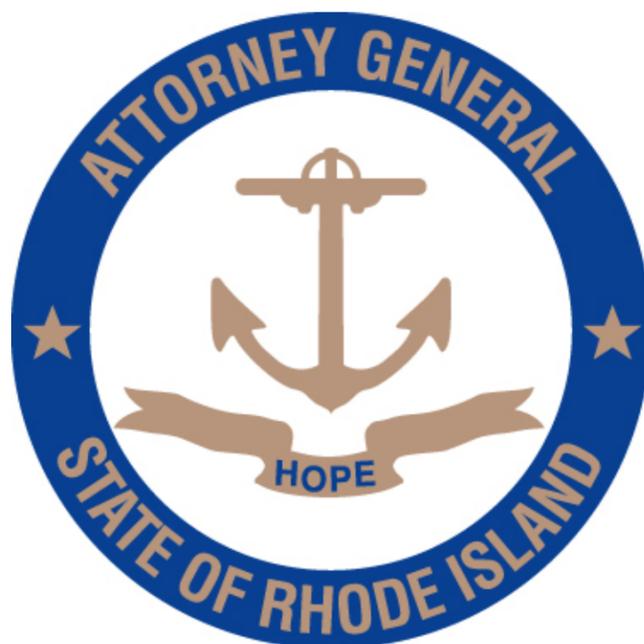

**STATE OF RHODE ISLAND
OFFICE OF ATTORNEY GENERAL
2014 ANNUAL REPORT**



**PETER F. KILMARTIN
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The Attorney General of Rhode Island is the attorney and advocate for the people of the State of Rhode Island. Whether prosecuting a criminal case, defending the state in a civil forum, representing the public in a regulatory function, or serving as advisor, the Office exerts every effort to serve justice and the public interest within the confines of our adversary system.

All employees discharge the privilege and honor of public service in this Office by:

- upholding the Constitution and laws of the United States and of Rhode Island;*
- treating all persons with dignity, respect and fairness;*
- serving the people of this State with excellence and integrity; and*
- protecting the public interest and safety.*

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To the Citizens of the State of Rhode Island,

This last year was an exciting one for the Office of Attorney General and for me personally. The citizens of Rhode Island reelected me to the position of Attorney General, a decision for which I shall forever be grateful and profoundly humbled.



The Office of Attorney General accomplished a great deal to strengthen the safety and economic security of our communities, help Rhode Islanders stay in their homes and educate consumers on how to avoid becoming victims of fraud.

The Office successfully prosecuted violent offenders in our urban communities, including the individuals responsible for the death of 12-year-old Aynis Vargas. Working with our law enforcement partners, we indicted several high-profile white collar criminals and successfully prosecuted MS-13 gang members as well as members of La Cosa Nostra.

We strengthened Rhode Island's drunk driving laws and child safety statutes, and gave prosecutors more tools to go after those who exploit and abuse our elderly. We successfully defended the State of Rhode Island in civil lawsuits that could have cost taxpayers tens of millions of dollars. We embarked on the first major upgrades in years to our infrastructure and technology systems to make the Office more efficient and responsive to the public.

We continued to hold mortgage service providers responsible for their role in the national housing crisis with the announcement of a \$550 million dollar state and federal settlement with Sun Trust Mortgage, Inc. And, we continued to root out waste, fraud, and abuse in our safety net programs.

Moving forward, it remains my priority to provide each and every citizen with the opportunity to live and work in a safe and secure community, to serve with honor and integrity, and to uphold the laws of this great State without fear, favor, or ill will.

This annual report is just a brief summary of the many accomplishments and initiatives that the Office of Attorney General undertook in 2014. Each success mentioned in this annual report, and the countless other accomplishments that are not, would not be possible without the very best staff of attorneys, investigators, and support staff. It is the dedication, time, and commitment each employee puts into a criminal case, a consumer question, or a civil lawsuit that makes the Office of Attorney General a state agency of which the citizens of Rhode Island can and should be very proud. I know I am.

Sincerely,

Peter F. Kilmartin

2014 Highlights

Fighting Medicaid Waste, Fraud and Abuse



With Medicaid costing Rhode Island taxpayers nearly \$1 billion annually, there is a great expectation that our government ensures that each and every Medicaid dollar is spent as intended and that those who abuse the system are prosecuted. As the State's top law enforcement official, Attorney General Kilmartin has taken aggressive action to prosecute Medicaid fraud.

The Medicaid Fraud Control and Patient Abuse Unit (MFCU) enforces the laws pertaining to fraud in Rhode Island's Medicaid program and prosecutes cases of abuse, neglect, or mistreatment of patients in all state healthcare facilities. The Unit prosecutes criminal activity, pursues civil remedies where appropriate, and participates with federal and state authorities in a variety of inter-agency investigations and administrative proceedings. In addition, the MFCU works closely with federal and state authorities to investigate pharmaceutical companies that overbill and defraud the State's Medicaid program.

In 2014, settlements against pharmaceutical and medical device companies resulted in a return of \$653,700 to Rhode Island's Medicaid budget. In addition, \$8,032 was recovered in restitution through medical assistance fraud investigations, and another \$259,503 was recouped in civil recoveries, along with an additional \$5,345 in investigative costs. In total, \$926,582 was recovered and returned to the State of Rhode Island.

"With the cost of Medicaid-funded healthcare skyrocketing, it is now more important than ever that we be vigilant in ferreting out waste, fraud, and abuse and prosecute those matters both criminally and civilly to protect Medicaid funds so that there is money available for those who desperately need this assistance," said Attorney General Kilmartin.

Cracking Down on Unemployment Benefit Fraud

In August 2013, the Office of Attorney General was assigned a prosecutor devoted exclusively to prosecuting fraud cases referred by the Rhode Island Department of Labor and Training (RI-DLT) involving unemployment insurance benefits fraud, workers' compensation fraud, prevailing wage violations, and labor standards violations. The prosecutor in this position is solely responsible for screening, charging, prosecuting, tracking, and reporting case results to RI-DLT and the Office of Attorney General.



During 2014, the first full year for this position, the Office disposed of 17 unemployment insurance benefits fraud cases, which resulted in \$198,347 in court-ordered restitution and \$2,500 in fines. In December, Attorney General Kilmartin joined RI-DLT and the Rhode Island State Police at a press conference to announce the arrest of 18 additional individuals charged with unemployment insurance benefits fraud with restitution of approximately \$324,497.

In addition, the Office charged seven workers' compensation fraud cases. Of these, four were resolved, resulting in \$24,079 in court-ordered restitution. Additionally, during 2014, the Office charged and resolved seven failure to pay wage cases which resulted in \$10,850 in court-ordered restitution and unpaid wages.

Fighting Public Corruption with the Right Tools



Recognizing that Rhode Island lags behind other states in updating its public corruption laws, which hinders the ability to prosecute those who violate the public's trust, Attorney General Kilmartin again put forth a comprehensive legislative package to root out corruption in state government and give prosecutors the tools they need to go after those who abuse the offices they hold. The bills tackled "pay to play" activity and provided greater authority to prosecute those who commit crimes against the public trust.

While the legislation failed to pass the General Assembly during the 2014 session, Attorney General Kilmartin pledged to file similar legislation for consideration during the 2015 session.

"We cannot continue down a path that creates cynicism about our elected officials. We must take action to crack down on acts that contribute to public distrust of our government and put an end to the corruption - real and perceived - and I will continue to advocate for strong anti-corruption laws in our State," said Attorney General Kilmartin.

Keeping Government Open and Transparent to Citizens

Rhode Island's Open Meetings Act (OMA) and Access to Public Records Act (APRA) are critical to ensuring that state government operations remain open and accountable to the public. It has long been Attorney General Kilmartin's philosophy that education concerning the OMA and APRA advances the goal of ensuring that government remains transparent, accessible, and accountable.



Maintaining his strong commitment to transparency in government, Attorney General Kilmartin again hosted two Open Government Summits to educate officials and the public on the APRA and the OMA. Held in January and August, the

Open Government Summits attracted more than 1,000 attendees and were streamed live over the Internet for the fourth year in a row. To encourage additional training, Attorney General Kilmartin has made the materials and video available on the Office website, accessible 24 hours a day, 7 days a week.

In addition to the Open Government Summits, staff of the Open Government Unit traveled across the State to hold mini-summits upon request by city and town public bodies. From Central Falls to Cranston, staff from the Office provided more than a dozen training sessions separate and apart from the Summits.

In 2014, the Office of Attorney General received 140 open government complaints and issued 40 findings under the OMA and 39 findings under the APRA. It was determined that public bodies violated the OMA on 20 occasions and the APRA 16 times. Attorney General Kilmartin filed lawsuits seeking civil monetary penalties and/or injunctive relief against the Rhode Island Department of Business Regulation, the Rhode Island State Properties Committee, and the Town of Warren.

With the addition of those three lawsuits, Attorney General Kilmartin filed more open government lawsuits in his first term than the previous 12 years combined.

“The Office of Attorney General is charged with investigating complaints for violations of the Access to Public Records Act and the Open Meetings Act. Each complaint filed with the Office is reviewed with great due diligence and care to ensure that public bodies are complying with the letter of the law and that the complainants are afforded a process that reflects our shared commitment to open government,” said Attorney General Kilmartin.

Combating Opioid Addiction

With undisputed evidence that certain opioid-based prescription drugs are extremely addictive and lead to the use and abuse of dangerous illegal drugs, Attorney General Kilmartin aggressively lobbied the U.S. Drug Enforcement Administration (DEA) to reclassify certain hydrocodone pain medications, restricting the number of pills people may receive without obtaining a new prescription. The DEA responded by enacting stricter rules and regulations on prescription opioids.

“Prescription drug abuse, especially abuse of opioid-based drugs, has become an epidemic in this country and can be a gateway to more dangerous and illicit drugs, like heroin, to get a greater high. I commend the DEA for taking action to better control the distribution of these drugs and for recognizing the direct connection between over-prescription, overuse, and abuse that has escalated in our communities,” said Attorney General Kilmartin. “But, this move by DEA is just one piece of the puzzle. We need to continue to work with the medical community, addiction



specialists, public health officials, and law enforcement to curb prescription drug abuse.”

Public health studies cite the increase in use of opioid-based prescription drugs to an increase in the use and abuse of illegal opioid-based drugs, specifically heroin. In 2014, Rhode Island saw a significant spike in fatal heroin overdoses. Addiction specialists, public health officials, and law enforcement have worked together to address this dangerous trend, to better educate the public, and to advocate for stricter controls on opioid-based prescription drugs. In response to the increase in heroin deaths in Rhode Island, the Office served on the Governor’s Task Force on Drug Overdose.

GotDrugs?



Recognizing the connection between prescription drug abuse and illegal drug use, Rhode Island law enforcement and substance abuse organizations have supported efforts to rid homes of dangerous prescription drugs.

For the past several years, Attorney General Kilmartin led efforts to support Prescription Drug Take Back Days across the State, working with local police and pharmacies to ensure the secure disposal of potentially dangerous prescription drugs in the home.

“The reaction from the public to the Prescription Drug Take Back Days has been terrific. More and more, people understand the dangers of having unwanted, unused, and expired medications in their homes. The demand to rid homes of these prescription pills has been so successful that many police departments now offer the free service year-round,” said Attorney General Kilmartin.

Cracking Down on Criminal Street Gangs



The news of H-Street gang members shooting up a graduation party in retaliation for a prior dispute, killing 12-year-old Aynis Vargas and injuring Elaine Devargas, Eugelyn Cabrera-Martinez, and Vilma Tineo, demanded action to address the street gangs responsible for violence in our communities.

To address the issue, Attorney General Kilmartin filed legislation that provided for sentencing enhancements for individuals who are convicted of a felony and are found to be associated with a criminal street gang.

Passed by the General Assembly and signed into law by Governor Chafee, the gang enhancement law allows the Attorney General to seek a sentence enhancement for an additional term of not more than 10 years for any person who is convicted of any felony that is knowingly committed for the benefit, at the direction of, or in association with any criminal street gang.

“Gang violence is a reality for many of our urban neighborhoods and communities throughout the State. It not only threatens the safety of those participating in the gang, it creates nuisances in our neighborhoods and puts innocent people at risk due to the high levels of violence and retaliation,” said Attorney General Kilmartin. “By providing enhancement penalties for felonies committed for the benefit of or at the direction of a gang, we will be able to reduce gang-related violence and deter vulnerable youth from joining criminal street gangs.”

The law is based upon similar laws in numerous other states and is designed to provide enhanced penalties for those defendants whose motivation to commit crimes comes from their loyalty to a criminal organization, and whose disregard for public safety has resulted in numerous deaths and serious injuries, particularly from gun violence.

Strengthening Human Trafficking Laws

Since coming into office in 2011, Attorney General Kilmartin has actively fought to end human trafficking in Rhode Island. In addition, Kilmartin has been a vocal advocate in urging Congress to act on legislation that would give states greater authority to prosecute those who engage in human trafficking through the Internet on sites like Backpage.com.

With an estimated \$32 billion-a-year global industry, human trafficking is the world’s second-most profitable criminal enterprise, a status it shares with illegal arms trafficking.

To tackle the growing problem in Rhode Island, Attorney General Kilmartin put forth legislation last year to strengthen the State’s ability to prosecute those who engage in human trafficking and to allow the State to more easily seize assets of those who profit from the illegal enslavement and forced prostitution of individuals.

“Along with drugs and arms trafficking, the United States is one of the top destination countries for human trafficking. To better protect victims of human trafficking and effectively prosecute those who enforce individuals into slavery, we need to strengthen our current statute,” said Attorney General Kilmartin.

One bill sought to clarify that “trafficking” applies to both forced labor and commercial sexual activity. Currently, the law provides that in order to prove trafficking, the State would have to prove that a person trafficked another knowing that they would be subject to forced labor in order to commit commercial sexual activity. Forced labor and commercial sexual activity are two distinct acts under that chapter and should be treated as such. The legislation was held for further study.



A separate bill filed on behalf of Attorney General Kilmartin, which did become law, allows the State to seize assets and profits from pimps and human traffickers who enslave others for sexual enterprises.

Previously, those convicted of prostitution had been subject to forfeiture of any assets received due to their unlawful acts. But those who induce or allow another to provide those services – the pimps and human traffickers – have not been subject to the forfeiture of proceeds that result from the unlawful activity.

The new law strikes the forfeiture provision from law as it applies to prostitutes and adds the forfeiture provision to the law dealing with individuals who by any promise or threat, by abuse, or by any other device or scheme, cause, induce, persuade, or encourage a person to become a prostitute.

“The ability to seize the assets of someone who engages in enslaving and trafficking individuals – primarily women – for sexual purposes is a critical tool in combating this growing problem,” said Attorney General Kilmartin. “Seizing profits hits traffickers and pimps where it hurts and sends a clear message that law enforcement and prosecutors will not tolerate profiting from the enslavement of another human being.”

Intended to address the issue of prostitution and alleged human trafficking in the adult entertainment industry, a third piece of legislation filed on behalf of Attorney General Kilmartin would have mandated owners, operators, employees, and independent contractors to undergo national criminal background checks. The legislation would also prohibit those with certain sex and trafficking criminal records from owning, operating or working in an adult entertainment business establishment. The legislation was held for further study.

In October 2014, Attorney General Kilmartin urged the U.S. Senate to support legislation that would help prevent children from being trafficked on the Internet. In a letter to the chair of the Senate Judiciary Committee, Kilmartin asked members of the Committee to support the Stop Advertising Victims of Exploitation Act (SAVE) Act, which would provide more oversight of websites that facilitate “adult services,” such as Backpage.com.

“Websites like Backpage.com are hiding behind the First Amendment to shirk any responsibility for the illegal trafficking and abuse of young people. Their refusal and inaction to ensure that individuals who post on their site are not using it for illegal sex trafficking of minors is, in my opinion, tantamount to being an accomplice in the act,” said Kilmartin.

Kilmartin noted that law enforcement and courts have recognized that the Internet has become a favored means for advertising the availability of children for sex. Internet ads can be purchased in multiple locations with the click of a button.

This allows human traffickers to maximize their profit and evade detection by moving victims quickly to lucrative venues where there is significant demand for commercial sex.

Kilmartin said organized crime groups and street gangs use the Internet to sell their victims as well, which is why passage of the SAVE Act is particularly critical.

The use of the “adult services sections” on websites such as Backpage.com has created virtual brothels where children are bought and sold using euphemistic labels such as “escorts.” The SAVE Act would require these websites that are facilitating trafficking through their very business model to take steps to verify the identity of individuals posting advertisements and the age of those who appear in these advertisements.

In just one week in June, law enforcement arrested 281 alleged sex traffickers and took 168 children out of prostitution in a nationwide FBI crackdown where many child victims were offered for sale on “escort” and other “adult services” websites.

Rhode Island has seen an increase of arrests and indictments charging multiple individuals with using Backpage.com to pimp out underage girls. Last year, the Office of Attorney General indicted two men for sexual assault and human trafficking of a 16-year-old girl who they posted as an escort on Backpage.com.

In July, Warwick Police arrested one individual, and issued warrants for two others, for trafficking a 17-year-old runaway. While searching for her, the family found their daughter’s photo on an advertisement for sex on Backpage.com.

Updating Laws to Address Changes in Technology

In 2014, the General Assembly passed legislation that prohibits “online impersonation,” making it a felony to use the name or persona of another person in various online formats without that person’s express consent with the intent to harm, defraud, intimidate, or threaten any person. The legislation was part of Attorney General Kilmartin’s Internet Safety package which aimed to amend the State’s laws to address rapidly evolving technology.



While this new law received a lot of attention because of two highly publicized instances involving elected officials, the intent of the law is to protect children from online bullying by others and to protect consumers from being victims of identity theft or fraud.

Attorney General Kilmartin also filed legislation that addressed the ever-growing problem of posting photos and videos on the Internet with intent to embarrass or harm another individual without consent of the individual depicted in the images. These acts are commonly referred to as “revenge porn” as the images and videos are most often uploaded by former lovers or hackers for the purpose of humiliation. The images or videos are often accompanied by personal information, including the pictured individual's full name and links to social media profiles.

“We have all been taught that once an image is posted on the Internet, there is a good chance it will be in cyberspace forever. But, the latest phenomenon of individuals posting intimate photos and videos on ‘revenge porn’ sites with the mission to embarrass exes takes the exploitation and degradation of people, especially women, to a new level of depravity,” said Attorney General Kilmartin. “These private images go viral to the world, leaving the victim no recourse to have them removed. This legislation will give law enforcement and prosecutors the tools they need to hold these vengeful individuals accountable for this horrendous action.”

The legislation passed the Rhode Island Senate but did not pass the House of Representatives. Attorney General Kilmartin re-filed the legislation in the 2015 session of the General Assembly.

Protecting Children in the Community and Online



At the request of Attorney General Kilmartin, the General Assembly passed and Governor Chafee signed into law two initiatives aimed at protecting children from predators in the community and online.

Attorney General Kilmartin’s legislation created the first-ever “child safe zones” in Rhode Island. The new law prohibits any facility that provides programs or services intended primarily for minors from employing a registered sex offender.

A “child safe zone” is defined as any private, municipal, county, or state fair or carnival when a minor is present on the premises; any children’s arcade, an amusement center having coin or token operated devices for entertainment, movie theatre or facilities providing programs or services intended primarily for minors, when a minor is present; a public or nonpublic elementary or secondary school, child care facility, or public library; any place intended primarily for use by minors including but not limited to a playground, a children’s play area, recreational or sport-related activity area, a swimming or wading pool, or a beach; and any health care facility intended primarily for minors or when a minor is present.

“It was alarming that there was previously no provision in law that prohibited individuals under a duty to register as sex offenders from working in an environment that provided them close proximity to our children,” said Attorney General Kilmartin. “Our children are very vulnerable in these settings due to the fact that they must rely on the trust of adults around them. It is essential that our laws provide safe surroundings for our children when they are at their most vulnerable.”



The individual who made the final hiring decision for an entity that is a child safe zone that knowingly employs an offender is subject to a \$1,000 fine for each day the offender is employed. Those offenders who knowingly misrepresent or omit their sex offender registration status to obtain employment in a child safety zone would, upon conviction, be guilty of a felony and be subject to imprisonment for up to five years, a fine of \$5,000, or both.

This act would also prohibit any offender from owning or operating any entity that is a child safe zone. Those found in violation would, upon conviction, be guilty of a felony and be subject to imprisonment for up to five years and a \$5,000 fine, or both.

This act is meant to require an affirmative inquiry as to the sexual registration status of potential employees, operators, and owners and to prohibit those who are under a duty to register as a sex offender from employment in, operation of, or ownership of a child safety zone.

Just as it is important to protect children from predators in the community, it is critical to protect them from online predators. In 2014, the General Assembly passed legislation by Attorney General Kilmartin that makes it a felony to electronically disseminate sexually explicit images to minors, including photos and videos as well as live sex acts transmitted via webcam.

While Rhode Island has strict child pornography and human trafficking laws, the law previously did not address adults sending lewd and sexually explicit photos and videos to children.

The act of sending sexually explicit images and video to children is, among other things, a way for predators to “groom” children to build a relationship that can lead to exploitation and further victimization.



“Sending sexually explicit material to a child online is no different than approaching a child at a playground. Make no mistake, people who engage in this type of deviant behavior are child predators, hiding behind their computer screens searching for victims, and they need to be treated as such,” said Attorney General Kilmartin. “The Internet has created new opportunities for predators to victimize children, and we need the right tools to prosecute effectively. It is imperative that our laws are updated to reflect changing technology – just as

we protect children on our streets, we must also ensure their safety online.”

With the changes, it is now a felony to knowingly electronically transmit indecent material to minors. Those in violation and found guilty are subject to up to five years in jail, a

maximum fine of \$5,000, or both. In addition, persons found guilty are subject to sex offender registration.

Strengthening Drunk Driving Laws

To make Rhode Island's penalties for driving under the influence resulting in death among the strongest in the nation, Attorney General Kilmartin filed legislation to increase the maximum penalty from 15 years to 30 years to serve, fines not to exceed \$20,000 and license revocation for up to 10 years.

"There is no excuse for anyone to get behind the wheel of a motor vehicle impaired. It is a conscious choice, and the penalties for doing so and taking the life of another individual should be harsher," said Attorney General Kilmartin. "Strict penalties, increased enforcement, and a commitment to education and outreach have led to a decline in the number of deaths as a result of people driving drunk on our roadways. But, even one death is too many for the families of those who lost their lives at the hands of a drunk driver."

Kilmartin's legislation would have increased penalties for anyone convicted of driving under the influence resulting in serious bodily injury from a maximum of 10 years to 20 years, increased fines from \$1,000 to \$10,000 and license revocation from three years to a maximum of five years.

The legislation would have also increased penalties for those convicted of driving to endanger (reckless driving) resulting in death or serious bodily injury. Currently, those in violation of driving to endanger resulting in death are subject to imprisonment for up to 10 years. This legislation would have increased the imprisonment time to up to 20 years. Currently, those in violation of driving to endanger resulting in serious bodily injury are subject to imprisonment for up to five years. This act would have increased the imprisonment time to up to 10 years.

In a separate act, Attorney General Kilmartin proposed creating a criminal offense of driving under the influence resulting in injury. This act would have addressed the situation where injury results from driving under the influence, but does not meet the standard of "serious bodily injury." Those in violation would have been guilty of a felony and subject to imprisonment for not more than three years and have his or her license to operate a motor vehicle suspended for not more than one year.

A third initiative would have increased the "look back" period on repeat alcohol-related offenses from five years to 10 years. According to the Century Council's Hardcore Drunk Driving Sourcebook, a majority of jurisdictions have a "look back" period of 10 years. In fact, Rhode Island is the only New England state with a "look back" period of less than 10 years.

"Our current statute includes a dangerous loophole that allows habitual drunk drivers to be treated as first time offenders, threatening the lives of citizens on our roads every day. Moreover, by holding repeat offenders more accountable, we may also address the issues

with alcohol abuse they may face and get them the help they need," said Attorney General Kilmartin.

The General Assembly passed Attorney General Kilmartin's initiative to allow for ignition interlock as a sentencing tool for those convicted of DUI. Under the ignition interlock statute, the Courts are now allowed to order the use of an ignition interlock system as part of a sentence for those who commit alcohol-related offenses, including refusals or DUIs. In addition, the new law allows for enhanced penalties and increased duration of the ignition interlock system for subsequent offenses and penalties for those who attempt to circumvent the operation of an ignition interlock system, operating a motor vehicle not equipped with an interlock system, or soliciting another person to start a motor vehicle equipped with an ignition interlock system.

"Allowing judges and magistrates the ability to order the installation of an interlock system as a condition of a sentence for an alcohol-related driving offense is in the best interest of public safety by ensuring that offenders cannot drink and drive," said Attorney General Kilmartin.

Driving Fatalities Down in Rhode Island

Citing increased enforcement and education, Attorney General Kilmartin announced that the number of driving-related fatalities in Rhode Island dropped 20 percent in 2014 to 52, down from 65 in 2013, the lowest number of motor vehicle fatalities since 1994.

Of particular note was the significant decline in fatalities of young drivers age 16 to 24. This age group has steadily declined over the past five years from 22 fatalities in 2009 to eight fatalities in 2014.

Attorney General Kilmartin also announced that seatbelt use was up in Rhode Island. According to statistics provided by the National Highway Traffic Safety Administration, 87.4 percent of all Rhode Islanders reported using their seatbelt every time they get into a motor vehicle in 2014, compared to just over 75 percent in 2004.

Rhode Island has long been a leader in enacting laws that promote safety on the roads. The State adopted Graduated Driver Licensing (GDL) for young drivers in 1998. Rhode Island's GDL statute allows young drivers to safely gain driving experience before obtaining full driving privileges and includes additional prohibitions on cell phone use.

In 2009, Rhode Island passed its first ban on texting and driving. In 2011, the General Assembly passed the primary seatbelt law, and in 2013 lifted the sunset provision originally attached to the statute, allowing Rhode Island to receive millions in federal funds dedicated to seat belt enforcement and education campaigns.

"Our state leaders should be commended for enacting smart, tough driving laws," said Attorney General Peter Kilmartin, who when serving as a state representative sponsored

the State's ban on texting and driving. "The statistics show that our driving laws are having positive results."

Texting while driving citations also saw a significant increase. Statewide, police issued 911 citations for texting while driving in 2014, as compared to 384 citations issued in 2013, an increase of 137 percent.

"The increase in violations is not an indicator that more individuals are breaking the law, but rather represents an increase in enforcement efforts. It is very likely that the increase in citations and arrests has a direct correlation to the decrease of fatalities by stopping individuals before they cause a motor vehicle accident," added Kilmartin.

To complement strong laws, there are many educational programs aimed at younger drivers to raise awareness of the dangers and consequences of driving while under the influence, texting and driving, distracted driving, not wearing a seat belt and other reckless and illegal behaviors, including the "Zero Fatalities" and "It Can Wait" programs.

Designating Special Assistant Attorney General to Prosecute Arsons



Arson in Rhode Island causes millions of dollars in losses to individuals, insurers, and the government every year. These losses affect everyone, resulting in higher insurance premiums, taxes, and other costs. The worst consequences, however, are not financial, but personal. Arson is a dangerous crime. It devastates victims emotionally and financially, and can result in serious injury or death.

Recognizing the significant financial and personal losses of arson, Attorney General Kilmartin designated an arson prosecutor as a liaison to the State Fire Marshal's Office and to municipal police departments to work with local law enforcement investigators and fire marshals to apprehend, investigate and prosecute arsonists.

"Experience has shown that early and aggressive intervention by trained fire and police investigators and prosecutors leads to dramatic results in solving and prosecuting arson crimes. It is critical to be on the scene at the first possible instance to obtain witness information and secure evidence which, in most cases, may be compromised or lost entirely due to delay, neglect, or intentional destruction," said Attorney General Kilmartin.

The prosecutor works closely with the members of the State Fire Marshal's Office, local fire department investigators, and the Providence Fire Department Arson Squad. Available to respond to a fire at any time, the prosecutor is an active participant in many investigations, gaining valuable firsthand knowledge of the scene, viewing the collection of evidence as it is gathered, observing witness interviews, and serving as legal advisor.

In connection with the renewed focus on arson, the Office of Attorney General drafted a protocol for the investigation of arson fires to be presented to police and fire departments in the near future. Based on implementation of the “team approach” that has been successfully utilized in other jurisdictions, the expectation is that Rhode Island will become a leader in successfully prosecuting arson crimes.

Fighting to Protect Rhode Island Homeowners

When Attorney General Kilmartin announced the National Mortgage Settlement in 2012, he made it clear that investigations into the mortgage service providers and lenders that led to the housing collapse would continue. Attorney General Kilmartin made good on that promise in 2014 when he announced a similar agreement with mortgage lender and servicer SunTrust Mortgage, Inc. The \$550 million joint state-federal settlement with SunTrust Mortgage addressed mortgage origination, servicing, and foreclosure abuses. The announcement marked the third major settlement with banks and mortgage service providers since the collapse of the housing market across the nation.



The three-year settlement provides direct payments to Rhode Island borrowers for past foreclosure abuses as well as loan modifications and other relief for borrowers in need of assistance, sets tough new mortgage servicing standards, and grants oversight authority to an independent monitor.

The settlement includes Rhode Island and 48 other states, the District of Columbia, the U.S. Department of Justice, the U.S. Department of Housing and Urban Development (HUD), and the Consumer Financial Protection Bureau.

“This settlement holds another major mortgage servicer accountable for its unacceptable past practices and provides direct relief to Rhode Island borrowers,” said Attorney General Kilmartin. “I continue to work with my fellow attorneys general and our federal partners to hold those responsible accountable for the collapse of the housing market, which nearly brought this country to its financial knees. These efforts have paid off, with banks and mortgage service providers reforming their bad practices and homeowners seeing relief in the form of reduced principal, refinancing, and loan forgiveness.”

Protecting Homeowners from Fraudulent Mortgage Modification Companies

As a result of the national mortgage and housing crisis, Rhode Island and the nation saw a significant increase in companies and individuals promising to help homeowners lower their mortgage payments. While there are legitimate companies that provide this service, there are others who illegally charge steep upfront fees, often with no results.

Attorney General Kilmartin aggressively sought to put these companies out of business while at the same time working with community partners to connect homeowners with free, HUD-certified counselors.

In Rhode Island, under the Mortgage Foreclosure Consultant Registration Act, it is illegal for companies to charge any fees for foreclosure assistance until consumers receive all the services for which they contract.

“The promise of a mortgage modification may be no more than a promise and that’s why no one should charge an upfront fee in violation of Rhode Island laws,” said Attorney General Kilmartin. “For homeowners struggling to pay their mortgages, there is free assistance from Rhode Island Housing and other HUD-certified loan counseling agencies based here in Rhode Island. There is no need to pay thousands of dollars in upfront fees to companies that promise help but provide little or no real assistance other than draining your finances.”



Attorney General Kilmartin joined Cranston Mayor Allan Fung to host a free mortgage foreclosure and loan modification workshop in Cranston. The goal of the event was to provide information and assistance to homeowners who may be in jeopardy of going into foreclosure and homeowners currently in foreclosure, and connect individuals with community agencies that offer free HUD-certified counseling services and represent them under the State’s foreclosure mediation law.

"As our economy continues to struggle, Rhode Island's housing market remains fragile, and too many homeowners are still at risk of losing their homes. These workshops bring together the many local, state, and federal resources and assistance programs that are available to homeowners," said Attorney General Kilmartin.

After receiving a consumer complaint, Attorney General Kilmartin initiated an investigation into the Litvin Law Firm for allegedly charging homeowners steep upfront fees for mortgage modification services. Through the course of the investigation, it was determined the New York-based law firm was in violation of Rhode Island’s Deceptive Trade Practices Act and the Mortgage Foreclosure Consultant Regulation Act. In addition, it was determined that the law firm was not licensed to practice in Rhode Island.

As a result of an action filed in Superior Court by Attorney General Kilmartin, Superior Court Associate Justice Luis Matos signed an order requiring Gennady Litvin, individually, and Litvin Law Firm, P.C, as well as its employees and agents, to be enjoined and restrained from doing business in Rhode Island as mortgage foreclosure consultants, soliciting consumers with respect to mortgage modification services, and in any way holding themselves out to the general public as mortgage foreclosure consultants, mortgage modification specialists, debt management servicers, or any service or business transaction

that is referenced in the Mortgage Foreclosure Consultant Registration Act. The Court also ordered that Litvin Law Firm is prohibited from advertising its services in Rhode Island or practicing law unless it is licensed by the Rhode Island Supreme Court.

Under the terms of the settlement, Litvin agreed to pay in excess of \$8,000 in restitution to the consumer complainant and to cooperate with the Office of Attorney General in relation to any future complaints.

AG Kilmartin Mortgage Mediation Bill Keeps People in Their Homes

In 2013, the General Assembly passed and the Governor signed into law legislation authored by Attorney General Kilmartin which requires that before initiating a foreclosure, a mortgage lender must offer the owner-occupant of a one through four-unit residential property a formal process to determine whether foreclosure can be avoided. The mortgage foreclosure mediation law ensures that every Rhode Island homeowner who is having trouble making their mortgage payments has the opportunity to communicate directly with their lender to try to find a solution that will help them get back on track with their mortgage and remain in their home. It is also an important tool to help direct homeowners to the resources they need early enough in the foreclosure process to make a difference. The law took effect on September 13, 2013.

Rhode Island Housing provides mediation services under the law. There is no cost to the homeowner for the mediation conference or the housing counseling they receive, and many of those who work with the mediation coordinator find, that through the mediation process, they are able to restructure their mortgage or explore alternatives to foreclosure. Since the law passed, the success rate of homeowners under the new foreclosure mediation process is encouraging. Of those homeowners who participated in the mediation process, 96% had the foreclosure canceled by their lender prior to a mediation conference or saw a positive outcome through the mediation process.

Like so many in Rhode Island and across the country, the past few years have been challenging for Paulo Fontes. When the company he worked for shut down, he found himself unemployed for close to a year and falling behind on the mortgage for the East Providence home he shares with his three children. With the help of Rhode Island Housing, Fontes was able to catch up on his mortgage and then negotiate a decrease in his interest rate, thereby lowering his monthly mortgage payments to a sustainable level. Now working part-time and hoping to find full-time work, Fontes went from feeling like he was at the end of his rope to feeling hopeful about his future.

Supporting Efforts to Remediate Vacant and Abandoned Properties

To support efforts by the City of Central Falls to identify and remediate vacant and abandoned properties, Attorney General Kilmartin gave the City a \$250,000 grant made possible through the National Mortgage Settlement.



The grant supports the City's Nuisance Task Force to identify and remediate vacant and abandoned properties, launch a tri-lingual, community-based education program about foreclosures, implement a community data program and report on steps the City is taking to address the issue.

"With the highest rate of total foreclosures in Rhode Island, Central Falls continues to struggle to rebound from the economic downturn and housing crisis," said Attorney General Peter Kilmartin when he announced the grant at a press conference in October. "Yet, despite the challenges, I commend the commitment and determination of Mayor Diossa and city officials to eliminate the blight that is caused by foreclosed and abandoned properties and for providing homeowners with assistance to stay in their homes. I am confident this grant will help continue the turnaround for the City of Central Falls."

The grant enables the Task Force to retain personnel to increase its capacity to prevent against and mitigate the effects of foreclosed and abandoned properties in the City. The Task Force will first collect data on all homeowners in the City, identify and rank nuisance properties and homeowners who are at risk of foreclosure, and develop strategies to avoid foreclosures.

In addition, the grant allows the Nuisance Task Force to develop a foreclosure toolkit and presentation – in English, Spanish, and Portuguese – for current and future homeowners to include information about financial literacy, homeownership, and the issues related to foreclosure, as well as available resources for homeowners struggling to remain in their homes.

Finally, the grant funds a foreclosure abatement program which the City will use to ensure foreclosed properties remain safe and secure.

The Task Force will work with property owners and the Pawtucket Central Falls Development Corporation to take appropriate action to address nuisance issues including building and fire code violations, to prevent foreclosures when possible, and to facilitate a timely foreclosure process that takes City objectives into account when foreclosure is unavoidable or has already taken place. This includes recommending legal action with uncooperative property owners whose assets pose a continual nuisance to public health and safety, as well as connecting corrective property owners with the resources that can help them address code or safety issues.

Keeping Rhode Island Families Healthy, Safe & Warm

In October, Attorney General Kilmartin joined the Green & Healthy Homes Initiative (GHHI) in announcing a \$500,000 grant from the Office of Attorney General to help address energy

efficiency, weatherization, and indoor air quality issues in the homes of low-income families across Rhode Island.

“Too many low-income families in Rhode Island are living in substandard homes that completely lack energy efficiency, which drives up utility costs, often leaving families with having to choose between heat and other essentials, like food and warm clothes,” said Attorney General Kilmartin. “No family should ever have to choose between heat or putting food on the table. This grant will allow GHHI to support families and improve Rhode Island’s aging housing stock.”



It was the second grant awarded to GHHI from Attorney General Kilmartin. The first grant of \$54,000 was awarded in September 2014 to help launch and support the Rhode Island Alliance for Healthy Homes, a coalition of more than 80 organizations to effectively align, braid and coordinate information, resources, and services to improve the health, safety, and energy efficiency of all Rhode Island homes, with GHHI Rhode Island providing day-to-day management.

Rhode Island’s urban housing stock is aged and deteriorated, and the State’s notoriously cold climate makes the increased energy efficiency and weatherization of low-income homes an economic necessity. Publicly-funded energy efficiency and weatherization assistance programs are hampered in their ability to most effectively assist low-income homeowners because the houses at issue have unaddressed structural, health and safety needs that fall outside of program mandates, but must be addressed before energy efficiency and weatherization can take place.

GHHI aligns existing programs from federal and local agencies and coordinates service delivery through a network of partnerships. This approach to housing rehabilitation drives public and private sector collaboration, streamlines service delivery and integrates energy and healthy housing interventions, resulting in more thorough and efficient housing interventions.

The grant allows GHHI to address energy efficiency, weatherization, and indoor air quality issues including energy audits, renovations, repairs, and upgrades. Work may include boiler repair or replacements; installation of insulation in the walls, attic, and basement; caulking and weather-stripping; replacing doors and windows; repairing ducts, chimneys, and vents; and the replacement of light bulbs and plumbing with energy efficient and water saving products.

These grants were made possible from settlement funds from a 2007 court order resulting from a lawsuit brought by the Rhode Island Office of Attorney General, other states, and the federal government against American Electric Power Service Corporation.

Updating Rhode Island's Consumer Protection Laws

Citing the increasing rate in which consumer information is compromised due to data breaches at companies, Attorney General Kilmartin filed legislation that would have, among other things, required that entities who disclose a breach to a victim who is a Rhode Island resident must provide one year of credit monitoring at no cost to the victim.



“Data breaches are occurring with greater frequency, with more sophistication, and are affecting millions of consumers. It is imperative that our data breach laws provide better protection for consumers and provide the necessary tools to prosecute those who take advantage of stolen consumer information,” said Attorney General Kilmartin.

Additionally, the legislation would have amended current law to provide, in addition to the disclosure of the breach to the consumer, a statement that includes the toll-free numbers and addresses for the consumer reporting agencies; the toll-free number, address and website for the Federal Trade Commission; and a statement that an individual can obtain information from these sources regarding fraud alerts and security freezes.

The legislation was held for further study. Attorney General Kilmartin is continuing to work with the General Assembly to address the issue.

Expanding Shred-a-Thon Events



In an effort to help Rhode Islanders protect themselves from identity theft, Attorney General Kilmartin again hosted a series of free “shred-a-thons” throughout Rhode Island to mark National Consumer Protection Week, a coordinated campaign to encourage consumers nationwide to take full advantage of their consumer rights and to make better-informed decisions. As in previous years, Attorney General Kilmartin

partnered with Doc Shredding Corp. and the Rhode Island Community Food Bank in asking the public donate a non-perishable food item when they dropped off their documents.

“The U.S. Department of Justice has estimated that approximately 16.6 million people nationwide experience identity theft each year,” said Attorney General Kilmartin. “And, although data breaches at major retailers are a huge concern that my Office continues to investigate, many cases of identity theft are committed in a much more low-tech way: by picking someone’s personal information out of the trash.”



Shredding documents that contain your personal information is one of the best ways to protect yourself against identity theft. Rhode Islanders have really gotten the message that shredding documents containing personal information is an easy, effective way to protect your identity.

Holding Corporations Accountable for Deceptive Practices



In 2014, Attorney General Kilmartin announced major consumer settlements with two of the nation's largest wireless phone providers for "mobile cramming," which is the practice by which wireless service providers place charges from third parties on consumers' mobile telephone bills without the consumers' knowledge or consent.

In September, Attorney General Kilmartin announced a settlement with T-Mobile to resolve allegations of mobile cramming. Under the terms of the settlements T-Mobile agreed to provide \$67.5 million in refunds to consumers who were victims of cramming.

In a separate settlement announced by Attorney General Kilmartin in December, AT&T Mobility agreed to pay \$80 million in customer refunds and debt forgiveness.

In addition to the consumer refunds, the companies agreed to pay a fine to states and the Federal Communications Commission. Rhode Island received a combined \$418,000 for its participation in the investigations and settlements, which was deposited into the State's General Fund.

"The practice of cramming by mobile carriers relied on consumers not checking their monthly bills closely for hidden fees and charges. Companies that work hard to attract customers, especially in the highly competitive wireless communication industry, should be more mindful of how they treat their customers," said Attorney General Kilmartin. "These settlements are major victories for consumers who unknowingly may have signed up for premium text message services. Now, customers will be provided clear and easily defined billing statements with the ability to terminate and block unwanted cramming."

Consumer Settlement with Sirius XM Radio

Attorney General Kilmartin announced that Sirius XM Radio Inc. agreed to pay restitution to all eligible consumers to resolve claims that the satellite radio company engaged in misleading advertising and billing practices. As part of the settlement, the State of Rhode Island received approximately \$48,000, which was deposited into the General Fund.

“Sirius made it nearly impossible for consumers to cancel contracts and tacked on unauthorized fees to accounts. The settlement provides consumers with restitution and requires that the company implement a consumer-centric approach to its billing and marketing practices. If Sirius put the consumer before profits from the outset, the company could have avoided this lengthy and costly investigation and maintained satisfied customers,” said Attorney General Kilmartin at the time of the announcement.

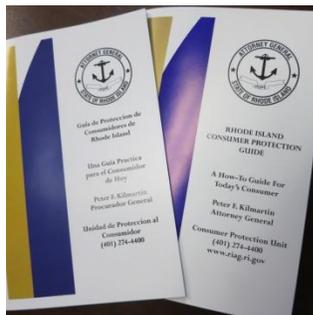
Attorney General Kilmartin Settles Long Standing Dispute with DRAM Manufacturers

In July, Attorney General Kilmartin announced a \$310 million national settlement in a long-standing dispute with 12 manufacturers of Dynamic Random Access Memory (DRAM) over claims of price fixing.

DRAM is a high density, low cost per bit memory component that stores digital information and provides high-speed retrieval of data. DRAM is sold separately or pre-installed in electronic devices such as computers (laptops, desktops and servers), graphics cards, video game consoles, MP3 players, printers, PDAs, DVD players, and DVRs. The settlement covered DRAM purchases between 1998 and 2002 and affected nearly every consumer and business in Rhode Island that purchased computers and other electronic devices during that time period.



Offering Consumer Protection Education to Spanish Speaking Communities



Looking to ensure that language is not a barrier to being a savvy and educated consumer, Attorney General Kilmartin extended his consumer protection outreach to Spanish-speaking communities in Rhode Island with an updated publication of a Consumer Protection Guide in Spanish. Attorney General Kilmartin also offered Spanish-speaking consumer advocates to speak to community organizations at outreach seminars throughout the State.

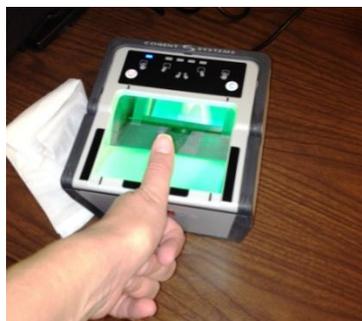
The Consumer Protection Guide provides consumers with the information and tools needed to protect themselves from falling victim to a scam or con and educates on their rights as a consumer. Topics cover issues such as international lottery and sweepstakes scams, mystery shopper scams, telemarketing, identity theft, charitable giving, mortgage modification scams, and basic credit card information. The guide also includes a list of state and federal resources to contact with questions or to report a consumer issue.



“In the past few years, we have seen instances of con artists preying upon members of the immigrant community, taking advantage of a language barrier or unfamiliarity with consumer rights and regulations. A critical component to protecting oneself from being a victim of a scam is education, and with the Latino population in Rhode Island rapidly growing, it is important to ensure that our Spanish-speaking constituents have access to resources,” said Attorney General Kilmartin.

In addition, Spanish-speaking consumer advocates on staff hosted consumer outreach programs at multiple community organizations. The consumer outreach programs allow for individuals to ask specific questions about consumer issues that may impact them, their family, or their business.

Bringing Background Check Services to the Community



To assist teachers, school employees, and volunteers in obtaining the required criminal background checks mandated by Rhode Island General Law, Attorney General Kilmartin once again offered background check services at several locations throughout the State.

“Teachers, employees, and volunteers are busy preparing for the school year. Bringing background check services to the community allows for them to focus on going back to school and teaching our students, not worrying about the logistics of driving to Providence, finding a place to park, and taking valuable time out of their busy day,” said Attorney General Kilmartin.

Protecting Veterans

When our brave men and women return home after serving in the military, Attorney General Kilmartin believes that it is incumbent upon us as a community to assist them in transitioning back to civilian life. Some struggle with post-traumatic stress disorder or other physical and emotional conditions. In some cases, that trauma can cause legal trouble.



Each year, prosecutors and victim advocates from the Office of Attorney General proudly participate in the Operation Stand Down Rhode Island annual outreach weekend, an event that brings together a number of services for veterans, from medical care to housing assistance and legal advice.

Upon taking office in 2011, Attorney General Kilmartin worked with Rhode Island District Court Chief Judge Jeanne LaFazia to establish the Alternative to Sentencing and Trauma Recovery in Rhode Island - Focus on Veterans, commonly referred to as the "Veterans Court." The pilot program at the Kent County District Court is designed to direct defendants who have experienced military trauma resulting in related disorders

into a court program which integrates a support and treatment plan into the judicial process.

Veterans Court provides treatment options that result in potential jail diversion, possible reduction of charges, or other alternatives in sentencing. It is designed to divert veterans whose military-related trauma has led them to troubles with the law away from incarceration, and, where appropriate, into rehabilitative alternatives.

Nationally, Attorney General Kilmartin urged the U.S. Department of Defense (DOD) to strengthen proposed revisions to regulations implementing the federal Military Lending Act (MLA). In a letter to the DOD, Attorney General Kilmartin praised the DOD for closing some loopholes in the current rules, while highlighting weaknesses in the revised regulations that could leave service members exposed to common abusive lending practices.

The MLA was intended to shield service members from predatory lending practices by capping interest rates and fees on loans to service members and providing other important protections. However, since rules implementing the Act were adopted in 2007, some unscrupulous lenders have changed tactics to avoid complying with the law. In response, on September 29, 2014, the DOD published new proposed regulations aimed at providing more comprehensive protections for service members.

“Our service members put their lives on the line for us every day,” said Attorney General Peter F. Kilmartin. “It is particularly abhorrent that some would try to prey upon our military. While they are protecting our nation, service members should not have to worry about protecting themselves from predatory lenders.”

Protecting Seniors from Abuse and Exploitation



The National Center on Elder Abuse reported that during calendar year 2010, there were nearly six million reported cases of elder abuse nationally, representing nearly 10 percent of that year’s elderly population. The Center acknowledged that it doesn’t know for sure how many people are suffering from elder abuse and neglect either because signs of abuse and neglect are often missed by professionals working with older Americans, or because of reluctance on the part of the elderly to

report abuse.

To address the issue of patient and elder abuse and exploitation, Attorney General Kilmartin worked with the General Assembly to give law enforcement and prosecutors the tools they need to effectively go after those who physically abuse and financially exploit elders.

With the support of the sponsors and the leadership of the House and Senate, the General Assembly passed and Governor Lincoln Chafee signed three important pieces of legislation filed at the request of Attorney General Kilmartin to address critical needs to protect this vulnerable population.

First, the General Assembly passed legislation that requires national criminal records checks for all persons applying to be a routine contact employee in a long-term care facility or provider. The new law requires "rap back" technology, which automatically sends notification of a conviction for a disqualifying offense.

The current national background check system offers merely a snapshot in time and does not provide updates of employees who commit a felony after they have been hired. The "rap back" system is cutting-edge technology that provides continual monitoring of an individual's criminal history, therefore providing greater protection to seniors and patients and giving peace of mind to their families.

This new law will be a valuable resource towards the safety of our citizens who rely on long-term care facilities, such as nursing homes, adult day care facilities, and state hospice care.

A second bill passed by the General Assembly allows the release of patient records for investigation and prosecution if a health care provider believes that an elder patient is being or has been physically, psychologically, or sexually abused, neglected or exploited. It allows for the reporting of such abuse to the appropriate law enforcement personnel and to the Department of Elderly Affairs.

Due to the nature of elder abuse crimes, time is of the essence. The victims in these cases are often vulnerable and face a myriad of health challenges, which often inhibits their ability to participate in the investigation. Moreover, the perpetrator of elder abuse is most often known to the victim, making it less likely for the victim to report the crime.

According to the National Council on Aging, financial exploitation is the third-most commonly substantiated type of elder abuse. It is estimated that the annual financial loss by victims of elder financial abuse exceeds \$2.6 billion annually nationwide.

Many elders rely on others they think they can trust to handle their financial affairs, only to be robbed of their hard-earned money. In some cases, the perpetrator leaves the victim penniless. Financial exploitation of elders is one of the most challenging charges to investigate and prosecute.

To address these hurdles, the General Assembly passed a bill that increases the statute of limitations for elder exploitation from three years to ten years. This initiative recognizes the complexities of financial crimes and the challenges of protecting a population that may have physical and mental limitations by extending the statute of limitations to allow law enforcement the necessary time to build a proper case for charging and subsequent prosecution.

“Every person deserves to be treated with respect and with care. Every person - no matter how young or how old - deserves to be safe from harm by those who live with them, care for them or come in day-to-day contact with them. Like other forms of abuse, elder abuse is a complex problem and it is easy for people to have misconceptions about it. Many people who hear ‘elder abuse and neglect’ think about older people living in nursing homes or about elderly relatives who live alone and never have visitors. Elder abuse is right in our midst, and as Attorney General, I am committed to doing all I can to protect all of the citizens of our State,” said Attorney General Kilmartin.

Regulating the Changing Healthcare Landscape in Rhode Island

In 2014, Attorney General Kilmartin announced the approval of the affiliation of CharterCare Health Partners (CharterCare) and Prospect Medical Holdings (Prospect), pursuant to the Hospital Conversions Act.

CharterCare operates Roger Williams Medical Center, as well as the affiliated St. Joseph Health Services and Our Lady of Fatima Hospital. Prospect is a California-based, for-profit healthcare corporation which operates several hospitals and primary care clinics in California and Texas.

In addition to the significant capital investment provided to CharterCare, Prospect has made a commitment to maintain the Catholic identity of St. Joseph Health Services and Fatima Hospital and to ensure that all services at those locations are rendered in full compliance with the Ethical and Religious Directive. It was clear from comments by patients, employees, and the community that it was important that the hospitals stay true to their Catholic heritages and continue to adhere to the standards of excellence of care that these facilities are known for.

Attorney General Kilmartin and Cox Communications Team Up to Teach Kids how to “TakeCharge!” of Online Bullying



With three in 10 teens being bullied online according to a recent poll, Attorney General Kilmartin teamed up with Cox Communications to teach young children how to “TakeCharge! of Online Bullying.” This new public service campaign includes visits to junior high schools and community agencies across the State. TakeCharge! was created by Cox Communications to give students and their parents a way to understand and manage online content. The launch of the campaign coincided with National Internet Safety Month in June.

According to a survey by Cox Communications and the National Center for Missing & Exploited Children, online bullying, or “cyberbullying,” is a serious concern for teens and their parents, yet many teens are not telling their parents about their experiences.

Key trends among the Rhode Island teens surveyed include:

- Three in 10 teens claim to have been bullied online (32 percent)
- One in 10 admits to have bullied someone online (10 percent)
- Of teens who admit to being bullied online, only 61 percent have told an adult



“Cell phones, gaming consoles, and social media have made it easier for children to bully others and to be victims of bullying. Being cyberbullied can have long-term emotional and physical consequences for children. It is critical that we teach kids from an early age what bullying is and what they can do to prevent it or stop it from happening to them or a classmate,” said Attorney General Kilmartin. “Harassment and intimidation are taking place more frequently online. The first step to curbing this trend is open communication, especially among young people who use technology more and more to communicate with one another.”



In September, Attorney General Kilmartin and Cox visited Johnston High School to share the message with high school students to mark National Bullying Prevention Month.

In addition, Attorney General Kilmartin filmed a public service announcement that reminds parents of the importance of talking to children about online activity and directs them to the TakeCharge! website for helpful tips and ways to talk to kids about the issue.

Teen Dating Violence

Attorney General Kilmartin used National Teen Dating Violence Month in February as an opportunity to encourage parents and teens to talk about dating violence. Throughout the month, Attorney General Kilmartin used social media websites Twitter and YouTube to share tips and resources to spark conversations about dating violence, connect victims with resources, and educate teens about how to prevent abuse in their own relationships.



In addition, Attorney General Kilmartin created public service announcements to raise awareness of the dangerous and potentially deadly consequences of dating violence. The PSAs tell the true stories of Lindsay Ann Burke and Katie Brown, both of whom were in abusive relationships that ultimately led to their murders.

“What happened to Lindsay Burke and Katie Brown can happen to anyone. I hope that by sharing their stories, we can raise awareness of the prevalence of teen dating violence to prevent this kind of tragedy from happening to another family,” said Attorney General Kilmartin.



For his commitment to raising awareness of teen dating violence, Attorney General Kilmartin was presented with the “Lindsay’s Friend” award by the Lindsay Ann Burke Foundation.

“Dating violence affects young people from all backgrounds, but the one thing most victims have in common is that they thought it couldn’t happen to them,” said Attorney General Kilmartin. “Educating teens about the warning signs of violence and abuse is one of the best ways to prevent them from being victimized, which is why I believe it is so important to reach out during Teen Dating Violence Awareness Month and year-round.”

Educating Young People on the Dangers of Sexting

With an increasing number of young people sharing and distributing intimate photos and videos with one another via social media and smart phones, there has been an increase in instances of “sexting,” especially among young people.



In response to a request by a local high school to speak to students on the issue, the Office of Attorney General created a frank and honest presentation on the legal and social consequences of sexting or sharing intimate photos or videos via social media and cell phones. Led by young prosecutors from the Office’s Juvenile Prosecution Unit, the presentation gives young people real life scenarios of what can happen if they send or distribute intimate photos. The

prosecutors also discuss the social and emotional costs of such actions.

Prosecutors have made four school visits since the launch of the program in the Spring of 2014.

“These are difficult subjects for parents and teens to discuss, but our young people need to know what can happen to them if they engage in sending or distributing photos of themselves or others. There can be serious long-term consequences to this behavior, including juvenile detention, a criminal record, and the possibility of having to register as a sex offender,” said Attorney General Kilmartin.

Texting and Driving...It Can Wait



Attorney General Kilmartin continued his efforts to educate Rhode Islanders about the dangers of distracted driving by bringing the “It Can Wait” program to area high schools for a third year in a row.

“It Can Wait” is an interactive and educational program that includes a driving simulator to show how distracting and dangerous texting and using a cell phone is while driving, a compelling documentary featuring real stories from people whose lives were forever impacted by distracted driving, and a pledge for students and teachers to sign promising to never text and drive. By the end of 2014, Attorney General Kilmartin made 48 school visits, with approximately 17,200 students taking the pledge since he launched the program in 2012.

“Although we are in our third year visiting high schools across the State, distracted driving continues to be the leading killer of young drivers nationwide,” said Attorney General Kilmartin. “With a new group of young people getting their licenses each year, we have our work cut out for us before we end the bad habit of texting, tweeting, or posting while driving. Schools ask us back year after year because they recognize that this program is truly making a difference to change young drivers’ attitudes about texting while driving. You can see it on the faces of the young students as the lights come up after watching the powerful documentary.”



At each school visit, Kilmartin is joined by the Rhode Island State Police, the Rhode Island Department of Transportation and AT&T.

The towns of Newport and Westerly joined the “It Can Wait” campaign in 2014 when their respective Town Councils each passed a resolution to not text and drive and to encourage all those who live and visit to never text and drive.

Attorney General Kilmartin named RWU Law Distinguished Alum

In June, Attorney General Kilmartin returned to his alma mater, Roger Williams University, to accept the Roger Williams Alumni Association 2014 Distinguished Alumnus of the Year Award. This award recognizes a graduate for significant long-term success in personal and professional achievements, outstanding contributions to his or her profession, and distinguished service to the public welfare, thus honoring Roger Williams University and the Alumni Association.

Attorney General Kilmartin received his bachelor of science in Criminal Justice from Roger Williams University in 1988 and his juris doctorate from Roger Williams University School of Law in 1998.

Attorney General Kilmartin thanked the Alumni Association and praised the University for its commitment to excellence in education and to the community, saying, “Roger Williams University and its School of Law have earned reputations as two of the finest institutions of higher education in the country, and I am honored and proud to be an alumnus. The lessons I learned in the classroom and in the Roger Williams community helped shape my professional career and taught me the importance of always striving for excellence, truth, and justice.”



According to his former mentor, Professor Bruce Kogan, “I remember that Peter was always of good cheer, engaged, and animated in discussing the assigned material whether it covered adverse possession of land or depreciation deductions for individuals running a small business. Peter’s real world experience and mature perspective enabled him to ask the kind of questions that a teacher always welcomes, such as ‘Well that may be what the judge said, but how would it work in real life?’

“As I fully expected, Peter Kilmartin has brought honor and dedication to protecting the citizens of Rhode Island as its chief law enforcement officer. He is widely admired and respected for his passion and his compassion in enforcing the laws of this State,” added Professor Kogan.

Attorney General Kilmartin Receives “Friend of Farmers” Award

In 2014, the Rhode Island Farm Bureau awarded Attorney General Kilmartin the “Friend of Farmers” award for his support of Farm Bureau issues and for successfully shepherding legislation through the General Assembly to create a statute for the larceny of farm products and livestock.



Under the act, it is unlawful for any person to steal a farm product that is the property of a farming operation from the farm itself or the place where the farm product is sold. “Farm product” means goods used in a farming operation, including, but not limited to crops grown, growing, or to be grown, including, but not limited to, crops produced on trees, vines, and bushes; aquatic goods produced in aquacultural operations; livestock, born or unborn, including aquatic goods produced in aquacultural operations; supplies used or produced in a farming operation; or products of crops or livestock in their unmanufactured states.

Al Bettencourt, Executive Director of the Rhode Island Farm Bureau, said, “the Rhode Island Farm Bureau is proud to present Attorney General Kilmartin with the ‘Friend of

Farmers' Award. It was through his efforts that we were able to pass the bill that makes stealing from a farmer a felony."

"As a kid from Pawtucket who married a farmer's daughter, this award has earned me some serious credibility with my in-laws," said Attorney General Peter Kilmartin. "All joking aside, I am truly honored to receive this award from the Rhode Island Farm Bureau. Rhode Island's farming industry continues to be a growth sector for our economy, and we need to protect our farms and the hard-working men and women who have dedicated their lives to the land. Farmers invest a great deal of time and effort working on their farming operations and the products of their labor will be better protected by this new law."

Recognized for Work on Tougher DUI Laws

Citing his extraordinary efforts to eliminate drunk driving, underage drinking, and distracted driving in Rhode Island, the Foundation for Advancing Alcohol Responsibility presented Attorney General Kilmartin with a 2014 Leadership Award. Remarking on his accomplishments, the organization said that Attorney General Kilmartin has made it a priority to prevent underage drinking for many years through various efforts, including public service announcements and program events across the State.



In 2014, Attorney General Kilmartin championed the successful passage of legislation mandating the use of ignition interlocks for DUI offenders. His efforts have raised public awareness on the importance of these issues and led to expanded programs throughout Rhode Island.

In addition, Attorney General Kilmartin strongly advocated for stiffer penalties for DUI offenders. For the past four years, he has submitted legislation that would increase the "look back" period on repeat alcohol-related offenses to ten years and legislation that would increase the imprisonment sanctions for driving to endanger and DUI offenses that result in injury and death.

"Education and enforcement are critical to the success of curbing impaired and distracted driving. I have made it a top priority of my administration to keep drivers – especially young drivers – safe on our roads," said Attorney General Kilmartin. "Our success is a credit to the collaborative approach we have taken in partnering with law enforcement, the Rhode Island Department of Transportation, Mothers Against Drunk Drivers, and others to share the message of sober and responsible driving. This coming year, I look forward to working with the General Assembly to continue to strengthen our DUI laws and make Rhode Island roads the safest in the nation."

"Attorney General Kilmartin has been a tireless advocate for the people in Rhode Island," said Ralph Blackman, president and CEO of the Foundation for Advancing Alcohol Responsibility. "We can't thank the Attorney General enough for his dedication and

leadership to prevent drunk driving and underage drinking by sending a clear and consistent message that it is illegal and will not be tolerated.”

Attorney General Kilmartin, along with Special Assistant Attorney General Joe Lindbeck, were honored by Mothers Against Drunk Driving with a Legislative Appreciation Award for their work on the ignition interlock legislation.

Stacey Veroni Honored with Florence K. Murray Award

Assistant Attorney General Stacey P. Veroni, Chief of the Criminal Division, was honored by the Rhode Island Bar Association with the 2014 Florence K. Murray Award. The Award is presented to a person who has influenced women to pursue legal careers, opened doors for women attorneys, or advanced opportunities for women within the legal professions. The award is named in honor of the first recipient, the Honorable Florence K. Murray, who



pioneered the causes of women in the law as the first woman attorney elected to the Rhode Island Senate, the first woman Justice on the Superior Court, the first woman Presiding Justice of the Superior Court, and the first woman on the Rhode Island Supreme Court.



Stacey Veroni was also honored by the Rhode Island Senate at a State House celebration for International Women’s Day, a day created for reflection on the achievements of women and the fight for gender equality.

Attorney General Kilmartin Leverages Leadership Role in NAAG

In 2014, Attorney General Kilmartin was elected to serve as chair of the National Association of Attorneys General (NAAG) Eastern Region and was appointed chair of the Consumer Protection Committee and chair of the NAAG Training Committee. As chair of the Eastern Region, AG Kilmartin will serve on the NAAG Executive Committee.



In addition, Kilmartin was appointed to serve on several other NAAG committees, including the Criminal Law Committee, Law Enforcement and Prosecutorial Relations Working

Group, Veterans Affairs Committee, and Meeting Planning Committee, and he was asked to continue to serve as the sole NAAG representative to the International Association of Prosecutors.

“I am honored to serve on NAAG’s Executive Committee and other committees. I view this as an opportunity to bring the issues that impact Rhode Islanders to the forefront of

national discussion with my colleagues,” said Attorney General Kilmartin at the time he was elected.

That’s exactly what Attorney General Kilmartin did – leverage his leadership role in NAAG to bring several conferences to Providence on critical national issues.

In August, Attorney General Kilmartin welcomed a team of instructors from across the country to Rhode Island to conduct trial advocacy training for 21 attorneys from the Attorney General’s Office and three Assistant United States Attorneys.

The training, hosted by Roger Williams Law School, was provided by the National Attorneys General Training and Research Institute, at no cost to the State of Rhode Island. The Institute was formed by the National Association of Attorneys General to provide professional training to the staffs of state attorneys general, and is funded by proceeds from the settlement of multistate tobacco litigation in 1998. Faculty for this class included representatives from attorney general offices in New Jersey, Illinois, Ohio, New Jersey, Wisconsin, Maryland, and Connecticut.

As the subject of sexual assault on college campuses became a national dialogue, Attorney General Kilmartin made it the topic for the NAAG Eastern Region conference held in Providence in September. The goal of the conference was to discuss ways to improve campus sexual assault investigations and examine next steps that stakeholders must take to prevent campus sexual assaults and to correctly monitor and investigate reports of such assaults.



During the two-day conference, panelists identified pertinent issues relating to sexual violence on college campuses, such as the importance of adhering to relevant federal regulations and the need for collaboration among all stakeholders, including law enforcement, campus police, administrators and prosecutors. Panelists examined how to best protect the rights of both the victim and the accused while ensuring the safety of the public.

“Sexual assault on college campuses must be treated as seriously as a sexual assault that occurs anywhere else. It is long overdue that, as a state and as a nation, we address this issue. Victims of sexual assault, whether on a college campus or in our community, deserve better. They deserve for all of us to get it right. By bringing together all the stakeholders — higher education, victims’ advocates, law enforcement, prosecutors, federal regulators, and policymakers — we can create a model to prevent sexual assaults, and, when they do occur, how to get justice for victims,” said Attorney General Peter Kilmartin.

The panel discussions were moderated by attorneys general from across the country and featured distinguished panelists representing the U.S. Department of Education, the Clery Center for Security on Campus, U.S. Attorney Peter Neronha, the National Network to End Domestic Violence, college and university police, Day One, and sexual assault prevention and advocacy representatives.

On the heels of hosting the NAAG Eastern Region meeting, Attorney General Peter Kilmartin hosted the NAAG Advanced Bankruptcy Seminar, focusing on government-funded affordable housing and other issues relating to the recent mortgage settlement.

And, in October, Attorney General Kilmartin hosted the NAAG 2014 Fall Consumer Protection Seminar at the Providence Biltmore. The seminar brought together attorneys and consumer protection advocates from across the country to discuss some of the biggest issues facing consumers today, including identity theft, the risks and benefits of prepaid cards and third party payment processing, and government and industry collaboration on privacy and security.

“I am pleased to leverage my leadership role with NAAG to bring conferences – and conference dollars – to Rhode Island,” said Attorney General Kilmartin. “These conferences bring together key leaders from across the country to discuss timely and important subjects that impact the public to develop best practices and find solutions. And, while they are not attending the conferences, attendees are dining in our restaurants, shopping in our great stores, experiencing the culture and beauty of Providence and Rhode Island, and injecting much-needed money into our economy and local businesses.”

Giving Back to the Community



A core tenet of the Office of Attorney General is the belief that it is important to give back to the community. The Office’s 231 employees donate their time and money to countless charities, participate in community events to raise awareness of causes that are important to them, and lend a hand whenever asked.

Staff from the Office of Attorney General regularly volunteers for the Rhode Island Special Olympics. By holding regular “dress-down days” to raise money, the Office has contributed thousands of dollars to local charities, including the Special Olympics, the Gloria Gemma Starfish project, and the Rhode Island Society for the Prevention of Cruelty to Animals. The Office holds regular blood drives to support the Rhode Island Blood Center, holds an annual winter coat drive to support the



Neighborhood Alliance of Pawtucket, and collects non-perishable food items throughout the year to support the Rhode Island Community Food Bank, just to name a handful of initiatives.



In addition to raising funds for numerous charitable organizations, staff from the Office of Attorney General also collected school supplies for needy children as part of the Rhode Island State Police and the Rhode Island Police Chiefs' Association Kids, Cops & Classrooms initiative, as well as collected toys for the annual Kids, Cops & Christmas event.

Recognizing Others

Honoring Crime Victims and Advocates of Victims' Rights

Each April, the Office of Attorney General recognizes National Crime Victims' Rights Week with the Victims' Grove Ceremony to honor crime victims and individuals and organizations committed to providing support and resources for victims.

2014 marked an important milestone in the rights of victims. The theme – 30 Years: Restoring the Balance of Justice – honors the extraordinary achievements that have been made on behalf of crime victims since the passage of the Victims of Crime Act in 1984.

The 2014 honorees were:



Anna Przyjemaska

Currently working as a prevention fellow at the Substance Abuse and Mental Health Services Administration and working towards getting her Master of Public Health, Anna also served as victim advocate through her volunteer work at Day One and its helpline for victims of domestic violence and sexual assault. She also volunteers as a head coach for Girls on the Run, a non-profit prevention program for girls in the 3rd to 8th grade.

Scott Simmons

Scott, who passed away unexpectedly prior to being nominated for his award, was honored for his unwavering and outstanding dedication and service to victims of crime. Scott served as an advocate with Family Service of Rhode Island, the Providence Police Go Team, the Rhode Island Parole Board Victims Advocate, and as the Program Manager for the Rhode Island State Victim Assistance Academy.

Dana Smith, Head of Security Operations for RI Superior Court

Dana is responsible for courthouse security and operations and as such provides effective courtroom management so that victims and witnesses who attend court proceedings have a positive experience during what can be a highly emotionally charged environment. He often meets with Office of Attorney General Victim Services Unit staff in order to address

safety issues or concerns prior to a court event. He will often take a moment to sit with a victim or witness who may be experiencing difficulty or may be anxious about going into a courtroom setting to allay their fears or address concerns.

The Rhode Island Division of Sheriffs

The Rhode Island Division of Sheriffs provides the highest level of services to the Rhode Island Judiciary and Rhode Island Criminal Justice System while maintaining the greatest degree of integrity, impartiality and confidentiality; treats all individuals with the utmost respect, dignity and fairness; and works with the Department of Corrections and all law enforcement agencies in a spirit of cooperation to protect and provide security for all who enter the Rhode Island Courts while maintaining the highest degree of professionalism and decorum.

Rebecca Flores and the Natasha Love Foundation

After Rebecca's daughter Natasha was murdered in 2008 in a senseless act of teen violence, Rebecca founded the Natasha Love Foundation in her daughter's memory with a mission to promote peace and unity through the arts. The Foundation provides scholarships to young women interested in pursuing a career in the arts.

Recognizing Others for their Commitment to Rhode Island

Attorney General Kilmartin has continued the long-standing tradition of bestowing Justice Awards upon individuals and organizations for extraordinary commitment to justice. The awards are presented in honor of the eight previous Attorneys General: Arlene Violet, Richard Israel, Herbert DeSimone, Dennis Roberts, James O'Neil, Jeffrey Pine, Sheldon Whitehouse and Patrick Lynch. The ceremony brings together several former attorneys general who bestow the honor upon the individuals before their families and friends.



The 2014 Justice Award honorees included:

Brian Johnson, owner of Doc Shredding Corp., the Attorney General Herbert DeSimone Award for Consumer Protection;



The Rhode Island State Police Computer Crimes Unit and the Rhode Island Internet Crimes Against Children Task Force, the Attorney General Richard Israel Award for Crime Prevention;

Michelle and Roy Lavallee, founders of "Heels to Heal Rhode Island," the Attorney General Sheldon Whitehouse Award for Domestic Violence Prevention;

Scott Marshall, DVM, the state veterinarian for the Division of Agriculture at the Department of Environmental Management, the Attorney General James O'Neil Award for Environmental Protection;

Smithfield Police Department Detective Sergeant Michael T. Smith, Jr., the Attorney General Dennis Roberts Award for Drug Enforcement;

Robert McKenna, Associate Dean and Director of the Justice System training and Research Institute at Roger Williams University, the Attorney General Patrick Lynch Award for Law Enforcement – Non Uniform;



Paul Palange, publisher of The Senior Digest, the Attorney General Jeffrey Pine Award for Senior Protection;

North Providence Police Patrolman Ryan Emerson and Patrolman Ryan Furlong, the Attorney General Arlene Violet Award for Law Enforcement – Uniform;

Alison Bologna, WJAR-TV news anchor and owner of Shri Yoga Studio, the Attorney General Peter Kilmartin Award for Community Service.

History

The Office of Attorney General was first created in Rhode Island in May 1650. Since its inception, the Office has been an elected position, except for a brief period from 1740 to 1742 when the charter allowed for the appointment of a King's attorney for each county. In 1842 the Rhode Island Constitution formally adopted the Office of Attorney General.

The Office, established under the Rhode Island Constitution, is one of the five general officers subject to election by voters. The powers and duties of the Attorney General are derived from Article IX, Section 12 of the Constitution of the State of Rhode Island, Chapter 9 of Title 42 of the General Laws of Rhode Island, as amended, and the Common Law.

Major Responsibilities

The Attorney General is the top legal official in Rhode Island. As the State's top prosecutor, the Attorney General fights to enhance the economic security of Rhode Island, protect the public safety of our communities, and restore the public trust in state government by fighting corruption.

As the central legal agency of the State, the Office of Attorney General is responsible for prosecution of all felony criminal cases and misdemeanor appeals, as well as prosecution of misdemeanor cases brought by state law enforcement agencies.

Additionally, as chief legal officer of the State, the Attorney General represents all agencies, departments, and commissions in litigation, and initiates legal action where necessary to protect the interests of Rhode Island citizens.

The Office of Attorney General is also charged with operating and maintaining the Bureau of Criminal Identification, which is the central repository for all criminal records in the State.

Executive and Administrative Divisions

The Executive and Administrative divisions of the Office of Attorney General consist of the Attorney General, Deputy Attorney General, Chief of Staff, Director of Administration and support staff. The divisions provide the general management and direction for the Office and implement policies, programs, and legislation aimed at keeping Rhode Island communities safe and secure.

Deputy Attorney General

The Deputy Attorney General serves as the principal advisor to the Attorney General on all legal and administrative matters. The Deputy oversees the development and implementation of policy and serves as liaison between the Attorney General and all department staff and program officials. Gerald Coyne, Esq., has served as Deputy Attorney General since 1999 and has served in that capacity under three Attorneys General.

Administration Division

The Administration Division's role is to provide a seamless support functionality to ensure the overall mission and mandates of the Office continue without disruption. The Director of Administration is responsible for all financial operations, including the preparation and submission of the annual budget, monitoring and controlling expenditures, supervising the personnel office, information technology, operations and fiscal office; and lobbies for the resources necessary for efficient operations of the entire Office.

The total budget for fiscal year 2014 (FY2014), ending June 30, 2014, was \$31,009,997. It consisted of \$23,235,531, or 74.93 percent, in state funding; \$1,648,979, or 5.32 percent, in federal grants; \$5,900,916, or 19.03 percent, in restricted receipts; and \$224,571, or 0.72 percent, in Rhode Island Capital Plan Fund funding. The Office of Attorney General continues to make it a priority to return as much money to Rhode Island taxpayers as possible by way of restitution, forfeitures, settlements, reimbursements, fines and the collection of fees.

The annual amount of restricted funds increased significantly due to the spend down of \$5,199,515 in Federal Forfeiture funds during FY2014, most of which were related to the so-called "Google" settlement. The Office expended \$3,899,928 on buildings and capital improvements, \$1,191,912 on information technology-related communications and computers, \$96,691 on authorized operational expenditures related to the newly-acquired assets procured using these restricted funds, and \$11,984 for training.

In FY2014, the budget provided for 233.1 full-time equivalent positions:

Administration Division	21.0	employees
Criminal Division	148.1	employees
Civil Division	45.0	employees
Bureau of Criminal Identification	19.0	employees

The Office of Attorney General is committed to maintaining a diverse workforce. As of June 30, 2014, the last official reporting period, minorities constituted 13 percent of the staff and women constituted 60 percent.

The Executive Division also manages the Scholastic Internship Program, in which 170 college-age and high school-age students participated in 2014. The program is a valuable on-site learning experience for the students, as well as a critical resource for the department, whose employees annually log approximately 18,000 hours of uncompensated overtime for the people of Rhode Island.

The Fiscal Office assists in the financial operations of the Office of Attorney General, including the submission of the annual budget, monitoring and controlling expenditures, processing state paperwork such as travel and invoice vouchers, purchase requisitions, maintenance and service contracts, and all other budget-related transactions. The fiscal office also handles payroll submission, accrual and discharge of vacation, sick, and personal hours, and payroll adjustments.

The Human Resources and Benefits Office processes all personnel actions and facilitates the employee benefits offered through the State throughout the employment cycle for the Office's employees.

The Information Technology Office is responsible for all technological devices and operating systems used to facilitate the work flow and work products maintained in each functional division.

Policy and Legislation

The Policy and Legislation Unit shapes policies and laws in the contexts of both criminal and civil law. The Unit handles and coordinates all legislative efforts before the Rhode Island General Assembly and serves as the Office's liaison to local, state and federal governments. Additionally, the Unit serves as the Attorney General's liaison to the National Association of Attorneys General on policy initiatives.

The Unit collaborates with various law enforcement and advocacy groups such the Attorney General's Marijuana Working Group, Project Renew, RecoveryWorks RI, Rhode Island Police Chiefs' Association, the Traffic Safety Coalition, Mothers Against Drunk Driving, Students Against Dangerous Decisions, and The Century Council on public policy initiatives and legislation that strengthen the protections afforded to the public in several areas. Further, the Unit provides consumers with an arbitration forum for alleged violations of the Rhode Island Lemon Law through the Motor Vehicle Arbitration Board.

Bureau of Criminal Identification

The Bureau of Criminal Identification (BCI) serves as the central repository and clearinghouse for all descriptive and demographic information on individuals arrested and convicted of crimes in Rhode Island. In addition, BCI provides background check services to the public, reviews applications and issues licenses for concealed carry permits in the State of Rhode Island, and maintains multiple law enforcement databases, including the Rhode Island Criminal History (RICH), the Restraining Order and No Contact Order (RONCO) database, and Rhode Island Precious Metals and Pawn Database (RIPPD).

Of vital concern to those relying on the records maintained by the BCI is the quality of the data contained in the system. In Rhode Island, information is primarily gathered through the Integrated Automated Fingerprint Identification System, or IAFIS, a national fingerprint and criminal history system that responds to requests 24 hours a day, 365 days a year to help local, state, and federal partners — and our own investigators — solve and prevent crimes. IAFIS provides automated fingerprint search capabilities, latent search capability, electronic image storage, and electronic exchange of fingerprints and responses.

Not only fingerprints, but corresponding criminal histories, mug shots, scars and tattoo photos, physical characteristics like height, weight, hair and eye color, and aliases are entered into the IAFIS. The system is also employed for civil employment purposes as dictated by Rhode Island statutes.

Law enforcement agencies submit fingerprints and other identifying information via LiveScan machines. The information is transmitted via a dedicated, secure network to the FBI, where it is checked against more than 50 million records. Information is then transmitted back via the secure network to the submitting law enforcement agency. The information is also automatically entered into the Rhode Island Criminal History database maintained by the BCI Unit. The IAFIS system and the RICH database automatically share and update information in real time as it is electronically or manually entered.

As of December 31, 2014, the RICH database maintains the criminal history records of approximately 1,189,581 individuals.

In 2014, the Office began a system-wide upgrade to the IAFIS system, making it compatible with the FBI's Next Generation IAFIS (NGI), allowing the State to provide new functionality and improve existing capabilities.

This technological upgrade accommodates increased information processing and sharing demands from local, state, tribal, federal, and international agencies. The NGI system offers state-of-the-art biometric identification services and compiles core capabilities that serve as the platform for multimodal functionality.

While an overwhelming majority of information is gathered using LiveScan and IAFIS, there maintains a need to manually enter and catalogue fingerprints.

Last year, 32,031 fingerprints were electronically and manually submitted from arrests by Rhode Island law enforcement agencies, and 19,235 civil fingerprints were processed by the BCI and local and state police.

The BCI Unit is responsible for maintaining the accuracy of the information in the RICH database gathered through the IAFIS from the time of arrest to the culmination of the criminal proceeding. As such, the BCI Unit enters criminal case disposition information received from prosecutors and the Rhode Island Judiciary into the RICH database system, which automatically updates the IAFIS system. Last year, 19,120 dispositions were entered into the system by BCI personnel.

Rhode Island General Law §12-1-12 directs that those authorized to collect identifiers of persons arrested shall destroy them within 60 days after the accused has been acquitted or otherwise exonerated. Further, Rhode Island General Law §12-1.3 calls for the expungement of criminal records when certain criteria have been met. The BCI Unit manually processes all expungements and ensures the charge(s) is removed from the individual's criminal history. In 2014, approximately 7,762 expungements were processed.

Latent AFIS Station

Latent finger/palm prints are those recovered from crime scenes either by photography, dusting powder, or a chemical reaction that allows a finger/palm print to be viewed with the naked eye and compared for identification purposes.

Police departments throughout Rhode Island send in latent prints lifted from crime scenes which are then scanned into the database where an electronic search is conducted against the local and national criminal fingerprint database. Results of the search are then reported to the requesting police department. The BCI Unit provides latent fingerprint searching services to all Rhode Island law enforcement agencies, as well as out-of-state law enforcement agencies, resulting in the successful clearing of numerous criminal cases through latent fingerprint identifications. In 2014, BCI personnel processed 195 cases, resulting in 21 positive identifications, or a 10.76 percent clearance rate.

Restraining Orders/No Contact Orders

Rhode Island law specifies that all domestic violence and sexual assault protective orders must be filed in the Restraining Order/No Contact Order (RONCO) system located within the Attorney General's BCI Unit. Orders generated by District, Superior, and Family courts, police departments and bail commissioners must be filed upon issuance by faxing or delivering such orders to the BCI Office no later than the end of the day they were issued. Modifications and terminations of such orders must also be forwarded to BCI and entered by the end of each day. In 2014, BCI staff entered 5,517 temporary restraining orders/restraining orders and no contact orders into the database. In addition, BCI personnel verifies the accuracy of the information contained in the RONCO monthly.

Warrants

Since converting to a paperless warrant system, the courts and police departments enter their warrants into the Rhode Island Law Enforcement Telecommunications System (RILETS). Warrants for those wanted outside the State of Rhode Island (New England area or nationwide) must be entered and cancelled manually by BCI personnel. On occasion, local warrants must be upgraded as additional information is received on the wanted individual and the warrant is extended from “RI only” to New England or nationwide.

During the course of the year, BCI was responsible for the arrest of 141 individuals who had an outstanding warrant and appeared in our Office for BCI record checks.

Criminal Record Requests

One of the major functions of the BCI Unit is responding to individuals requesting criminal history checks. Due to increased security measures in both the private and public sectors, the need for employment background checks continues to rise. On average, in 2014, personnel at the BCI window in Providence served more than 300 people each day, Monday through Friday. In addition, BCI personnel respond to thousands of requests received annually by mail. In 2014, the BCI Unit generated \$383,645 in state background check fees, an increase of \$2,410 over the previous year.

There are several Rhode Island statutes which mandate that individuals seeking employment or licensing in specified healthcare, childcare, and education fields are subject to a nationwide criminal history background check.

Pursuant to the statutes, individuals seeking employment or licensing may respond to their local police department, the Rhode Island State Police, or the Office of Attorney General, where they are fingerprinted. Upon receiving the information from the FBI, BCI personnel notify the employer by mail if the individual’s record includes a criminal offense that disqualifies the individual from holding a certain position.

During 2014, BCI personnel processed 10,414 national background checks for various employment and licensing requirements, including school applicants, physician and nursing licenses, security guards, Twin River and Newport Grand employment, and out-of-state financial brokers, among others.

Pistol and Revolver Permits

Rhode Island General Law §11-47-18 empowers the Attorney General to issue a license or permit to state residents 21 years of age or older to carry a pistol or revolver, whether concealed or not, upon a proper showing of need. In assessing the need of an applicant to carry a pistol or revolver, the Office also considers the issuance of a restricted permit for specified purposes.

As of December 31, 2014, there were 3,473 active pistol permits in Rhode Island issued by the Office of Attorney General. During calendar year 2014, a total of 756 pistol and revolver permit applications were processed, of which 240 were new applications and 516 were renewals. Eighty-five percent of new applications were approved and 98 percent of renewal applications were approved.

Security Guard Licensing

Under Rhode Island General Law §5-5.1-13, the Attorney General is responsible for the licensing of private security guard businesses. The obligation is set forth in the Rules and Regulations established pursuant to the Private Security Guard Act of 1987. Federal guidelines now require that all security guards be fingerprinted for a national background check. BCI is charged with ensuring that all security guard companies, their employees, and management personnel comply with the Act. Presently, BCI has 102 active security guard licenses on file.

Precious Metals Unit Background & History

The Office of Attorney General maintains the Rhode Island Precious Metals and Pawn Database (RIPPD). The RIPPD captures information from sales and pawn transaction records that, by law, are electronically submitted to the Office of Attorney General by precious metals dealers and pawn shops.

The RIPPD is a critical law enforcement tool that aids police in the recovery of stolen jewelry and other precious metals. At the present time, the database is being accessed by police officers representing all Rhode Island police departments, as well as Southeastern Massachusetts and Connecticut police departments and federal agencies. The growth of access continues to increase as more out-of-state police departments learn about this valuable law enforcement tool that enables investigators to search by item description, date of transaction, dealers, and sellers.

As a result of the information contained in the RIPPD database, defendants have been charged with a variety of felonies such as murder, burglary, arson, receiving stolen goods, breaking and entering, larceny, possession of burglary tools, and larceny of a firearm. The descriptive information received from the database led police to the owners of the precious metals and aided in the apprehension of defendants.

In 2014, the Office completed an upgrade to the RIPPD database, making it a completely electronic system, which allows data to flow more quickly into the system, resulting in it being a more timely and effective tool for law enforcement to utilize.

Last year, 78,395 sale transaction slips containing precious metal and pawn items were electronically entered into the database. As of December 31, 2014, there were more than 1.4 million precious metal and pawn items contained in the RIPPD.

Precious metals licenses are reviewed and issued through the Precious Metals Unit. National background checks are conducted on all precious metals and pawn shop agents, as well as their employees.

Civil Division

By law, the Attorney General represents the State, its agencies, and employees in the Rhode Island Supreme Court and all lower state courts; institutes actions in state and federal courts whenever warranted; ensures that representation is provided to state officers, employees, and agencies in all courts; advises state officers and agencies on legal issues; gives written opinions on legal issues when requested by an appropriate governmental officer; and represents the interests of the people.

Government Litigation Unit

The Government Litigation Unit represents the State and its agencies in defending and prosecuting State, District, Superior, and United States District Court litigation, and in appeals to state and federal appellate courts. It serves as legal advisor to a broad range of state departments, agencies, boards, commissions, officers, and employees. In 2014 the Unit opened 1,290 files and closed 1,409 files.

Attorneys from the Government Litigation Unit routinely provide training and outreach to the legal community and to the general public. The Office of Attorney General is an approved provider of Continuing Legal Education credits to the legal community. In 2014, the Civil Division provided over 237 credit hours to government and private sector attorneys on a variety of subject matters.

Civil Division attorneys also provided training to other state agencies on various topics, as well as to the American Health Lawyers Association, the Northeast Environmental Enforcement Project, and to interested parties regarding Rhode Island Conservation Easement Amendments. Members of the Civil Division were also active in participating in Mock Trial and Moot Court competitions for area high school and law school students.

Antitrust Unit

The Antitrust Unit investigates complaints alleging violations of state and federal antitrust laws within the State of Rhode Island. Because of their complexity and the large amount of anticipated discovery, the Attorney General investigates many matters as a member of various multistate working groups.

The Rhode Island Antitrust Act gives the Attorney General the statutory authority to institute suit against persons, corporations, and other legal entities that are in violation of state or federal antitrust laws. The General Assembly enacted the Antitrust Act in 1979, and it applies to all types of economic activity having an impact on trade or commerce in

Rhode Island adequate to support the jurisdiction of the Superior Court. The Act contains analogues to Sections 1 and 2 of the Sherman Act and Section 3 of the Clayton Act.

During 2014, the Attorney General actively participated in litigation that included: In re: Dynamic Random Access Memory (DRAM) Antitrust Litigation, U.S.D.C. for the Northern District of California MDL 1986 and United States, et al. v. American Express Company, et al., U.S.D.C. for the Eastern District of New York, No. 10-CV-4496.

Attorney General Kilmartin also participated in multistate investigations of possible antitrust violations in the pharmaceutical industry, the healthcare industry, the office information technology industry, the agricultural industry, matters involving the rights of indirect purchasers, industries that use vertical restraints, the credit rating industry and the gasoline industry. The Attorney General, in cooperation with other states and the Federal Trade Commission, also participated in investigations of proposed mergers.

Charitable Trust Unit

The Attorney General has the statutory and common law duty to protect charitable assets within the State of Rhode Island. The Charitable Trust Unit supervises and enforces laws and regulations concerning charitable trusts and restricted funds, and administers approximately seven hundred trusts containing over a half billion dollars in charitable assets. The Charitable Trust Unit enforces statutes concerning the administration, operation, and disposition of Rhode Island charitable trusts. The Unit maintains a database of all registered trusts and is responsible for court proceedings involving charitable assets. The Unit also responds to inquiries regarding charitable trusts from the public.

Consumer Protection Unit

The Consumer Protection Unit investigates and mediates consumer complaints concerning unfair and unlawful business practices and misleading advertising arising out of alleged violations of the Deceptive Trade Practices Act. If groups of people are victimized by a deceptive trade practice, the Attorney General may file a civil investigative demand in Superior Court commencing a formal investigation. In appropriate cases, a lawsuit to stop the illegal business practice may be initiated.

In 2014, the Consumer Protection Unit responded to 5,500 phone and email inquiries. These inquiries led to 1,365 written complaints. In 2014, the Consumer Protection Unit recovered approximately \$340,000 on behalf of individual consumers.

In addition to carrying out its statutory responsibilities, the Unit also provided information and referral services to the general public. Last year, 332 consumer complaints were referred to appropriate governmental or private agencies for help in answering specialized questions or resolving disputes that were not within the Unit's jurisdiction. The Unit also registered telemarketers, resulting in \$2,800 in fees for the State in 2014, and health clubs, resulting in \$4,650 in fees.

The Consumer Protection Unit provided approximately 115 outreach presentations to senior centers, community groups, and organizations throughout Rhode Island in an effort to educate and protect Rhode Islanders from scammers. The Unit also participated in the MoneySmart Financial Forum and the Foreclosure Prevention Forum.

The Consumer Protection Guide provides consumers with the information and tools they need to protect themselves from falling victim to a scam or con, and educates them on their rights as a consumer. Topics cover issues such as international lottery and sweepstakes scams, mystery shopper scams, telemarketing, identity theft, charitable giving, mortgage modification scams and basic credit card information. The guide also includes a list of state and federal resources to contact with questions or to report a consumer issue.

Looking to ensure that language not be a barrier to being a savvy and educated consumer, Attorney General Kilmartin extended his consumer protection efforts into Spanish-speaking communities in Rhode Island with an updated publication of a Consumer Protection Guide in Spanish. Attorney General Kilmartin also offered Spanish-speaking consumer advocates to speak to community organizations on consumer issues specific to the community.

In addition, multiple consumer alerts/advisories were issued during 2014. The advisories alerted consumers to data breaches, informed them of consumer settlements, provided smart shopping tips, and educated consumers about a number of persistent scams, including the “IRS” scam, the “Grandparent” scam, the “National Grid” scam, and the “Windows Support” scam, among others.

For a fourth year, the Office of Attorney General participated in National Consumer Protection Week which was held March 3 – 8, 2014. The Office partnered with Doc Shredding Corp. and provided nine free shredding events throughout Rhode Island in an attempt to provide a safe way for consumers to discard documents and avoid possible identity theft issues.

The Office also issued letters to 24 companies regarding possible data security breaches and reminded the businesses of Rhode Island’s Identity Theft Protection Act.

Environmental Advocacy Unit

The Environmental Advocacy Unit continued its community-based mission to enhance public enjoyment of Rhode Island’s environment. Attorney General Kilmartin distributed additional funds won in his AEP litigation (proceeds from a lawsuit regarding violations of the Clean Air Act). In 2014, the Office of Attorney General provided more than \$600,000 in grants for home weatherization for low-income individuals in Rhode Island, mass transit, and related projects.

Although located in the Civil Division, the Unit intersects with the Criminal Division. Building on Attorney General Kilmartin’s defense of archeological sites, the Unit brought the State Police’s attention to allegations of fraudulent credentials.

Attorney General Kilmartin was successful in having a right-of-way to the sea in Portsmouth designated, re-opened, and accepted while also investigating another such way in the same town. The Attorney General has not overlooked our State's inland recreational resources; he is mounting a vigorous defense of the North-South hiking trail against the threat of blockage.

The Attorney General, allied with his counterparts in other states, also continued winning efforts to reduce greenhouse gases in a series of federal cases, one of which came before the Supreme Court of the United States. In *UARG v. EPA* (June 2014), Attorney General Kilmartin successfully supported regulation of greenhouse gas (GHG) emissions from power plants. A significant reduction in GHG emissions from coal power plants will result.

The Unit also brought litigation to enforce Rhode Island's environmental laws upon referral by the Rhode Island Department of Environmental Management. In one such case, Attorney General Kilmartin successfully asked to set aside a supposed trust and unmask the real polluter.

Office of the Health Care Advocate

The Office of the Health Care Advocate represents Rhode Islanders through the following duties that the Attorney General may direct: to appear as an amicus curiae in civil actions, to intervene in or request initiation of administrative action related to health care and health insurance, to investigate complaints to assure the delivery of quality health care, to educate the public, to engage in legislative advocacy, to initiate formal legal actions concerning health care, and to advocate for changes to support quality and affordable health care. Many patients, family members, and providers turn to the Office of the Health Care Advocate for assistance.

The Health Care Advocate is appointed to or attends several health care-related boards and committees and reviews proposed regulations and legislation. The Health Care Advocate also assists consumers with various issues, including access to medical records, privacy questions, and assistance with navigating the various agencies governing health care complaints.

Within the past year, the Office of the Health Care Advocate concluded its review of the sale of Roger Williams Medical Center and Our Lady of Fatima Hospital. A decision pursuant to the Hospital Conversions Act was rendered on May 16, 2014. Hospital conversion reviews involve a substantial amount of work, including document review, conducting interviews, and holding public meetings.

In addition, the Office of the Health Care Advocate is charged with enforcing compliance with decisions made pursuant to the Hospital Conversions Act. In 2013, the Office of the Health Care Advocate concluded three hospital conversion reviews and reached decisions pursuant to the Hospital Conversions Act involving the following entities: the Landmark Medical Center and Rehabilitation Hospital of Rhode Island, the Westerly

Hospital, and Memorial Hospital. The hospital conversion decisions issued to date all include certain conditions of approval. The Office of the Health Care Advocate is currently monitoring these conditions.

Office of the Civil Rights Advocate

The duties and responsibilities of the Civil Rights Advocate include training and education, reviewing complaints, conducting investigations, and bringing civil actions under the Attorney General's Civil Rights Advocate statute, Rhode Island General Laws § 42-9.3-1.

To file suit, the statute requires use of force or violence, property damage or the threat thereof, which interferes with federal or state constitutional or statutory rights. If such facts and circumstances are present, the Attorney General may bring a civil action in the name of the State on behalf of the person(s) aggrieved, seeking an injunction, a monetary penalty up to \$5,000, and other appropriate relief.

In 2014, the Office continued its long-standing hate crimes and civil rights training for law enforcement. Last year, 224 officers and recruits received training, as follows: in-service training for 71 recruits at the Municipal Police Academy, 21 officers from statewide police departments, 53 recruits at the Providence Police Academy, and 79 officers at Brown University.

The Office continues to work with the Rhode Island Commission on Prejudice & Bias to establish an education program for children in middle school and, eventually, high school. The long-range plan is to educate teachers, administrators, and students on issues of hate crime and civil rights in schools with the goal to make schools safer and foster education, tolerance, and civic responsibility.

Insurance Advocacy Unit

The Insurance Advocacy Unit's primary function is to represent, protect, and advocate for the rights of consumers at insurance rate hearings and in the insurance marketplace pursuant to Rhode Island General Laws § 27-36-1. In addition, many people turn to the Insurance Advocate to assist them with insurance-related issues, such as denials of payment for treatment, access to medical treatments and procedures under their policies of insurance, and other rights under their various policies of insurance and Rhode Island laws.

The role of the Advocate in connection to rate change requests for insurance providers is to independently evaluate the validity of the rate increase requests, and when appropriate, recommend alternative rates to the regulatory agency.

During 2014, the Unit represented the rights of Rhode Island citizens in connection with two rate filings before the Department of Business Regulation (DBR) and the Office of Health Insurance Commissioner (OHIC), and reviewed 27 rate and form filings filed with OHIC.

The National Council on Compensation Insurance (NCCI) Loss Costs and Rating Values Filing submitted a request to increase overall base premium rates for workers compensation insurance by three percent, effective July 2014. The Attorney General submitted alternative calculations to those filed by NCCI, seeking a decrease in overall base premium rates of 1.3 percent. After a review of the rates submitted by NCCI and the alternative calculations submitted by the Attorney General, DBR approved an increase of 2.5 percent, resulting in savings of approximately \$855,000 in premium costs.

Blue Cross and Blue Shield of Rhode Island sought average rate increases of 12.3 percent for its Direct Pay subscribers; however, after reviewing the alternative calculations of the Attorney General and the report of OHIC's expert, Blue Cross agreed to reduce its starting requested rate change to an average increase of 8.3 percent. After a full public hearing, OHIC approved a decrease of 5.2 percent from the original filed rates, resulting in savings of approximately \$11.7 million dollars in premium costs.

The difference in rate increases for health and worker's compensation insurance and that of the approved rates saved ratepayers approximately \$12.5 million in premium costs.

Open Government Unit

The Open Government Unit investigates complaints filed against public bodies in Rhode Island for violations of the Open Meetings Act (OMA) and/or the Access to Public Records Act (APRA). In 2014, the Unit received 140 open government complaints and issued 40 findings under the OMA and 39 findings under the APRA.

In total, the Unit determined that public bodies violated the OMA on 20 occasions and the APRA 16 times. In the majority of these cases, the Unit issued warnings to the public body. In three instances, the Open Government Unit filed lawsuits seeking civil monetary penalties and/or injunctive relief against the Rhode Island Department of Business Regulation, the Rhode Island State Properties Committee, and the Town of Warren.

During 2014, the Open Government Unit also found that the Newport City Council violated the OMA by convening meetings in a location that was not accessible to individuals with physical disabilities. The Attorney General directed that future City Council meetings be held in locations accessible to all persons regardless of physical limitations.

The Unit continues to encourage open government through outreach and education. In August, the annual Open Government Summit drew in excess of 500 attendees, and throughout the year, Open Government attorneys conducted numerous other presentations throughout Rhode Island. This proactive approach has positively impacted public bodies and citizens alike by encouraging open dialogue, which enables more government business to be performed in an open and public manner.

Public Utilities Regulatory Unit

The Public Utilities Regulatory Unit represents the ratepayers and citizens of the State of Rhode Island in all matters affecting the provision of public utility service as defined by Rhode Island General Laws §39-1-5. Such services include those that certain municipal and investor-owned utilities provide to Rhode Island consumers in the areas of electric, gas, water, and sewer, as well as all common carrier services, *i.e.*, taxi, non-consensual tow, moving, and limousine companies operating in the State.

The primary role of the Unit is to serve as legal counsel to the Division of Public Utilities and Carriers (the Division) in proceedings before the Public Utilities Commission. In this capacity, the Unit provides legal counsel to the Division with the principal aim of protecting ratepayers from public utilities' efforts to charge unreasonable rates or engage in unreasonable practices. The Unit represents the Division before all state and federal trial and appellate courts of competent jurisdiction.

In 2014, the Unit successfully litigated utility issues on behalf of the Division in the areas of gas, electric, sewer, and municipal water, generating approximately \$36 million in savings and fines for Rhode Island ratepayers and consumers. Proceedings resolved included successfully advocating a substantial delay of a scheduled 1.5percent increase in the REC charge, postponing an approximately \$15 million increase.

The Unit also negotiated a settlement with the State's principal electric utility in connection with the utility's infrastructure, safety, and reliability plan, saving ratepayers a total of \$4.1 million, and defended rate increase requests by a local municipal water utility and a regional sewer authority, yielding combined savings of approximately \$5.9 million.

Lastly, in proceedings before the Division, the Unit assisted the agency in collecting over \$180,000 in civil fines against taxi, ferry, movers, and towing companies for a variety of regulatory violations.

Tobacco Enforcement Unit

In 1998, the State of Rhode Island was one of 52 states and territories (Settling States) that entered into the Tobacco Master Settlement Agreement (MSA) with the major tobacco manufacturers (Manufacturers). The Tobacco Enforcement Unit's primary responsibility is to hold the Manufacturers accountable for strict compliance with the MSA, namely its public health, marketing, and payment provisions. This is done by regularly collaborating with attorneys general throughout the country on compliance and enforcement strategies and tobacco prevention, and working to make laws dealing with tobacco work more effectively.

In 2014, Rhode Island, through the Office of Attorney General, collected over \$51 million from the Manufacturers in accordance with their MSA payment obligations. The Tobacco Enforcement Unit oversaw manufacturers' certification and worked with the Rhode Island Division of Taxation to enforce the provisions of Rhode Island's Escrow Statute (Qualifying Statute).

The MSA has given rise to numerous lawsuits and legal issues, for example, the long-standing dispute between the Manufacturers and the Settling States relating to the Non Participating Manufacturer (NPM) Adjustment Disputes. The MSA requires Manufacturers to make annual payments into an account that is distributed to the Settling States based upon a formula related to each state's respective shares to the Settling States. Many adjustments are included in the calculation of these annual payments, such as the NPM Adjustment. A condition of the MSA allows for this downward adjustment in payments by the Manufacturers if their market share drops by more than two percent nationally and if an independent auditor determines that the MSA was a significant factor in that drop.

Pursuant to the MSA, each Settling State could avoid a recovery from the Manufacturers if it enacted and "diligently enforced" a qualifying statute by which it compelled tobacco manufacturers who are not parties to the MSA to make payments into escrow accounts that would approximate the charges required from the settling Manufacturers.

In November 2011, the Manufacturers challenging the States' diligent enforcement of their respective qualifying statutes decided not to contest Rhode Island's diligent enforcement. As a result, Rhode Island was not subject to the NPM Adjustment, saving the State millions of dollars. In December 2012, the Arbitration Panel, which was convened for the 2003 NPM Adjustment Dispute, issued an award that incorporated certain provisions of a term sheet in connection with a settlement agreement the Manufacturers reached with certain MSA states and territories; the term sheet resolved claims relating to NPM adjustment disputes, including the 2003 dispute. Subsequent to December 2012, other states have joined the term sheet. Rhode Island is among the current 28 states and territories that did not accept the terms of the term sheet, so the NPM Adjustment disputes between Rhode Island and the Manufacturers for future years remain unresolved.

Rhode Island is engaging in the necessary steps to assert that it had both enacted a qualifying escrow statute and diligently enforced its statute for year 2004 (and all other years). The 2004 NPM Adjustment dispute remains ongoing.

Attorney General Kilmartin is adamant about protecting Rhode Island's citizenry, especially youth, from the harmful effects of tobacco use and use of electronic nicotine delivery systems as defined by Rhode Island law. In recent years, the sale of electronic cigarettes (e-cigarettes) has grown, and with this growth has been an increase in advertisement. E-cigarettes are very popular among children, given their availability in varied fruit and candy flavors.

In 2014, the Food and Drug Administration (FDA) proposed a new rule deeming all tobacco products, including e-cigarettes, subject to the Federal Food, Drug, and Cosmetic Act (Act). In August 2014, Attorney General Kilmartin, along with 29 fellow attorneys general, sent a letter addressed to the FDA supporting this new rule and urging the FDA to take additional steps within its authority under the Act as appropriate for the protection of public health, and in particular, to protect youth from dangers of tobacco use.

Legal Counsel to the Contractors' Registration and Licensing Board

The Office of Attorney General provides legal counsel to the Contractors' Registration and Licensing Board (CRLB). The CRLB regulates the construction industry through registration requirements and conducts administrative hearings for individuals aggrieved by residential contractors. As legal counsel to the Board, the Office enables residential homeowners to avail themselves of the dispute-resolution process at the CRLB in lieu of pursuing a private action in court.

When a contractor fails to pay restitution to a homeowner as ordered by the CRLB, the Office of Attorney General plays an active role in enforcing compliance to ensure that homeowners have some measure of recourse. Through a cooperative partnership between the Office's Civil and Criminal Divisions, unscrupulous contractors can be criminally prosecuted in District Court. This process has a proven record of restoring money owed to homeowners and of keeping bad contractors from repeating their offenses.

In 2014, the CRLB received 240 new claims, closed 200 claims, opened 711 violations, and closed 907 violations. Through the dispute resolution process, the CRLB prevailed in collecting more than \$114,893 in restitution for claimants and more than \$64,497 in fines. Additionally, 27 contractors were referred to the Office of Attorney General for criminal prosecution. The amount of restitution ordered through the courts was approximately \$136,071 and the amount of fines ordered by court or remaining with the CRLB was approximately \$54,300. District Court judges also began entering civil judgments on these matters to provide homeowners with the ability to continue to pursue the matter and execute a judgment after probation closed.

Counsel acted as liaison between homeowner-victims and the criminal court's probation system to ensure receipt of restitution and communication between parties; served as legal counsel during Board meetings, providing the Board with advice and answering questions; handled administrative appeals filed in Superior Court; and assisted with the updating of the CRLB's rules and regulations. The Board has been actively working to implement the new licensing programs for underground utility contractors, well drilling contractors, commercial roofers, and home inspectors.

Criminal Division

The Attorney General of the State of Rhode Island is charged with the responsibility of prosecuting all felony criminal offenses occurring in the State of Rhode Island, all misdemeanor criminal cases brought by State law enforcement agencies, and all misdemeanor cases appealed to the Superior Court.

The Criminal Division is comprised of 151.1 staff members, consisting of prosecutors, paralegals, secretaries, victim advocates, investigators and financial auditors. These individuals work together to assist the Attorney General in fulfilling his Constitutional obligations. Cases are prosecuted by attorneys assigned to the general criminal trial calendar and through specialized units focusing on white-collar crime, narcotics and organized crime, gangs, firearms offenses, juvenile offenders, domestic violence, sexual assault, child abuse, Medicaid fraud, arson, elder abuse and traffic safety.

In 2014, the Office was again allocated an attorney from the Rhode Island Department of Labor and Training to handle the review and prosecution of unemployment insurance fraud, workers' compensation fraud, prevailing wage, and payment of wages cases.

The Criminal Division works closely with local law enforcement, assigning Superior Court prosecutors to act as liaisons to each of the forty-four law enforcement agencies in the State in order to provide legal assistance, and with our federal partners making joint decisions on which office should assert jurisdiction where both state and federal charges are viable.

Prosecutors are available to law enforcement 24 hours a day, seven days a week, to assist in serious matters or complex investigations. During the weekends and holidays, prosecutors rotate coverage to handle the presentation of violations of probation and bail. In 2014, prosecutors logged more than 485 uncompensated hours in weekend duty alone, providing coverage for all areas of the State. In addition, prosecutors and support staff consistently worked beyond their 35-hour work-weeks, ensuring court calendars were completed, witnesses were interviewed, and cases were well prepared for trial. Altogether, members of the Criminal Division documented nearly 11,120 uncompensated hours in 2014.

The volume of cases handled by the prosecutors in the Criminal Division is staggering. Intake Unit prosecutors in Providence County reviewed cases for felony screening and grand jury presentations and negotiated case dispositions through the pre-arraignment calendar. Prosecutors assigned to the trial calendars and specialized units focused on trial preparation, handling cases from the pretrial stage through to disposition. A county prosecutor traveled to each of the county offices to handle felony screenings for Kent, Newport and Washington Counties, and Statewide Grand Jury presentations were handled by various prosecutors throughout the Division.

In 2014, the Providence Intake Unit reviewed a total of 4,621 packages, an increase of nearly 200 cases from 2013, ensuring there was sufficient evidence to go forward in the

Superior Court. The screening prosecutor reviewed 4,273 packages for information charging, and in grand jury, prosecutors reviewed 348 packages, for presentment to the Providence County Grand Jury, an increase of 41 packages from 2014. In total, the Providence County Intake Unit filed 3,259 felony cases and 173 indictments were issued by the Providence County Grand Jury. The County offices also screened 1,700 felony packages for charging, a slight increase from 1,695 in 2013. Statewide, the Office proceeded to file criminal informations and indictments with the Superior Courts in 5,506 felony cases, an increase of 89 cases from 2013.

Prosecutors disposed of 5,126 felonies and 299 misdemeanor appeals statewide. In total, there were 4,678 cases disposed by plea negotiations, accounting for 86% of the disposed cases handled throughout the State.

Last year, prosecutors handled 101 new applications for post conviction relief, an increase from 2013 of six cases, with decisions being reached in a total of 53 of pending matters. The Division has continued to have one prosecutor who is assigned to the Appellate Unit designated to handle post conviction matters in complex cases and where the trial prosecutor has left the office. This redistribution of resources frees up valuable time for trial prosecutors to concentrate on their criminal cases. In Providence County alone, Special Assistant Attorney General Jeanine McConaghy brought 64 post conviction matters to a conclusion, in comparison to 42 in 2013. During the last quarter of 2014, in particular, Jeanine McConaghy, in addition to Assistant Attorneys General Patrick Youngs, Aaron Weisman and Christopher Bush, were devoted almost exclusively to the preparation of the Raymond "Beaver" Tempest post conviction relief matter who was previously convicted of second degree murder for killing Doreen Picard in Woonsocket in 1982.

Our Appellate Division enjoyed tremendous success again this past year, prevailing in well over 90 percent of its total Supreme Court case docket. The Unit submitted 25 pre-briefing statements, 12 full briefs, and 19 miscellaneous filings to the state Supreme Court, and litigated eleven federal habeas corpus actions in the federal district court for the District of Rhode Island. The Rhode Island Supreme Court rendered a decision in Michael Patino, as to the expectation of privacy with respect to text messages contained on phones and in records not belonging to him, granting the State the ability to utilize the defendant's incriminating text messages in the prosecution and pursuit of justice for the death of six-year-old Marco Nieves.

The year 2014 continued to be a year of improvement for the Criminal Division in terms of technology with the enhancement of the Department's Case Management System (CMS). The Criminal Division worked with developers to create additional administrative reports and improve the overall functionality of the program. This system was originally designed and developed for criminal prosecutors and staff to allow for the more efficient management of cases, allowing administrators to track the caseloads of prosecutors, the length of pending cases, the turnover of prosecutor cases, disposition and dismissal rates, and to allow management to run reports with ease. The CMS was also developed to allow for the digital replication of criminal files, promoting more efficient record keeping, online access to files for permitted users, and a backup file system. This portion of CMS is also

being analyzed by the Office alongside developers in an effort to improve functionality and enhance digital file replication and retention. Furthermore, the system allows for prosecutors to easily cross reference defendants in criminal cases, witnesses in criminal cases, and track gang activity. The value of the electronic storage of reports, memorandum, and other data in a centralized location, accessible to permitted employees and “super-users” cannot be understated. The Criminal Division will continue to work with Information Technology and developers to permit increased accessibility of prosecutors assigned to our busiest courtrooms to the CMS system, including accessing CMS while in the courtroom.

In 2014, the Criminal Division continued to defend leveling decisions of the Sex Offender Board of Review who are appealing their level 2 or 3 risk assessment. There were 30 new filings on behalf of the Board this year, in addition to the 24 pending matters from previous years. The successes before Magistrate Flynn can be measured in the Court affirming 17 of the appeals heard. Nine matters were reversed, 10 filings were withdrawn and 4 were defaulted. Fourteen appeals remained pending at the close of 2014.

In 2014, the Criminal Division continued its commitment to veterans. Since taking office, Attorney General Kilmartin has dedicated office resources to a specialized Veterans Court calendar in Kent County District Court. The program, formally known as The Alternative to Sentencing and Trauma Recovery in Rhode Island - Focus on Veterans (ASTR RI), began referrals to the District Court in April of 2011.

The number of investigations and prosecutions of human trafficking skyrocketed in 2014. To address this growing area of crime, several prosecutors from the Office participate in the Task Force on Human Trafficking. Monthly meetings of the Task Force, which include representatives from the Department of Children, Youth and Families, the United States Attorney’s Office, Day One, Hasbro Children’s Hospital - Aubin Center, State Police, the United States Marshalls, Warwick Police, Pawtucket Police, the FBI, and more were held during the year with a focus on the development of a comprehensive response model for child sexual exploitation cases utilizing a multi-disciplinary team approach. The Task Force will publish its work in 2015.

In 2014, prosecutors from the Office provided trainings on how to identify and investigate human trafficking to the Municipal Police Academy and the Providence Police Academy. The Office also participated in the Human Trafficking Law Enforcement Task Force, sponsored and hosted by Homeland Security Investigations and the United States Attorney’s Office.

A core tenet of the Office of Attorney General is to provide training and educational opportunities for the staff. Criminal Division prosecutors participated in and received instruction from a team of instructors from across the country, which was hosted by Roger Williams Law School and was provided by the National Attorneys General Training and Research Institute. Faculty included representatives from attorney general offices in New Jersey, Illinois, Ohio, Wisconsin, Maryland and Connecticut and Rhode Island.

In-house training was conducted for CLE credits offered by seasoned prosecutors and outside agencies including, Criminal Practice Before the RI Supreme Court with Emphasis on Ethical Issues and Perspectives; Protecting the Records, Closing Arguments, Opening Statements, Prosecuting DWI Cases, Ethics, Update on Stops, Searches and Tracking, Lessons in Ethics, Prosecution of the Juvenile Offender, Historical Cell Site Analysis, and Electronic Recording of Custodial Confessions, which was offered for CLE Credits to in-house prosecutors, as well as all law enforcement agencies statewide.

Prosecutors continue to attend trainings outside of this office through the National Advocacy Center, National Assistant Attorneys General Association, the American Prosecutors Research Institute, New England State Police Information Network, and the Rhode Island and Pawtucket Bar Associations. Prosecutors attended various courses, including presentations on Miranda Training, The Evaluation and Treatment of Youths Who Sexually Offend, Advanced DW Investigation course and Legal Issues, Electronic Recording of Confessions, Expert Testimony, Elder Abuse, Search and Seizure, Exceptions to the Warrant Requirement, Confessions & Admissions in Miranda, Eyewitness ID, Report Writing, Screening and Intakes Processes, Domestic Violence & Sexual Assault, Hate Crimes, Medical Marijuana, Sexting, DLT Training, and Financial Exploitation of the Elderly.

Criminal Division prosecutors continue to collaborate with outside agencies and provide training to the various schools and law enforcement agencies around the State, including the Zero Fatalities Program at the Adult Correctional Institution, the Rhode Island Municipal Police Academy, Roger Williams University, Department of Elderly Affairs, the Rhode Island State Police Training Academy, and Day One. Criminal prosecutors consistently train officers, advocates, students and lawyers in the areas of victim assistance, legal methods, medical marijuana, sexual assault investigations, elder abuse and hate crimes. Several prosecutors also volunteered for moot court competitions at Roger Williams School of Law and for the Rhode Island Bar Association trainings.

Division support staff members were offered opportunities to attend trainings toward the State's incentive credits through the Office of Training and Development programs. A paralegal and two secretaries participated in the Psychology in the Workplace, a course which focused on enabling staff to understand organizational behaviors and concepts in dealing with complex situations with coworkers and to address challenges that arise in the workspace.

Adult Diversion Unit

The Adult Diversion Unit was established in 1976 as an alternative to prosecution for first-time nonviolent felony offenders. It enables qualifying offenders to accept responsibility and be held accountable for their actions while avoiding the stigma of a criminal record. The program offers the opportunity for the offender to earn the dismissal of criminal charge(s) by participating in drug treatment and mental health programs, providing community service at nonprofit agencies, and paying restitution to the victims of these crimes.

In 2014, the Unit handled 438 referrals, accepted 249 cases, and completed 223 cases. A significant accomplishment last year included \$150,528 in restitution ordered to be distributed to victims. The Adult Diversion Unit arranged 4,265 hours of community service at statewide non-profit agencies for a total value of more than \$34,120, and also arranged 176 counseling programs for participants with substance abuse problems, mental health issues, and gambling addiction.

According to a recidivism report, 93 percent of the individuals who successfully complete the Adult Diversion program go on to lead arrest-free lifestyles, confirming the necessity of the program and its impact it has on first-time felony offenders by the development or participant-specific programs geared toward the root cause of the offense, thereby avoiding recidivism on the part of the participant.

The Adult Diversion program is participant-specific, and may also address educational needs on behalf of the participant. Depending on a participant's need, they are referred to community agencies who can offer specific services at little or no cost, giving them the tools they need to succeed.

Adult Drug Court

The Office of Attorney General participates in the Rhode Island Superior Court's Adult Drug Court Program (Drug Court). A prosecutor from the Narcotics and Organized Crime Unit is assigned to the Drug Court.

The Drug Court uses a team approach by combining professionals in the criminal justice system with the knowledge of the substance abuse treatment community to establish a closely monitored, individualized treatment plan for a nonviolent defendant struggling with addiction. The Drug Court holds the individual responsible for his/her past actions and accountable for future decisions. Since its inception, the Drug Court has been able to provide a mechanism for non-violent felony offenders that suffer from addiction to seek the appropriate level of substance abuse counseling and ultimately adapt to a sober and healthy lifestyle.

The goal of the Drug Court is to integrate substance abuse treatment with the criminal justice system and divert nonviolent defendants from the traditional criminal court process to a forum where a therapeutic program is offered to assist the individual to modify behavior, improve their quality of life, and reduce recidivism. Combining substance abuse treatment and other support services with close supervision by the Court holds the defendant accountable and gives them an honest chance to succeed.

Once a defendant is referred to the Drug Court, an assessment is conducted; the defendant is referred to a substance abuse treatment provider, who develops an individual treatment plan. The Drug Court is in constant contact with the treatment provider throughout the defendant's participation in the Drug Court to ensure they are staying on course with the treatment plan. During the course of treatment and involvement with the Court, participants are subject to random weekly drug screens and are closely monitored through

case reviews. If all requirements and expectations are met, after 12 months of review, participants are provided the opportunity to have charges dismissed and corresponding court records sealed and expunged.

In 2014, the Drug Court saw 108 admissions, 52 graduates, and 10 terminations. The Drug Court had 154 participants as of the end of the calendar year, representing a significant increase in previous years due to an increase in grant funding for the unique program.

Appellate Unit

The Appellate Unit is charged with representing the State in all criminal matters before the Rhode Island Supreme Court, defending the State on post-conviction relief actions in state courts as well as habeas corpus actions in federal court, and assisting prosecutors with legal research and analysis on a broad array of issues. In carrying out these responsibilities, the members of the Unit work with great diligence and passion to persuade members of the Rhode Island Supreme Court and the members of the federal judiciary of the correctness of the State's causes. The Unit's attorneys work equally hard in assisting trial prosecutors with legal issues as they arise during the course of pre-trial and trial litigation, and assisting other attorneys in research and analysis on a variety of questions of concern.

In 2014, the Unit filed with the Rhode Island Supreme Court 25 pre-briefing statements, of which 10 were with respect to a criminal judgment of conviction; two were with respect to a Superior Court adjudication of a probation violation; seven were with respect to an action in the Superior Court for post-conviction relief; and six were appeals from Superior Court sentencing or other miscellaneous Superior Court action. The Unit further submitted to the Rhode Island Supreme Court 12 full briefs, defending State-favorable judgments entered in the lower courts.

The Unit additionally filed 19 responsive memoranda with the Rhode Island Supreme Court in opposition to some defendant-requested extraordinary action, usually habeas corpus or certiorari. As well, the Unit defended against 11 federal habeas corpus petitions brought in the United States District Court for the District of Rhode Island (*id.*).

In 2012, Attorney General Kilmartin dedicated an appellate attorney to manage all post-conviction relief actions challenging judgments of conviction entered by way of plea disposition, as well as those resulting in a trial, on behalf of the Office. In 2014, the Appellate Unit disposed of 64 post-conviction relief actions in the Superior Court.

The Appellate Unit was very effective in its advocacy this past year with an overall success rate before the Rhode Island Supreme Court well above 90 percent. The Rhode Island Supreme Court affirmed 45 of the 48 criminal defendant-challenged Superior Court judgments. Of the 34 judgements of conviction challenged, only a single one was reversed by the Rhode Island Supreme Court on appeal. Moreover, the State was successful in both of the "offensive" state suppression determinations, in both cases reversing the Superior Court's adverse evidence suppression determination. In addition, not one of the judgments

of conviction challenged in federal court was successful. Further, not one of the 64 post-conviction relief dispositions resulted in a disposition found objectionable by the State of Rhode Island.

Child Abuse Unit

The Child Abuse Unit (CAU) was established in December 2011 and continues to maintain a significant load of challenging cases. The primary responsibility of the CAU is to prosecute sexual and physical abuse cases committed against our most vulnerable population, our children. Specifically, this Unit oversees the prosecution and investigation of all Providence County first and second degree child molestation cases and first and second degree child abuse cases, and consults on all County child abuse and child molestation cases.

The overall goals of the CAU are for specially trained and experienced prosecutors to handle cases from investigation through arrest and final prosecution in child sexual abuse and serious physical abuse cases, to minimize the time cases move through the criminal justice system, and to minimize the difficulty for a child involved in the criminal justice process.

The CAU uses a multidisciplinary approach to prosecuting child physical and sexual abuse cases. This includes working closely with Day One; the Child Protection Program (CPP) at Hasbro Children's Hospital; the Rhode Island Department of Children, Youth and Families (DCYF); and state and local police departments.

To this end, at least one team member of the CAU attends weekly meetings at the CPP at which the team of doctors, social workers from DCYF, local police departments and prosecutors discuss new cases and follow up on old cases to ensure child safety, and if applicable, make sure the perpetrators of those crimes are held accountable.

The cases discussed at these meetings are not only those which lead to criminal prosecution, but also those in which the children may need counseling and/or DCYF intervention to ensure their safety and well being. In 2014, there were 123 referrals and 71 children interviewed in Providence County, with an additional 33 referrals and 21 interviews in the counties.

One of the major responsibilities of the CAU is to represent the Office of Attorney General in upholding Sex Offender Board of Review decisions regarding the leveling of registered sex offenders living in the State of Rhode Island. Most of these offenders are convicted child molesters who are appealing their Level Two or Level Three risk assessments made by the Board. Once an appeal is filed by an offender, a prosecutor from the CAU files a motion to affirm the Board's decision with the Rhode Island Superior Court. Last year, 32 new appeals were filed. Of the 18 appeals that were decided this year, 16 level decisions were affirmed. There are 14 appeals still pending from 2014.

Providence District Court Unit

The District Court Unit in Providence County prosecutes a multitude of criminal matters brought forward in the 6th Division District Court and the Rhode Island Traffic Tribunal. Each day, District Court Unit prosecutors are responsible for conducting bail hearings on capital cases and enumerated drug delivery offenses, hearings to which any defendant who is held without bail is entitled (according to the Rhode Island General Laws and Article 1 Section 9 of the Rhode Island Constitution).

Unit prosecutors also regularly handle cases against defendants accused of violating the terms and conditions of either their bail on an existing case or of a pending sentence of probation or suspended time. Additionally, Unit prosecutors handle motions to expunge, motions to reduce and/or modify bail and bail conditions, motions to vacate no-contact orders, applications for post-conviction relief, and waivers of information for certain felony offenses on a daily basis.

The Department of Attorney General has exclusive authority to prosecute every charge of breathalyzer refusal brought under R.I.G.L. §31-27-2.1. The District Court Unit prosecutes all breathalyzer-refusal cases at the Rhode Island Traffic Tribunal.

In 2014, Unit attorneys handled a total of 1,436 refusal cases at the Rhode Island Traffic Tribunal. Further, Unit prosecutors handle any appeal of a Tribunal decision both before the Tribunal Appeals panel and subsequently before a judge of the District Court.

The District Court Unit prosecutes pretrial and trial matters brought by various state law enforcement agencies throughout Rhode Island, primarily the Rhode Island State Police. In addition, Unit prosecutors handle all criminal cases referred by the state Contractors Registration and Licensing Board (CRLB), the Department of Environmental Management (DEM), and the Department of Labor and Training (RI-DLT).

The District Courts traditionally are the busiest courts in the judicial system. In 2014, the Providence County District Court Unit handled 1,933 cases.

The Unit represented various state and local law enforcement agencies in 288 bail hearings, 823 probation and bail violation hearings, 600 misdemeanor prosecutions, 143 fugitive matters, 32 competency evaluations, 24 CRLB presentments, and an additional 23 matters.

Domestic Violence and Sexual Assault Unit

In 2014, the Domestic Violence/Sexual Assault Unit (DV/SA) continued its efforts to address crimes of violence committed among family and household members throughout the State of Rhode Island. In addition, the DV/SA Unit handles prosecution of all human trafficking cases. The DV/SA Unit worked to achieve its primary goals of ensuring victim safety and offender accountability. In addition to handling felony trials and misdemeanor appeals in Superior Court, DV/SA Unit prosecutors handle bail hearings, violation hearings

and motions to reduce or set bail. Unit prosecutors also regularly argue against victims' motions to vacate no contact orders against offenders.

DV/SA Unit prosecutors also coordinate, along with participating police departments and the Sexual Assault and Trauma Resource Center, the interviews of adult women and men who are victims of sexual assault. Additionally, they conduct training sessions for law enforcement officers at local police departments and police academies, as well as for city and town solicitors statewide to focus on proving cases without the participation of reluctant victims, thereby lowering the number of domestic violence cases dismissed at the District Court level.

Last year, prosecutors from the DV/SA Unit led trainings before the Providence Police Academy and the Rhode Island Municipal Police Academy, touching on all matters of domestic violence ranging from sexual assault, and strangulation to sex trafficking and evidence collection in cases where there is a reluctant victim.

Prosecutors and victim advocates continue to participate in the training of emergency room personnel at local hospitals on interviewing and collecting evidence from victims of domestic violence and sexual assault. In October, the DV/SA Unit presented to the Rhode Island Judiciary on a case study of a recent human trafficking investigation and prosecution.

Working closely with police departments assisting in the investigation of domestic murders, sexual assault, and felony assault cases, the DV/SA Unit will visit the scene to help preserve certain evidence that may be crucial to the successful prosecution of the perpetrators.

Prosecutors in the DV/SA Unit continued to work closely with the Courts in an effort to make the Domestic Violence Court a success and improve the process for victims by making domestic violence prosecutions a priority, ensuring that these cases get handled efficiently.

Last year, the DV/SA Unit charged 255 new cases and disposed of 333 cases, 15 of which went to trial. These cases included a range of domestic violence and sexual assault charges including murder, first and second degree sexual assault and felony assault.

With the increase in human trafficking cases, prosecutors in the DV/SA Unit have dedicated resources to training in how to work with victims of this egregious crime and how to successfully bring a case to prosecution against individuals who enslave others for commercial sex purposes. Last year, the DV/SA Unit charged eight new cases of human trafficking.

A new specialty within the DV/SA Unit is prosecution of animal abuse cases. The Office of Attorney General has prosecuted an increasing number of felony malicious injury to or killing of animals over the past several years. In 2012, three felony animal abuse cases were prosecuted as compared to 10 cases in 2013 and 12 cases last year.

The increase in cases is a reflection of changing societal attitudes, greater awareness, and better education of law enforcement to recognize animal abuse. Prosecutors from the DV/SA Unit have developed a training curriculum on how to identify and investigate animal abuse for the municipal and state police training academies. In addition, prosecutors made presentations to veterinarians, animal control officials, and community organizations on animal abuse.

Elder Abuse Unit

The Office of Elder Justice Advocate, also known as the Elder Abuse Unit, is responsible for investigative management and prosecution of crimes involving elderly victims of abuse, neglect, and financial exploitation. The Unit was created several years ago in recognition of the fact that the proportion of Rhode Island's population that is sixty years of age and older is dramatically increasing and will continue to do so in the coming years. Coupled with the fact that this age group is the State's fastest growing demographic is that crimes against senior citizens often go unreported, presenting high temptation and low risk factors to potential offenders. The special needs often presented by elder victims and the fact that elder abuse, neglect and exploitation crosses all racial, socio-economic, gender, and geographic lines made the need for a special unit apparent.

The Unit had a very successful year on behalf of elderly victims in 2014, handling more than 300 investigations and complaints.

The Unit continued to work with and advise law enforcement agencies across the State in elder abuse investigations, leading to more than 140 felony criminal cases being opened in the Rhode Island Superior Court last year. 123 cases were disposed of, resulting in jail time for many defendants, as well as court-ordered restitution of more than \$1 million for senior victims.

The Elder Abuse Unit continued its commitment to train law enforcement and personnel who work closely with the elderly. Training of those who work with the elderly is vital, as they are in a unique position to observe signs of elder abuse which may be occurring in the home, out of the public view. Elder abuse trainings were presented to the Providence Police Academy; the RI Citizens Commission for the Safety and Care of the Elderly for senior citizens' police and fire advocates; CARE, an organization that provides services to the elderly including realtors, homecare agencies and attorneys; the New England Affordable Housing Management Association and case managers and social workers from Child & Family Services. The Elder Abuse Unit also participated in a forum and panel on Elder Justice for Social Justice Week at Roger Williams University.

As crime against the elderly increases, the need to strengthen existing laws and implement new laws is crucial. To that end, Attorney General Kilmartin submitted two new bills in 2014, both of which were made law. The first increased the statute of limitations on the Exploitation of Elders statute from three years to ten. The second allowed a health care provider to release the medical records to law enforcement personnel if the patient is elderly and the provider believes the elder has been abused, neglected or exploited.

Another change is that reporting the suspicion of elder abuse, which is mandatory in Rhode Island, may now be made to law enforcement or the Division of Elderly Affairs.

Juvenile Prosecution Unit

The Juvenile Prosecution Unit prosecutes all juveniles charged with offenses which would be punishable as felonies if committed by an adult. In addition, the Unit also prosecutes all juveniles who are charged with misdemeanors by the Rhode Island State Police, State Fire Marshall and the Department of Environmental Management. The Unit is also responsible for the prosecution of all juveniles who are charged with violations of probation, as well as the prosecution of adults who commit child neglect and exploitation of a minor.

This past year proved to be another busy year for the Juvenile Prosecution Unit. The Unit received 1,262 new petitions charging juveniles with criminal offenses. This represents 651 new delinquency, or felony, charges, and 52 wayward, or misdemeanor, charges, as well as 559 violations of probation and court orders. During 2014, the Unit prosecuted 766 new juvenile offenders. A new juvenile offender is a juvenile not previously prosecuted by the Unit. This number does not include juveniles that the Unit prosecuted in past years or juveniles who re-offend during the current year.

Rhode Island General Law allows the Office of Attorney General to seek to waive a juvenile out of the Family Court system to be tried as an adult in Superior Court. In 2014, the Juvenile Unit filed three mandatory waiver motions and 17 discretionary waiver motions. Of those motions, three discretionary waiver motions were amended to certifications where the juvenile pled to an adult sentence and 10 discretionary waiver motions are pending. In addition, seven juveniles voluntarily waived their cases to Superior Court and the Court waived three juveniles following hearings.

In 2014, the Unit prosecuted 51 juveniles for school violence cases, not including the wayward offenses handled by municipalities. The range of offenses that occurred on school property included assault, breaking and entering, drug offenses, possession of weapons, and bomb threats.

Last year, the Unit prosecuted 49 juveniles in Family Court for firearm cases. These included eight BB guns, one shot gun, and 41 firearms, which included handguns/pistols. The Unit participates in the Juvenile Drug Court, which aggressively addresses substance abuse and associative behaviors, which if not addressed could lead to further contact with the courts. Last year, 86 juveniles were admitted to the Juvenile Drug Court and 13 juveniles were admitted to the post-adjudication track of the program, which is designed to address more serious charges and issues of recidivism. Last year, 58 juveniles successfully graduated from the program while 29 were terminated or discharged for violating the rules of the program.

The Juvenile Prosecution Unit is also responsible for covering cases heard in the Re-Entry Court, which is a specialized court that monitors and reviews juveniles recently released from the Rhode Island Training School.

Prosecutors also conduct emergency arraignments, wherein a juvenile has been detained overnight at the Rhode Island Training School with the approval of a Family Court Judge. There were 331 emergency arraignments in 2014.

The Unit continues to be actively involved in the Juvenile Detention Alternative Initiative Project. The initiative works towards reducing reliance on secure confinement without sacrificing public safety. One of the goals is to shift spending from detention to community-based detention alternatives.

In 2011, the General Assembly allowed for electronic monitoring of juveniles as a detention alternative. The program was activated in February 2012. Since then, electronic monitoring of juveniles has become a detention alternative in Rhode Island. According to the Department of Children, Youth and Family, 232 juveniles were placed on electronic monitoring or home confinement in 2014.

The Juvenile Prosecution Unit also prosecutes adults who commit child neglect, exploitation of a minor, and failure to pay child support. In 2014, the Unit prosecuted 12 child neglect criminal cases with an additional 22 pending at the end of the calendar year.

In addition to prosecuting cases, members of the Juvenile Unit work within the community to educate students and the public about juvenile laws and prosecution of juveniles. The staff also serves on several committees and task forces pertaining to juvenile and child abuse cases, including the Rhode Island Sex Offender Registration and Notification Task Force, the Rhode Island Council for Interstate Compact for Juveniles, Hasbro Children's Hospital Child Protection Program, the Child Advocacy Center at Day One, and the SOLEMN Task Force, among several others.

In addition to the six prosecutors, two paralegals and support staff, the Juvenile Unit is assigned a victim witness assistant responsible for corresponding with juvenile clients who have been the victim of juvenile offenders, as well as victims of adult offenders charged with child neglect. This staff member also assists prosecutors with interviews of juvenile victims and witnesses, attends Family Court hearings, and coordinates with the Rhode Island Juvenile Probation Office on issues of victim restitution. In addition, this staff member serves as part of the child advocacy team attending bi-weekly meetings at Day One, where cases of molestation and sexual assault are reviewed for potential criminal prosecution.

With an increasing number of young people sharing and distributing intimate photos and videos with one another via social media and smart phones, there has been an increase in instances of "sexting," especially among young people.

In response to a request by a local high school to speak to students on the issue, the Office of Attorney General created a frank and honest presentation on the legal and social consequences of sexting or sharing intimate photos or videos via social media and cell phones. Given by young prosecutors from the Juvenile Prosecution Unit, the presentation

gives young people real life scenarios of what can happen if they send or distribute intimate photos. The prosecutors also discuss the social and emotional costs of such actions.

Prosecutors from the Juvenile Prosecution Unit have made four school visits since the launch of the program in the Spring of 2014.

Kent County Office

The Kent County Office is located within the Philip Noel Judicial Complex in Warwick. The second-largest office in terms of size and staffing, the Kent County Office is comprised of six attorneys, six support staff, and a victim witness liaison.

The scope of the duties of the Kent County Office include, but are not limited to, all bail violation hearings, probation violation hearings, pre-trial conferences, various pre-trial motions, and ultimately trial for all felony matters brought before the Court, as well as misdemeanor prosecutions charged by the Rhode Island State Police, the Rhode Island Department of Environmental Management, and other state agencies.

In 2014, the Kent County Office disposed of 646 felony cases, of which 90.6 percent were disposed of by way of plea agreement. Only 53 cases, or 8.2 percent, were dismissed pursuant to Rule 48(a). In addition, the Kent County Office handled 746 probation violators, 37 appeals from 3rd Division District Court, as well as a myriad of miscellaneous matters, including grand jury presentations, post-conviction relief applications, and motions for expungement, among others.

In addition to these matters in Superior Court, the Kent County Office also handles all matters in the 3rd Division District Court in which the Rhode Island State Police are the prosecuting agency, as well as all probation violation and bail hearings that come before that court. In 2014, Kent County prosecutors disposed of 1,192 misdemeanor cases and handled approximately 1,258 probation violations.

Last year, of the 874 cases referred for felony screening, 153 cases were disposed of when the defendants declined to contest the charges and agreed to waive the formality of the information screening process. An additional 545 cases were charged by way of criminal information, while 60 cases were referred for grand jury presentation. Of note is the number of narcotic offenses that were charged. Of the 651 cases charged or waived, 195, or almost one third, were for some drug offense. In addition, the Kent County Office saw an increase in domestic violence cases, including 116 criminal informations signed for domestic offenses, such as assault, strangulation, and violation of protective orders.

The Kent County Court also houses the Alternatives to Sentencing and Trauma Recovery in Rhode Island, or Veteran's Court, program.

Kent County also served as the site for a pilot program in Superior Court in which Justice Assistance, in partnership with the Brown University Alpert Medical School and School of

Public Health, received a grant to develop and test a supervision model for offenders released with pre-trial conditions and who are in need of substance abuse and/or mental health treatment. The goals of the pilot program are to develop a comprehensive, cost effective supervision model designed to reduce the awaiting trial prison population by 10 percent through the expanded use of pre-trial release conditions, and to develop a mechanism that works to eliminate barriers to treatment for offenders through navigation and enrollment assistance in the State's health care marketplace.

Working in conjunction with the Office of Attorney General, Office of the Public Defender, and Superior Court personnel, the pilot project is designed to serve the offender population in Kent County Superior Court who are in violation of their conditions of release and are held at the ACI awaiting further court intervention.

In lieu of incarceration, Justice Assistance personnel manage a highly structured program of supervision, reporting on physical health treatment, mental health treatment, and social and community services, as well substance abuse treatment.

Eligibility is limited to criminal offenders 18 years of age or older who are arrested for non-violent offenses, reside in a city or town served by the Kent County Superior Court and are held as bail or probation violators who would otherwise be incarcerated pending the outcome of his/her case. For each participant, the supervision and reporting is reviewed on a weekly basis and may be adjusted with successful participation in the project. The project includes a three-step system of service and supervision which provides participants with incentives for responsible participation and increased opportunities for involvement with family and community activities. Participants are also evaluated by the Court on a routine basis with ultimate case outcomes determined through a review of client treatment files, probation/criminal records and self-reporting. The hope is to then examine the impact of the intense community supervision on substance abuse treatment initiation, participation, and retention, as well as subsequent drug use and criminal behavior, with the ultimate goal of decreased incarceration and recidivism.

Since beginning in February, 39 referrals were made to the program, with all but six cases being accepted after making it through the screening. The goal for the upcoming year is to increase the number of participants by expanding the eligibility requirements, in particular by including all members of the criminal defense bar rather than limiting to clients of the Public Defender's Office. With the appropriate resources and a pool of participants who are ready and willing to avail themselves of those resources, the program has the potential to result in a significant decrease in incarceration and recidivism rates within the State.

Medicaid Fraud & Patient Abuse Unit

The Medicaid Fraud Control and Patient Abuse Unit (MFCU) enforces the laws pertaining to fraud in the state Medicaid program and prosecutes cases of abuse, neglect, or mistreatment of patients in all state healthcare facilities. The Unit prosecutes criminal activity, pursues civil remedies where appropriate, and participates with federal and state authorities in a variety of inter-agency investigations and administrative proceedings. Unit

prosecutors, auditors, investigators, and health care professionals employ a multi-disciplinary approach to combat health care fraud and patient abuse.

In 2014, settlements against pharmaceutical and medical device companies resulted in a return of \$653,700 to Rhode Island's Medicaid budget. In addition, \$8,032 was recovered in restitution of medical assistance fraud investigations and another \$259,503 was recovered in civil recoveries, along with an additional \$5,345 in investigative costs recovered. In total, \$926,582 was recovered and returned to the State of Rhode Island.

While the MFCU is the one unit within the Office that does have investigative powers, it relies heavily on other state agencies, law enforcement, and providers – those who have direct and daily contact with individuals and businesses who benefit from the Medicaid program – to forward possible instances of Medicaid fraud and patient abuse for the Unit to investigate.

The Unit continues to focus on home health care fraud. Recognizing this area to be a major source of abuse nationwide, the Unit has taken steps to stem the tide of fraud in Rhode Island. The Unit conducts several trainings for fiscal intermediary agencies involved in administering personal care attendant services and work with the Executive Office of Health and Human Services as to how to detect fraud.

Patient abuse and neglect are also a major focus of the MFCU investigations. The Office continues its efforts to find ways to make the reporting of such incidents easier and familiar with those people in the position of enduring or witnessing such unfortunate occurrences.

In 2014, the General Assembly passed, and the governor signed into law, legislation that requires a national background check for all individuals employed by long-term care facilities. The new “rap back” system will allow for the State to be automatically notified if an employee is convicted of a felony offense that would disqualify them from working in a long-term care facility. The new system is being integrated as part of the Office's upgrade of the next-generation IAFIS system.

Finally, in December 2014, the MFCU was the subject of an “on-site review” by the United States Department of Health and Human Services Office of Evaluation and Inspection. The Unit was scrutinized for several days by Department of Justice employees looking at compliance with federal law and procedures in the operation of the Unit, as well as all aspects of regulatory requirements. The final report is expected to be released in June 2015.

Narcotics & Organized Crime Unit

In 2014, the Narcotics and Organized Crime Unit (NOCU) continued in its three primary areas of responsibility: to investigate, manage, and prosecute all criminal cases involving narcotics, traditional organized crime, and criminal street gangs, as well as handling all

aspects of asset forfeiture and representing the State of Rhode Island in the Providence County Adult Drug Court.

In the area of narcotics prosecution, the members of the Unit are responsible for representing the State in a variety of court proceedings, including trials, pre-trial conferences, violation hearings, and bail hearings. Unit prosecutors also are responsible for drafting and editing documents related to the electronic surveillance of targeted offenders, the management and oversight of electronic surveillance investigations, providing legal advice and assistance to police departments, working with law enforcement on investigating narcotics-related activity, and presenting narcotics-related investigations to county and statewide grand juries. In 2014, the Unit opened approximately 74 cases per month and an average of 171 narcotics cases were disposed of each month.

In addition to prosecuting all organized crime-related cases before trial juries, the Unit works closely with the police in providing document support and case management on electronic surveillance cases and developing cooperating witnesses and confidential informants.

Due to the close relationship between the prosecution of narcotics-related offenses and the use of firearms, the Unit is responsible for prosecuting most of the cases on the Providence Superior Court's Gun Calendar. Additionally, a member of the Unit is responsible for the coordination of firearms prosecution between state and federal authorities, communicating on a daily basis with the U.S. Attorney's Office to review all firearms cases and to determine which jurisdiction is most appropriate to bring charges. In 2014, the Gun Calendar charged 285 firearms-related offenses while disposing of 208 firearms-related cases.

Due to the high volume of cases assigned to NOCU, it is not surprising that it is a frequent occurrence for prosecutors assigned to the Unit to be reached for trial in Superior Court, participating in the case from its initiation through to verdict. In fact, each prosecutor assigned to NOCU successfully prosecuted a matter before a Superior Court jury in 2014. In addition, it is not uncommon for NOCU prosecutors to assist with matters outside of the Unit, including handling violation matters in Courtroom 9, Family Court cases, and District Court matters, such as bail violation hearings.

NOCU continued to represent the State before the Providence Superior Court's Adult Drug Court, a special court that handles cases involving offenders who are addicted to drugs. The court seeks to help such offenders through an extensive supervision and treatment program.

NOCU is also responsible for processing all narcotics, gambling and racketeering-related asset forfeitures. Proceeds from the sale of forfeited assets represent an important source of ongoing drug and crime suppression efforts of state and local police. In 2014, the Unit opened 350 new forfeiture cases and disposed of 267 cases. In total, the Unit seized \$1,396,173 in cash and property and processed \$1,348,722 in total cash and property forfeited.

Under Rhode Island General Law, assets obtained through illegal drug operations are forfeited and distributed among state and local police, the Office of Attorney General, and the Department of Behavioral Healthcare, Developmental Disabilities & Hospitals (BHDDH).

As prescribed by statute, 20 percent of seized proceeds shall be provided to the Office of Attorney General to be used for further drug-related investigations and prosecutions, 70 percent is divided among the state and local police departments proportionately based upon their contribution to the investigation, and 10 percent provided to BHDDH to support substance abuse treatment programs.

Last year, \$480,289 in “cash” was distributed to the Rhode Island State Police and local police departments, \$68,612 to BHDDH, and \$137,225 to the Office of Attorney General. Another \$620,855 worth of forfeited property was distributed to state and local law enforcement agencies for use or auction.

Newport County

Located in the historic Florence Murray Judicial Complex in downtown Newport, the Newport County Office is comprised of two prosecutors, one out-of-county screening prosecutor, two support staff, and one victim/witness liaison who splits time with the Washington County Office. The Office is responsible for all county-wide felony prosecutions from the following police departments: Newport, Jamestown, Portsmouth, Middletown, Tiverton, Little Compton, Rhode Island State Police-Portsmouth, and the Rhode Island Department of Environmental Management.

In 2014, the Newport County Office disposed of more than 326 criminal cases, of which nolo contendere pleas accounted for 284 of those dispositions. One case was disposed of by a not-guilty, one case was dismissed by the Court and 37 cases were dismissed. Of the Superior Court cases disposed of last year, 51 were by waiver of criminal information. The Office also handled 142 violations of probation and bail, and 14 cases that were misdemeanor appeals from District Court.

Seven cases proceeded to trial in Newport County Superior Court during 2013, two of which resulted in guilty verdicts after trial, three resulted in not guilty verdicts, one was disposed of during trial, and one is still pending in the Supreme Court and awaiting re-trial.

Last year, 368 felony cases were submitted to the Newport County Office for information charging. Of those, and in addition to the cases carried over from 2013 that were pending at the start of the calendar year, 320 felony cases were charged by way of information charging, 71 cases were deemed “no informations,” 26 cases were remanded to District Court, 10 were referred to Diversion, and 51 cases were resolved by waiver of criminal information.

The Newport County Office handled 448 substantive matters before District Court, including 294 violations of probation or bail, 14 bail hearing matters, 19 second-offense

chemical refusal tests, and 15 fugitive from justice matters, and disposed of 49 misdemeanors.

Traffic Safety Resource Prosecutor

Federally funded, the Traffic Safety Resource Prosecutor (TSRP) oversees the prosecution of all alcohol-related driving accidents, law enforcement training, and community outreach for motor vehicle safety issues, including underage drinking and texting while driving. The TSRP also assists the Rhode Island Department of Transportation (RIDOT) with highway safety public policy and education initiatives.

The TSRP is involved in all stages of the prosecution of motor vehicle crash cases, with the goal of the program to have early involvement and provide assistance to law enforcement at the time of the crash. In this capacity, the Office of the Attorney General provides a great resource for police departments in their initial decision-making process and in obtaining warrants for evidence in criminal cases. If the offense rises to the level of criminal negligence, the TSRP prosecutes the cases for the Office of Attorney General. On average, the TRSP reviews approximately 100 crash investigations annually.

In addition, the TRSP will review any fatal crash at the request of law enforcement to determine whether the conduct of an operator rose to the level of criminal recklessness.

Last year, the TRSP presented seven separate law enforcement trainings which approximately 225 officers attended. These trainings focused on impaired driving, search and seizure, and testifying in motor vehicle cases. The programs offered included "Decriminalized Marijuana Laws," "Drug Recognition Experts Training," "DWI Training," "Texting and Driving Laws," and "Lethal Weapons Training."

In addition, the TRSP participated in two high visibility DWI enforcement task force programs, held during the Labor Day and Thanksgiving Day holiday weekends. Officers from 15 local police departments participated and 33 arrests were made for impaired driving during the two holidays.

The TRSP partners with numerous agencies and commissions across the State with the goal of reducing fatalities on our roadways. This year, the TSRP hosted seven Zero Fatality Programs (ZFP) with partners RIDOT, the Rhode Island Department of Corrections, Mothers Against Drunk Driving, and the Rhode Island Family Court. The ZFP is an impaired driving and underage drinking program held prior to prom and graduation season where high school juniors and seniors are brought to the prison to see firsthand the dangers of reckless conduct and drinking and driving. Students hear from young inmates serving long jail sentences for DWI death resulting cases and hear from the parents of young victims killed in DWI crashes. In 2013, more than 800 students and faculty attended the program. This past year, the ZFP went on the road to Coventry High School where 400 seniors and juniors participated in the program before the prom.

The TRSP also actively participated in the Attorney General's "It Can Wait" anti-texting while driving campaign. Since the program's launch in 2012, the Attorney General and partners have made more than 50 school visits where more than 19,000 young drivers took the pledge to never text and drive.

Increased enforcement and educational outreach seems to have a positive impact on the number of motor vehicle fatalities in Rhode Island. According to the statistics provided by the TRSP, the number of driving-related fatalities in Rhode Island dropped 20 percent this year, down from 65 in 2013 to 52 in 2014. The marked drop reflects a continued decline in fatalities from a high of 104 in 2003, representing a 100 percent decline, and is the lowest number of motor vehicle fatalities since 1994.

Of particular note was the significant decline in fatalities of young drivers age 16 to 24. This age group has steadily declined over the past five years from 22 fatalities in 2009 to 8 fatalities in 2014.

Seatbelt use is up in Rhode Island. According to statistics provided by the National Highway Traffic Safety Administration, 87.4 percent of all Rhode Islanders reported using their seatbelt every time they got into a motor vehicle in 2014, compared to just over 75 percent in 2004.

Veterans Court

The Alternative to Sentencing and Trauma Recovery in Rhode Island – Focus on Veterans is a jail diversion program that was piloted in the Kent County District Court. Commonly referred to as the "Veterans Court," the program is designed to direct defendants who have experienced military trauma resulting in related disorders into a court program which integrates a support and treatment plan into the judicial process.

Veterans Court provides treatment options that result in potential jail diversion, possible reduction of charges or other alternatives in sentencing. It is designed to divert veterans whose military-related trauma has led them to troubles with law away from incarceration and, where appropriate, into rehabilitative alternatives.

During the calendar year, more than 122 referrals were made to the program, with approximately 93 cases accepted. Last year also saw 51 cases successfully completed with the remaining cases active in the program.

Victim Services Unit

The Victim Services Unit provides an array of services to felony crime victims and their families. Advocates are assigned to victims and their families to provide guidance and support through the criminal justice process – informing them of their rights, notifying them of the status of the offender's case, providing personal assistance at court appearances, and helping them better understand and participate in the legal process. In addition, the Unit provides referrals to other victim-service provider agencies and support

groups that can further assist victims with financial, legal, medical, and emotional problems resulting from the crime. Unit advocates also assist prosecutors with all victim-related matters.

In performing these services, the staff works closely with highly-traumatized victims and families in homicide, driving death, child molestation, sexual assault, human trafficking, and domestic violence cases as well as other felony cases – answering questions, overcoming fears, explaining court procedures, notifying victims of the status of the offender’s case, sharing concerns, addressing safety issues, assessing overall needs, and accompanying victims to court proceedings.

Advocates are assigned to assist victims and their families through the various stages of the criminal justice process – bail hearing, pre-arraignment/arraignment, violation hearing, grand jury, pretrial, trial, appellate, and post-conviction process. The Unit also collaborates with other agencies – RI Department of Probation and Parole, RI Parole Board, Superior Court Restitution Unit, and RI Department of Corrections Office of Victim Services – in an effort to provide a seamless transition for victims at the conclusion of the Superior Court process.

In order to facilitate the restitution process for victims, the Unit collaborated with the RI Department of Probation to provide victim contact information in more than 430 cases last year. In addition, the Unit provided victim contact information to the Rhode Island Parole Board in order to facilitate notification of parole board hearings to victims in more than 220 cases.

The Unit has an “on-call” system for advocates to work with police departments and prosecutors on homicide cases, with the goal of establishing contact with the victim’s family within 24 hours. Two advocates are on call at all times. “On-call” prosecutors also have an advocate available to them during the weekend. Information on victim compensation (including application for emergency funeral and burial expenses), support services, and case status are made available to each family.

The team provides services to Spanish-speaking victims in their native language with forms, brochures, and letters, and also provides outreach to area schools, senior centers, and community centers.

In 2014, the Victim Services Unit handled approximately 6,500 cases and generated more than 40,000 status notices to victims. In providing personal support, advocates accompanied victims to more than 2,300 court proceedings — including bail hearings, violation hearings, pretrial conferences, trials, Supreme Court arguments, and interviews with prosecutors. More than 3,000 referrals were made to other agencies for further assistance, and more than 4,000 telephone contacts were made on victim-related matters. Also, the Unit provided 100 letters of notification to victims relating to the Rhode Island Supreme Court appeal process.

In 2014, the Unit referred 3,700 victims to the RI Victim Assistance Portal (RI-VAP). RI-VAP is a secure web portal that serves victims of crime in Rhode Island (or approved guardians/significant others) with a broad range of information relevant to their offender's case. The information includes court events, incarceration status, and status of court-ordered restitution on misdemeanor cases. The Victim Services Team and RI Justice Assistance are the portal's administrators. Approximately 150 victims and advocates were registered and approved in 2014. The Unit continues to work closely with the developers of the RI-VAP to make necessary enhancements to ensure that victims are able to access information about their offender's cases in "real time."

In the summer of 2014, Ana Giron, the Victim Services Unit Director, provided instruction on "victim services in the criminal justice system" as part of the curriculum for the Rhode Island State Victim Assistance Academy. Throughout the year, team members also continued to receive specialized training on issues related to domestic violence, child molestation/sexual assault, elder abuse, human trafficking, victims with disabilities, and mainstreaming services to LGBTQ persons (lesbian, gay, bisexual, transgender, and questioning) in an effort to better serve Rhode Island's diverse victim populations. In an effort to provide outreach to the community, the advocates participated in the "Back to School Celebration" along with members of the Consumer Protection Unit at the Nathaniel Green Middle School in Providence this past summer. Handouts and resource materials were made available to parents and other community members.

Ana Giron serves on the Board of Directors for the Rhode Island Coalition Against Domestic Violence. She also serves as Chair of the Crime Victim Service Providers Steering Committee, which plans and sponsors events for National Victims Rights Awareness Week, including the annual Victims Grove Ceremony. In addition, Ms. Giron is part of the Steering Committee for the RI State Victim Assistance Academy and collaborates on the Victim/Offender Dialogue Committee/RI Department of Probation and Parole.

Washington County

Located within the J. Howard McGrath Judicial Complex in Wakefield, the Washington County Office is comprised of three prosecutors, one out-of-county screening prosecutor, two support staff, and one victim/witness liaison who splits time with the Newport County Office. The Office is responsible for all countywide felony prosecutions from the following police departments: North Kingstown, South Kingstown, Narragansett, Charlestown, Richmond, Hopkinton, Westerly, New Shoreham, University of Rhode Island, the Department of Environmental Management, and Rhode Island State Police cases originating from the Wickford and Hope Valley Barracks.

2014 was a productive one in Washington County, with more than 399 pending cases disposed of in Superior Court and 318 cases disposed of in District Court. An essential element in the smooth and efficient operation of a county office is the ability to effectively waive criminal informations, thus reducing the amount of cases submitted to screening and added to the criminal calendar. In 2014, prosecutors were able to waive 63 cases from the District Court to dispositions in the Superior Court.

The Washington County Office continued to focus on moving all capital offenses and investigations through the grand jury. Last year, three cases were presented to the Washington County Grand Jury, resulting in three true bills and zero no true bills.

White Collar Crime and Public Corruption Unit

The White Collar Crime and Public Corruption Unit is charged with the responsibility of prosecuting any crime that can be committed with a pen, balance sheet, or computer instead of a mask, gun, or knife. In other words, the Unit targets crimes of sophistication, deception, and ingenuity rather than those of fear, violence, or intimidation. These crimes include public corruption, traditional financial crimes, and a variety of other criminal activities generally characterized as white collar crimes.

In areas of public corruption, the Unit prosecutes criminal misconduct by government officials and employees at the state and municipal levels, including theft, forgery, bribery, embezzlement, perjury, and official misconduct.

The Unit also prosecutes traditional financial crimes such as embezzlement, forgery, obtaining money under false pretenses, wrongful conversion, forgery, banking violations, extortion, criminal usury, perjury, and false swearing, in addition to crimes relating to mortgage and loan fraud, which recently have become more widespread with the collapse of the housing market and struggling economy. The Unit places heavy emphasis on those that have a significant impact on individual victims or on the public at large. Recognizing the extreme stress and financial upheaval suffered by victims of financial crime, one of the Unit's primary goals in these prosecutions is asset location and restitution recovery for victims.

The Unit's efforts in 2014 resulted in \$ 2,611,507 in court-ordered restitution to victims.

In August 2013, the White Collar Unit was assigned a prosecutor devoted exclusively to prosecuting fraud cases referred by the RI Department of Labor and Training involving unemployment-insurance fraud, workers' compensation fraud, prevailing wage violations, and labor standards violations. The prosecutor in this position is solely responsible for screening, charging, prosecuting, tracking, and reporting case results to the Rhode Island Departments of Labor and Training and the Office of Attorney General.

During 2014, the first full year for this position, this prosecutor disposed of 17 unemployment fraud cases which resulted in \$198,347 in court-ordered restitution to the State and \$2,500 in fines. In these unemployment fraud cases, upfront restitution in the amount of \$27,943 was obtained. In December, 18 new unemployment fraud cases, with restitution valued at approximately \$324,497, were charged and currently await resolution.

In addition, the Office charged seven workers' compensation fraud cases. Of these, four were resolved, resulting in \$24,079 in court-ordered restitution. Additionally, during 2014,

this prosecutor charged and resolved seven failure to pay wage cases which resulted in \$10,850 in court-ordered restitution and unpaid wages.

The proliferation of the Internet, smartphones, and social media has given rise to an array of computer-facilitated crimes, requiring the Unit to become deeply involved with high tech methods of identifying and prosecuting such crime. Consequently, the Unit has seen a significant increase in crimes committed through the use of computers and the Internet, especially child pornography and online sex crimes against children. The Unit works closely with law enforcement agencies specializing in computer crime, including the Rhode Island Internet Crimes Against Children Taskforce. In 2014, the Unit disposed of 21 child pornography cases.

The White Collar Crime and Public Corruption Unit was also instrumental in drafting legislation to modernize the State's laws in the areas of financial, public corruption, and computer crime to give law enforcement the tools needed to combat financial and other crimes in an increasingly technological world. Legislation includes updates to the State's online impersonation laws to reflect the growing use of the Internet, especially social media sites, as well as legislation to protect children from online sexual predators.

In 2014, the General Assembly passed legislation by Attorney General Kilmartin that makes it a felony to electronically disseminate sexually explicit images to minors, including photos and videos, as well as live sex acts transmitted via webcam. While Rhode Island has strict child pornography and human trafficking laws, the law previously did not address adults sending lewd and sexually explicit photos and videos to children.

The act of sending sexually explicit images and video to children is, among other things, a way for predators to "groom" children to build a relationship that can lead to exploitation and further victimization. With the changes, it is now a felony to knowingly transmit electronically indecent material to minors. Those in violation and found guilty are subject to up to five years in jail, a maximum fine of \$5,000, or both. In addition, persons found guilty are subject to sex offender registration.

Appendix of Significant Civil and Criminal Cases and Investigations

Civil Litigation

Berman v. State

During 2013, the State defended the jury verdict it obtained in this personal injury case. The plaintiff, Simcha Berman, alleged that the State was negligent and that he was injured in a fall from the Cliff Walk in Newport. In 2011 the case went to trial, with Berman seeking approximately \$40,000,000 in damages. A jury found for the State, and cross appeals were filed surrounding that verdict in the Rhode Island Supreme Court. Oral argument was heard by the Supreme Court in October 2014. In its decision rendered on November 10, 2014, the Supreme Court dismissed the plaintiffs' appeal and upheld the jury's verdict for the State of Rhode Island. The Court determined that the trial justice had acted well within his discretion on procedural and evidentiary rulings. Since the jury verdict was upheld, the Court declined to address the State's appeal.

Cassie M. et al. v. Raimondo, et al. (formerly Sam and Tony M. et al. v. Carcieri, et al.)

In 2007, the New York-based Children's Rights Incorporated (CRI) and then-Rhode Island Child Advocate Jametta Alston filed this lawsuit as a putative class action brought on behalf of all children in the care of the Department of Children Youth and Families (DCYF) because of abuse or neglect. They alleged constitutional and statutory claims under the Adoption Assistance and Child Welfare Act of 1980. CRI sought both federal court supervision and monitoring of DCYF, and attorney's fees. The State initially moved to dismiss the suit on several legal grounds. The District Court granted an initial motion to dismiss by the State; however, the First Circuit Court of Appeals reversed the decision and remanded the case. Subsequently, the parties engaged in extensive and voluminous discovery of DCYF's foster care system and the experiences of the individual named plaintiffs. Trial on the claims of the individual named plaintiffs began on November 12, 2013. CRI presented five witnesses in a document-driven case over sixteen trial days. On January 9, 2014, the plaintiffs rested their case and the State moved for judgment on the record on all claims. On April 30, 2014, the District Court issued a decision granting the State's motion, *Cassie M. v. Chafee*, 16 F.Supp.3d 33 (D.R.I. 2014). Judgment was entered on the same day in favor of the State, dismissing the case. CRI has appealed this decision to the First Circuit on five different issues. The parties have submitted their respective appellate briefs and have presented oral arguments to the First Circuit. The appeal is presently under advisement.

Roy v. State

During 2013, the State defended the jury verdict it obtained after a six-week trial in this personal injury case in 2010. Plaintiff Brett Roy sought over \$40,000,000 after he was paralyzed in a diving accident in World War II Park in Woonsocket. The State defended the case and obtained a jury verdict in the Superior Court. In 2013 a Superior Court judge granted a new trial in the matter. Both sides have filed appeals to the Rhode Island Supreme Court.

Narragansett Indian Tribe v. State

The State is currently defending a challenge by the Narragansett Indian Tribe to the 2012 legislation adding table games to Twin River, and to the general operation of Twin River and Newport Grand. The case is presently pending in both Superior and Supreme Courts.

United States of America v. State of Rhode Island, RI Department of Corrections

In February of 2014, the United States Department of Justice (DOJ) filed lawsuit in the United States District Court for the District of Rhode Island against the State of Rhode Island Department of Corrections (State) alleging violations of Title VII of the Civil Rights Act of 1964. Specifically, DOJ alleged unintentional disparate impact for African-American and Hispanic applicants taking entrance-level correctional officer examinations during the time period of 2000 to 2011. The DOJ's complaint seeks to enjoin the State from using these examinations as part of its selection process and "make whole" relief for those who failed the exams, including priority hiring and back pay. The DOJ notified the State of its decision to file this suit in November of 2013 just after the examinations were given to a prospective class of applicants. As a result of the allegations, the State suspended the 2013 selection process prior to the filing of the lawsuit. The State disputes the allegations and moved to dismiss the Complaint based on the DOJ's failure to comply with the requirements and procedures of Title VII, and on statute of limitations grounds. The District Court denied the State's motion in January of 2015, but recognized that the State may raise the defense of laches. This case is now in discovery.

Consumer Protection Cases

State v. GlaxoSmithKline

This was a multistate consumer settlement that concluded an investigation into allegations that GlaxoSmithKline (GSK) violated state consumer protection laws in the marketing and promotion of prescription drugs including Advair, Paxil, and Wellbutrin. The Rhode Island-specific consent judgment contains comprehensive injunctive relief similar to that found in prior multistate consumer protection drug settlements. This multistate settlement also required a \$105,000,000 payment to the states, of which Rhode Island received approximately \$1,216,000. The consent judgment applies to: (1) Advair; (2) Paxil; (3) Wellbutrin; (4) any pharmaceutical or biological product approved by the FDA for the treatment of major depressive disorder; (5) any selective serotonin reuptake inhibitor (SSRI); and (6) any norepinephrine dopamine reuptake inhibitor (NDRI). The settlement includes injunctive provisions, for instance, that prohibit GSK from presenting favorable information or conclusions from a study that is inadequate in design, scope, or conduct to furnish significant support for such information or conclusions.

State v. Ross Realty

A hearing was held in Superior Court on the State's motion to dispose of photographs, photographic negatives, and other miscellaneous property relating to P.J. Cohen d/b/a P.M. Cohen Photography Inc, formerly in the possession of Ross Realty and currently in the possession of the Attorney General. These photographs and negatives were deemed to be

abandoned by Cohen in 2003. At that time, the Attorney General advertised that this Office had possession of the photos and many consumers came to claim their pictures. Pursuant to the Court's order in this matter, the Attorney General gave final notice to the public that these photographs and photographic negatives are to be destroyed and consumers had one final opportunity to come to the Office to claim their pictures or photographic negatives.

State v. AT&T Mobility LLC

An assurance of voluntary compliance executed by the Attorney General and counsel for AT&T was filed in Providence County Superior Court, concluding the multistate investigation of AT&T concerning mobile cramming in consumers' bills. Cramming occurred when third parties billed AT&T's customers for unauthorized services. The settlement included both injunctive and monetary relief for consumers. The injunctive relief prevents AT&T from allowing cramming on their bills to consumers and the monetary relief includes \$20 million from AT&T to the multistate working group; Rhode Island's share was approximately \$220,000.

State v. T-Mobile USA, Inc.

This multistate matter was settled after an investigation commenced based on allegations of mobile cramming where T-Mobile USA was passing through unauthorized charges to consumers from third-party vendors. The settlement included both injunctive and monetary relief for consumers. The injunctive relief prevents T-Mobile USA from allowing cramming on their bills to consumers, and the monetary relief included \$18 million from T-Mobile USA to the multistate working group. Rhode Island's share was approximately \$198,000.

State v. Gennady Litvin, Individually and Litvin Law Group

This was a consumer protection matter concerning a New York attorney/law firm that solicited and accepted upfront fees from consumers in exchange for providing mortgage modification services. The Attorney General alleged that this activity was a violation of the Rhode Island Mortgage Foreclosure Consultant Regulation Act and enforceable through the Rhode Island Deceptive Trade Practices Act. A civil investigative demand (CID) was served on Attorney Litvin and a CID hearing was held, at which Attorney Litvin agreed to execute an assurance of voluntary compliance (AVC) in settlement of the matter and to pay the complaining consumers restitution in the amount of \$8,300. The AVC also included injunctive provisions effectively putting this law firm out of business in Rhode Island.

State v. Byron L. Landau, Individually d/b/a Credence Law Group

This was a consumer protection matter concerning an Illinois law firm that solicited and accepted upfront fees from consumers in exchange for providing mortgage modification services. These actions resulted in consumer complaints being filed with the Attorney General's Consumer Protection Unit. The Attorney General alleged that the defendant's actions constituted violations of the Mortgage Foreclosure Consultant Regulation Act, which is enforceable through the Deceptive Trade Practices Act. The Attorney General filed a civil investigative demand in Superior Court and a settlement was reached at that time. The defendant paid restitution in the amount of \$2,272 to the consumers who had filed written complaints.

State v. McCann Law Group d/b/a Consumer Attorney Services

This was a consumer protection matter concerning a Florida law firm that was alleged to have solicited and accepted upfront fees from consumers in exchange for providing mortgage modification services. The Attorney General's Consumer Protection Unit received complaints and determined that McCann Law Group's actions were violations of the Rhode Island Mortgage Foreclosure Consultant Regulation Act and were enforceable through the Rhode Island Deceptive Trade Practices Act. A civil investigative demand was filed in Superior Court, but prior to the hearing the Office was contacted by attorneys representing the McCann Group and they agreed to pay approximately \$4,500 to refund complaining consumers. This amount represented the full amount of the claims. The McCann Law Group also agreed to stop doing business in Rhode Island until that firm is properly authorized to practice law in this State. An assurance of voluntary compliance was executed by the Attorney General and a representative of McCann Law Group in settlement of this matter.

Consumer Financial Protection Bureau, et al. v. Ocwen Financial Corporation, et al.

The Attorney General signed onto this multistate settlement with the fifth-largest mortgage servicer in the country. The Attorney General joined this multistate settlement in order to investigate allegations concerning Ocwen's servicing of mortgages. The settlement includes both injunctive relief and monetary relief to consumers. There are no payments to be made to the states under this agreement.

United States of America v. Sun Trust Mortgage, Inc.

The settlement in the Sun Trust case resolved a multistate investigation into allegations concerning Sun Trust's servicing of mortgages. The settlement includes injunctive relief and monetary relief to consumers. There are no payments to be made to the states under this agreement.

State v. Ray Myerson, Individually d/b/a Pearls of Newport

The Attorney General's Consumer Protection Unit issued a civil investigative demand against Pearls of Newport based on consumer complaints. The defendant owns a bed and breakfast business and consumers alleged that the defendant had misrepresented certain aspects of the business, in violation of the Deceptive Trade Practices Act. After negotiations the owner, Ray Meyerson, agreed to pay \$9,150 to the consumer complainants, pursuant to Pearls of Newport's refund policy.

State v. David Walker, Individually, and Gable Fitness, Inc. d/b/a Gold's Gym

The Attorney General filed a complaint in Superior Court based on complaints from more than 200 consumers alleging that the defendants, who owned and operated a health club, Gable Fitness, Inc. d/b/a Gold's Gym, accepted fees for services that could not be provided. This health club had closed one location and sold a second location. It was alleged that the new owner could not abide by the contract terms that the consumers had originally agreed to with Gold's Gym.

State v. Michael Sholes, Individually d/b/a Elan Salon and Spa

The Attorney General's Consumer Protection Unit received consumer complaints against Elan Salon and Spa alleging that the owner, Michael Sholes, had failed to redeem consumers' gift certificates. The business had closed due to a fire. The defendant agreed to pay restitution in the amount of \$5,000 to consumers for the value of their outstanding gift certificates.

State v. Anthony Moretti, Individually and Global Gym, LLC

In this matter, the Attorney General filed a civil investigative demand in Superior Court alleging violations of the Rhode Island Health Club Act. The Attorney General's investigation of the defendant's health club revealed that it had not procured a security bond and not presented said bond with its registration package, as required by state law. Shortly after suit was filed, a copy of the bond was delivered to the Attorney General's Consumer Protection Unit.

State v. Marlaina G. Raposa, Individually d/b/a Triple Threat Performing Arts Center

The Attorney General's Consumer Protection Unit received many complaints against the defendant after Triple Threat Performing Arts Center, a dance studio, closed suddenly. Consumers were owed money for goods and services that were not delivered. The Attorney General sued the defendant and default entered against the defendant for failing to answer the State's complaint.

State v. Larry O'Brien, Individually d/b/a MM Entertainment Tours

The defendant owns a tour company and, according to complaints filed with the Attorney General's Consumer Protection Unit, solicited and accepted fees for a bus tour that was cancelled. He failed to provide refunds to consumers but after settlement negotiations between the Consumer Protection Unit and Mr. O'Brien were conducted, an agreement on a payment plan was reached. The settlement includes provisions requiring the repayment of approximately \$1,500 to the complaining consumers.

State v. Sirius XM

The Attorney General joined a multistate investigation of Sirius XM after learning that consumers were being charged an annual fee automatically, without prior approval. After negotiations, a settlement agreement in the form of an assurance of voluntary compliance was entered into between the State of Rhode Island and Sirius XM and approved by the Superior Court. The Attorney General signed onto this multistate settlement after an investigation into deceptive marketing and sales practices by Sirius XM. The settlement contains both injunctive and monetary relief. Pursuant to the settlement, Rhode Island received approximately \$48,000, in addition to consumer restitution.

Environmental Advocacy Cases

Coit v. Boyajian and Coit v. Tucciarone

Filed and pursued Superior Court complaints to enforce the fixing of a release of raw sewage in Warwick and Cranston respectively.

Kilmartin v. Barbuto (Misquamicut Beach litigation)

In 2013, Attorney General Kilmartin filed suit in Superior Court seeking to enforce the public's rights to enjoy a nearly two-mile section of the Misquamicut beach-front. The suit sought to enjoin specific beachfront lot-owners from interfering with the public's right to use this dry sand area, alleging that this strand was dedicated by a recorded 1909 subdivision plan. As the year reached a close, the Attorney General continued legal research potential appellate issues in light of an adverse superior court ruling.

Renz v. DEM

The Attorney General opposed a voluminous suit by a neighbor against DEM and the Block Island Land Trust for maintaining conservation lands in their pristine state.

Coit v. Cocolli

This Superior Court enforcement action by Attorney General Kilmartin seeks to protect North Providence from a leaky tank at a gas station. A trial is imminent in early 2015.

The Preserve at Boulder Hills, LLC v. Evans and the State of RI

The North-South trail is a 23-year-old hiking trail that crosses the length of the State in its western part. A dispute arose in the summer of this year over the roadway that forms part of the North -South trail. A lawsuit ensued. The State has no formal deed to the section of road bed. Nonetheless, given the public's use of the site, the Attorney General believes that the State should undertake an active role in the litigation in order to ensure the public's continued right to the use the North-South Trail. The Attorney General is involved to assure that non-motorized recreational use shall not perish from this location.

Open Government Lawsuits

State v. Department of Business Regulation

The Office of Attorney General received an Access to Public Records Act complaint from Scripps News indicating that it had made a public records request for records pertaining to a particular insurance file, yet the Department of Business Regulation had failed to respond within the 10 business days mandated by Rhode Island law. After investigating the matter, the Office of Attorney General found that the Department of Business Regulation "recklessly" violated the Access to Public Records Act and the Office filed a civil lawsuit in Superior Court. A settlement agreement was later reached where the Department of Business Regulation paid the maximum \$1,000 fine for a "reckless" violation.

State v. Town of Warren

The Law Offices of Kelly and Mancini, P.C. filed an Access to Public Records Act complaint after it made a request to the Town of Warren seeking certain records relating to a litigation matter. After the Town extended the time period to provide a response an additional 20 business days, the Town failed to provide a further response that either provided or exempted the requested documents. Accordingly, Kelly and Mancini, P.C. filed an Access to Public Records Act complaint with the Office of Attorney General and after

investigation, this Office determined that the facts constituted a “willful and knowing” violation and warranted the filing of a civil lawsuit in Superior Court seeking monetary penalties. A settlement agreement was later reached where the Town of Warren paid a \$1,500 fine for a “willful and knowing” violation.

State v. State Properties Committee

The Office of Attorney General received a complaint contending that the State Properties Committee violated the Open Meetings Act when it failed to timely post to the Secretary of State’s website official and/or approved minutes for meetings that occurred in 2013. Because this Office’s review determined that the State Properties Committee violated the Open Meetings Act by posting its official and/or approved minutes in an untimely manner, and because the evidence demonstrated that the State Properties Committee was aware of its statutory obligations, the Office of Attorney General filed a lawsuit in Superior Court seeking civil fines. At the close of 2014, this litigation remained pending.

Criminal Division

During 2014, the Criminal Division disposed of 5,126 felonies and 299 misdemeanor appeals statewide. In total, there were 4,678 cases disposed by plea negotiations, accounting for 86% of the disposed cases handled throughout the State. The following are some of the significant pleas, trials and convictions handled this year by Division prosecutors.

State v. Thomas Alejo

The defendant pleaded guilty to shooting his estranged wife, Linda Harrison, and her new boyfriend, Carlos Gonzalez, on May 29, 2013. He was sentenced to 15 years to serve on each of the assault counts, to run concurrently with one another; 20 years non-parolable, suspended with probation, on each of the discharge of a firearm counts, to run consecutive to the assault counts; and five years to serve, to run concurrent, on the possession of a firearm count.

State v. Ashner Alexis

Ashner "Pookie" Alexis found guilty by a jury of first degree murder, conspiracy to commit murder, and use of a firearm during the commission of a crime of violence, death resulting, for his role in the February 4, 2014 murder of 17-year-old George Holland II of Providence. He was sentenced to consecutive life sentences plus 10 years.

State v. Wad Alkhiamy

Wad Alkhiamy pleaded nolo contendere to possession of unstamped cigarettes. Alkhiamy is the owner and operator of AJ's Variety Store located at 1031 Plainfield Street in Johnston. Under the terms of the plea agreement, Alkhiamy paid \$25,000 in restitution to the Rhode Island Division of Taxation and the Rhode Island State Police and forfeited the contraband cigarettes.

State v. Patrick Allienello

The defendant pleaded guilty to nine counts of embezzlement from clients and was sentenced to 16 years, with six years to serve, the remainder suspended with probation, and ordered to pay more than \$900,000 in restitution.

State v. Rachel Arruda

The defendant, a clerk employed by the City of Woonsocket, pleaded nolo contendere to embezzling \$389,000 between 2004 and 2010 from the City. She was sentenced to 15 years, with 18 months to serve, and ordered to pay \$60,000 in restitution.

State v. Alain Bedame

The defendant pleaded guilty to his role in the February 4, 2014 murder of 17-year-old George Holland II of Providence. He was sentenced to 70 years, with 30 years to serve, and the remainder suspended with probation.

State v. Brandon Borge

Brandon Borge pleaded nolo contendere to DUI death resulting and reckless driving death resulting for the April 1, 2012 crash that killed 34-year-old Barbara Ellis. Under the terms of the plea agreement, Borge was sentenced to 15 years to serve for the charge of DUI death resulting and 10 years suspended for the charge of reckless driving death resulting, with sentences to run consecutive. In addition, the Court ordered a five-year loss of license upon release from the ACI and a \$5,000 fine, and required Borge to undergo mental health and substance abuse counseling.

State v. Russell Burrell

The defendant was sentenced to six life sentences plus ten years for his role in the July 30, 2012 murders of Shameeka Barros, Michael Martin, and Damien Colon. Burrell, who was a juvenile at the time of the murder and was waived out of Family Court to be tried as an adult, pleaded guilty in November 2013.

State v. Danilo Cabrera

The defendant pleaded nolo contendere to domestic assault with a dangerous weapon. He was sentenced to 20 years with nine years to serve and the remainder suspended with probation.

State v. John Cavanaugh

The defendant was found guilty of five counts of sexual assault and child molestation stemming from a case in which the victim did not disclose the abuse for almost 20 years. He is awaiting sentencing.

State v. Kenneth Cecelio

The defendant pleaded nolo contendere to multiple counts of domestic violence, including felony assault. He was sentenced to 20 years, with nine years to serve, and the remainder suspended with probation.

State v. Timothy DeBritto

The defendant pleaded guilty to his role in the July 30, 2012 murders of Shameeka Barros, Michael Martin, and Damien Colon. He was sentenced to 40 years to serve plus an additional 20 years suspended, non-parolable.

State v. Jason Dias

The defendant pleaded guilty to the August 18, 2013 armed robbery of the Kendall Food Mart in Central Falls. Dias was sentenced to 35 years, with 25 years to serve and the remainder suspended with probation, on one count of armed robbery. In addition, he was sentenced to 20 years, to run concurrent, on the count of assault with a dangerous weapon, and 10 consecutive years suspended, non-parolable, on the count of discharging a firearm during the commission of a crime of violence.

State v. Juan Diaz

Juan Diaz was sentenced to 60 years, with 40 to serve, for the 2008 murder of his ex-girlfriend Mayra Cruz. The plea agreement was reached with the approval of the victim's family. The defendant was originally tried and found guilty by a jury in March, 2010. On appeal, the Rhode Island Supreme Court had concerns with the jury instructions given by the Court during the first trial and remanded the case back to the Superior Court. Diaz was tried again in 2013, and again found guilty by a jury; yet the verdict was vacated by the Judge when it was determined that some of the jurors had access to information regarding the previous trial and verdict.

State v. Domenic Ferrante

The defendant pleaded nolo contendere to larceny and exploitation of an elder for stealing from two elderly victims. He was sentenced to 15 years with two years to serve and the remainder suspended with probation, and was ordered to pay \$400,000 in restitution.

State v. Ricardo Florez

Ricardo Florez was found guilty of one count of second degree child molestation. He was sentenced to 20 years, with eight to serve and the remainder suspended with probation. In addition, the defendant was ordered to have no contact with the victim, must undergo sex offender counseling, and must comply with the sex offender registration and community notification statute.

State v. Jason Francis

The defendant pleaded nolo contendere to multiple counts of child molestation. He was sentenced to 40 years, with 18 years to serve and the remainder suspended with probation. In addition, he was ordered to have no contact with the victim and no unsupervised contact with children under 18 years of age; must undergo sex offender counseling, must comply with the sex offender registration and community notification statute; and is subject to lifetime GPS monitoring.

State v. Pedro Gavilanes

The defendant was found guilty of two counts of assault on persons over 60 and was sentenced to five years with two years to serve and the remainder suspended with

probation. The defendant was also ordered to pay \$16,000 in restitution to one victim for medical expenses. The 19-year-old defendant assaulted the elderly owner of a small market and his brother as they attempted to stop a disturbance between the defendant and his girlfriend.

State v. Danielle Gibson

The defendant, a certified nursing assistant,, was convicted in two separate cases of larceny over \$1,500 for stealing jewelry from two elderly patients. The defendant was sentenced to five years suspended with probation in each case and court-ordered restitution totaling \$9,700.

State v. Jennifer Gomes

The defendant, a certified nursing assistant, (CNA), pleaded nolo contendere to fraudulent use of a credit card for making \$12,000 in unauthorized purchases on the credit card of an elderly patient. The defendant was sentenced to three years suspended with probation, ordered to make full restitution, and ordered to surrender her CNA license.

State v. Jason Gonzalez

Jason "Heavy" Gonzalez pleaded guilty to carrying a firearm without a license and conspiracy in the December 24, 2013 murder of Ryan Almeida. He is awaiting sentencing.

State v. Luis Gonzalez

Luis "Fat Boy" Gonzalez was sentenced to 50 years, with 30 years to serve and the remainder suspended with probation for his role in the June 15, 2013 shooting in Providence that killed 12-year-old Aynis Vargas and injured Vilma Tineo, Elaine Devargas, and Eugelyn Cabrera-Martinez. The sentence was agreed to by the defense, prosecution, and the Court with the approval from the victims. In accordance with the sentence, Gonzalez agreed to waive his right to appeal and agreed not to seek post-conviction relief after he had been found guilty on some of the charges.

State v. Frank Green

The defendant pleaded nolo contendere to assault with a dangerous weapon and was sentenced to 35 years, with 17 years to serve and the remainder suspended with probation.

State v. Frank Green

Frank Green pleaded nolo contendere to two counts of assault with a dangerous weapon in a dwelling, domestic strangulation, and violating a no contact order. Under the terms of the plea agreement, Green was sentenced to 34 years with 18 years to serve and the remainder suspended with probation. In addition, Green was ordered to have no contact with the victim and must undergo domestic violence counseling.

State v. Raymond Grundy

The defendant pleaded guilty to the Christmas 2010 murder of Staria Silva in her East Providence apartment. Under the terms of the plea agreement, he was sentenced to 60 years, with 40 years to serve and the remainder suspended with probation.

State v. Donnovan Hall

Donovan Hall was sentenced to three life sentences, to run concurrent, for his role in the July 2012 murder of Shameeka Barros, Damien Colon, and Michael Martin. Hall pleaded guilty on March 1, 2013.

State v. Rosemary Hernandez

The defendant, a former Department of Corrections guard, pleaded nolo contendere to one count of welfare fraud and one count of filing a false document. Under the terms of the plea agreement, Hernandez was sentenced to five years suspended with probation and ordered to pay full restitution in the amount of \$39,000 and a \$3,000 fine. While employed with the Department of Corrections, Hernandez created fraudulent pay stubs and submitted those stubs to the Rhode Island Department of Human Services in order to receive child care assistance benefits, to which she was not entitled, of approximately \$39,000.

State v. Quandell Husband

Quandell Husband was sentenced to consecutive life sentences plus 10 years for his role in the July 30, 2012 murders of Shameeka Barros, Michael Martin, and Damien Colon. On July 30, 2014, after a week-long trial, Husband was found guilty by a jury of three counts of first degree murder, three counts of discharge of a firearm during the commission of a crime of violence resulting in death, and one count of conspiracy to commit robbery.

State v. Christal Johnson

The defendant pleaded nolo contendere to embezzlement, was sentenced to probation, and was ordered to pay approximately \$3,000 in restitution. The defendant was a bartender at the East Providence Yacht Club who claimed to be the victim of an armed robbery by a man dressed up as Santa Claus.

State v. Luis Laboy

The defendant was found guilty of malicious killing of a canine and domestic assault. He was sentenced to three years with two years to serve and the remainder suspended with probation. In addition, the Court prohibited the defendant from owning or residing with an animal for 15 years.

State v. Daniel Lane

Daniel Lane pleaded nolo contendere to one count of first degree child molestation and one count of first degree sexual assault. Under the terms of the plea agreement, Lane was sentenced to 60 years with 22 years to serve and the remainder suspended with probation. In addition, he was ordered to have no contact with the victim, must undergo sex offender counseling, and must comply with the sex offender registration and community notification statute.

State v. Brendan LeBlanc

Brendon LeBlanc pleaded nolo contendere to six counts of first degree robbery and was sentenced to 40 years with 18 to serve and the remainder suspended with probation. In addition, LeBlanc pled nolo contendere to one count of forgery and counterfeiting and

received a sentence of 10 years suspended with probation, to run concurrent to the sentence for the first degree robberies.

State v. Larry Lincoln

The defendant pleaded nolo contendere to first degree sexual assault. He was sentenced to 25 years with seven and one half to serve and the remainder suspended with probation. The defendant must comply with the sex offender registration and community notification statute.

State v. Jose Lopez

Jose Lopez was found guilty of multiple counts of felony assault and weapons charges for a December 1, 2012 shooting in the Chad Brown section of Providence. He was sentenced to 80 years with 70 years to serve and the remainder suspended with probation.

State v. Jose Lopez

Jose "Gio" Lopez was found guilty of the December 24, 2013 murder of Ryan Almeida. The jury found Lopez guilty of murder, discharging a firearm while in the commission of a crime of violence, and conspiracy.

State v. David Lynch

The defendant pleaded nolo contendere to blackmailing and was sentenced to 10 years with seven years to serve and the remainder suspended with probation.

State v. David Lyons

The defendant, who was a home daycare center operator, was found guilty on three counts of second degree child molestation. He was sentenced to 75 years with 45 years to serve and the remainder suspended with probation. In addition, he was ordered to have no-contact with the children who were his victims, must undergo sex offender counseling, and must comply with the sex offender registration and community notification statute.

State v. Stephen Marano

The defendant pled nolo contendere to embezzlement and uttering and publishing. While working as a bookkeeper for his brother's business, he embezzled more than \$600,000. The defendant was sentenced to 30 years with three years to serve on home confinement and the remainder suspended with probation. He was also ordered to pay \$605,558 in restitution and undergo counseling for gambling addiction.

State v. Janet Mastronardi

Janet Mastronardi pleaded nolo contendere to embezzlement and elder exploitation for embezzling nearly \$130,000 from an elderly woman. Under the terms of the plea agreement, Mastronardi was sentenced to seven years, with 30 months on home confinement and 54 months suspended with probation, and ordered to pay full restitution of \$129,107.

State v. Jesse McAllian

The defendant pleaded nolo contendere to child pornography. He was sentenced to five years with three years to serve and the remainder suspended with probation. In addition, he was prohibited from having access to a computer for the duration of his sentence and must comply with the sex offender registration and community notification statute.

State v. Patrick McDonald

After being found guilty of three counts of embezzlement and one count of conspiracy for stealing approximately of \$163,000 from clients during real estate closings, the defendant was sentenced to 20 years, with four and one half to serve and the remainder suspended with probation. In addition, McDonald was ordered to pay full restitution to the three victims in the case and was ordered to undergo alcohol counseling.

State v. Leo Medina

The defendant, a former Rhode Island State Representative, was found guilty by a jury on June 2, 2014 of one count of unlawful appropriation in the amount of \$28,035. He was sentenced to 20 years with three years to serve and the remainder suspended with probation. In addition, he was ordered to pay full restitution in the amount of \$500 per month upon release from the ACI.

State v. Stephen Melise

The defendant pleaded guilty to six counts of second degree child molestation, five counts of first degree sexual assault, and one count of indecent solicitation of a minor. Under the terms of the plea agreement, Melise was sentenced to a total of 50 years, with 15 to serve and the remainder suspended with probation. In addition, Melise was ordered to have no contact with the two victims, must undergo sex offender counseling, and must comply with the sex offender registration and community notification statute.

State v. Justin Menoche

The defendant, a former Burrillville Public Schools substitute teacher, pleaded guilty to child pornography and indecent solicitation of a minor. The defendant committed the new charges while on probation from a previous conviction of possession of child pornography. The defendant was sentenced to eight years to serve, prohibited from having access to a computer or smartphone for the duration of his sentence, and must comply with the sex offender registration and community notification statute.

State v. Anthony Moore

Anthony "Bing" Moore was found guilty of first degree murder, conspiracy to commit murder, and use of a firearm during the commission of a crime of violence, death resulting, for his role in the February 4, 2014 murder of 17-year-old George Holland II of Providence. He was sentenced to consecutive life sentences plus 10 years.

State v. Oscar Muralles

The defendant was found guilty of first and second degree child molestation. He was sentenced to 50 years with 35 years to serve and the remainder suspended with probation. In addition, Muralles was ordered to have no contact with the victim or any child under the

age of 14, must undergo sex offender counseling, and must comply with the sex offender registration and community notification statute.

State v. Seydina Ndoye

The defendant pleaded guilty to his role in the February 4, 2014 murder of 17-year-old George Holland II of Providence. He was sentenced to 70 years with 30 years to serve and the remainder suspended with probation.

State v. Henry Ortiz

Henry "Jose" Ortiz pleaded guilty to possession with intent to deliver heroin, possession with intent to deliver fentanyl, possession of one ounce to one kilogram of heroin, conspiracy to possess with intent to deliver heroin and fentanyl, conspiracy to deliver heroin, and delivery of heroin. He was sentenced to 30 years with 12 to serve and the remainder suspended with probation. Ortiz was identified as the one of the two ringleaders of a large-scale heroin distribution ring that was the subject of a 16-month investigation by the Rhode Island State Police High Intensity Drug Trafficking Area Task Force and Office of Attorney General, dubbed "Operation Hybrid."

State v. Richard Pena

Richard "Junior" Pena pleaded guilty to possession with intent to deliver heroin, possession with intent to deliver fentanyl, possession of one ounce to one kilogram of heroin, conspiracy to possess with intent to deliver heroin and fentanyl, possession of a firearm while possessing with intent to deliver controlled substance, and conspiracy to deliver heroin. He was sentenced to 30 years with 11 to serve and the remainder suspended with probation. Pena was identified as the one of the two ringleaders of a large-scale heroin distribution ring that was the subject of a 16-month investigation by the Rhode Island State Police High Intensity Drug Trafficking Area Task Force and Office of Attorney General, dubbed "Operation Hybrid."

State v. Helberth Perez

The defendant was found guilty of multiple counts of first degree sexual assault. He was sentenced to 50 years with 28 years to serve and the remainder suspended with probation, ordered to undergo sex offender counseling, and must comply with the sex offender registration and community notification statute.

State v. Manivone Phimmahom

The defendant, a former accountant at the Urban League of Rhode Island, pleaded nolo contendere to embezzlement and uttering and publishing charges. She used her position to steal cash, establish unauthorized vendors, write checks to herself and those vendors and forge former Urban League President Dennis Langley's signature to the checks, stealing more than \$250,000. She was sentenced to 20 years with two years to serve on home confinement and the remainder suspended with probation. She was also ordered to pay \$251,617 in restitution and undergo counseling for gambling addiction.

State v. Louis Pina

Louis Pina pleaded guilty to the December 4, 2013 murder of 16-year-old Eric Cuesta. Under the terms of the plea agreement, the defendant was sentenced to life.

State v. Alex Ramos

The defendant previously pled nolo contendere to second degree child molestation and received a certified sentence of 10 years with four years to serve. In August, the State conducted a modification hearing prior to the defendant's 19th birthday. The evidence showed that the defendant refused to cooperate with sex offender counseling and treatment as mandated. The Court ordered that the defendant serve the remainder of his sentence at the Adult Correctional Institute.

State v. Luis Rivera

The defendant was charged with one count of identity fraud, three counts of conspiracy, and three counts of aiding and abetting in a scheme to provide driver's licenses to illegal immigrants. The defendant pleaded nolo contendere and was sentenced to three years with one year to serve and the remainder suspended with probation.

State v. Tony Roberts

The defendant pleaded guilty to four counts of video voyeurism. He was sentenced to two years to serve at the ACI, two years to serve on home confinement, and eight years suspended with probation. In addition, he was ordered to undergo mental health and sex offender counseling and must comply with the sex offender registration and community notification statute.

State v. Daniel Rodriguez

Daniel Rodriguez pleaded guilty to the August 2013 murder of Evelyn Burgos and Vanessa Perez and the kidnapping of two-year-old Isaiah Perez. He was sentenced to consecutive life sentences plus an additional 50 years.

State v. Ruth Rosa

The defendant, an employee at the RI Department of Labor and Training, pleaded nolo contendere to unauthorized computer access, obtaining money under false pretenses, and conspiracy. The defendant was sentenced to 10 years with one year to serve on home confinement and nine years suspended with probation, and ordered to pay more than \$25,000 in restitution. The defendant used her work computer and a colleague's work computer to fraudulently authorize unemployment insurance benefits for her husband.

State v. Cynthia Ryan

As designated power of attorney for her elderly aunt and uncle, the defendant embezzled \$36,000 from the victims. The defendant pleaded nolo contendere to embezzlement, was sentenced to 10 years probation, and ordered to pay \$36,000 in restitution.

State v. Jose Sepulveda

The defendant pleaded nolo contendere to obtaining money under false pretenses for utilizing his deceased girlfriend's PIN number to call into the RI Department of Labor and

Training voice response system and fraudulently authorize weekly unemployment insurance benefits for his deceased girlfriend. He was sentenced to seven years with one year to serve and the remainder suspended with probation, and ordered to pay more than \$4,400 in restitution.

State v. Joseph Simone

The defendant, a former Moses Brown wrestling coach, pleaded nolo contendere to child pornography, indecent solicitation of a minor, extortion and impersonating police officers. Under the terms of the plea agreement, Simone was sentenced to a total of 10 years with one year to serve at the ACI, two years on home confinement and the remainder suspended with probation. In addition, Simone was ordered to undergo sex offender counseling, must comply with the sex offender registration and community notification statute, and his access to the Internet and computers was severely restricted for the duration of his sentence.

State v. Joyce Tager

The defendant, a former Central Falls clerk, pleaded nolo contendere to embezzling more than \$50,000 from the City. She was sentenced to three years, with six months to serve and the remainder suspended with probation, and ordered to pay \$17,000 in restitution. As part of her sentence, the Court fully revoked her retirement benefits.

State v. Vincent Tallo

New England mob associate Vincent "Tootsie" Tallo pleaded nolo contendere to operating an illegal gambling ring. Under the terms of the plea agreement, Tallo was sentenced to 20 years with forty months to serve and the remainder suspended with probation.

State v. Allison Tillson

The defendant, who was a member of the Woonsocket PTO, pleaded nolo contendere to embezzling approximately \$1,300 from the sale of cookies. She was sentenced to three years probation and ordered to pay full restitution. In addition, she is forbidden to serve on the PTO.

State v. Ralph Thibodeau

The defendant was found guilty of multiple counts of first and second degree sexual assault. He was sentenced to 50 years with 25 years to serve and the remainder suspended with probation, ordered to undergo sex offender counseling, and must comply with the sex offender registration and community notification statute.

State v. Zachary Thole

Zachary Thole pleaded nolo contendere to DUI death resulting for the November 22, 2013 crash that resulted in the death of 20-year-old Nicholas Gershkoff. Under the terms of the plea agreement, the defendant was sentenced to 15 years, with eight years to serve and the remainder suspended with probation, a five-year loss of license upon release from the ACI, a \$5,000 fine, and 50 hours community service. In addition, Thole must continue alcohol and substance abuse counseling and attend DUI school.

State v. Angel Valerio

Angel "Yung Cyph" Valerio pleaded guilty to his role in the June 15, 2013 shooting in Providence that killed 12-year-old Aynis Vargas and injured Vilma Tineo, Elaine Devargas, and Eugelyn Cabrera-Martinez. Under the terms of the plea agreement, the defendant was sentenced to 15 years with 12 years to serve and the remainder suspended with probation.

State v. Daquan Watts

Daquan Watts pleaded guilty to first degree murder, discharge of a firearm, death resulting, conspiracy to commit murder, and carrying a pistol without a license for the December 24, 2013 murder of Ryan Almeida. He is awaiting sentencing.

State v. Douglas White

The defendant pleaded nolo contendere to second degree murder for killing Donna Oliver in 2012. In accordance with the plea agreement, White was sentenced to 60 years with 35 years to serve and the remainder suspended with probation on the count of murder, and 10 years to serve, to run concurrent, on the count of larceny over \$500.

State v. Robert Winston

After pleading guilty in March 2014 to the murder of George Holland II, Robert Winston was sentenced to 30 years with 26 to serve and the remainder suspended with probation. Winston was a juvenile at the time of the murder.

Cases Indicted in 2014 and Expected to be Tried in 2015

In 2014, the Grand Jury reported out two significant indictments resulting from major Rhode Island State Police and Office of Attorney General investigations.

Operation Blackstone

Between December 31, 2013 and February 4, 2014, the Rhode Island State Police conducted a series of court ordered wire intercepts in furtherance of an investigation into a suspected criminal gambling operation that was being conducted in North Smithfield, Woonsocket, and a number of other surrounding communities. Based upon the conversations that the State Police monitored with court authorization, as well as other evidence that was accumulated through surveillance, the execution of search warrants and other investigative means, a number of individuals were arrested and charged with various offenses in February of 2014. The ringleader of the bookmaking operation is alleged to be David Ayotte, who was a City of Woonsocket employee with the Parks and Recreation Department for more than 20 years.

Operation Get Shorty

In October, the Providence County Grand Jury reported out a 101-count indictment charging 21 individuals with various counts of possession of cocaine, possession with intent to deliver, conspiracy to violate the Controlled Substance Act, and solicitation of another to commit a felony.

The indictment was the result of a multi-agency investigation into a cocaine distribution ring throughout Rhode Island, dubbed "Operation Get Shorty." The Rhode Island State Police High Intensity Drug Trafficking Area Task Force, Providence Police and the Rhode Island Office of Attorney General announced the arrest of 15 individuals as part of "Operation Get Shorty" in July 2013. Subsequent to the initial arrests, the investigation led to the arrest of several additional individuals for their role in the drug trafficking operation.

Appellate Division

State v. Clay, 79 A.3d 832 (R.I. 2013)

The Rhode Island Supreme Court affirmed the defendant's kidnapping of a minor conviction and held that evidence of the defendant's alleged sexual assault of the victim was admissible trial evidence.

State v. Clements, 88 A.3d 553 (R.I. 2014)

The Rhode Island Supreme Court affirmed the defendant's conviction for his participation in the brutal Providence double homicide of two women and held that the admission of "other crimes" evidence of a robbery allegedly committed by defendant and an accomplice was properly admitted at trial.

State v. Gallop, 89 A.3d 795 (R.I. 2014)

The Rhode Island Supreme Court affirmed the defendant's murder and assault to murder convictions, rejecting the defendant's contentions that certain evidence admitted at trial unfairly prejudiced the defendant.

State v. Garrett, 91 A.3d 793 (R.I. 2014)

The Rhode Island Supreme Court affirmed the defendant's manslaughter conviction in the death of her boyfriend and determined that the trial evidence supported the defendant's conviction, notwithstanding her claim of self-defense.

State v. Lake, 90 A.3d 186 (R.I. 2014)

The Rhode Island Supreme Court affirmed the defendant's conviction for the first degree sexual assault of his young stepdaughter and held that the evidence presented by the prosecution was sufficient to support the defendant's conviction.

State v. Matthews, 88 A.3d 375 (R.I. 2014)

The Rhode Island Supreme Court affirmed the defendant's conviction for the robbery of a Domino's Pizza delivery man and rejected double jeopardy arguments proffered by the defendant on appeal.

State v. Morris, 92 A.3d 920 (R.I. 2014)

The Rhode Island Supreme Court sustained, in the State's prosecution of the defendant for robbery, the State's appeal of the trial court's suppression of evidence. The Court held, as argued by the prosecution on appeal, that the remedy of evidence-exclusion is not warranted by a violation of a State statute proscribing extra jurisdictional arrests.

State v. Patino, 93 A.3d 40 (R.I. 2014)

The Rhode Island Supreme Court reversed the Superior Court's ruling suppressing incriminating "text message" evidence in the State's prosecution of the defendant for the alleged second-degree murder of his girlfriend's young son. In so reversing, the Rhode Island Supreme Court determined that a person has no Fourth Amendment standing in text messages sent to and received on another person's phone.

Rose v. State, 92 A.3d 903 (R.I. 2014)

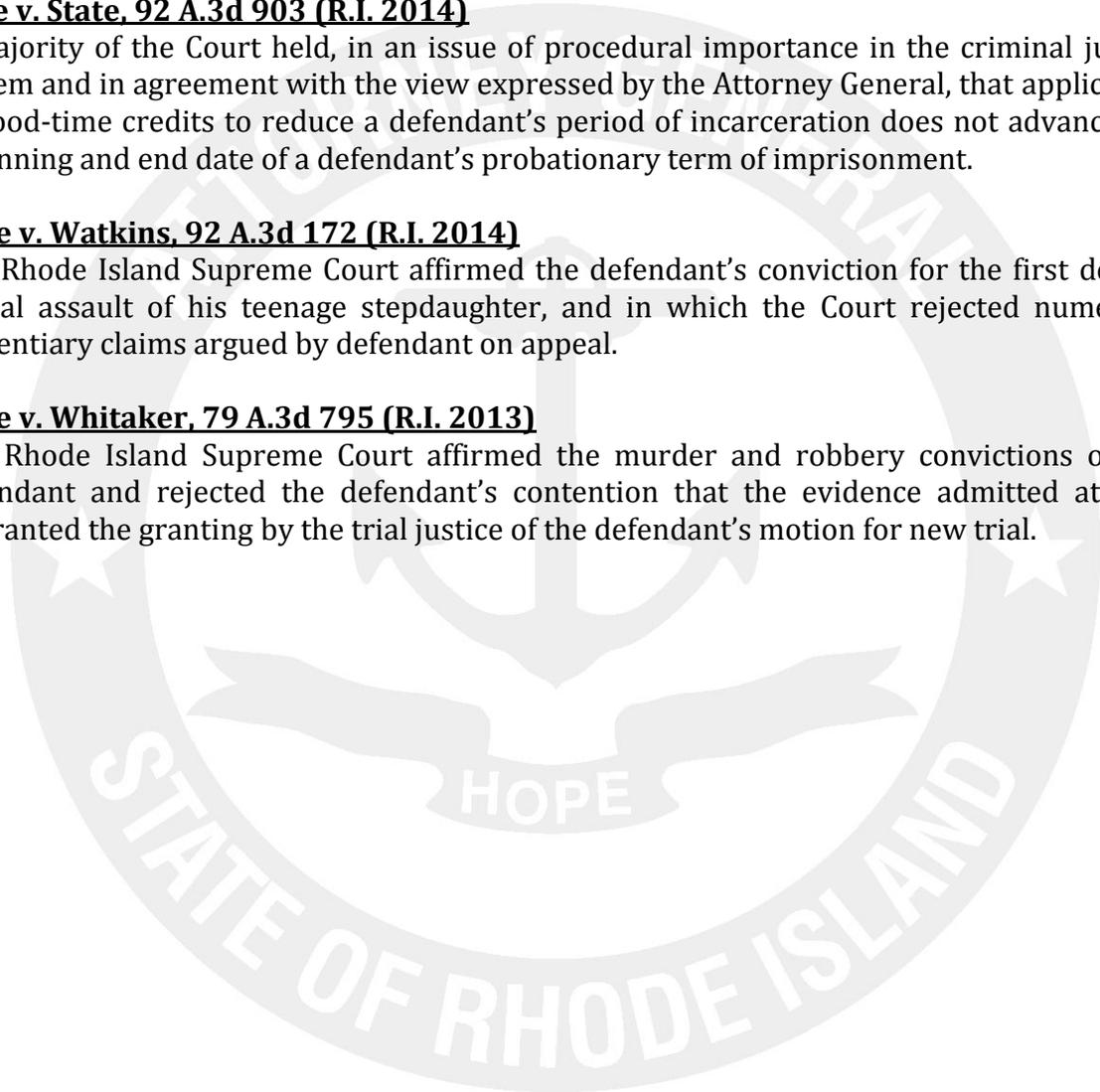
A majority of the Court held, in an issue of procedural importance in the criminal justice system and in agreement with the view expressed by the Attorney General, that application of good-time credits to reduce a defendant's period of incarceration does not advance the beginning and end date of a defendant's probationary term of imprisonment.

State v. Watkins, 92 A.3d 172 (R.I. 2014)

The Rhode Island Supreme Court affirmed the defendant's conviction for the first degree sexual assault of his teenage stepdaughter, and in which the Court rejected numerous evidentiary claims argued by defendant on appeal.

State v. Whitaker, 79 A.3d 795 (R.I. 2013)

The Rhode Island Supreme Court affirmed the murder and robbery convictions of the defendant and rejected the defendant's contention that the evidence admitted at trial warranted the granting by the trial justice of the defendant's motion for new trial.



SUPERIOR COURT CASE STATISTICS 2014

COUNTY	FILED			DISPOSED			ACTIVE PENDING SC		
	MISD	FELONY	TOTAL	MISD	FELONY	TOTAL	MISD	FELONY	TOTAL
KENT COUNTY	39	768	807	21	643	664	22	339	361
NEWPORT COUNTY	15	350	365	23	331	354	7	123	130
WASHINGTON COUNTY	65	328	393	66	351	417	21	140	161
PROVIDENCE COUNTY	163	4060	4223	189	3801	3990	90	2753	2843
STATEWIDE	282	5506	5788	299	5126	5425	140	3355	3495

AGE AT DISPOSITION

COUNTY	LESS THAN 90 DAYS		91-180 DAYS		181-270 DAYS		271-360 DAYS		OVER 360 DAYS	
	MISD	FELONY	MISD	FELONY	MISD	FELONY	MISD	FELONY	MISD	FELONY
KENT COUNTY	7	300	4	141	2	85	1	36	2	81
NEWPORT COUNTY	4	158	12	85	2	36	0	27	2	25
WASHINGTON COUNTY	7	152	16	81	3	39	3	30	4	49
PROVIDENCE COUNTY	2	1474	75	555	34	541	15	349	35	883
STATEWIDE	20	2084	107	862	41	701	19	442	43	1038

MANNER OF DISPOSITIONS - FELONIES

COUNTY	GUILTY	NOT GUILTY	NG/FILING	PLEA	DISM 48A	DISM JA	MISTRIAL	HUNG JURY	TRIALS (AG)	TRIALS (Court)
NEWPORT COUNTY	2	2	0	288	39	0	2	0	6	7
WASHINGTON COUNTY	4	2	10	289	45	1	0	0	7	4
PROVIDENCE COUNTY	35	17	4	3328	419	0	0	1	53	47
STATEWIDE	49	24	15	4472	567	2	2	2	79	69

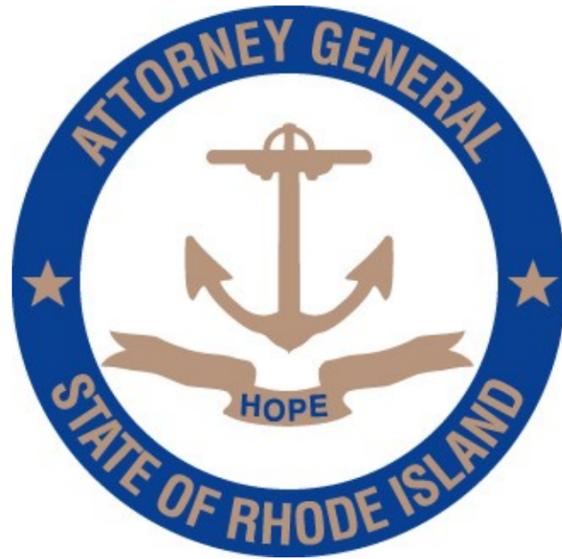
MANNER OF DISPOSITION - MISDEMEANOR APPEALS

COUNTY	GUILTY	NOT GUILTY	NG/FILING	PLEA	DISM 48A	DISM JA	MISTRIAL	HUNG JURY	TRIALS (AG)	TRIALS (Court)
NEWPORT COUNTY	0	1	0	10	12	0	0	0	1	1
WASHINGTON COUNTY	0	0	5	39	22	0	0	0	0	0
PROVIDENCE COUNTY	4	3	5	143	32	1	0	0	9	8
STATEWIDE	4	5	10	206	72	0	0	0	11	10

MANNER OF DISPOSITION - STATEWIDE TOTALS

COUNTY	GUILTY	NOT GUILTY	NG/FILING	PLEA	DISM 48A	DISM JA	MISTRIAL	HUNG JURY	TRIALS (AG)	TRIALS (Court)
KENT COUNTY	8	4	1	581	70	1	0	1	14	12
NEWPORT COUNTY	2	3	0	298	51	0	2	0	7	8
WASHINGTON COUNTY	4	2	15	328	67	1	0	0	5	4
PROVIDENCE COUNTY	39	20	9	3471	451	0	0	1	62	55
STATEWIDE	53	29	25	4678	639	2	2	2	89	79

These statistics were prepared by the Rhode Island Supreme Court Judicial Planning Unit on May 18, 2014. AG Trial Verdict Statistics were maintained manually within the Criminal Division and include all cases tried throughout the calendar year, regardless of whether sentencing or appeal is pending. Court trial statistics include all cases tried which were disposed by sentencing and appeal decisions.



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