

ARTICLES FOR 6-29-17 ROUNDUP

FATHERHOOD CONFERENCE TO GIVE MEN TOOLS TO IMPROVE LIVES, HEALTH, FAMILY RELATIONSHIPS ON SATURDAY, JUNE 24

WASHINGTON, D. C. – The Office of the Attorney General (OAG) Child Support Services Division (CSSD) and MedStar Family Choice will be hosting a Men’s Health Day and Fatherhood Conference from noon to 5 p.m. on Saturday, June 24, 2017 at the St. Elizabeths Gateway Pavilion and R.I.S.E. Demonstration Center in Ward 8. The event is designed to provide fathers in the District with the tools they need to improve their physical and mental health, strengthen relationships with their families, and improve their prospects for meaningful employment.

“A father’s most important job is to be a consistent, reliable, and supportive part of his child’s life,” Attorney General Karl A. Racine said. “But we also know that too many fathers face barriers that get in the way of their doing everything they can for their children. This conference and health fair will provide fathers and other interested adults opportunities to take the initiative to build their job and life skills so they can break through those barriers and provide their children with the support they need to grow into mature and independent adults.”

The conference is co-sponsored by MedStar Family Choice, a managed care organization providing healthcare services to 58,000 Medicaid enrollees in the District. “We are really pleased to co-sponsor this event, because we understand that improving the health and well-being of a community’s residents makes for a stronger, healthier community,” said Leslie Lyles Smith, executive director, MedStar Family Choice.

The event, with the theme “Celebrating Men: Bridging the Gap, Investing in Our Future,” includes a conference at the R.I.S.E. Center and a health fair at the adjacent pavilion. Both facilities are located on the St. Elizabeths East Campus at 2730 Martin Luther King, Jr. Avenue SE. The health fair will feature vendors and partners from multiple government, nonprofit, and private agencies and businesses, including physicians and other health experts; health-insurance resources; educational resources; and other opportunities.

Conference Workshops

The conference will feature workshops on:

- Building and maintaining relationships;
- Money management and financial literacy;
- Common health issues affecting men; and
- Making positive life choices.

The conference will culminate with a Town Hall meeting entitled “Overcoming Barriers: Creating Pathways to Healthy Fatherhood.” Attorney General Racine will moderate a panel of experts who will address barriers to healthy fatherhood and provide solutions to common issues that may hinder fathers from being present in the lives of their children.

There will also be food, entertainment, and haircuts offered at no cost to conference participants. Radio personalities from WKYS 93.9 FM will also broadcast from the site of the event.

ATTORNEY GENERAL NAMES DARRELL EARLY NATURAL RESOURCES DIVISION CHIEF

(Boise) - Attorney General Lawrence Wasden today announced the appointment of Darrell Early as Division Chief of the Office of the Attorney General's Natural Resources Division. The appointment is effective immediately and follows Friday's retirement of longtime Division Chief Clive Strong.

Early joined the office in 1999 as a Deputy Attorney General in the Natural Resources Division. Since then, he's represented the state's Department of Environmental Quality on cases involving issues such as hazardous waste and mining. He's played a key role in helping lead the state's legal proceedings involving Idaho National Laboratory. Prior to joining the Attorney General's Office, Early worked as a private attorney.

"Darrell possesses an excellent legal mind and is very well-versed in the matters of natural resource law," Wasden says. "His expertise and experience make him the perfect choice to lead this important division in our state."

Early received his law degree from the University of Idaho in 1992. He completed his undergraduate degree at Eastern Washington University in 1989.

"After working with Darrell for seventeen years, I know him to be a highly skilled attorney who has a deep appreciation for Idaho's natural resources and its people," Strong said. "Idaho is fortunate to have Darrell as the Chief of the Natural Resources Division."

EPA, U.S. ARMY MOVE TO RESCIND 2015 "WATERS OF THE U.S."

WASHINGTON – (June 27, 2017) The Environmental Protection Agency, Department of Army, and Army Corps of Engineers (the agencies) are proposing a rule to rescind the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States" or WOTUS. This action would, when finalized, provide certainty in the interim, pending a second rulemaking in which the agencies will engage in a substantive re-evaluation of the definition of "waters of the United States." The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

"We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses," said Administrator Scott Pruitt. "This is the first step in the two-step process to redefine 'waters of the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public."

This proposed rule follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth,

minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty across the country.

The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of "waters of the United States" in accordance with the Executive Order.

"The Army, together with the Corps of Engineers, is committed to working closely with and supporting the EPA on these rulemakings. As we go through the rulemaking process, we will continue to make the implementation of the Clean Water Act Section 404 regulatory program as transparent as possible for the regulated public," said Mr. Douglas Lamont, senior official performing the duties of the Assistant Secretary of the Army for Civil Works.

For the pre-publication Federal Register Notice and additional information:
<http://www.epa.gov/wotus-rule>

MILLER, HEALTH POLICY EXPERTS URGE FDA TO RECONSIDER NEW REGULATIONS TARGETING E-CIGARETTES & LOWER RISK NICOTINE PRODUCTS

Group requests the agency to reconsider and improve tobacco and nicotine product regulatory framework, called "deeming" rule

DES MOINES – Attorney General Tom Miller and a group of a dozen internationally-recognized experts on public health policy and tobacco and nicotine science are requesting the U.S. Food and Drug Administration's new commissioner to reconsider how the FDA's "deeming" rule, finalized in 2016, which regulates all tobacco products, addresses lower risk nicotine products such as e-cigarettes.

"We support FDA jurisdiction for these products," Miller and the group of experts write in a letter to Commissioner Scott Gottlieb, "but at this time we do not believe that the current regulatory framework for the low-risk nicotine products such as e-cigarettes and smokeless tobacco is appropriate or will deliver the substantial public health benefits we hope and expect FDA's oversight will bring."

On May 3 the FDA announced it would impose a three-month delay in enforcing certain provisions of the final rule to give the agency "additional time to more fully consider issues raised by the final rule that are now the subject of multiple lawsuits." The delay affects certain deadlines that were set to take effect August 10, 2018. The deeming rule stems from the Family Smoking Prevention and Tobacco Control Act of 2009.

Miller and the group of experts ask Gottlieb to use the delay to “reconsider and improve the (deeming rule’s) regulatory framework,” adding the long-term regulatory framework “should be based on clear and transparent standards made through an open and consultative process.”

The group recommends that the FDA base its regulatory approach on certain principles, including:

Establishing regulations that are proportionate to the relative risk of products, which should not favor more harmful over less harmful products

Recognizing potential benefits as well as risks and be wary of unintended consequences

Formulating regulations that promote pro-health innovation in low-risk alternatives to smoking

Supporting risk communication that is truthful, plain-speaking and focused on helping consumers make informed choices

Protecting young people from using any tobacco or nicotine product, while being mindful of positive and negative public health impacts arising from changes in cessation uptake or use of other tobacco products that may arise as a consequence of regulatory intervention

The letter recommends FDA embrace an objective to bring public perception closer to reality. For example, the group suggests that the agency consider approving “standardized evidence-based and non-misleading statements that vendors of low-risk products could use in packaging and advertising” and exempt them from Tobacco Control Act misbranding provisions enforcement.

“It is clear beyond a reasonable doubt that vapor products present lower risks to nicotine users than smoking,” the letter states. “The costs and burdens of FDA’s approach threaten to heavily contract and constrain the emerging market in vaping and other low-risk technologies, and some action is required in the short-term to stabilize the market.”

NEW TASK FORCE TO ADDRESS UTAH'S 'OPI-DEMIC'

By Pat Reavy @DNewsCrimeTeam

SALT LAKE CITY — In Utah today, there is a family planning a funeral for a loved one who died of an opioid overdose.

And Dr. Jennifer Plumb, an assistant professor of pediatrics at the University of Utah and a member of the Division of Pediatric Emergency Medicine at Primary Children's Hospital, says the same will be true tomorrow — and the next day, and the day after that.

"Every day here in Utah, someone is planning a funeral. Someone today is planning a funeral. Someone tomorrow is going to be planning a funeral. That may be a teenager. That may be a mom. That may be a most beloved spouse or significant other. A child. Someone who is so very dear and cared about is no longer with us today," she said.

On Friday, Plumb joined other health care professionals and law enforcement officials to announce the creation of a new task force aimed at addressing Utah's opioid epidemic.

Utah Attorney General Sean Reyes and Brian Besser, head of the Drug Enforcement Administration in Utah, held a press conference at the state Capitol to announce the creation of the task force that will tackle what has been penned as an "opi-demic."

Utah currently toggles between seventh and eighth in the nation for the most opioid-related overdose deaths, Besser said. Six people fatally overdose in Utah every week due to opioids, Reyes added. More people die in Utah from overdosing than those killed in car crashes or from gunshot wounds.

He acknowledged Friday that there have been other task forces and collaborations in Utah with people "working tirelessly" in attempting to tackle the epidemic.

"This task force, we believe, is the next step. The next natural evolution in the collaborative process," Reyes said.

The task force, which will meet over the next several months to generate ideas, will involve members of the medical profession, law enforcement from the local, state and federal level, and more. NAACP head Jenetta Williams, who will also be on the task force, was present for Friday's press conference,

Besser said what makes it different from other task forces in the past was that it was an eclectic group of people.

"We have so many different specialists and so many different folks from this gamut, we want this task force to be as holistic and comprehensive and well-rounded as possible," he said.

"This group is a bipartisan group, it's a nonpartisan group because it's really not a partisan issue. It's a people issue," Reyes added.

Besser also on Friday repeated what's become a common theme for local and state officials alike: that the state cannot arrest its way out of the situation.

"We're fooling ourselves if we think that we're going to try and address this issue just strictly, singularly, through law enforcement efforts. That's why we're trying to look at this from a more holistic perspective," he said.

Not every person using opioids is a "bad guy," Besser said. He referred to the two teens who overdosed in Park City last fall from using the drug known on the street as "pink."

"That devastated that community. It just devastated it. We want to get out in front of these problems before they occur. There's an undercurrent of drug use there that was going on, we should have been ahead of it to intercept that problem before it hit the street," he said. "Two kids died. I don't take that lightly."

But Besser said there are also "predators" among those who are addicted to prescription medications and heroin, and are just waiting to feed that addiction for their own profit.

"They're evil people. And they're slinging their poison out here," he said.

Besser said the DEA bust of a massive fentanyl pill-making operation in Cottonwood Heights last year, where a man was manufacturing millions of pills, is an example of those predators.

"Those pills were responsible for killing people. We're quite certain of that. Can we quantify or qualify that statement? No. But it's just like saying if you shoot a shotgun into a crowd, you're going to hit somebody. And that's exactly what happened here. This individual was driven by greed and profit and he was willfully blind that he was hurting people," he said.

Both Besser and Utah House Speaker Greg Hughes said they hope the task force will be able to secure federal money to assist with areas such as treatment.

Plumb said it will take years to solve the problem in Utah. Until then, her goal is to help keep people alive. Over the past 21 months, naloxone — an opiate antidote that helps people who have stopped breathing due to an opiate-related drug overdose start breathing again — has been used in Utah 1,351 times by non-medical professionals to save a life.

She said it's a statistic that is both amazing and scary. Plumb said she knows of stories of grandmothers using naloxone to save their grandchildren, and mothers saving their children multiple times.

"These are unprecedented times," she said.

Plumb says she loves what she does, but said, "I don't want this job forever. I would love it if I'm no longer needed here."

ATTORNEY GENERAL BALDERAS ANNOUNCES RESULTS OF NATIONAL EFFORT TO LOCK UP CHILD PREDATORS

Albuquerque, NM – This afternoon, Attorney General Hector Balderas announced that Internet Crimes Against Children (ICAC) task forces around the country, including the New Mexico Office of the Attorney General ICAC Task Force, launched a two month operation in April called Operation Broken Heart IV. The operation was a coordinated effort by law enforcement representing more than 3,000 federal, state and local law enforcement agencies with the purpose of arresting as many child predators as possible and providing as much cyber safety education and outreach as possible to children, parents and educators throughout New Mexico.

"The Office of the Attorney General and our 86 law enforcement ICAC task force members around New Mexico have no higher priority than protecting our state's most innocent and vulnerable citizens – our children," said Attorney General Balderas. "I want to thank law enforcement agencies from San Juan to Lea Counties, from Albuquerque to Alamogordo, from Santa Fe to Silver City, for their participation in this successful operation to protect our children from dangerous predators."

During Operation Broken Heart IV, The New Mexico ICAC task force served 110 search warrants, arrested 37 alleged predators, identified 19 child victims, and rescued three more children from further abuse during a two-month-long National push to lock up child predators. The initiative also included reaching 8,138 persons in Internet safety education and outreach events in New Mexico. The New Mexico ICAC Task Force's operation concentrated on offenders who: (1) possess, manufacture, and distribute child pornography; (2) engage in online enticement of children for sexual purposes; (3) engage in the commercial sexual exploitation of children (commonly referred to as child prostitution), and (4) engage in child sex tourism (traveling abroad for the purpose of sexually abusing foreign children).

All participating ICAC task forces in the United States will compile arrest statistics from the two-month-long Operation Broken Heart III and share them with the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in Washington, D.C.

Attorney General Balderas is committed to protecting children from cyber predators through his ICAC Unit and the New Mexico ICAC Task Force, which is a multi-agency network of law enforcement personnel statewide whose mission is to locate, track, and capture Internet child sexual predators and Internet child pornographers. The Office of the Attorney General ICAC Unit has a fully equipped computer lab specifically designed to provide forensic analysis to law enforcement agencies working ICAC cases and special criminal investigations serving all of New Mexico's 33 counties.

To report suspected child exploitation please contact the Office of the Attorney General toll free at 1-866-627- 3249 or the National Center for Missing and Exploited Children at 1-800-THE-LOST (1-800-843-5678) or www.missingkids.com.

LEADING A COALITION OF 35 STATES, AG PAXTON URGES FCC TO REJECT PETITION BY BROADBAND INDUSTRY TO STRIP TEXAS OF ITS CONSUMER PROTECTION POWERS

In an effort to protect Texas consumers, Attorney General Ken Paxton today urged the Federal Communications Commission (FCC) to deny a petition by the broadband industry to strip states of their authority to investigate and settle claims over false and misleading advertising about broadband Internet speed.

The broadband industry's petition asks the FCC to block state and local authorities from routine enforcement of state consumer protection laws and declare that the FCC regulate all advertising about broadband performance. But the petition "represents nothing more than the industry's effort to shield itself from state law enforcement," Attorney General Paxton wrote in a letter to the FCC that was signed by a bipartisan group of 35 state attorneys general.

"As the U.S. Supreme Court ruled, a federal agency may pre-empt state law only when and if it's acting within the scope of its congressionally delegated authority," Attorney General Paxton said. "Hundreds of millions of Americans rely on broadband Internet services every day, yet they don't always get what they pay for. The states' consumer protection powers must be left intact to protect customers from providers who make false claims about broadband speed."

Attorney General Paxton was joined in the letter by the attorneys general of Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New Mexico, New York, North Carolina, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Vermont, Washington, West Virginia and Wisconsin.

ATTORNEY GENERAL LAXALT ANNOUNCES GRAND JURY INDICTMENTS FOR IMMIGRATION SCAM OPERATED OUT OF LAS VEGAS

Las Vegas, NV – Today, Nevada Attorney General Adam Paul Laxalt announced that Ernesto Gerardo Fernandez-Carranza, 33, of Las Vegas, Nevada, and Alicia Herrera, formerly known as Alicia Alvarado Lopez, 53, of Oakland, California, were indicted by the Clark County Grand Jury on multiple felony charges for operating an immigration fraud scam out of Las Vegas. The charges include: three counts of theft in the amount of \$3,500 or more, three counts of possession or sale of document or personal identifying information to establish false status or identity, and one count of multiple transactions involving fraud or deceit in the course of an enterprise or occupation. The alleged scam occurred from January 2014 through July 2014.

According to the indictment, Fernandez-Carranza and Herrera falsely promised to provide their clients with lawful United States visas. They are accused of collecting thousands of dollars from their clients and providing them with fraudulent immigration documents.

“Our immigrant community should be protected from exploitation by unscrupulous fraudsters,” said Laxalt. “My office will continue to safeguard the integrity of the legal immigration system and prosecute those seeking to undermine it”.

Individuals seeking information or assistance with residency and citizenship are urged to use licensed attorneys that are confirmed by the State Bar or accredited representatives and recognized organizations authorized by the Board of Immigration Appeals.

This case was investigated by the U.S. Immigration and Customs Enforcement, with assistance from the Attorney General’s Fraud Unit. The Office of the Nevada Attorney General’s Fraud Unit is prosecuting this case.

An indictment is merely a charging document; every defendant is presumed innocent until and unless proven guilty in a court of law.

AG COFFMAN ANNOUNCES INDICTMENT OF ALLEGED MASSIVE ILLEGAL MARIJUANA TRAFFICKING CONSPIRACY

74 Defendants charged for their role in trafficking millions of dollars in illegal drugs out of Colorado

DENVER— Today, Colorado Attorney General Cynthia H. Coffman was joined by numerous law enforcement agency partners to announce the indictment of the largest illegal marijuana trafficking ring since marijuana was legalized in Colorado. Connor Brooks, Jin “Tim” Wu, John Mario Joseph Russo, Jr., Nicholas Gyori, Synnoy Phanbandith, Gregory McBride, Thomas Stockton and dozens of co-conspirators are alleged to have overseen a massive illegal interstate marijuana distribution and cultivation network stretching from Colorado to Texas, and laundering millions of dollars.

For nearly four years, the members of the alleged drug trafficking organization held themselves out as medical marijuana patient caregivers, property managers servicing marijuana growers and small business owners while they trafficked thousands of pounds of marijuana out of state. Certain members of the conspiracy are alleged to have engaged in securities fraud, swindling close friends, business associates of friends, wealthy business persons and former National Football League players by making the victims believe their investments were destined for state licensed marijuana grow facilities.

“This case is a prime example that the black market for marijuana has not gone away since recreational marijuana was legalized in our state, and in fact continues to flourish,” said Attorney General Coffman. “These trafficking rings are not just operating in the shadows, they are invading our neighborhoods and are often conducting their illegal activity in plain sight under the guise of being a legitimate business. My office remains committed to fighting against illegal traffickers in our state and we will continue to work with our partners at the local, state and federal level to ensure that our communities are safe.”

In January 2014, the Denver Police Department responded to a citizen complaint and found interconnected unlicensed marijuana grows located in warehouses and residences throughout the Denver Metro area. The discovery set in motion a massive local, state, and federal law enforcement investigation. Between March of 2016 and February of 2017 law enforcement officials executed nearly one hundred fifty search warrants.

At the time of the indictment the dismantling of the organization led to the seizure of nearly 2600 illegally cultivated marijuana plants and 4,000 pounds of marijuana. These seizures are believed to only scratch the surface of the amount of illegal drugs produced by this organization. Furthermore, financial documents obtained by investigators revealed that millions of dollars in drug revenue passed through the collective “hands” of the drug trafficking organization’s members.

The enterprise produced over 100 pounds of marijuana per month on average. The going rate is approximately \$2000 per pound so the revenue would have easily exceeded \$200,000 per month from January of 2012 until Spring of 2016.

“The Toker Poker operation dealt a major blow to the illegal marijuana industry,” said Denver Police Chief Robert C. White. “The success of stopping this illegal operation was due to the collaboration of multiple federal, state and local partners, which included more than 250 police officers, who worked tirelessly in to bring these criminals to justice.”

During the ring's operation, the co-conspirators allegedly controlled the illegal cultivation and distribution of marijuana at 18 warehouses and storage units and 33 residential homes throughout the Front Range. The drug traffickers laundered the proceeds of their illicit activity all the while avoiding the payment of taxes. They disguised much of their criminal activity through front companies that included a marijuana grow supply store and numerous purported property management companies leasing to marijuana growers.

"The Drug Enforcement Administration is committed to targeting and dismantling criminal organizations that prey upon our communities," stated Special Agent in Charge Barbra Roach of DEA's Denver Field Division. "Since 2014 there has been an influx of these organized criminal groups to Colorado for the sole purpose of producing marijuana to sell in other states. Many of these operations involve multiple, sometimes dozens, of homes that are converted into grow sites. Members of these organizations relocated to Colorado in organized cells that then orchestrated the numerous grow operations producing tons of marijuana for out-of-state markets. Because of this the marijuana black market has increased exponentially since state legalization. Our communities pay the price for this and see nothing in return."

The defendants are charged with 31 felony counts and most are now under arrest awaiting trial dates in Denver District Court. They face charges that include violating the Colorado Organized Crime Control Act, illegal marijuana distribution, money laundering, tax evasion, mortgage fraud, theft, securities fraud and attempts to influence public servants.

In addition to the Colorado Attorney General's Office, The Denver Police Department, the Colorado Department of Revenue Criminal Tax Enforcement, the Drug Enforcement Administration, the U.S. Department of Justice, the Denver District Attorney's Office, the 18th Judicial District District Attorney's Office and the Jefferson County District Attorney's Office were all instrumental in the investigation and prosecution.

Special thanks are extended to the Adams County Sheriff's Office, the Arapahoe Narcotics Team, the Arapahoe County Sheriff's Office, the Arvada Police Department, Columbine Valley Police Department, the Commerce City Police Department, the Douglas County Sheriff's Office, the Englewood Police Department, the Jefferson County Sheriff's Office, the Lakewood Police Department, Littleton Police Department, the North Metro Drug Task Force, the Park County Sheriff's Department, and the West Metro Drug Task Force for providing personnel and assistance during the execution of the numerous search warrants. We would also like to thank the Kansas State Patrol and Nebraska State Patrol who performed stops in their respective jurisdictions to catch several of the traffickers.

The filing of criminal charges or an indictment is merely a formal accusation that an individual committed a crime. Each defendant should be presumed innocent until proven guilty. These cases will be prosecuted in Denver District Court by attorneys with the Criminal Justice Section of the Colorado Attorney General's Office.