the defendant is alleged to have filed a claim for damages from an automobile accident that had already been covered by another insurance company. On count two the defendant filed a claim for damages in an accident that is alleged to have never occurred. Defendant was paid over \$2,200 from both insurance companies.

DANA AIKENS, of Bay St. Louis, was arrested February 1, 2013, by law enforcement in Hancock County to face prosecution by the Attorney General's Office Insurance Integrity Unit. Aikens was indicted by a Hancock County Grand Jury on two counts of insurance fraud. The indictment alleges the defendant executed "a scheme to defraud" Geico Insurance Company and Liberty Mutual Insurance Company. On count one, Aikens is alleged to have filed a claim for damage from an automobile accident that had already been covered by another insurance company. On count two, the defendant filed a claim for damages in an accident that is alleged to have never occurred. Aikens was paid over \$2,200 from both insurance companies.

ROSEMARY HENDERSON, age 46, turned herself in on January 28, 2013, to face charges of insurance fraud, conspiracy to commit insurance fraud and wire fraud. She was booked into the Harrison County Detention Center before being released on a \$5,000 bond. The defendant is charged with one count of insurance fraud, conspiracy to commit insurance fraud and wire fraud stemming from two separate automobile accidents alleged to have occurred in Biloxi. The indictment alleges that the defendant submitted fraudulent medical and injury claims amounting to approximately \$40,000 with Victoria Fire & Casualty (via Nationwide Insurance Company).

KESHIA D. SANDERS, age 29, of Biloxi, was arrested on January 15, 2013, by investigators with the Attorney General's Insurance Fraud Unit, following indictment by a Harrison County Grand Jury. The defendant is charged with one count of insurance fraud, conspiracy to commit insurance fraud and wire fraud stemming from two separate automobile accidents alleged to have occurred in Biloxi. The indictment alleges that the defendant submitted fraudulent medical and injury claims amounting to approximately \$40,000 with Victoria Fire & Casualty (via Nationwide Insurance Company).

KENNETH ANDERSON, age 30, of Biloxi, was arrested on January 15, 2013, by investigators with the Attorney General's Insurance Fraud Unit, following indictment by a Harrison County Grand Jury. The defendant is charged with one count of insurance fraud, conspiracy to commit insurance fraud and wire fraud stemming from two separate automobile accidents alleged to have occurred in Biloxi. The indictment alleges that the defendant submitted fraudulent medical and injury claims amounting to approximately \$40,000 with Victoria Fire & Casualty (via Nationwide Insurance Company).

TIMOTHY JONES, age 21, of Biloxi, was arrested on January 15, 2013, by investigators with the Attorney General's Insurance Fraud Unit, following indictment by a Harrison County Grand Jury. The defendant is charged with one count of insurance fraud, conspiracy to commit insurance fraud and wire fraud stemming from two separate automobile accidents alleged to have occurred in Biloxi. The indictment alleges that the defendant submitted fraudulent medical and injury claims amounting to approximately \$40,000 with Victoria Fire & Casualty (via Nationwide Insurance Company).

KRYSTAL WILLIAMS, age 26, of Biloxi, was arrested on January 15, 2013, by investigators with the Attorney General's Insurance Fraud Unit, following indictment by a Harrison County Grand Jury. The defendant is charged with one count of insurance fraud, conspiracy to commit insurance fraud and wire fraud stemming from two separate automobile accidents alleged to have occurred in Biloxi. The indictment alleges that the defendant submitted fraudulent medical and injury claims amounting to approximately \$40,000 with Victoria Fire & Casualty (via Nationwide Insurance Company).

ROSHEENA MORRISETTE, age 21, of Biloxi, was arrested on January 15, 2013, by investigators with the Attorney General's Insurance Fraud Unit, following indictment by a Harrison County Grand Jury. The defendant is charged with one count of insurance fraud, conspiracy to commit insurance fraud and wire fraud stemming from two separate automobile accidents alleged to have occurred in Biloxi. The indictment alleges that the defendant submitted fraudulent medical and injury claims amounting to approximately \$40,000 with Victoria Fire & Casualty (via Nationwide Insurance Company).

JOHNNY LEWIS, age 26, of Biloxi, was arrested on January 15, 2013, by investigators with the Attorney General's Insurance Fraud Unit, following indictment by a Harrison County Grand Jury. The defendant is charged with one count of insurance fraud, conspiracy to commit insurance fraud and wire fraud stemming from two separate automobile accidents alleged to have occurred in Biloxi. The indictment alleges that the defendant submitted fraudulent medical and injury claims amounting to approximately \$40,000 with Victoria Fire & Casualty (via Nationwide Insurance Company).

LAKISHA FORSHEE, age 38, of Okolona, was arrested on September 5, 2012, at her home in Okolona following a four count indictment by the Chickasaw County Grand Jury on two counts of insurance fraud and two counts of wire fraud. She was booked into Chickasaw County Sheriff's Department and her bond was set at \$10,000. Forshee is accused of filing false claims to Liberty Mutual Insurance Company where she is alleged to have received monies in the amount of \$4,136 to which she was not entitled. Forshee was arrested by investigators of the Attorney General's Office with the assistance from officers of Okolona Police Department and Chickasaw County Sheriff's Department.

BRITNEY LATHAM, age 22, of Columbus, was indicted on August 23, 2012, by the Grand Jury of Lowndes County on one count of insurance fraud. The indictment charges Latham with falsifying a report to Safeway Insurance Company in Flowood "with intent to appropriate herself a benefit to which she was not entitled" related to damage which occurred to the 2001 Chevrolet Impala she was driving. Latham was arrested by investigators of the Attorney General's Office and booked into the Lowndes County Detention Center.

**MISSISSIPPI ATTORNEY GENERAL
PUBLIC INTEGRITY DIVISION**

TRACEY LEIGH DAVIDSON, age 36, of Southaven, was arrested on August 16, 2012, by investigators with the Attorney General's Office Insurance Fraud Unit. She was indicted on one count of insurance fraud by a Desoto County Grand Jury. The indictment charges Davidson was fraudulently obtaining from Nationwide Insurance Company a monetary payment in the amount of \$3,440 by making false or claims regarding a slip and fall that Tracey Davidson said took place at the Ramada Inn located in Horn Lake. The indictment charges Davidson as a habitual offender for three prior convictions in Louisiana.

REDONDA LASUN SMITH, age 30, of Crystal Springs, was arrested on June 14, 2012, by investigators of the Attorney General's Office and was incarcerated in the Copiah County Detention Center. The arrest followed recent indictment by the Copiah County Grand Jury on one count of insurance fraud. Smith is alleged to have filed a fraudulent insurance claim with the intent to defraud Mendota Insurance Company in Minnesota and appropriate the benefits to himself.

RUSSELL HARDY III, age 53, of Ridgeland, appeared on October 15, 2012, before Judge John Emfinger in Madison County Circuit Court to face insurance fraud charges brought by the Attorney General's Office Insurance Fraud Unit. Hardy pleaded guilty to making a fraudulent claim with State Farm Insurance Company regarding the alleged burglary of his vehicle. An investigation by the Attorney General's Office, Ridgeland Police Department and State Farm showed that the defendant broke several windows of his vehicle and lied about the theft of various tools, electronic devices and firearms, among other items.

JENNIFER PITTMAN pleaded guilty on July 10, 2012, in Lincoln County Justice Court to one count of misdemeanor false pretense.

TERRELL McANDREWS, age 31, of Heidelberg, was indicted and arrested on June 28, 2013, on one count of insurance fraud following indictment by a Jones County Grand Jury. McAndrews is alleged to have executed a scheme to defraud State Farm Insurance Company by filing a false claim with State Farm reporting his 2006 Nissan Sentra had been stolen.

JAMES ERIC REED pleaded guilty on June 13, 2013, to two counts conspiracy to commit insurance fraud, two counts to insurance fraud and two counts wire fraud following indictment by a Harrison County Grand Jury.

JILL THOMAS pleaded guilty on April 10, 2013, to insurance fraud following indictment by a Tunica County Grand Jury.

RESTITUTION IN INSURANCE FRAUD CASES

State General Fund for the cost of the investigation	\$9,500.75
Restitution (Mississippi Attorney General's Office, Nationwide Insurance, Geico Insurance, Allstate)	\$21,020.15
Walmart Stores	\$582.08
Mississippi Crime Victims Compensation Fund	\$700
SE Emergency Physicians	\$517
Mid-South Imaging and Therapeutics	\$390
City of Horn Lake (Ambulance Service)	\$612
Fines and Court Cost	<u>\$2,692.05</u>
	\$36,014.03

WORKERS' COMPENSATION FRAUD

CONVICTIONS

STACEY WALLS, of Adams County, pleaded guilty to one count of Workers' Compensation fraud and was sentenced to three years of supervised probation and ordered to pay \$1,178.20 in restitution to Union Standard Insurance Group of Irving, Texas, \$2,520 in reimbursement to the Attorney General's Office for the cost of the investigation and court costs.

INDICTMENTS/ARRESTS

ALISA LYNN NEALY SALONICA, age 41, of Gulfport, has been arrested following indictment by a Marion County Grand Jury for two counts of Workers' Compensation fraud.

JOHN WILLIS STEELE, age 41 of Byram, has been arrested following indictment on one count of false pretense by a Rankin County Grand Jury.

ISSAC BERNARD LEE, age 51, of Magnolia, has been arrested following indictment by a Pike County Grand Jury on two counts of Workers' Compensation fraud.

RESTITUTION IN WORKERS' COMPENSATION FRAUD CASES:

State General Fund for the cost of the investigation	\$2,520.00
Restitution to Union Standard Insurance Group of Irving, Texas	\$1,178.20
Restitution to Chartis Insurance Company in Jefferson, Georgia	<u>\$6,799.09</u>
	\$10,497.29

**Okolona resident
arrested for insurance,
wire fraud**

Chickasaw Journal, 9/19/2012



VULNERABLE ADULTS UNIT

2013 Vulnerable Adults Unit Accomplishments:

- Recovered \$76,635.96 in restitution to victims and \$4,700 in investigation cost to the Attorney General's Office
- Received 3,199 complaints
- Opened 207 new cases and have 47 active cases in criminal investigations
- Conducted 23 training sessions and presentations
- 139 cases resolved and/or closed through prosecution
- Obtained 11 convictions and 16 indictments

CONVICTIONS

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

JEFFREY JEROME RIVERS, age 42, of Jackson, pleaded guilty in Rankin County Circuit Court on July 30, 2012, to one count of exploitation of a vulnerable person. He was sentenced to five years in the custody of Mississippi Department of Corrections, to run concurrent to his conviction in Hinds County. He was ordered to pay restitution to the victim, \$1,000 to the Mississippi Crime Victim's Compensation Fund, \$1,000 to the Attorney General's Office, Vulnerable Adult Unit, for recovery of investigative costs and all costs of the court.

KENNETH MILLER, age 61, of McComb, pleaded guilty in Pike County Circuit Court on September 10, 2012, to one count of exploitation of a vulnerable person. He was sentenced to 10 years in the custody of Mississippi Department of Corrections, five years suspended and five years to serve. He was ordered to pay \$16,439.21 restitution to the victim, \$1,000 to the Mississippi Crime Victim's Compensation Fund, \$1,000 to the Attorney General's Office, Vulnerable Adult Unit, for recovery of investigative costs, \$2,000 in fines and all costs of the court.

LORETTA LANE pleaded guilty in Wilkinson County Circuit Court on October 2, 2012, to one count of exploitation and one count of felony false pretense. She was sentenced to five years in the custody of the Mississippi Department of Corrections. The first year was to be served on house arrest and the remaining four years on post-release supervision. She was ordered to pay \$7,225 in restitution to the victim, \$500 to the Mississippi Crime Victim's Compensation Fund, \$500 to the Attorney General's Office, Vulnerable Adult Unit, for recovery of investigative costs and all costs of the court.

NEAL WALKER pleaded guilty in Marion County Circuit Court on October 14, 2012 to one count of exploitation of a vulnerable person. He was sentenced to three years supervised probation in the custody of Mississippi Department of Corrections. He was ordered to pay \$1,475 in restitution to the victim and all costs of the court.

CANDY LUCAS pleaded guilty in Lowndes County Circuit Court on November 1, 2012, to one count of credit card fraud. She was sentenced to three years in the custody of the Mississippi Department of Corrections, under supervised probation. She was ordered to pay \$100 to the Mississippi Crime Victim's Compensation Fund, \$600 in restitution to the victim, \$1,000 to the Attorney General's Office, Vulnerable Adult Unit, for recovery of investigative costs, a \$100 fine and all costs of the court.

BETTY PHIFER pleaded guilty in Alcorn County Circuit Court through a bill of information on February 4, 2013, to one count of exploitation of a vulnerable person. She was sentenced to five years under supervised probation, pending non-adjudication.

DARRELL RANDLE, age 43, of Aberdeen, pleaded guilty in Monroe County Circuit Court on February 14, 2013, to one count of exploitation of a vulnerable person. He was sentenced to 10 years in the custody of the Mississippi Department of Corrections (suspended), four years post-release supervised probation, ordered to pay court costs in the amount of \$421.50, a fine of \$500, an assessment of \$100 to the Mississippi Crime Victim's Compensation Fund and ordered to pay \$1,055.75 in restitution to the victim.

SADONYA WILSON pleaded guilty in Rankin County Circuit Court on April 29, 2013 to one count of grand larceny. She was sentenced to 10 years in the custody of the Mississippi Department of Corrections, seven years suspended, three years on house arrest and five years post-release supervised probation. She was ordered to pay \$5,416 in restitution to the victim, \$1,000 to the Mississippi Crime Victim's Compensation Fund, a \$1,000 fine and all costs of the court.

JAY LEE BARBER, JR., age 56, of Jackson, pleaded guilty in Hinds County Circuit Court on May 3, 2013, to one count of exploitation of a vulnerable person. He was sentenced to 10 years in the custody of the Mississippi Department of Corrections, nine years suspended and one year on house arrest, with four years post-release supervised probation. He was ordered to pay \$18,000 in restitution to the victim, \$1,000 to the Mississippi Crime Victim's Compensation Fund, \$200 to the Attorney General's Office, Vulnerable Adult Unit, for recovery of investigative costs, plus fines and all costs of the court.

KENNETH CAUTHEN, age 51, of Rankin County, pleaded guilty in Rankin County Circuit Court on May 28, 2013, to one count of exploitation of a vulnerable person. He was sentenced to 10 years in the custody of the Mississippi Department of Corrections. He must serve the first three years in custody and then will be placed on five years' post-release supervision. He was ordered to pay \$13,300 in restitution to the victim, \$1,000 to the Mississippi Crime Victim's Compensation Fund, \$500 to the Attorney General's Office, Vulnerable Adult Unit, for recovery of investigative costs and all costs of the court.

PATRICIA HILL, age 41, of Itta Bena, pleaded guilty in Leflore County on June 10, 2013 to one count of exploitation of a vulnerable person. She was sentenced to 10 years suspended, with the first five years of supervised probation. She was ordered to serve time in the custody of the Leflore County Restitution Center until she pays \$3,500 in restitution to the victim, \$100 to the Mississippi Crime Victim's Compensation Fund, \$500 to the Attorney General's Office, Vulnerable Adult Unit, for recovery of investigative costs and all costs of the court.

INDICTMENTS

LORETTA LANE was indicted on June 21, 2012, by the Grand Jury of Wilkinson County on one count of felonious exploitation of a vulnerable person and one count of felony false pretense.

HEATHER COX was indicted on June 20, 2012, by the Grand Jury of Tallahatchie County on one count of exploitation of a vulnerable person. She was indicted as a habitual offender.

DARRELL RANDLE was indicted on July 17, 2012, by the Grand Jury of Monroe County on two counts of felonious exploitation of a vulnerable person.

PATRICIA HILL was indicted on August 15, 2012, by the Grand Jury of Leflore County on one count of felonious exploitation of a vulnerable person.

MICHAEL WADDELL was indicted on September 4, 2012, by the Grand Jury of Simpson County on two counts of felonious exploitation of a vulnerable person. Waddell died prior to trial and subsequently, the indictment was dismissed.

KIMBERLY GILLEYLEN was indicted on September 6, 2012, by the Grand Jury of Benton County on three counts of uttering forgery (habitual).

RANDY ANSELMO was indicted on September 18, 2012, by the Grand Jury of Pearl River County on one count of felonious exploitation of a vulnerable person.

JUDY ANSELMO was indicted on September 18, 2012, by the Grand Jury of Pearl River County on one count of felonious exploitation of a vulnerable person.

SADONYA WILSON was indicted on September 13, 2012, by the Grand Jury of Rankin County on two counts of credit card fraud.

JAMES LEE BARBER, JR. was indicted on November 7, 2012, by the Grand Jury of Hinds County on one count of exploitation of a vulnerable person.

KENNETH CAUTHEN was indicted on November 11, 2012, by the Grand Jury of Rankin County on two counts of exploitation of a vulnerable person.

BRENDA FREEMAN was indicted on February 5, 2013, by the Grand Jury of Hinds County, on one count of exploitation of a vulnerable person.

NAKEDRA FREEMAN was indicted on February 5, 2013, by the Grand Jury of Hinds County, on one count of felonious exploitation of a vulnerable person.

SARA LASTER was indicted on March 4, 2013, by the Grand Jury of Montgomery County, on two counts of felonious exploitation of a vulnerable person.

SONJA LANAHAN was indicted on March 4, 2013, by the Grand Jury of Montgomery County, on two counts of exploitation of a vulnerable person.

THUNDER WILLIS was indicted on March 5, 2013, by the Grand Jury of Leake County, on one count of sexual battery of a vulnerable person.

ARRESTS

- Loretta Lane was arrested July 2, 2012, post-indictment.
- Heather Cox was arrested July 25, 2012, post-indictment.
- Darrell Randle was arrested September 5, 2012, post-indictment.
- Patricia Hill was arrested on October 5, 2012, post-indictment.
- Judy Anselmo was arrested on October 17, 2012, post-indictment.
- Randy Anselmo was arrested on October 30, 2012, post-indictment.
- Jay Lee Barber, Jr. was arrested on November 26, 2012, post-indictment.
- Kenneth Cauthen was arrested on February 1, 2013, post-indictment.
- Sadonya Wilson was arrested on February 20, 2013, post-indictment.

AGRICULTURE DIVISION

The Agriculture Division performs legal services for the state's agriculture-related agencies, including the Department of Agriculture and Commerce, 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 and Rebecca Wilson.

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, assisting with personnel matters, drafting contracts and attending board meetings.

Our attorneys represented our agencies in a number of personnel actions dealing with disciplinary violations and claims for unemployment compensation. We always receive a large number of Open Records requests, which requires research and review of documents.

We have drafted or amended a number of regulations for our agencies this year. Our office handles every step in the regulation adoption process, including drafting, presentation for board approval, filing with the Secretary of State and posting to the website. All of our agencies' regulations are now on each respective agency's website.

The Department of Agriculture regulates the sale of gasoline, diesel and kerosene, both at the retail and wholesale levels. Our attorneys successfully represented the Department in administrative actions against two retail station owners who were selling unbranded gasoline as branded gasoline (BP® and Citgo®) in violation of state law. This past year our attorneys handled administrative complaints against petroleum vendors resulting in the collection of \$67,400.00 in civil penalties.

The Department of Agriculture has a branch office in Starkville on the M.S.U. campus, which is called the Bureau of Plant Industry. This office regulates the sale, manufacture and application of pesticides, herbicides, feed, fertilizer, lime, seed and soil amendments. This office also grants licenses to pest control operators, crop dusters, tree surgeons, plant pathologists and landscapers. In the past year, our attorneys represented the Bureau in 32 administrative complaints resulting in the collection of \$33,153.00 in civil penalties.

The Board of Animal Health has been granted the responsibility for the prevention, control and eradication of contagious and infectious diseases in animals. In the past year, our attorneys represented the Board in a number of administrative complaints concerning animal disease issues.

DEPARTMENT OF CORRECTIONS

Special Assistant Attorneys General David Scott, Jim Norris and Anthony Schmidt serve as legal counsel to the Mississippi Department of Corrections (MDOC). 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, victims, 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 Keith Gates and Tommy Goodwin also assist MDOC with civil litigation matters.

DEPARTMENT OF MENTAL HEALTH

Special Assistant Attorney General Cyndi Eubank represents the Department of Mental Health in actions filed against the Department and its various statewide program locations, reviews contracts and attends monthly board meetings where she advises the Board of the Department of Mental Health. Ms. Eubank attends court on behalf of the Department of Mental Health for establishing conservatorships, requesting conditional releases 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, Ms. Eubank 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). MDA assisted with numerous business location and expansion projects around the state in FY2013, including, including expansions by Nissan, shipbuilders V.T. Halter Marine and Signet Maritime, furniture producers Ashley Furniture and United Furniture Industries, and aerospace manufacturer Aurora Flight Sciences. New business locations announced by General Dynamics, biomass companies Drax Biomass and Green Circle Energy, Yokohama Tire Corporation and furniture manufacturer Comfort Revolution, to name just a few, also received support from MDA. In total, MDA-assisted projects that announced in FY2013 are creating more than 5,771 jobs and resulting in more than \$934 million in new corporate investments. 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 oversees 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.

MISSISSIPPI DEPARTMENT OF EDUCATION

For the fiscal year 2013, Kathy Boteler, Joel Jones, Heather Deaton, Raina Lee and Beebe Garrard 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, Joel Jones, Raina Lee and Beebe Garrard 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; preparing an increased number of license misconduct cases before the Licensure Commission and the State Board of Education following the creation of the Educator Code of Misconduct; reviewing and drafting contracts; drafting Attorney General opinions; handling personnel matters (including employee grievances, EAB appeals, and EEOC complaints); providing general advice regarding the State Longitudinal Data System, providing general advice on policy and regulatory matters; responding to public records requests; analyzing pending state and federal legislation; conducting due process hearings to terminate federal grants; providing legal research and general legal advice to the agency's bureaus; providing assistance to local school districts; responding to questions from school districts and school board attorneys and responding to citizen questions and complaints. Kathy Boteler and Heather Deaton represent the Department and the Board in all matters related to special education.

Attorneys for the Department provided counsel as educational concerns were addressed in the Oktibbeha County School District which led to a declaration of a state of emergency by the Governor and the establishment of a conservatorship in 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, the establishment of a conservatorship and assuming control and administration of the following districts: Aberdeen School District, Sunflower County School District, Indianola School District, North Panola School District, Hazlehurst City School District and Tate County School District.

The attorneys have worked with the recovery school district within the Department to resolve legal issues involving the reconstitution of municipal separate school districts, county school districts and consolidated school districts to include legislative amendments and obtaining opinions of the Attorney General. Attorneys have worked with the Department in reconstituting the Okolona Municipal Separate School District, Hazlehurst City School District, North Panola School District and Tate County School District to include meeting with legislative representatives, mayors and aldermen and working with the Office of the Governor to obtain Writs of Election. Recent legislation has required the Department to be actively involved in the consolidation of school districts within Sunflower County, Bolivar County, Oktibbeha County and Clay County. Attorneys have assisted the Department in the consolidation of these school districts.

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, resulting in the parties filing a Joint Motion to Dismiss and the Court entering an Order of Dismissal and Final Judgment with prejudice on December 10, 2012.

Attorneys continue to review and draft contracts, memorandums of understanding/agreement and interagency agreements, provide general advice on policy and regulatory matters; respond to public records requests; analyze pending state and federal legislation; provide legal research and general legal advice regarding the Individuals with Disabilities Education Act ("IDEA") and Section 504 and make legal presentations regarding IDEA or State Board Policy 7219.

Additionally, 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.

The attorneys provided counsel addressing concerns in the Jackson Public School District to ensure compliance with IDEA and the attorneys worked collaboratively with the Office of Civil Litigation in cases pending in U.S. District Court and in negotiating with the United States Department of Justice.

MISSISSIPPI 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 (the Department) 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; 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; and 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, the State's Master Lease Purchase Program, and the acquisition and use of state vehicle.

MISSISSIPPI FORRESTRY 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.

ROLE OF THE AGENCY ATTORNEY

The attorney assigned to the agency 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. The attorney assists with all aspects of personnel actions and discipline, 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, and reviews and drafts contracts as needed.

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 is necessary to assist in the normal daily operations of the Commission.

MISSISSIPPI GAMING COMMISSION

The Gaming Control Division is charged with representing the Mississippi Gaming Commission in all its legal matters, assisting local law enforcement authorities as pertains to gaming law, and generally carrying out legislative mandates and state public policy regarding the gambling laws of Mississippi. The 2013 fiscal year was especially active for the division. The division faced numerous challenges, including continuation of the rebuilding efforts on the Coast, the expansion of other gaming jurisdictions, and the State adapting to both new gaming laws and technologies. During 2013, Gaming Control represented the Commission in over 80 cases involving gaming work permit applications, including the revocation of gaming work permits and in the appeal of denials of applications for gaming work permits.

Additionally, the division advised the Commission on numerous requests for unanimous approval of work permit applications as mandated by statute. During the fiscal year, the division handled 28 disputes between patrons and casinos, some of which resulted in administrative hearings and decisions. These administrative hearings were heard and ruled on by the agency Hearing Examiner, Special Assistant Attorney General Deanne Saltzman who renders decisions on behalf of the Commission as well as recommendations for further action. Some of these disputes have been appealed and are presently pending before the civil and appellate courts.

The division also assisted as the Mississippi Gaming Commission issued Orders to Show Cause for various violations of the Gaming Control Act and/or the Mississippi Gaming Regulations. Gaming Division attorneys draft complaints as well as stipulations and agreements imposing monetary fines and other disciplinary actions against certain gaming licensees deemed in violation of law and regulations. The division attorneys advised the Commission in conducting its hearings and in imposing this disciplinary action when appropriate.

The division was also instrumental in advising the Charitable Gaming Division of the Commission in the imposition of disciplinary action against charitable gaming licensees for various violations of the Charitable Gaming Regulations, including exceeding allowable expenses and failing to give an adequate percentage to the charitable purpose (the "60/40 rule"). Several of these bingo matters resulted in full administrative hearings handled by Attorney General's Office staff. Outside of the administrative arena, the Gaming Control Division is actively participating in a number of litigation matters involving state gambling laws. Division attorneys secured a favorable decision in a case involving an "Internet café" and the seizure of several illegal gambling devices. Staff attorneys also represented the State and Gaming Commission in multiple bankruptcy matters involving entities with Mississippi gaming licenses. The division handled the legal issues involved when one of the state's casinos closed.

As part of its duties in advising the Gaming Commission, the division has been busy examining the legality of numerous proposed casino sites throughout the State. The number of proposals has recently jumped in connection with the rebounding of the national economy and the increased interest in the Mississippi market from willing investors. As more of these decisions are handed down by the Commission, the numbers of appeals are predicted to rise. In fact, the division has been involved in litigation surrounding one of the most recent proposals under construction. Throughout the year, division attorneys also assisted various DA's and other state law enforcement agencies in providing information and training in the handling of matters relating to illegal gambling devices and the growing problem of illegal poker tournaments.

The Legislature's recent passage of an anti-"sweepstakes café" law has led to an increase in interest for division help by local law enforcement. Gaming Division attorneys provide assistance on a daily basis to the general public with requests for public records and basic information related to gaming in Mississippi, including inquiries by charitable organizations regarding raffles and bingo. The increased interest in internet gambling has recently caused the division to focus its attention on questions surrounding this issue as well. On a daily basis, the Gaming Division busies itself providing general legal advice to the Mississippi Gaming Commission, local government entities and the State concerning the ongoing casino expansion, Gulf Coast rebuilding efforts and the developments in the gaming world.

MISSISSIPPI DEPARTMENT OF HEALTH

The Health Law Section of the office of the Attorney General represents the Mississippi State Department of Health and its governing body, the Mississippi State Board of Health. Assistant Attorney General, Robert E. (Bob) Fagan, Jr. and Special Assistant Attorneys General Ellen O'Neal, Cassandra Walter, Emily Haxton and Bea Tolsdorf provide legal counsel 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

During 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 for health care facilities, including hospitals, nursing homes and child care facilities, as well as for various professional licensure; 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 garnishments 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.

Our attorneys assisted with administrative enforcement actions against professional installers of onsite wastewater systems. 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 department staff in resolving wastewater issues in several counties. There were also, administrative and court enforcement actions against public water systems for endangerment of the health of their customers by noncompliance with applicable statutes and regulations.

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. Attorneys continued to assist the Department in the operation of Mississippi’s first statewide trauma system. They 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 710 chancery court complaints to correct birth 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.

CHILD CARE AND PROFESSIONAL LICENSURE

Our attorneys represented the agency in administrative hearings to determine the qualifications of applications 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, dieticians, respiratory care practitioners, medical radiation technologists, hearing aid dealers, athletic trainers, speech-language pathologists, speech-language pathologists aides, audiologists and audiologists aides, art therapists, eye enucleation, hair braiding, and tattooing and body piercing. 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 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 CONSIDERATION

The Federal Privacy Rule continued to impact the department in various ways, and under the guidance of the HIPPA 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.

EMPLOYMENT AND HUMAN RESOURCE MATTERS

Our attorneys assisted the Department, which employs approximately 2,500 people, in human resource matters through continuing advice, representing the agency in hearings before the Employee Appeals Board of the Mississippi State Personnel Board, and insuring compliance with state and federal employment and labor laws. 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 fiscal year 2013, the Human Services Division reviewed, revised, drafted, and/or negotiated more than 635 contracts, subgrants, requests for proposals, memoranda of understanding and other agreements.

DIVISION OF YOUTH SERVICES

The Division of Youth Services (DYS) administers the community services and institutional programs for juveniles who have been adjudicated delinquent in Mississippi Youth Courts or who are at risk of becoming delinquent. DYS provides professional counseling, probation supervision and related services to children in their home communities, as well as education, rehabilitation and treatment services to children committed to institutional care.

Though this Division, subgrants with community-based organizations were issued to operate its Adolescent Opportunity 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.

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 FY 2013, the Weatherization Program provided assistance to a total of 867 homes. This amount includes regular Weatherization and ARRA Weatherization.
- The Division of Community Services assisted 180,718 people through its LIHEAP and CSBG programs.

DIVISION OF AGING AND ADULT SERVICES

The Division of Aging and Adult Services protects the rights of older citizens while expanding their opportunities and access to quality services. It also plans, coordinates and advocates the assurance of providing services to all older Mississippians. This division represented MDHS in obtaining emergency and essential conservatorships, emergency orders to investigate abuse, neglect or exploitation of vulnerable adults as well as provided technical assistance.

DIVISION OF FAMILY AND CHILDREN'S SERVICES

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

In FY 2013, 263 new TPR cases were referred to this Division. Human Services attorneys obtained court orders terminating parental rights for 278 children.

This Division worked with MDHS in placements for hard-to-place children such as those with mental illness and behavior problems.

- Seven vulnerable adults cases
- 32 administrative fair hearings. These hearings involved persons whose names appeared on MDHS' Child Abuse/Neglect Central Registry.
- 196 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 50 personnel cases for MDHS
- Responded to more than 150 subpoenas and summonses
- Responded to 93 open public records request
- Processed over 465 writs of garnishments and other wage withholding matters

INFORMATION TECHNOLOGY SERVICES

Special Assistant Attorneys General Donna Nead Rogers and Drew Schimmel serve as legal counsel to the Mississippi Department of Information Technology Services (ITS). During the past fiscal year, they drafted and/or negotiated 329 contracts of various types (software licenses, software development contracts, turnkey agreements, purchase contracts, maintenance contracts, leases, application service provider contracts and professional services contracts) with providers of data processing and telecommunications hardware, software and services. Some of those contracts involved projects for a time and attendance system for Hinds Community College; a blood bank information management system for the University of Mississippi Medical Center; birth record verification and lawful status/passport verification systems for the Mississippi Department of Public Safety, and a web-based early learning management system for the Mississippi Department of Human Services. In addition to contract negotiations, the attorneys 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 ("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 1700 insurance companies and nearly 108,000 insurance producers (agents or agencies) licensed in the state. The Department also licenses bail bondsmen, with some 1700 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, Fire Standard and Compliant Cigarettes Program and pyrotechnics permits at the state level. Another Department division is the State Fire Academy. The Academy, which is located on a 110-acre complex in Rankin County, trained over 15,000 students in FY 2013 in basic and advanced fire fighting.

The Insurance Division advises and represents the Department on all matters within its purview, including, but 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 Kim Causey, Linda Boozer, Michelle Partridge, Mark Lampton and Jay Eads are members of the Insurance Division. There are also three 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 regulations; 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, regulations, 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. During the past year, Legal Counsel for the MDMR/MCMR have worked closely with investigators from the State Auditor's Office.

DIVISION OF MEDICAID

The Division of Medicaid (DOM) has over 900 employees located in one central office, 30 regional offices and 95 outstations throughout the state, all working together to provide quality health care coverage for the vulnerable, eligible populations in Mississippi. The total combined state and federal budget amounts to over \$4.96 billion.

During fiscal year 2013, DOM was represented by Special Assistant Attorneys General Chuck Quarterman, Tara Pattie, Fran Ingram, Paige Biglane, Abbie Koonce, Nick Crawford, and administrative assistant, Pam Thomas. Mr. Quarterman and Ms. Pattie both served as Chief Counsel on separate occasions, and they, along with Ms. Thomas all left the Attorney General's office during the course of the year. The attorneys represented DOM on a variety of matters including personnel issues, procurements and contracting, statutory and regulatory issues, administrative hearings, public records requests, open meetings issues, third party subrogation, estate recovery, garnishments, levies, bankruptcies and tax liens.

Fran Ingram and Nick Crawford handled third party subrogation cases and successfully recovered \$2,831,059 for DOM during fiscal year 2013. Ms. Pattie and Ms. Koonce successfully recovered \$660,194.08 from estate recovery cases, and also recovered \$139,016.37 from Special Needs and Income Trusts. Throughout the year, Ms. Koonce advised the Pharmacy Program, specifically assisting with the Pharmacy and Therapeutics Committee meetings.

Ms. Biglane currently serves as Chief Counsel for DOM, and managed the daily activities and responsibilities of the legal staff for the remainder of fiscal year 2013. The Chief Counsel is a member of the senior cabinet at DOM, and provides counsel to the Executive Director and senior staff on a variety of matters, including interpretation and implementation of DOM's federal and statutory requirements. The Chief Counsel also advises the Procurement Division and oversees the negotiation, drafting, and execution of all personal and professional service contracts, regional office leases, small purchase agreements, and drug rebate agreements. The Chief Counsel assists special counsel retained by the Attorney General to pursue State claims against pharmaceutical manufacturers, and coordinates with outside counsel to handle all Medicaid provider appeals in Chancery, Circuit and Federal courts. Finally, the Chief Counsel advises DOM in updating the Mississippi Administrative Code, DOM's State Plan and all internal policies.

In addition to administrative hearings, the attorneys also represented DOM in matters before the Employee Appeals Board, the EEOC, United States Bankruptcy Court and other state and federal courts. The attorneys facilitated investigations for the Medicaid Fraud Control Unit and coordinated the defense of complex litigation through the Attorney General's Civil Litigation Division. The attorneys performed legal research, assisted with requests for Protected Health Information (PHI) and other confidential documentation by responding to subpoenas, and counseled DOM and its internal bureaus on a multitude of complex Medicaid issues, including provider and beneficiary matters.

STATE PERSONNEL BOARD

Special Assistant Attorney General Sara DeLoach serves as General Counsel to the Mississippi State Personnel Board (MSPB). As General Counsel, she provides legal advice to the MSPB, the Personal Service Contract Review Board (PSCRB) and the Employee Appeals Board (EAB).

At the MSPB, Ms. DeLoach supports the Executive Director and agency staff in performing their statutory duties of managing and improving the central personnel agency for state government. Ms. DeLoach provides legal counsel regarding the application of state and federal law to MSPB policy, and also assists in developing and revising all MSPB policies and procedures. Furthermore, she provides assistance to the MSPB and other state agencies regarding specific employment and human resources issues, including, but not limited to, personal/medical and donated leave, wage and hour practices, accommodation of disabilities, and employee discipline. In her capacity as General Counsel, Ms. DeLoach also advises the MSPB on Open Meetings, Public Records, garnishments, Administrative Procedures Act filings, internal contracts/agreements, etc. Ms. DeLoach reviews all legal services contracts submitted to the MSPB for approval and presents said contracts at the monthly Board Meetings. She represents the MSPB in all litigation matters and serves as the liaison between the MSPB and the Office of the Attorney General.

As counsel to the PSCRB, Ms. DeLoach reviews all personal and professional service contracts entered into with state agencies in excess of \$100,000 to ensure compliance with state law and PSCRB procurement regulations. She also provides legal advice to the PSCRB at their monthly Board Meetings.

Sara DeLoach assists the EAB in researching legal questions regarding the employee grievance and appeals process.

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, Margarete Meeks 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 and Home Inspector Board, as well as several others.

In addition to providing general counsel to the professional licensing agencies, the 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 resulted in an estimated savings of \$11,134,376.64 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 the Public Employees' Retirement System of Mississippi (PERS). PERS 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 Agreements providing Social Security coverage to eligible participants.

Ms. Mapp represents PERS at administrative hearings and in appeals to the Circuit Court and Supreme Court relative to disability claims and membership service claims. Presently, PERS is a party to 24 appeals in the Circuit and/or Mississippi Supreme Court, as well as two chancery court cases and one U.S. District Court case.

Ms. Mapp's duties also include ensuring the governmental status of entities requesting membership in the PERS system; drafting or reviewing personal service and investment contracts; assisting outside counsel on securities litigation 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; and providing necessary assistance to the Civil Litigation Division on cases involving PERS. She also assists the Personnel Director with issues relative to employee relations; offers advice and assistance in drafting legislation and agency regulations; and assists PERS staff, as well as staff from other agencies, to respond to questions regarding the application of the statutes which govern the administration of PERS and the separate plans it administers. Such issues include, but are not limited to, membership eligibility, service credit, benefits, disability, garnishments, beneficiary disputes, refunds, investments, the fiduciary responsibility of the Board of Trustees, and the impact federal legislation 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, Attorney General opinion research and other related matters. Additionally, she works 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. Parkes handled more than 395 of such suits last year. She 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 to the Business Regulation and Enforcement Division and Business Services Division in certain lawsuits. Parkes also handles employee appeals board hearings for the Secretary of State. Additionally, Parkes 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 another on a part-time basis under its contract with the Mississippi Transportation Commission, and coordinates with four attorneys outside the Division who act in an administrative capacity- two staff attorneys in Human Resources Division and two staff attorneys in Right-of-Way Division. The Mississippi Department of Transportation also employs one contract staff attorney who works with the Transportation Division. The Division's support staff includes one office manager and two legal secretaries employed by the Attorney General, as well as a law clerk, two paralegals, 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 citizens of the State. One other Special Assistant Attorney General is housed in the Transportation Division's offices, although his exclusive assignment is to perform patent, trademark and copyright work for the State's colleges, universities and other state agencies.

The Commission also had outside counsel 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.

In addition to the usual and customary work for MDOT, several of the lawyers in the office took on extra duties for other agencies. Chief Counsel Roy Tipton and law clerk Ben Jones continue to defend the Mississippi Development Authority against several groups regarding regulations for seismic testing and offshore oil and gas exploration. Mr. Tipton and others in the office are also working with the Mississippi Secretary of State to develop an environmental remediation program. Various staff members served as members and/or chairmen of national committees for national organizations, including the American Association of State Highway and Transportation Officials and the National Alliance of Highway Beautification Agencies. Law clerk Ben Jones has been appointed to the Intermodal Transportation Law Committee of the National Transportation Research Board, where he will be working with Federal Transit Administration's Chief Counsel Dorval Carter, focusing on the Public Transportation Emergency Relief Program and disaster assistance for infrastructure repair and restoration. Margaret Ellis is a member of the Tort Liability and Risk Management Committee of the NTRB.

The Commission paid \$1,178,086.79 under its contract with the Attorney General. It also paid \$1,242,071.48 to approximately 12 different firms for eminent domain work; \$255,455.43 to four firms for title and closing work related to property acquisition; and \$438,702.03 to 10 different law firms, expert witnesses, forensic accountants and related litigation support firms in bond issues, complex contract suits, workers' compensation and various other types of lawsuits.

LITIGATION

The Division has continued to take on complex litigation in house, including defending high-dollar construction claims and the successful settlement of a \$20 million dollar suit filed against the Commission by Madison County. Special Assistant Ellis continues her deep involvement in the ongoing tobacco litigation. The previously obtained judgments against Brown & Williams and R.J. Reynolds are still in place while the parties present their arguments over attorneys' fees, additional damages and punitive damages for breach of the settlement agreement. It is anticipated that Mrs. Ellis and her outside counsel team will proceed against additional companies for breach of these agreements in the near future.

GENERAL

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 States of Tennessee, Arkansas and Louisiana, as well as various counties and municipalities within Mississippi, allowed the expedited planning and construction of facilities of many different types. Special Assistant Attorney General Judy Martin was instrumental in this arena, pioneering the introduction of design-build projects.

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, in addition to working to coordinate efforts between MDOT and various local agencies.

Special Assistant 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 developed Federal Guidance Memoranda on pressing outdoor advertising issues.

Special Assistant Larry Schemmel, through his work as a qualified trademark and copyright attorney and licensed patent attorney, obtained multiple trademarks for various state agencies, obtained five patents and applied for a number of others, and represented agencies such as the University Press of Mississippi, Department of Finance and Administration, the Mississippi Development Authority, and state universities in patent, copyright and trademark prosecution and litigation matters. Most of his time was charged to agencies other than the Transportation Commission. With the assistance of law clerk Ben Jones, he prosecuted a successful petition before the Public Service Commission for implementation of MDOT's 511 Traveler Information Service and continues to advise the Department regarding obligations of telecommunications companies.

Special Assistant J.D. "Woody" Woodcock acted as administrative hearing officer for a number of different state agencies, and continued to represent several other agencies pursuant to contracts with the Attorney General, in addition to handling MDOT-related issues.

As always, the Division provided the general day-to-day advice, assistance, and representation expected from an agency with some 3,300 employees, 14,000 miles of roadway to maintain, offices in all 82 counties, and annual expenditures approaching \$1 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 83 new eminent domain cases were filed during the year, while 86 suits were either tried or settled. Some 175 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. Special Assistant Attorney General Billy D. Hall represented the Commission in three title cases involving the sale of surplus property.

PROPERTY DAMAGE CLAIMS

Asserting claims against those responsible for damage to MDOT facilities and equipment continues to generate a significant work load for the Division. Special Assistant 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 \$344,119.20.

WORKERS' COMPENSATION

The Division continued to represent the Commission's self-insured, self-administered Workers' Compensation program. This program paid \$1,383,910.14 in disability benefits and \$730,419.28 in 14 compromise settlements to current and former employees of the agency, as well as \$2,244,279.91 to medical providers. There were approximately 40 controverted cases active at some point during the year, with Staff Attorney Rodney Love and Mr. Woodcock as lead counsel in a number of them and the rest being assigned to three private firms. The sum of \$60,884.80 was recovered for the agency through subrogation claims asserted against third parties responsible for accidents that resulted in claims.

CONCLUSION

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

Leigh H. Patterson, Katie Lusk and Stephanie Ganucheau 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 University of Southern Mississippi. Patterson, Lusk and Ganucheau 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.

Patterson, Lusk and Ganucheau 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:

- provided advice and assisted with numerous construction and renovation projects developing facilities on and off campus at each of the institutions;
- assisted the University Press of Mississippi with various intellectual property and contractual issues this year;
- 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;
- represented Mississippi Automated Resource Information Systems and reviewed their contracts with other agencies;
- worked closely with the Commissioner of Higher Education in drafting new Policies and Bylaws for the Institutions of Higher Learning;
- served as in-house counsel to the Mississippi Commission on College Accreditation, which has offices located in the Education and Research Center;
- advised IHL on Ayers implementation issues in furtherance of the settlement of hat lawsuit;
- worked closely with the IHL Board Office of Human Resources in advising on various employment issues;
- worked closely with the IHL Office of Contracts and Grants in reviewing and/or drafting all contracts for that office;
- represented and advised GEAR-UP in all legal matters;
- represented and advised America Reads-Mississippi in all legal matters; and
- worked closely with the IHL Finance and Academic Departments, as well as with the Real Estate and Facilities Department, in addressing various legal issues which affect them.

STATE VETERANS AFFAIRS BOARD

The State Veterans Affairs Board (SVAB) 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 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 veterans training under the GI Bill and with the establishment and operation of a State Veterans Memorial Cemetery and the Persian Gulf War Memorial. SVAB provides speakers for meetings and works with the legislature, Governor and veterans organizations regarding veterans' issues.

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 WW II and Korean War discharges.

Additionally, the Veterans Service Officers of the Claims Division with SVAB provide free advice and guidance to veterans and dependants 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 Alicia Ainsworth 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. Mr. 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, 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. Mr. Mann makes presentations at training sessions for all law enforcement personnel and advises them daily on legal matters. Mr. Mann 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 2013, the attorney assisted and advised the department and commission on matters ranging from helping to reformat and revise regulations in compliance with the Administrative Procedures Act, 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 following a minor oil pipeline spill at the Twin Oaks Wildlife Management Area. 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. All regulations promulgated by the commission are filed by the legal staff with the Secretary of State's office under the Administrative Procedures Act.

The legal staff also assists Departmental staff in advising the Chairs 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, Mr. 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 has also advised the department and the Attorney General's Office on participation in amicus briefs on matters affecting wildlife and natural resources, such as cases involving the Endangered Species Act and similar issues. Mr. Mann continues to provide 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 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.

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 2013, the Office entered into over \$4,065,528 in grants/contracts with DHHS-Medicaid Fraud, Public Safety, Department of Justice, Food and Drug Administration, U. S. Department of Agriculture and U. S. Marshals Service.

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 Statewide 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.

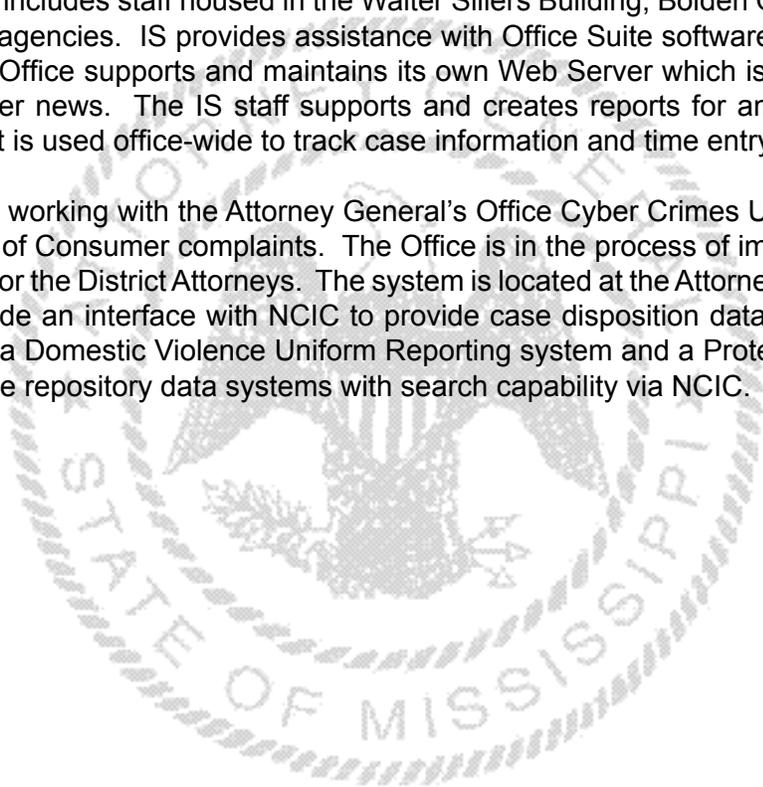
MANAGEMENT OF INTERAGENCY CONTRACTS AND OUTSIDE LEGAL COUNSEL

During fiscal year 2013, the Attorney General's Office entered into 72 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 is currently working with the Attorney General's Office Cyber Crimes Unit program CRIMES to allow electronic submission of Consumer complaints. The Office is in the process of implementing a state-wide case management system for the District Attorneys. The system is located at the Attorney General's Office in Jackson. Future plans will include an interface with NCIC to provide case disposition data. The Office is also currently working to implement a Domestic Violence Uniform Reporting system and a Protective Order Registry. Both of these will be state-wide repository data systems with search capability via NCIC.



**MISSISSIPPI ATTORNEY GENERAL
STATE AGENCIES**

FUNDS RECOVERED DURING FISCAL YEAR 2013

SOURCE OF FUNDS	AMOUNT	DISPOSITION
Medicaid Fraud Control Unit - Restitution and Civil Penalties	\$16,633,393	State of MS, Division of Medicaid, Attorney General
Consumer Protection Division - Restitution, Investigative Costs and Fees	\$521,328	State of MS, Attorney General, Consumers
Consumer Protection Settlement - Lender Processing Services, LLC	\$507,115	State of MS
Consumer Protection Settlement - State of MS vs. Toyota	\$578,057	State of MS
Consumer Protection Settlement - Google	\$114,995	State of MS
Japan Display East (Hitachi) - LCD Litigation	\$1,584,357	State of MS, Attorney General
Public Integrity Division - Fines, Fees and Investigative Costs	\$11,057	State of MS, Attorney General
Civil Litigation Division - Audit Recoveries	\$2,297,216	State of MS
Medicaid - Subrogation; Estate Recovery; Special Needs Trusts and Income Trusts	\$3,630,269	State of MS, Division of Medicaid
MDOT - W'Comp Subrogated Claims; Motor Vehicle Damage and Other Property Damage	\$405,004	State of MS, MDOT
Hoffman - LaRoche Inc. - Average Wholesale Price Litigation	\$2,604,663	State of MS, Attorney General
Goldman Sachs - Securities Litigation	\$29,080	PERS, Attorney General
Merck Sharp and Dohme Corp - Average Wholesale Price Litigation	\$9,200,000	State of MS, Attorney General
Bristol-Myers Squibb Co - Average Wholesale Price Litigation	\$9,640,000	State of MS, Attorney General
McKesson Corporation - Average Wholesale Price Litigation	\$6,890,305	State of MS, Attorney General
Novartis Pharmaceutical Corp - Average Wholesale Price Litigation	\$3,400,000	State of MS, Attorney General
TOTAL FUNDS RECOVERED	\$58,046,839	

**TOTAL FUNDS RECOVERED 2004-2013 UNDER THE AUTHORITY OF ATTORNEY GENERAL JIM HOOD:
\$701,630,572**

**MISSISSIPPI ATTORNEY GENERAL
STATE AGENCIES**

EXPENSES DURING FISCAL YEAR 2013

ACTUAL EXPENDITURES

FISCAL YEAR ENDING JUNE 30, 2013

PERSONAL SERVICES

Salaries, Wages and Fringe Benefits	\$22,342,089
Travel and Subsistence (In-State)	\$836,802
Travel and Subsistence (Out-of-State)	\$212,491

TOTAL PERSONAL SERVICES **\$23,391,382**

CONTRACTUAL SERVICES

Tuition	\$87,179
Communications and Utilities	\$53,361
Public Information	\$38,850
Rents	\$1,167,087
Repairs and Services	\$53,327
Fees, Professional and Other Services	\$1,585,214
Other Contractual Services	\$179,849
Data Processing	\$658,757
Other	\$38,895

TOTAL CONTRACTUAL SERVICES **\$3,862,519**

COMMODITIES

Printing and Office Supplies and Materials	\$159,278
Equipment, Repair Parts, Supplies and Accessories	\$175,378
Professional and Scientific Supplies and Materials	\$239
Other Supplies and Materials	\$218,438

TOTAL COMMODITIES **\$553,333**

CAPITAL OUTLAY

Vehicles	\$257,382
Office Machines, Furniture, Fixtures & Equipment	\$24,379
IS Equipment (Data Processing & Telecommunications)	\$179,208
Other Equipment	\$36,126
Wireless Communication Devices	\$560

TOTAL CAPITAL OUTLAY **\$498,015**

SUBSIDIES, LOANS & GRANTS

TOTAL SUBSIDIES, LOANS & GRANTS **\$2,263,771**

TOTAL EXPENDITURES **\$30,569,020**

**MISSISSIPPI ATTORNEY GENERAL
STATE AGENCIES**

REPORT OF STATE-OWNED AUTOMOBILES

<u>DESCRIPTION</u>	<u>MILES TRAVELED IN FY 2013</u>	<u>DEPRECIATION EXPENSE FY 2013</u>
2004 Ford F-150 Truck	23,135	Fully Depreciated
2006 Pontiac Grand Prix	14,952	Fully Depreciated
2006 Pontiac Grand Prix	13,711	Fully Depreciated
2006 Pontiac Grand Prix	19,504	Fully Depreciated
2006 Pontiac Grand Prix	10,840	Fully Depreciated
2008 Chevrolet Impala	4,484	Fully Depreciated
2008 Chevrolet Impala	17,884	Fully Depreciated
2008 Chevrolet Impala	25,364	Fully Depreciated
2008 Chevrolet Impala	29,096	Fully Depreciated
2008 Chevrolet Impala	22,115	Fully Depreciated
2008 Chevrolet Impala	20,101	Fully Depreciated
2009 Chevrolet Impala	30,464	Fully Depreciated
2009 Chevrolet Impala	41,683	Fully Depreciated
2009 Chevrolet Impala	20,765	Fully Depreciated
2009 Chevrolet Impala	16,215	Fully Depreciated
2009 Chevrolet Impala	14,809	Fully Depreciated
2009 Chevrolet Impala	20,598	Fully Depreciated
2009 Chevrolet Impala	23,444	Fully Depreciated
2009 Chevrolet Impala	21,079	Fully Depreciated
2009 Chevrolet Impala	25,949	Fully Depreciated
2009 Chevrolet Impala	27,585	Fully Depreciated
2009 Chevrolet Impala	16,816	Fully Depreciated
2009 Chevrolet Impala	29,199	Fully Depreciated
2009 Ford F-150	24,910	\$819
2009 Ford F-150	13,384	\$819
2009 Jeep Cherokee	21,730	\$876
2009 Jeep Cherokee	17,023	\$876
2009 Jeep Cherokee	21,212	\$876
2009 Jeep Cherokee	26,207	\$876
2009 Jeep Cherokee	20,596	\$876
2010 Ford Fusion	24,283	\$823
2010 Ford Fusion	10,252	\$823
2010 Ford Fusion	30,963	\$823
2010 Ford Fusion	18,036	\$823
2010 Dodge Charger	21,574	\$4,117
2010 Dodge Charger	23,811	\$4,117
2010 Dodge Charger	21,082	\$4,117
2010 Ford F-150	49,992	\$4,399
2010 Ford F-150	40,721	\$4,399
2011 Chevrolet Silverado	25,687	\$5,951
2012 Chevrolet Impala	17,048	\$4,850
2012 Chevrolet Impala	36,349	\$4,850
2012 Dodge Caravan	20,969	\$5,783

**MISSISSIPPI ATTORNEY GENERAL
STATE AGENCIES**

<u>DESCRIPTION</u>	<u>MILES TRAVELED IN FY 2013</u>	<u>DEPRECIATION EXPENSE FY 2013</u>
2013 Chevrolet Impala	4,113	\$1,667
2013 Chevrolet Impala	7,896	\$1,667
2013 Chevrolet Impala	5,130	\$1,667
2013 Dodge Charger	2,314	\$1,051
2013 Dodge Charger	1,631	\$1,051
2013 Dodge Charger	1,462	\$1,051
2013 Dodge Charger	4,120	\$1,051
2013 Dodge Charger	2,123	\$1,051
TOTAL	1,004,410	\$62,149

REPORT OF STATE OWNED AUTOMOBILES

FY 2013 STATE-OWNED AUTOMOBILES COSTS:

Number of State-Owned Automobiles:	51
Depreciation expense	\$62,149
Repairs & maintenance, fuel, tires	\$202,848
TOTAL COSTS	\$264,997
Average Cost Per Mile:	\$0.26

FY 2013 REPORT OF MILEAGE IN PRIVATELY OWNED AUTOMOBILES:

Number of Miles Traveled in Privately Owned Automobiles:	815,898
Average Cost Per Mile:	\$0.56
TOTAL COSTS FOR MILEAGE IN PRIVATELY OWNED AUTOMOBILES:	\$456,903

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MAIN HELP LINE: 601-359-3680

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

CHILD DESERTION UNIT: 601-359-4250

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

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

CYBERCRIME UNIT: 601-576-4281

DOMESTIC VIOLENCE: 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: 601-359-4258

PUBLIC INFORMATION OFFICE: 601-359-2002

VULNERABLE ADULTS: 601-359-4158

FACEBOOK: MISSISSIPPI ATTORNEY GENERAL'S OFFICE

TWITTER: @MISSISSIPPIAGO