

ANNUAL REPORT 2018



OFFICE OF THE ATTORNEY GENERAL
STATE OF RHODE ISLAND



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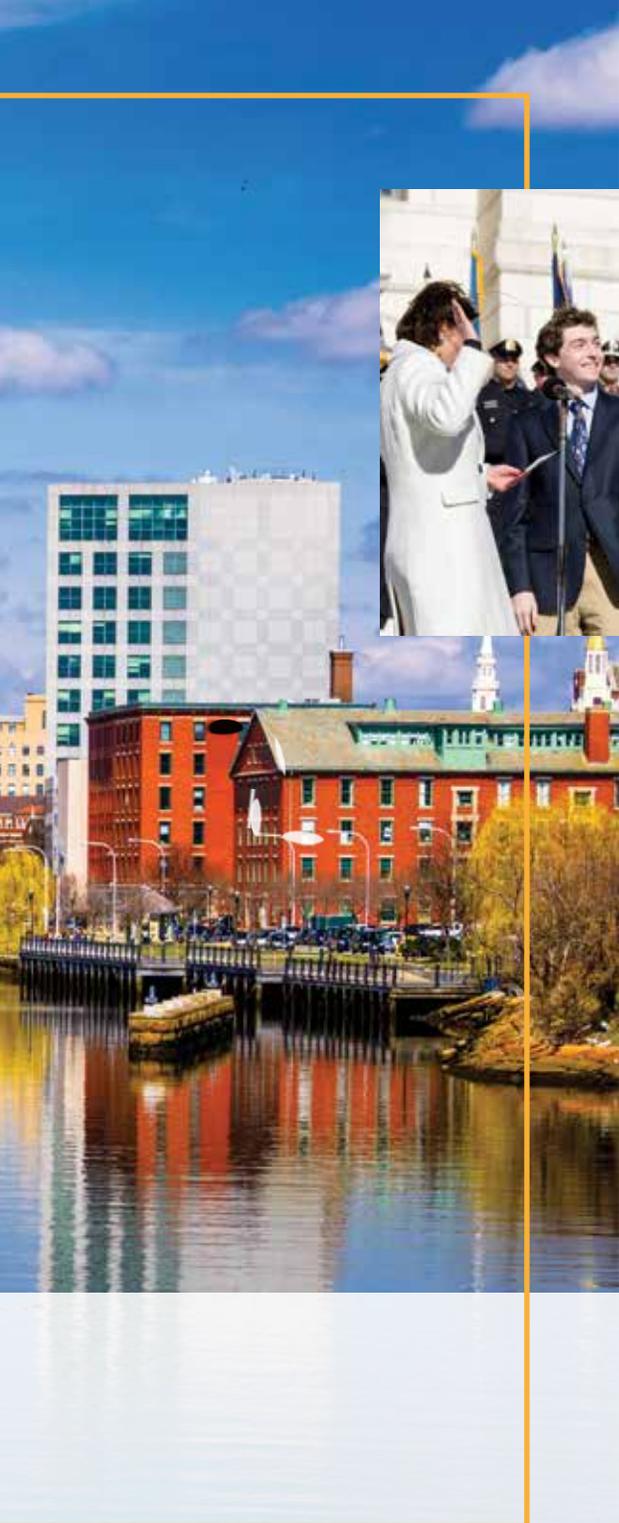
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Dear Fellow Rhode Islanders,

Since being sworn in as Rhode Island's 74th Attorney General in January, every day I continue to be impressed by the enormously talented and dedicated people who make up the Office of Attorney General and who fight to protect and advance the interests of Rhode Islanders.

This report, which covers 2018, is intended to provide insight into the work of those men and women in the important areas of consumer protection, environmental stewardship, addressing the opioid epidemic, public safety and more over the past year. Since taking office in January, my administration has focused on building on this work as well as taking on important new initiatives.

Whether it be strengthening our ability to protect consumers from deceptive trade practices, aggressively prosecuting violent crime offenders, proposing legislation that promotes a sensible law enforcement approach, or vigorously defending against attacks on Rhode Island's environmental resources, we are working to better the lives of Rhode Islanders in all that we do. I look forward to reporting on that work next year!

It is my honor to serve as your Attorney General. It is my commitment to all Rhode Islanders that in 2019 and beyond, this Office will hold itself to the highest standards of professionalism, transparency, and accessibility. All Rhode Islanders ought to know who their Attorney General is and how this Office can serve them. We need to engage all the communities we serve. That is precisely what we are doing and will continue to do. Because if we never leave 150 South Main Street, we aren't doing our jobs.



Peter F. Neronha
Attorney General



OUR OFFICE PRIORITIES

With every new administration comes a new approach to the Office. While much of this report reflects information and data from 2018, the following represent the priorities of the Office going forward.

KEEP RHODE ISLANDERS SAFE

There is no more important task of the Attorney General's Office than keeping the people of Rhode Island safe. We investigate and prosecute everything from violent crimes – including domestic abuse, sexual assaults, and homicides – to white collar crimes, criminal drug offenses, firearm offenses, and more. We work with our law enforcement and government partners in the state to combat human trafficking, fight the opioid epidemic, and ensure ongoing services for victims of crime.

ENSURE PUBLIC INTEGRITY

It goes without saying that our elected officials ought to do what's right. When they don't, it can have a lasting negative impact on our economy and the public's trust. Our Office works closely with the Rhode Island State Police, as well as the FBI and IRS, to create the partnerships needed to successfully bring public corruption cases. When issues involving public officials warrant criminal investigation, such investigations can proceed quickly and effectively.

PRIORITIZE INTAKE UNIT

Upon my taking office in January of 2019, the Office's Intake Unit became a critical focus. Ensuring that the unit – which serves as the entry point for the thousands of felony cases the office prosecutes – was functioning at an optimal level required additional attention and resources including new personnel, new reporting and operating systems, and improving communication both internally and with local police departments. These efforts are paying off, with great strides being made in process improvement and increased collaboration. Ultimately, it's the people of Rhode Island who benefit from this crucially important piece of their criminal justice system working as best as it can.

BRING A SENSIBLE APPROACH TO LAW ENFORCEMENT

An important mission of the Office is to direct our efforts at those who are truly driving violent crime. At the same time, we need to make sure our handling of cases involving non-violent offenders makes sense, and that charging and sentencing recommendations are fair and appropriate. With this in mind, our Office has worked with members of the General Assembly to introduce legislation that would reclassify simple drug possession charges from a felony to a misdemeanor. In addition, since January, we have nearly tripled the number of cases that are entered into our diversion program, understanding that our prison system isn't always the answer for non-violent offenders. The final consideration of this approach is prisoner re-entry. We have been working closely with the Department of Corrections to make sure that people coming home from prison have opportunities to join the workforce.

ENGAGE WITH RHODE ISLAND COMMUNITIES

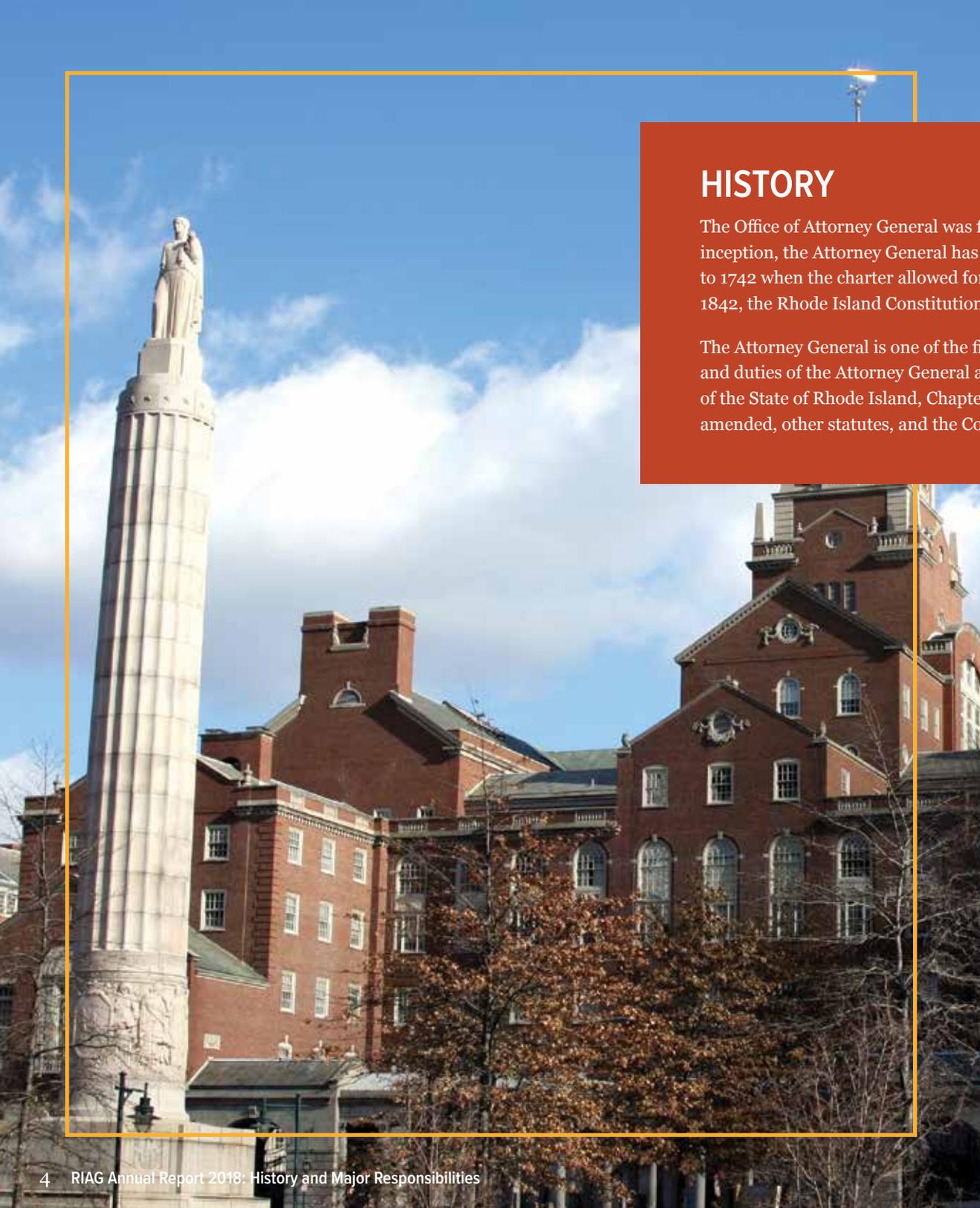
Crime prevention and establishing good community relationships require partnerships across government. Led by our new Community Engagement Unit, the Office is actively engaging communities impacted by violent crime by building trusting relationships in good times that can be relied on in bad times. We are in the community on a scheduled, regular basis, assisting residents with everyday quality of life issues and answering their questions. Our Community Office Hours program is helping to create a culture that encourages members of our team to be visible in the communities we serve.

PROTECT RHODE ISLAND CONSUMERS AND WORKERS

As the top legal authority for the State, we protect Rhode Islanders from companies that break the rules, engage in deception or fraud, and take advantage of workers. When these businesses cross the line, they hurt Rhode Island consumers, and they hurt their competitors that do play by the rules. Through our efforts to strengthen the Deceptive Trade Practices Act and broaden the capabilities of our Consumer Protection Unit, we make sure that all consumers are safe from fraud and abusive business practices.

SAFEGUARD THE ENVIRONMENT

Our natural environment is one of Rhode Island's greatest resources and one that deserves the utmost attention of this Office when polluters threaten to harm it. Our Civil Division is positioned to take an aggressive stance against polluters because not only do their actions jeopardize our environment, but they place law-abiding people at a disadvantage, especially in the business community. From climate concerns to clean air and water efforts, we stand ready to protect Rhode Island's natural resources so they can be sustained for generations.



HISTORY

The Office of Attorney General was first created in Rhode Island in May 1650. Since its inception, the Attorney General 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 Attorney General 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, other statutes, and the Common Law.

MAJOR RESPONSIBILITIES

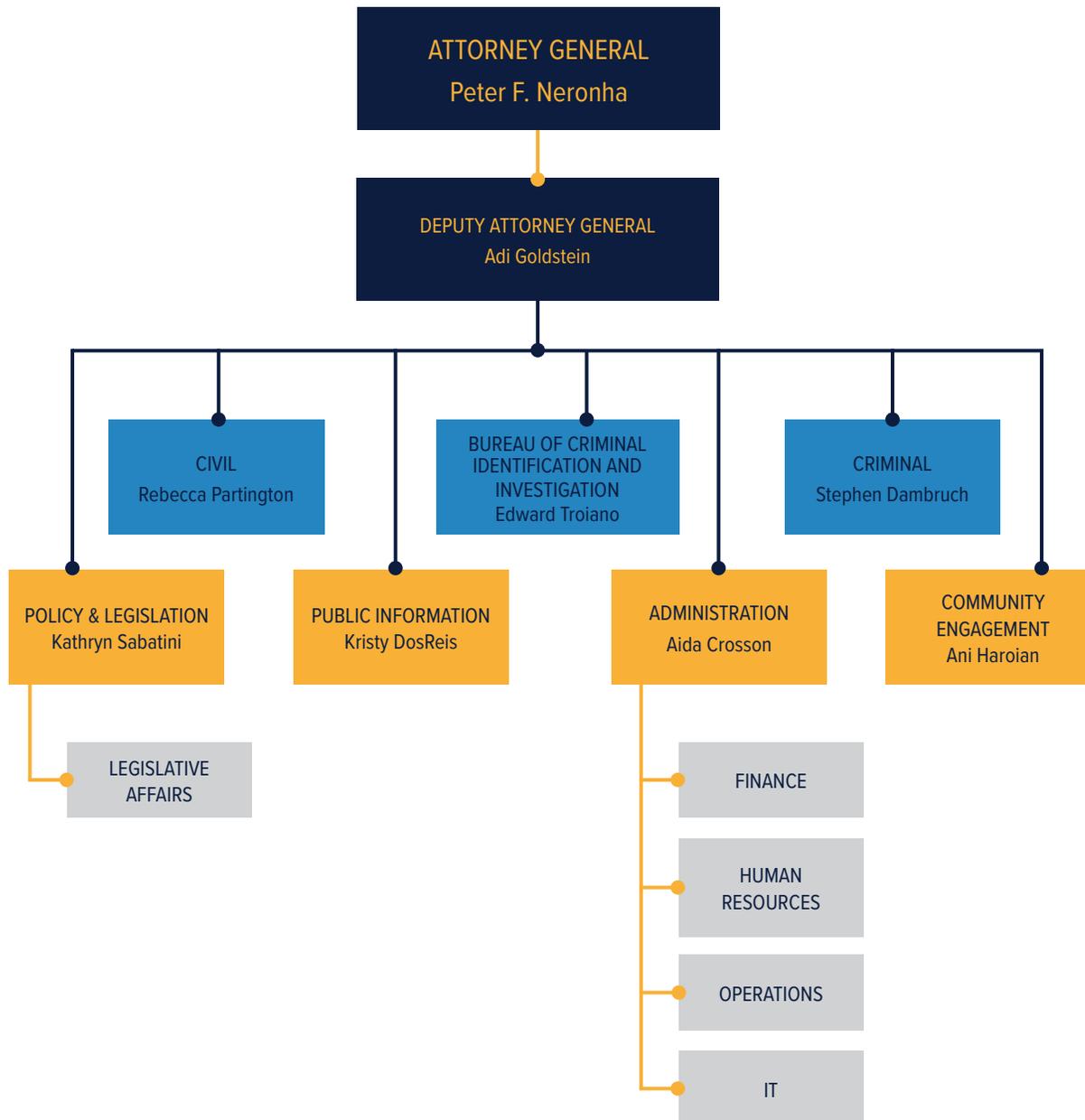
The Attorney General is the top legal official in Rhode Island. As the state's top prosecutor, the Attorney General fights to enhance the economic security of Rhode Island, protect the public safety of our communities, and restore the public trust in state government.

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

Additionally, 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 and Investigation, which is the central repository for all criminal records in the State.

OFFICE OF THE ATTORNEY GENERAL



The Executive and Administrative Divisions of the Office of Attorney General consist of the Attorney General, Deputy Attorney General, Chief of Policy, Director of Administration, Director of Community Engagement, 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 and ensuring the broader welfare of the people.

The total budget for fiscal year 2018, ending June 30, 2018, was \$47,731,960. It consisted of \$25,296,473, or 53 percent, in state general revenue funding; \$21,612,221, or 45.3 percent, in federal grants; \$673,265, or 1.4 percent, in restricted receipts; and \$150,000, or .3 percent, in other revenues.

The Office of Attorney General's spending for FY18 for all accounts is broken down as follows: personnel salary and benefits of \$25,376,244, or 53 percent; contracted services of \$547,539, or 1 percent; other state operational costs of \$2,894,704, or 6 percent; and capital improvements of \$18,913,473, or 40 percent.

CONTACT

150 South Main Street
Providence, RI 02903
(401) 274-4400
ag@riag.ri.gov

BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION (BCI)

The Bureau of Criminal Identification and Investigation (BCI) serves as the central repository and clearinghouse for all demographic information on individuals arrested as well as court dispositions of crimes in Rhode Island.

BCI provides state and national background check services to the public, reviews and issues licenses for concealed carry permits in Rhode Island, and maintains multiple law enforcement databases: the Rhode Island Criminal History System (RICH), the Restraining Order and No-Contact Order (RONCO) database, Criminal Automated Fingerprint Identification System (CAFIS) and License and Sales Tracking System (LSTS) database for precious metals.

In addition, BCI provides investigative services for the Office of the Attorney General, including: conducting criminal investigations in conjunction with local, state and federal law enforcement partners, subpoena service, arrest of wanted individuals, witness location, and office security.

CONTACT

4 Howard Avenue
Cranston, RI 02920
(401) 274-4400
ag@riag.ri.gov

Photo: The Julius C. Michaelson Customer Service Center, located at 4 Howard Ave. in Cranston, officially opened in July 2018. This state-of-the-art facility houses the BCI Unit, Consumer Protection, Diversion and attorney office space. Centrally located with free parking and multiple service windows, this building makes it easy to engage with our Office.

BY THE NUMBERS

On average, personnel at BCI
**served more than
300 people**
each day, Monday through Friday.

In addition, BCI personnel
**respond to thousands of Rhode Island
state background check requests**
received annually by mail.

40,638
civil fingerprints were processed
in Rhode Island.

The BCI Unit
collected approximately \$307,207
in Rhode Island state background check fees (\$5.00 each).

RHODE ISLAND CRIMINAL HISTORY (RICH) DATABASE

Law enforcement agencies submit fingerprints and other identifying information via AFIS Live Scan 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 and automatically entered into the RICH database maintained by BCI. The CAFIS system and the RICH database automatically share and update information in real time as it is electronically or manually entered.

As of December 31, 2018,
the RICH database maintains:

**Approximately
1.32 million arrest records**

**Criminal history records of
301,777 individuals**



The BCI Unit is responsible for maintaining the accuracy of the information in the RICH database gathered through CAFIS 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 FBI system. BCI also receives dispositions through an interface with the courts. This upgrade occurred in 2018 in which the dispositions are entered at court through its database and automatically forwarded to BCI's interface to be accepted into RICH.

Rhode Island General Law Chapter 12-1.3 calls for the expungement of criminal records when certain criteria have been met. The BCI Unit manually processes all expungements and notifies the FBI to remove the charge(s) from its database.

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.

CRIMINAL AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (CAFIS)

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 law enforcement partners, as well as our own investigators, to solve and prevent crimes. CAFIS provides automated fingerprint search capabilities, latent search capability, and electronic image storage.



BCI/AFIS has a newly implemented 2-finger rapid ID search. This technology can take an individual's right two fingerprints on a scanner and search a database to see if the individual has previously been fingerprinted in RI. If found, previous fingerprints can be resent for the national background check to the FBI for processing, significantly expediting the transaction.

BY THE NUMBERS

BCI staff entered over **14,000** restraining orders, no-contact orders and modifications into the database, with approximately **5,358** remaining active.

BCI investigators served **68** witness subpoenas during 2018.

BCI investigators were responsible for the arrest of **52** individuals who had outstanding warrants and appeared in the Office for BCI record checks.

During calendar year 2018, a total of **602** pistol and revolver permit applications were processed (**92** new applications and **510** renewals).

As of December 31, 2018, there were **2,180** active pistol permits in Rhode Island issued by the Office of Attorney General.

BCI has **82** active security guard business licenses on file, with **38** licenses being issued (new and renewal) in 2018.

In 2018, there were **69,830** sales transaction slips containing precious metals and pawned items electronically entered into the LSTS database, bringing the total to **2,006,931** items.

As of December 31, 2018, there were **111** active precious metals licenses issued by the Attorney General's Office.

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.

WARRANTS

Since converting to an electronic warrant system, the courts and police departments enter warrants into the Rhode Island Law Enforcement Telecommunications System (RILETS). Warrants for those wanted outside Rhode Island must be entered and canceled manually by BCI personnel. In addition, BCI personnel verify the accuracy of the warrants entered monthly.

PISTOL AND REVOLVER PERMITS

Under Rhode Island law, the Attorney General may issue a license or permit to state residents 21 years of age or older to carry a pistol or revolver. In 2018, the Office successfully upgraded the pistol permit cards, which now have a digital signature, thumbprint, and hologram.

SECURITY GUARD LICENSING

The Attorney General is also responsible for the licensing of private security guard businesses, pursuant to the Private Security Guard Act of 1987. Federal guidelines now require that all security guards be fingerprinted for a national background check.

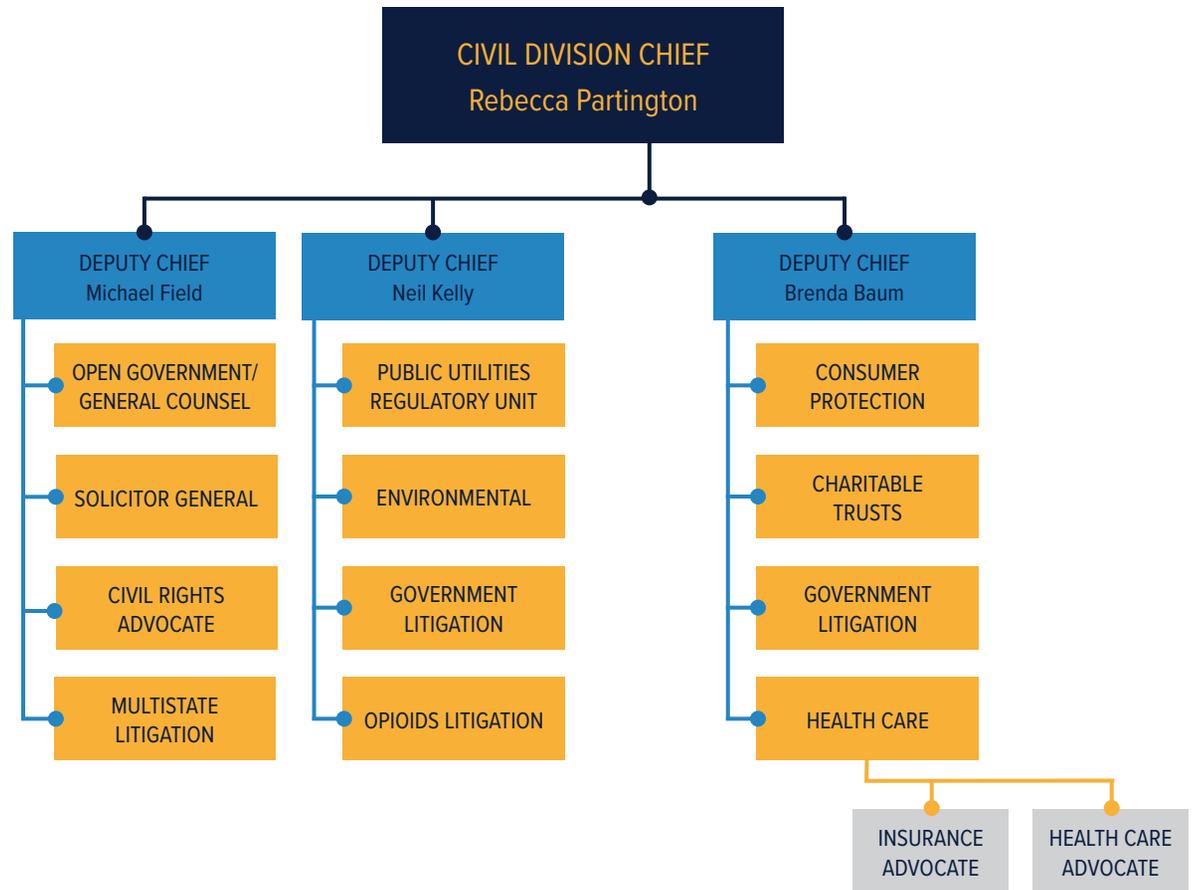
PRECIOUS METALS UNIT

The License and Sales Tracking System (LSTS) database, captures information from the sales of precious metals and pawn transactions. This database is a critical law enforcement tool that aids police in the recovery of stolen jewelry and other precious metals. Currently, the database is accessed by 299 police officers representing Rhode Island, Southern Massachusetts, and Connecticut police departments, as well as federal agencies.

CIVIL DIVISION

By law, the Attorney General represents the State, its agencies, and employees in all state and federal 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 of the state.

The Civil Division handles significant civil actions involving environmental, public health, public utilities and consumer protection issues.



CONTACT

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OPEN GOVERNMENT UNIT

It is essential to the functioning of our democracy that the business of government in the State of Rhode Island be carried out in an open and transparent manner. The Access to Public Records Act (APRA) and Open Meetings Act (OMA) provide citizens with important rights related to accessing public documents and being informed about public meetings. In addition, the APRA and OMA give the Office of the Attorney General authority to investigate alleged violations of these acts and, where appropriate, file a lawsuit.

The Open Government Unit conducts training seminars throughout the state, including the annual Open Government Summit at Roger Williams University Law School, which drew 565 attendees in 2018. The Unit also responds to complaints from public officials, the news media, concerned citizens, and others alleging violations of the laws.

Representative matters from 2018

PR 18-24

Davis v. City of Providence

Issued August 17, 2018

The Complainant alleged that the City violated the APRA when it disclosed a requested list of condemned properties but redacted the street numbers of the properties. We found that there was a public interest in disclosure of the street numbers that outweighed the privacy interests. Accordingly, we found that the City violated the APRA when it redacted the street numbers. The City was directed to disclose the document with the street numbers unredacted.

PR 18-37

Markey v. South Kingstown School Department

Issued December 21, 2018

The Complainant alleged that the SKSD violated the APRA when it withheld certain documents and provided other documents with allegedly improper redactions. With respect to the contested redactions, we noted that the vast majority of the redactions were non-substantive. There were only two instances where the SKSD redacted arguably responsive information that was not related to the information sought. Therefore, we found no violation.

BY THE NUMBERS

OPEN MEETINGS ACT

50

Complaints received

32

Findings issued by RIAG

11

Violations (11 warnings)

4

Written advisory opinions

ACCESS TO PUBLIC RECORDS ACT

47

APRA complaints received

38

Findings issued

11

Violations found

1

Written advisory opinion

99

APRA requests to RIAG



GOOGLE FORFEITURE OVERVIEW

Initial balance of Google funds:	\$59,938,076.27
Drawdowns:	(\$51,653,553.53)
Remaining funds at DOJ:	\$8,284,522.74

FUNDS EXPENDED MAY 2013 THROUGH FEBRUARY 2019

180 SOUTH MAIN STREET, PROVIDENCE (Houses RIAG Civil Division and Medicaid Fraud Control Unit)

Acquisition of building:	(\$3,414,503.58)
Capital improvements:	(\$3,109,189.10)
Project Manager:	(\$301,314.35)
subtotal:	(\$6,825,007.03)

4 HOWARD AVENUE, CRANSTON (Houses RIAG BCI & Consumer Protection)

Architecture and engineering work:	(\$629,607.23)
Construction:	(\$13,310,384.91)
Advertising campaign for grand opening:	(\$287,097.76)
IT and phones:	(\$238,958.38)
subtotal:	(\$14,466,048.26)

150 SOUTH MAIN STREET (Houses Criminal, Administrative, & Executive Divisions)

Interior renovations:	(\$10,933,573.85)
Exterior renovations:	(\$389,818.12)
Portion of Project Manager:	(\$22,993.97)
subtotal:	(\$11,346,358.94)

DATABASES

Civil case management:	(\$968,712.50)
Criminal history:	(\$1,902,113.80)
Upgrades to CMS (Criminal Case Management System):	(\$105,930.00)
Pawn & precious metals database and annual support:	(\$418,024.21)
Gun permitting automation:	(\$72,200.00)
subtotal:	(\$3,466,980.51)

IT

Infrastructure upgrades:	(\$1,799,504.11)
Phone upgrades:	(\$242,816.45)
Actifo disaster recovery:	(\$731,899.45)
IT network switches, bandwidth, and annual support:	(\$163,671.22)
Network switches - managed services:	(\$46,336.20)
Office 365 licensing, officewide:	(\$245,379.42)
Microsoft Surface project with two-factor authentication:	(\$230,964.62)
IT project manager/consultant:	(\$546,000.00)
subtotal:	(\$4,006,571.47)

BUILDING MAINTENANCE

180 S. Main St. maintenance (2/14 - 2/19, janitorial, elevator, plumbing, HVAC, & utilities):	(\$649,011.08)
4 Howard Ave. building maintenance (7/18 - 2/19, janitorial, HVAC, security):	(\$28,850.30)
Utilities for 180 S. Main St. & 4 Howard Ave. (7/18 - 2/19):	(\$53,410.18)
subtotal:	(\$731,271.56)

MISCELLANEOUS

Vehicles:	(\$53,769.00)
Promotional materials:	(\$6,250.00)
Staff training:	(\$41,845.00)
Ernst & Young:	(\$485,424.51)
Licht office renovations:	(\$586,794.77)
Security bollards and gates at 150 & 180 S. Main St.:	(\$460,757.15)
Non-categorized items:	(\$21,347.43)
subtotal:	(\$1,656,187.86)

More about the forfeiture funds

In April 2012, it was announced that law enforcement agencies in Rhode Island would receive approximately \$230 million as part of a \$500 million forfeiture by Google, Inc. The forfeiture was the result of a federal investigation into Google's role in assisting foreign pharmacies import opioids and other drugs into the United States.

The investigation was conducted by a joint Food and Drug Administration (FDA) task force that included the United States Attorney's Office for the District of Rhode Island, the R.I. Attorney General, the R.I. State Police, the R.I. National Guard, and the East Providence and North Providence Police Departments. These agencies split the proceeds of the \$230 million forfeiture based on their level of involvement in the investigation.

Following the forfeiture, and according to rules set by the Justice Department's Money Laundering and Asset Recovery Section, the Attorney General's Office sought and received permission to use forfeiture proceeds to fund improvements to law enforcement facilities, technology, and information systems. In recent years, public interest in the use of these funds has increased. In the interest of transparency, the Attorney General's Office has compiled the table on the left, which details the historical expenditures made by the Office using forfeiture proceeds.

The RIAG spent over \$51 million of the funds awarded as of 12/31/2018 (see breakdown, left).

BY THE NUMBERS



Responded to **7,334** phone calls



Responded to **850** e-mail inquiries



Recovered approximately
\$108,000 on behalf of
individual consumers



Brought in over **\$2.5 million**
through multi-state settlements



Provided **51** outreach presentations
on scams and ID theft



Collected **\$7,850** in fees for the
state through telemarketer and health
club registrations

CONSUMER PROTECTION UNIT

The Consumer Protection Unit's outreach mission is to educate and protect Rhode Islanders from deceptive trade practices and scams, and provide information to prevent Rhode Islanders from becoming victims of identity theft.

The Consumer Protection Unit (CPU) investigates and mediates consumer complaints concerning unfair and unlawful business practices and misleading advertising. 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.

MAINTAINING A CLOSE WATCH ON HEALTH CLUB ORGANIZATIONS IN RHODE ISLAND

In 2018, the State of Rhode Island (through the Office of Attorney General's Consumer Protection Unit) caused BeFit, LLC d/b/a Blast Fitness in East Providence to temporarily cease operation due to its failure to comply with the applicable statutory registration requirements. Specifically, the health club failed to comply with RI General Laws § 5-50-2(c) (10) by not providing the appropriate certification or documentation from the City of East Providence evidencing that the facility had not been cited as being in violation of applicable fire regulations.

In addition to seeking to enforce BeFit's statutory compliance, the CPU also initiated legal actions against other non-compliant health clubs.

OFFICE OF THE CIVIL RIGHTS ADVOCATE

The Office of the Civil Rights Advocate conducts civil rights trainings, reviews and investigates complaints, and brings civil actions under the Rhode Island Civil Rights Advocate statute. Pursuant to this statute, the Attorney General may bring a civil rights action in the name of the State of Rhode Island on behalf of an aggrieved party seeking an injunction or other appropriate equitable relief and a monetary penalty up to \$5,000.

The Office also continued its collaboration with the Providence LGBTQ Partnership. Through this initiative, during the winter of 2018 the entire Providence Police Department was trained on recognizing hate crimes and cultural competency in working with individuals who identify as LGBTQ.

6 TRAININGS CONDUCTED, REACHING:

100

More than 100 recruits at the Rhode Island Municipal Police Training Academy

42

Public safety officers from various universities

35

Correctional officers at the Rhode Island Department of Corrections

INSURANCE ADVOCACY UNIT

The Insurance Advocacy Unit represents, protects, and advocates for the rights of consumers at insurance rate hearings and in the insurance marketplace. The Insurance Advocacy Unit is funded by statute (R.I. Gen. Laws § 27-36-2) and collects the assessments made by the Department of Business Regulation on an annual basis.

The Unit assists consumers with health insurance-related issues and often works closely with the Rhode Island Insurance, Resource, Education, and Assistance Consumer Hotline (RIREACH) to help resolve consumer complaints.

2018 HIGHLIGHTS

- ▶ Throughout 2018, the Insurance Advocacy Unit Chief attended regularly scheduled meetings of the Governor's Insurance Council, which meets to discuss matters pertaining to various types of insurance and provides advice and counsel to the Governor. Members of the Unit routinely attended meetings of the Health Insurance Advisory Council to stay up-to-date on health insurance reforms in Rhode Island.
- ▶ Along with several other Attorneys General, this Office joined a multi-state lawsuit against the federal government to defend the constitutionality of the Affordable Care Act (TX v. HHS, US District Court for the Northern District of Texas Fort Worth Division, Case No. 4:18-cv-00167-O). In December 2018, the District Court declared the ACA unconstitutional. Rhode Island and other states are currently appealing that decision before the 5th Circuit Court of Appeals (at press time).

BY THE NUMBERS

In 2018, the Unit collected the complete 2017 assessment from **464** insurance companies

totaling
\$292,214.08.

The Unit also handled **158** consumer inquiries in 2018.



HEALTH CARE ADVOCATE

Many patients, family members, and providers turn to the Health Care Advocate for assistance.

The Health Care Advocate is directed by the Attorney General to represent Rhode Islanders in the following ways:

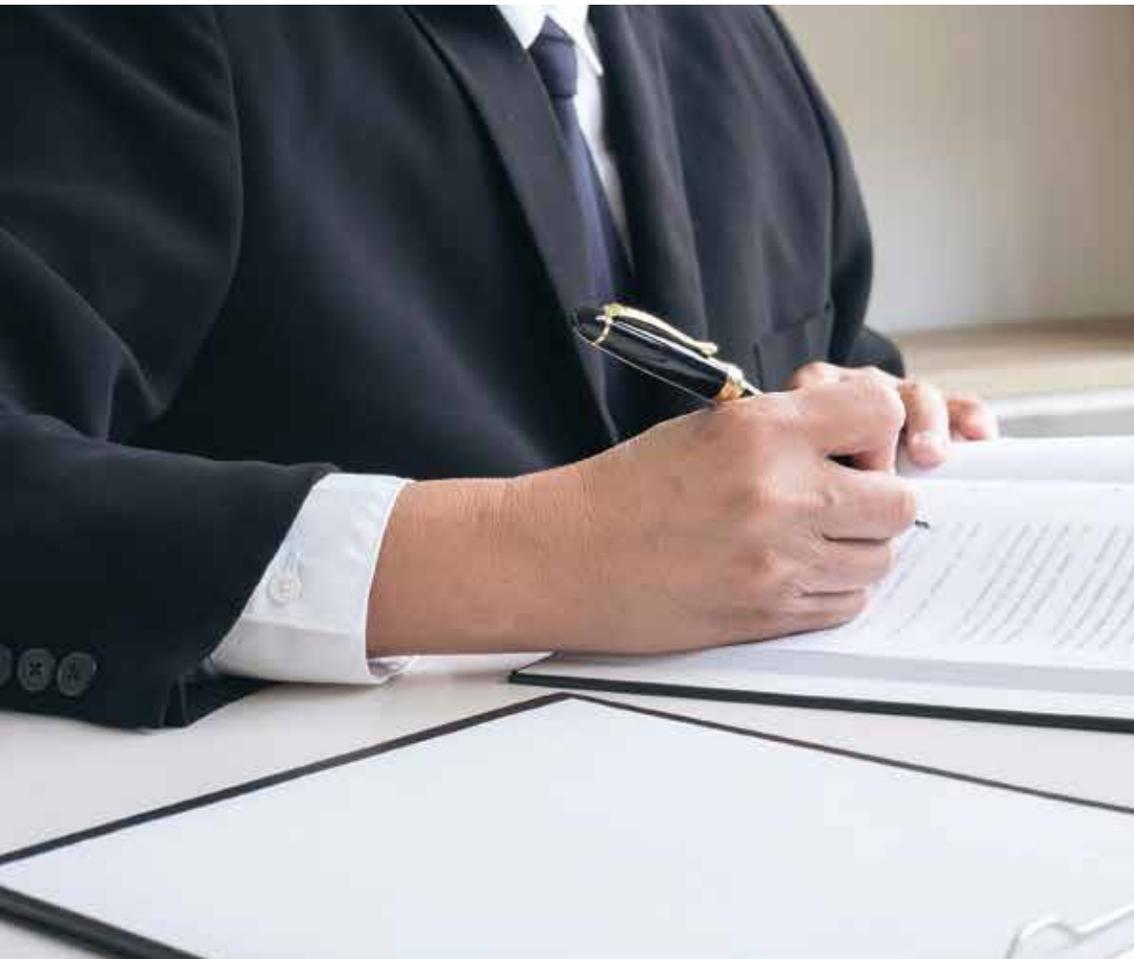
- Appear as an amicus curiae in civil actions
- Intervene in or request initiation of administrative action related to health care and health insurance
- Investigate complaints to assure the delivery of quality health care
- Educate the public
- Engage in legislative advocacy
- Initiate formal legal actions concerning health care
- Advocate for changes to support quality and affordable health care

2018 HIGHLIGHTS

- ▶ In 2018, the Office received the Expedited Review Hospital Conversion Initial Application proposing the affiliation of Partners HealthCare System, Inc. and Brigham Health, Inc. with Care New England Health System. Hospital conversion reviews involve a substantial investment of Office resources, including document review, interviews, engagement of experts, and public meetings. As of June 2019, this application was withdrawn.
- ▶ The Unit is currently monitoring decisions involving the following entities: Landmark Medical Center and Rehabilitation Hospital of Rhode Island, the Westerly Hospital, Memorial Hospital, Roger Williams Medical Center, and Our Lady of Fatima Hospital.

CHARITABLE TRUST UNIT

The Attorney General has the statutory and common law duty to protect charitable assets within the State. The Charitable Trust Unit supervises and enforces laws and regulations concerning charitable trusts and restricted funds, and administers approximately 600 trusts containing over a half billion dollars in charitable assets. The Unit maintains a database of all registered trusts and is responsible for representing the public interests in court proceedings involving charitable assets.



MULTISTATE LAWSUITS

Our Office regularly joins other state Attorneys General in investigating and litigating matters that involve conduct that similarly impacts citizens of multiple states.

Significant 2018 Multistate Lawsuits

State of New York et al. v. U.S. Dept. of Commerce:

This lawsuit challenged the Trump Administration's decision to add a citizenship question to the 2020 Census. In early 2019, a federal district court judge agreed with Rhode Island's arguments and struck the citizenship question from the 2020 Census. The Trump Administration appealed this decision and the United States Supreme Court heard oral arguments in April 2019.

State of New York et al. v. Uber Technologies:

In 2018, Uber paid \$148 million to settle a nationwide investigation into a 2016 data breach, in which a hacker managed to gain access to information belonging to 57 million riders and drivers. Rhode Island was part of the multistate settlement and received roughly \$800,000. After Uber drivers in Rhode Island received their individual awards, the State received \$600,000.

State of California et al. v. Wells Fargo Bank:

Wells Fargo paid \$1.2 million to Rhode Island in 2018 to resolve claims that the bank violated state consumer protection laws. The multistate suit involved all 50 states and the District of Columbia and accused Wells Fargo of opening unauthorized accounts and enrolling customers into online banking services without their knowledge or consent. Rhode Island's settlement funds will be used to further consumer protection efforts in the State.

2018 HIGHLIGHTS

- ▶ Worked with a multistate coalition on a coordinated investigation of Fiat Chrysler America's (FCA) and Bosch's violations of State emissions controls regulations in the fraudulent design, production, and sale of noncompliant polluting diesel vehicles. In January 2019, the Environmental Unit finalized its multi-year enforcement action, agreeing to settle violations of the State's environmental laws with FCA and Bosch. Rhode Island will receive \$860,000.
- ▶ Challenged new Environmental Protection Agency (EPA) initiatives to roll back or eliminate hard-won protections for our air, water, and safety against toxic substances.
- ▶ The Attorney General's lawsuit against 34 gasoline companies to recover expenses associated with the clean-up of the gasoline additive Methyl Tertiary Butyl Ether (MTBE) continues to move forward. The lawsuit, filed in United States District Court for Rhode Island, addresses the ongoing environmental risk and long-term groundwater contamination arising from the oil industry's use of MTBE and addresses the resulting expensive cleanup.
- ▶ The Unit fought to protect conserved open space by working with local land trusts, municipalities, and others to restrict development of these important lands. The Unit also fought to protect multiple rights-of-way to the shore and to Tiogue Lake in Coventry.

ENVIRONMENTAL ADVOCACY UNIT

The Environmental Advocacy Unit employs a community-based legal approach to achieve a healthful environment for present and future Rhode Islanders. The Unit's mission is vigorous enforcement of environmental laws; securing public access to the Ocean State's shore; protecting the State's natural resources and public open spaces; promoting sound implementation of state and federal environmental statutes; and defending unjust claims by polluters. Included within the Unit

is the Environmental Advocate. As directed by the Attorney General, the Environmental Advocate serves the public by means of independent litigation, policy recommendations, and outreach.

The year 2018 saw major activity in the areas of federal pollution regulation, the fight against climate change, wetlands and groundwater protection, toxic clean-up, water pollution control, open space preservation, and shore and trail access.

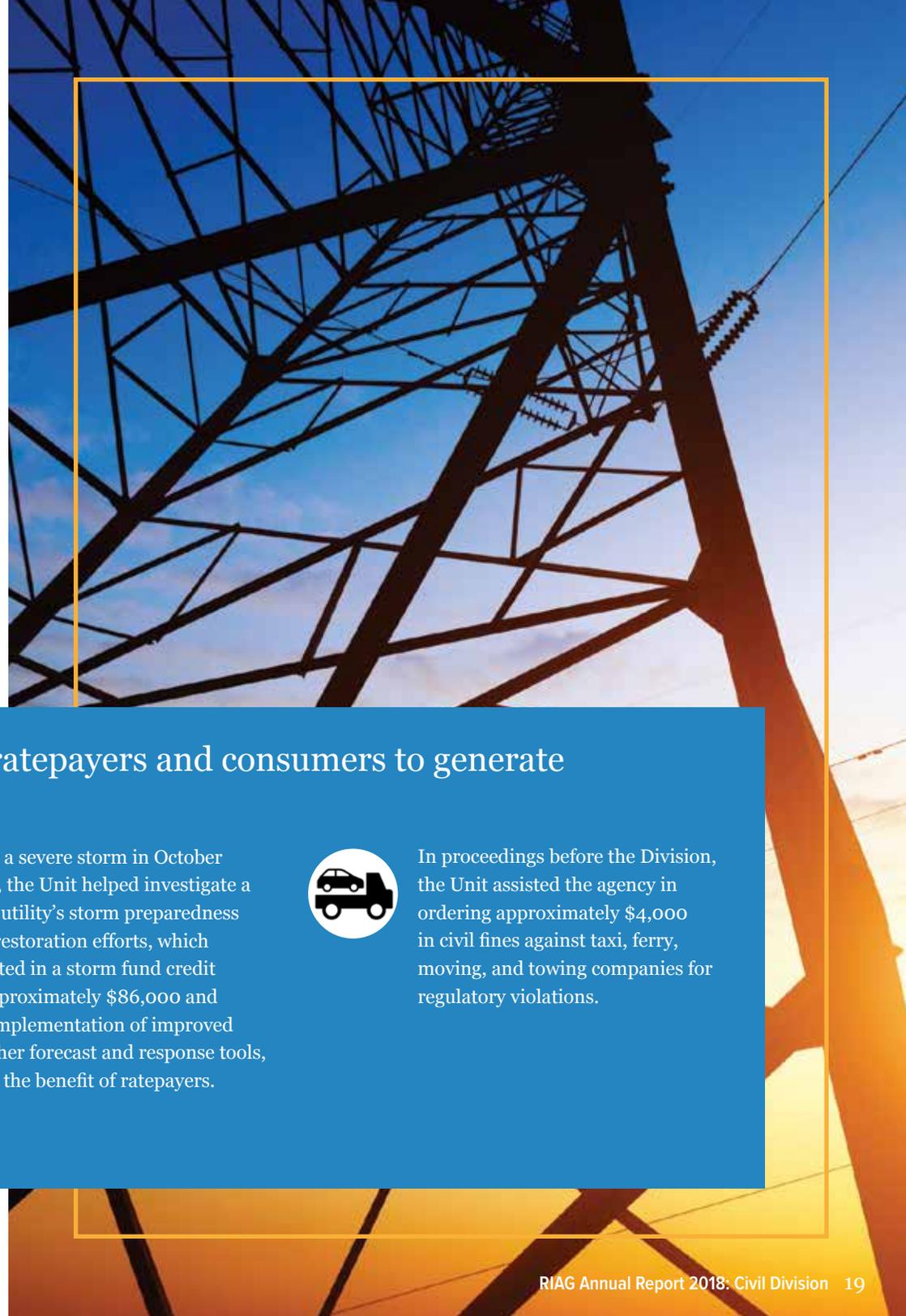


PUBLIC UTILITIES REGULATORY UNIT

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 RI General Laws § 39-1-2. These services include electric, gas, water, and sewer, as well as all common carrier services, such as taxi, non-consensual towing, moving and limousine companies, and transportation network companies operating in the State.

PROTECTING RATEPAYERS

The Unit serves as legal counsel to the Division of Public Utilities and Carriers in proceedings before the Public Utilities Commission, 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.



In 2018, the Unit advocated on behalf of ratepayers and consumers to generate millions in savings and fines:



Through a negotiated settlement with Rhode Island's principal electric and gas utility, the Unit achieved \$28.1 million in electric and gas revenue requirement reductions while incentivizing the company to invest in new grid and customer-facing technologies. Negotiations also resulted in ratepayer savings of \$5.9 million in connection with the utility's infrastructure, safety, and reliability plan.



After a severe storm in October 2017, the Unit helped investigate a local utility's storm preparedness and restoration efforts, which resulted in a storm fund credit of approximately \$86,000 and the implementation of improved weather forecast and response tools, all to the benefit of ratepayers.



In proceedings before the Division, the Unit assisted the agency in ordering approximately \$4,000 in civil fines against taxi, ferry, moving, and towing companies for regulatory violations.

CRIMINAL DIVISION

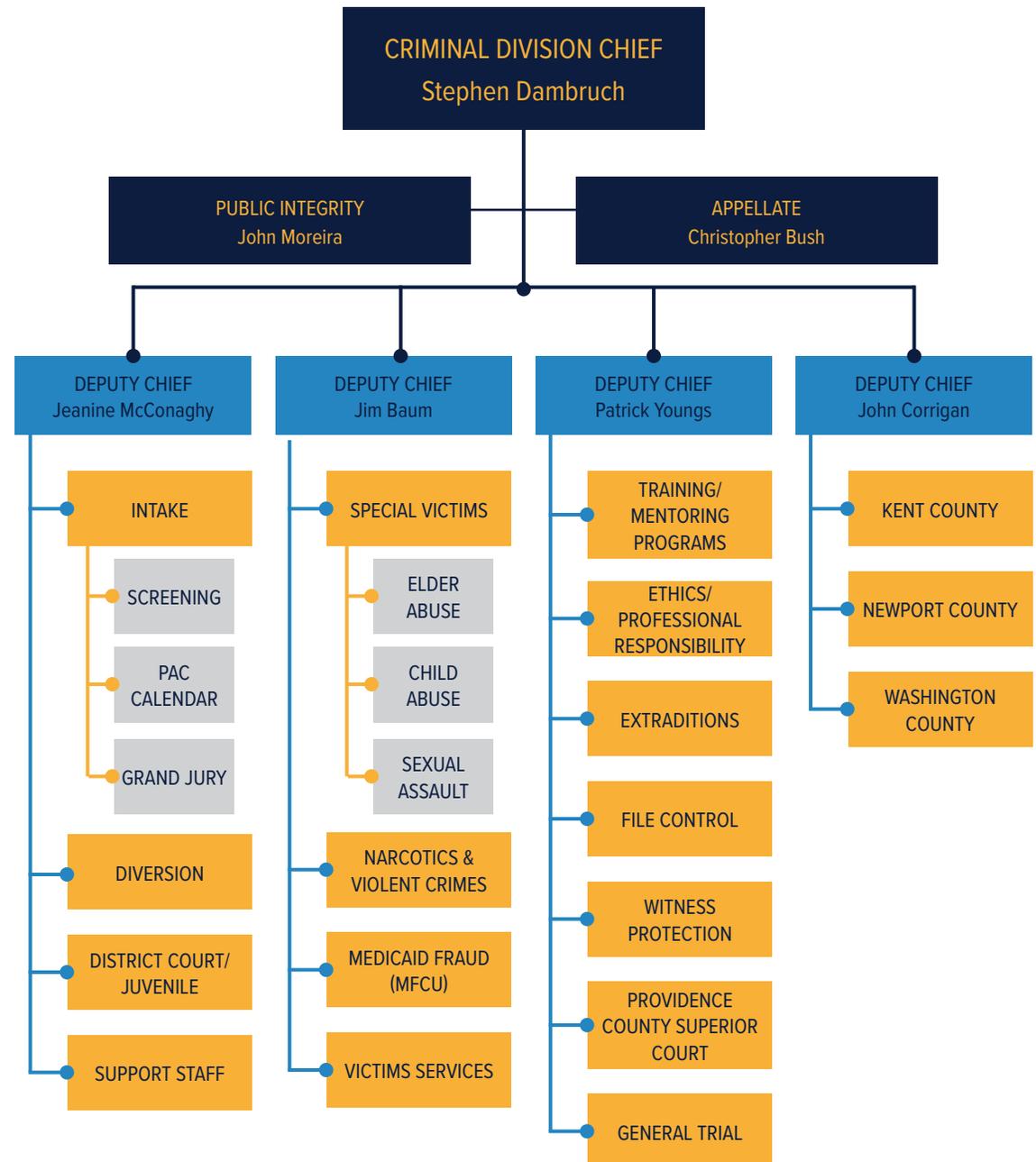
The Attorney General is charged with the responsibility of prosecuting all felony criminal offenses occurring in Rhode Island, all misdemeanor criminal cases brought by State law enforcement agencies, all misdemeanor cases appealed to the Superior Court, and all violations of probation or bail, including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

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

Prosecutors from the Criminal Division are available to law enforcement 24 hours a day, seven days a week to assist in serious matters and complex investigations.

CONTACT

150 South Main Street
 Providence, RI 02903
 (401) 274-4400
ag@riag.ri.gov



WHITE COLLAR CRIME AND PUBLIC CORRUPTION UNIT

The White Collar Crime and Public Corruption Unit, which was restructured in 2019 into the Public Integrity Unit, is responsible for prosecuting corruption at all levels of government in Rhode Island, including state and local elected and appointed public officials.

White collar crime refers to financially motivated, nonviolent crime committed by businesses and government professionals. Such conduct could include bribery, extortion, fraud, embezzlement, money laundering, and obtaining money under false pretenses.

This Unit plays a critical role in maintaining the public's trust in government and ensuring that all people are treated fairly and according to the law.

“I am committed to investigating and prosecuting public corruption cases to the fullest extent of the law. Public corruption is particularly nefarious because it erodes the public’s trust in our democratic institutions, harms our reputation with our citizens and with entities who seek to do business in this state, and often directly harms the state’s economic interests. That is why I have created a public integrity unit that will be laser-focused on this work while I am in office.”

– Attorney General Neronha

BY THE NUMBERS

In 2018, prosecutors assigned to the White Collar Crime Unit handled **101** dispositions

where restitution was ordered totaling **\$1,316,824.93,**

of which **\$168,144.45** was paid up-front at the time of sentencing.

INTAKE: FELONY CASE SCREENING UNIT

“When we took office on January 1, 2019, there was nothing more pressing than getting a handle on the intake process. This is where every felony case really starts, and every case warrants thorough review and analysis in a timely matter. The court, defendants and especially victims of crime deserve nothing less.” – Attorney General Neronha

As was widely reported during 2018, roughly 1,300 felony cases were not prosecuted by this Office for a variety of reasons. Upon his taking office in January, a review of the Intake Unit, including its overall performance and practices and procedures, became one of Attorney General Neronha’s top priorities.

The review also revealed a separate issue: over 1,600 cases for which the Intake Unit had received all relevant information from a police department but that were waiting to be reported out. These cases

had been reviewed and approved for charging by an Assistant or Special Assistant Attorney General but had not been entered into the Superior Court computer system to complete the charging process.

While the statute of limitations had not expired for any of these cases, many were dated, including over 600 that were more than six months old and over 500 that were more than three months old. The review determined that there was no realistic way, with its existing capacity, for the Unit to address these

cases in a timely manner while keeping up with the flow of new cases.

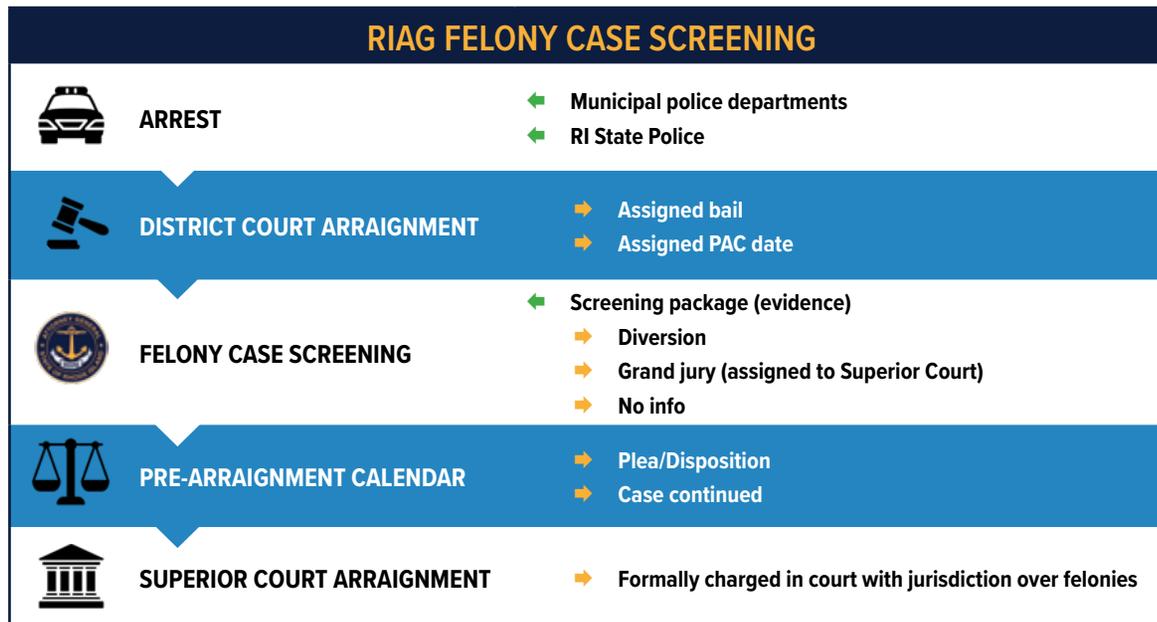
SIGNIFICANT STEPS TO IMPROVE

To address the backlog, new leadership has been assigned to the Unit and intake personnel have nearly doubled since January 2019, with an additional six full-time clerks, including two temporary employees, and one part-time clerk.

The Unit has been working closely with the Superior Court and the defense bar to address the increase in the number of cases being reported out, including increasing the number of cases heard on the Pre-Arrest Calendar (“PAC”), typically the first step in the Superior Court post-charging process.

Communication between the Intake Unit and police departments has been adjusted and improved to ensure that such lapses do not recur going forward. In addition, the Unit is prioritizing cases involving victims and moving them to the top of the reporting out list.

Of the more than **1,600 cases that were awaiting attention by an intake clerk on January 1, 2019, the Unit has addressed 842 as of April 2019** and is continuing to work overtime to address the remainder.



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.

“This program helped me a lot and made me realize that I don’t need cocaine or any other drugs. It was a tough experience but I was able to make it through and deal with my consequences.”

– Robert, Diversion Program Graduate



DIVERSION ACTIVITY

464 Referred	162 Completed
283 Rejected	
16 Terminated	189 Accepted

DIVERSION COMPONENTS

118 counseling programs (Mental Health, Substance Abuse, Dual Diagnosis, and Gambling Addiction)	72 community service	52 restitution programs
	4,322.5 service hours	\$74,331 in restitution
	\$43,657 service labor value	



ELDER ABUSE UNIT

The primary responsibility of the Elder Abuse Unit is to assist in investigations and to prosecute crimes involving elderly victims of abuse, neglect, and financial exploitation.

The Unit was created in recognition of the fact that the proportion of Rhode Island’s population that is 60 years of age and older is dramatically increasing and will continue to increase in the coming years. Crimes against senior citizens often go unreported, presenting high temptation and low risk to potential offenders. The creation of the Unit recognized 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.

The Unit receives training from partners in law enforcement including the Department of Justice, the National Center on Elder Abuse, NAGTRI, and the National Crime Victim Training Institute.

Of significant value to the community, the Unit is the Attorney General’s designee for the Citizens Commission for the Safety and Care of the Elderly as well as the Senate Task Force to study Elder Abuse and Financial Exploitation.

BY THE NUMBERS

240	127	125	\$185,035.18	41	38	30
Complaints	Disposed cases	Superior Court cases opened	Ordered in restitution	Years jail time imposed	Investigations opened	Investigations closed

Photo: Special Assistant Attorney General Molly Cote and Elder Abuse Investigator Michaela Driscoll form the core team of the Elder Abuse Unit, traveling across RI conducting seminars for older adults about how to protect against elder abuse and fraud.

DOMESTIC VIOLENCE/SEXUAL ASSAULT UNIT

The Domestic Violence/Sexual Assault Unit (now part of the Office's Special Victims Unit) addresses crimes of violence committed among family and household members, as well as crimes of sexual violence. In addition to felony trials and misdemeanor appeals in Superior Court, DV/SA prosecutors handle bail hearings, violation hearings, and motions to reduce or set bail, as well as vacate no-contact orders against offenders. The Unit

works closely with police departments, assisting in the investigation of major crimes such as murder and sexual assault.

With the rise in sex trafficking in Rhode Island, we continue to prosecute these cases in state and federal courts. Unit prosecutors are cross-designated with the Office of the United States Attorney and conduct joint investigations and prosecutions on these most heinous crimes.

Representative cases from 2018

State v. Jonathan Silva

In February 2018, Silva entered a nolo contendere plea to domestic felony assault resulting in serious bodily injury and non-domestic felony assault resulting in serious bodily injury. He was sentenced to 10 years, 4 years and 3 months to serve, the balance suspended, a no-contact order for each victim, and domestic violence counseling. The charges resulted from an incident in 2016 where Silva repeatedly kicked his girlfriend in the chest, resulting in broken ribs and a collapsed lung.

State v. Emmanuel Guzman

In April 2018, Guzman entered nolo contendere pleas to two counts of first-degree child molestation and two counts of procuring alcohol for a minor. Guzman and his girlfriend gave the girlfriend's 13-year-old daughter and her 12-year-old friend five shots of vodka during a sleepover at his girlfriend's home. When the girlfriend and her daughter went to bed, Guzman engaged in various sex acts with the 12-year-old. Guzman was sentenced to 25 years, 10 years to serve, the balance suspended, a no-contact order, sex offender counseling, and sex offender registration.

During 2018, the DV/SA

prosecuted more than 500 cases.

These cases included a range of serious crimes including domestic murder, sexual assault, sex trafficking, and felony assault.



Representative cases from 2018

State vs. Jonathan Phillips

This case involved 9 counts of child molestation and an additional count of second degree child abuse. The defendant was found guilty on all counts and received a sentence of 150 years with 125 years to serve and the balance suspended with probation. The sentence also included GPS monitoring upon release and sex offender counseling and registration.

State vs. Carlos Rivera

The defendant was found guilty of 1st and 2nd degree child molestation after a trial in front of Judge Stern. He was sentenced to 50 years with 30 years to serve and the balance suspended with probation. He was also ordered to have no contact with the victim and to engage in sex offender registration and sex offender counseling.

CHILD ABUSE UNIT

The specially trained and experienced prosecutors in the Child Abuse Unit (now a part of the Office's Special Victims Unit) handle cases from investigation through arrest and final disposition in child sexual abuse and serious physical abuse cases. Their goal is to minimize the time it takes for cases to move through the criminal justice system and minimize the trauma to the child involved.

The CAU also represents the Office of Attorney General in upholding Sex Offender Board

of Review decisions regarding the various levels of registered sex offenders living in Rhode Island.

The Child Abuse Unit uses a multidisciplinary approach when prosecuting child physical and sexual abuse cases, working closely with Day One, the Lawrence A. Aubin, Sr. Child Protection Program at Hasbro Children's Hospital, the Rhode Island Department of Children, Youth and Families, and state and local police departments.



JUVENILE PROSECUTION UNIT

The Juvenile Unit prosecutes all juveniles charged with offenses that would be punishable as felonies if committed by an adult. The Unit also prosecutes all juveniles charged by the Rhode Island State Police, State Fire Marshall, and the Department of Environmental Management, and handles cases in which a juvenile is accused of violating probation.

In addition to prosecuting cases, the Juvenile Prosecution staff is involved in the community, serving on various committees and task forces pertaining to juvenile and child abuse issues.

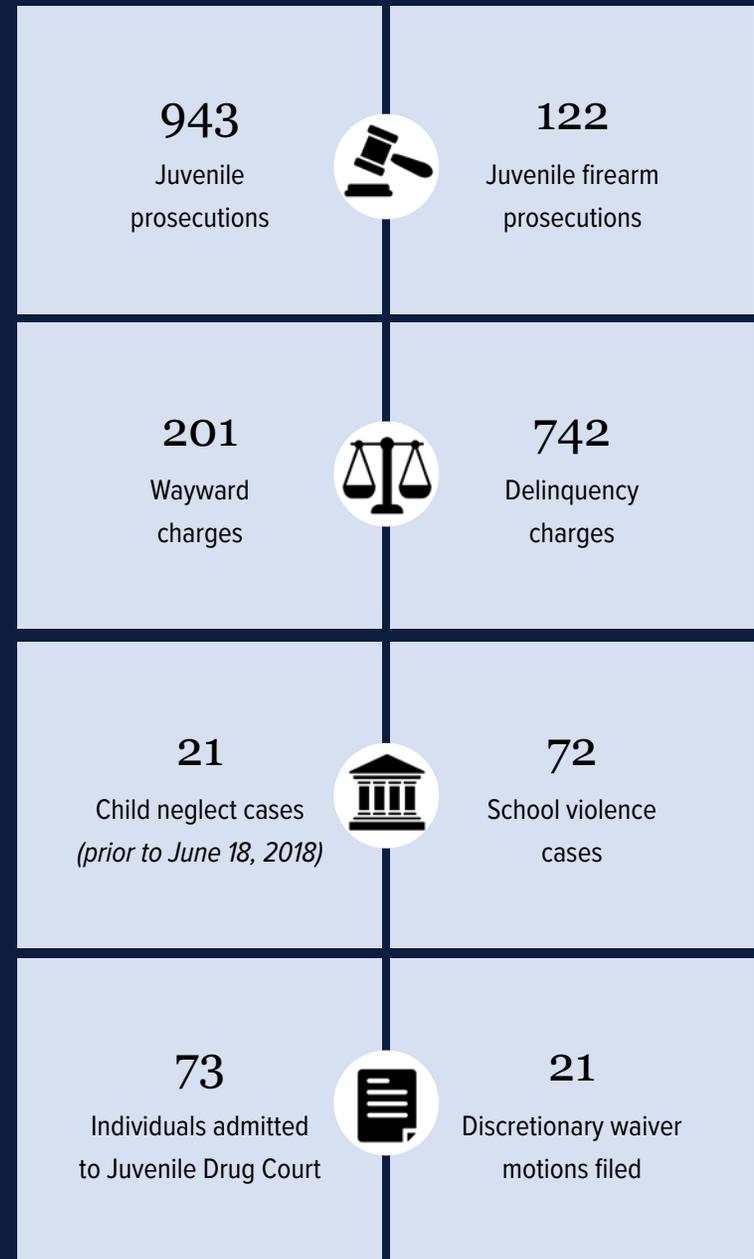
The Juvenile Unit also prosecutes adults charged with child neglect under Rhode Island law. On June 18, 2018, the jurisdiction of child neglect charges was transferred from the Family Court to Superior Court.

The Juvenile Drug Court is instrumental in ensuring that juveniles aggressively address substance abuse problems and associated behaviors, which could, if not addressed, lead to further contacts with the Family Court. This diversionary program addresses substance abuse issues through early intervention and high-level court supervision.

The Juvenile Unit prosecuted 72 juveniles for school violence-related charges. These infractions included: arson, assault, breaking and entering, conspiracy, disorderly conduct, drug charges, firearms charges, intentional destruction of a computer, larceny, murder, resisting arrest, robbery, first degree & second degree sexual assault, threat to public official, weapons other than firearms charges, and willful trespass.

The Juvenile Unit continues to be actively involved in the Juvenile Detention Alternative Initiative Project initiated by the Family Court in 2009. This initiative works to reduce reliance on secure confinement without sacrificing public safety, shifting spending from detention to community-based detention alternatives.

BY THE NUMBERS



Representative cases from 2018

Operation Patched Out

This year-long state police wiretap investigation into outlaw motorcycle gangs (OMG) in Rhode Island led to the arrest of 26 OMG members, including 7 members of the Pagans M.C. and their president. In all, the investigation led to 62 arrests and the seizure of 53 firearms, cocaine, fentanyl, marijuana, cash, and stolen heavy equipment.

State v. Steven Savage

This defendant shot a motorist in Providence in a financial dispute. He pled to assault with a deadly weapon, discharge of a firearm during a crime of violence resulting in injury, and possession of a pistol without a license. He was sentenced to 35 years with 15 years to serve and 20 years suspended (nonparolable).

State v. Johan Jimenez, et al.

Johan Jimenez was the leader of a heroin/fentanyl distribution organization that was investigated and dismantled by the Providence Police. The investigation included court-authorized wiretap surveillance on several phone lines and the arrest of 46 defendants. Over a dozen police departments in Rhode Island and Massachusetts participated in the investigation, as well as the DEA and the FBI. Johan Jimenez and Mario Hernandez pled guilty and were sentenced to 15-year full sentences with 8 years to serve. Additionally, three individuals, who were indicted for tax evasion and money laundering charges, also pled. They forfeited approximately \$260,000.

In 2018, the Unit **closed approximately 854** cases and **opened 1168** cases.

NARCOTICS & ORGANIZED CRIME UNIT

The Narcotics and Organized Crime Unit (NOCU) has three primary areas of responsibility: investigation, management, and prosecution of all criminal cases involving narcotics, traditional organized crime, and criminal street gangs. In 2018, the successful prosecution of these cases helped to dismantle drug organizations and rid certain communities of pervasive narcotics-related crimes.

The NOCU works closely with police on organized crime-related cases, providing document support and case management on cases involving alleged organized crime figures and gang members, as well as helping to develop cooperating witnesses and confidential informants.



CRIME

FIREARMS PROSECUTIONS

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 County Superior Court's Gun Calendar, as well as gang-related cases. Additionally, prosecutors coordinate with state and federal authorities to review all firearms cases and determine which jurisdiction is most appropriate to pursue firearms prosecutions.

ADULT DRUG COURT

In 2018, the NOCU continued to represent the State before the Superior Court's Adult Drug Court (ADC), a special court that handles cases involving offenders with substance abuse disorders. The goal of the ADC is to integrate substance abuse treatment within the criminal justice system and divert nonviolent felony defendants facing drug or drug-related charges. Of significance, the Adult Drug Court had 238 total participants as of December 31, 2018.

ASSET FORFEITURE

The Unit is also responsible for processing all narcotics, gambling, and racketeering-related assets that have been submitted for forfeiture. Proceeds from the sale of forfeited assets represent an important source of funding for the drug and crime suppression efforts of state and local police.

BY THE **NUMBERS**

IN 2018, THE ADULT DRUG COURT HANDLED:

77

admissions

60

graduates

26

terminations

Representative decisions from 2018

State v. St. Jude Home Care, Inc.

Defendant intentionally presented or caused to be presented for preauthorization or payment a materially false or fraudulent cost report to the Rhode Island Medicaid Program in violation of RI General Law 40-8.2-3(a)(1)(i). The matter was disposed of by plea to the charge resulting in two years probation, restitution in the amount of \$302,966 and included a condition that the defendant, St. Jude Home Care, Inc., execute a written voluntary exclusion agreement with the United States Department of Health, Office of Inspector General within 30 days of the plea.

State v. Professional Ambulance, LLC

Defendant submitted or caused to be submitted false claims for payment to Medicare and Medicaid for basic life support ambulance transport that was not medically necessary. The matter ended in a settlement agreement in which Professional Ambulance shall pay \$273,715 to the United States and \$26,285 to the State of Rhode Island.

State v. Ashley Malkasian

The defendant plead nolo contendere to three counts of filing a false document and received a one-year filing, which included a condition to pay full restitution on all counts in the amount of \$4,056 on the date of the plea.

\$617,993

Recovered by MFCU in 2018 and returned to Rhode Island's Medicaid agency at the Executive Office of Health & Human Services

MFCU: MEDICAID FRAUD CONTROL UNIT

The Medicaid Fraud Control Unit (MFCU) investigates allegations of medical provider fraud and waste, as well as abuse of patients in federally funded facilities. The Unit also investigates the diversion of drugs by employees from facilities such as hospitals and nursing homes. Given the opioid epidemic facing this country, such behavior is sought out and treated seriously.

The MFCU is duly certified by the federal government on an annual basis. The certification ensures that the Unit is operating in a manner that conforms to the federal standards and requirements for Medicaid Fraud Control Units uniformly across the country.

The Unit investigates and prosecutes both civil and criminal cases. Unit investigators

have police powers to conduct these investigations and make arrests when necessary, working cases cooperatively with state, local, and federal investigators to protect patients, many of whom are our most vulnerable population, on Medicaid. By protecting the Medicaid funds, we help ensure that funds will be available for those who need assistance.

Working closely with the Executive Office of Health and Human Services (EOHHS) and its Program Integrity Unit (PIU), the Unit uses data analytics and predictive modeling tools to find fraud and waste in the Medicaid program. Many of those cases are then referred to the MFCU for investigation and/or prosecution.



DISTRICT COURT UNIT

The District Court Unit (DCU) prosecutes misdemeanors charged by state agencies – R.I. State Police, DEM, URI Police, Airport Police, Division of the State Fire Marshall, etc. – and those that are charged by the RIAG (e.g., failure to comply with a final order of the Contractors’ Registration and Licensing Review Board).

DCU prosecutors oversee a daily criminal and violation calendar in Courtroom 4E of the Garrahy Judicial Complex (Sixth Division), which consists of misdemeanor cases from the above agencies, violations of District Court probation and bail, RI Constitution Article I, § 9 bail hearings, motions to expunge criminal records, motions relating to bail, fugitive from justice matters, competency hearings, and motions to dismiss felony complaints not charged in Superior Court in the allotted time. If a defendant is on bail or probation in the District Court and commits a new misdemeanor offense charged by one of the municipalities

assigned to the Sixth Division, the DCU assumes responsibility for the prosecution of that new misdemeanor. DCU prosecutors also handle defendant applications for Post-Conviction Relief (PCR).

In the Garrahy Complex, the DCU handles presentments of alleged violators of Superior Court probation and bail - several thousand violations on an annual basis.

At the Rhode Island Traffic Tribunal (RITT), the DCU handles all chemical test refusal matters, whether they are charged by state agencies or municipal police departments from every city or town in the state. The DCU also prosecutes traffic offenses related to the refusal charge (e.g., a speeding violation that accompanies a refusal). When a refusal matter is appealed from a trial level decision at the RITT, DCU prosecutors handle it before the Appeals Panel of that court and, on occasion, before the District Court.



RIAG District Court Unit covers 6th Division District Court, comprised of Central Falls, East Providence, Providence, Pawtucket, Woonsocket, Barrington, Bristol, Cumberland, and Burrillville.

BY THE NUMBERS

1,923 Refusal cases in the Rhode Island Traffic Tribunal	
1,830 Cases in Sixth Division District Court	1,159 Probation and bail violation hearings
284 Bail hearings	240 Stand-alone misdemeanor prosecutions
94 Fugitive from justice complaints	31 Competency evaluations/hearings
15 Post-conviction relief applications	7 Contractors’ Registration and Licensing Board cases

BY THE NUMBERS

Handled approximately
4,800
cases

Generated approximately
48,000
status notices
to victims

Accompanied
victims to more than
2000
court proceedings

Made more than
3,000
referrals to other
agencies for further
assistance

Made more than
3,000
email and
telephone
contacts on
victim-related
matters

Provided **60**
letters of notification
to victims related
to the Rhode Island
Supreme Court
appeal process

VICTIM SERVICES UNIT

The Victim Services Unit provides guidance and support to felony crime victims and their families – 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 criminal justice process.

Unit staff members work closely with traumatized individuals and families in cases such as child molestation, sexual assault, human trafficking, homicide, gun-related crimes, and domestic violence, helping them work toward recovery from the emotional, physical, and financial impact of the crime.

Victim advocates are assigned to assist prosecutors with victim-related matters. The homicide advocate is on call 24/7 and serves as a liaison between victims’ families, law enforcement, and prosecution.

COLLABORATING TO IMPROVE SERVICE

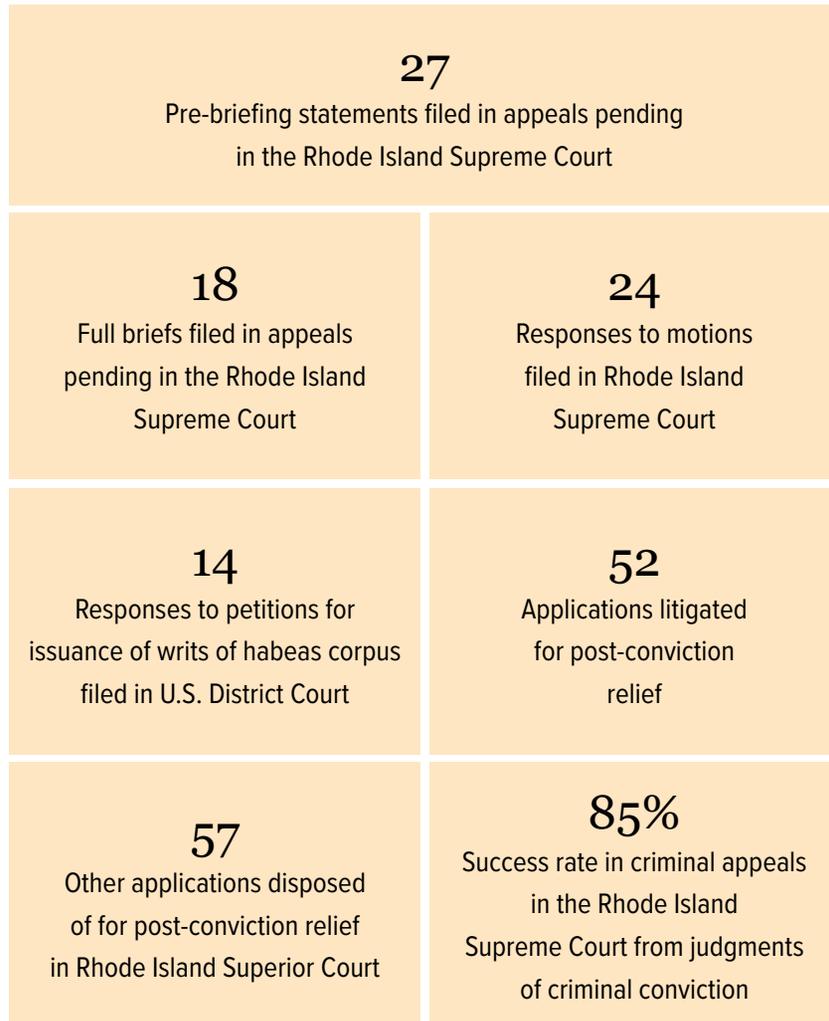
Last year, through Victims of Crime Act (VOCA) funding, the Rhode Island Office of the Attorney General/Victim Services, Department of Corrections, Justice Assistance, and the Office of the General Treasurer/Crime Victim Compensation Program worked together to develop and implement an integrated communication project called VOICE (Victims Outreach Integrated Community Environment) that will automate victim notification and better facilitate communication among the state agencies that provide services to crime victims. This online platform will significantly improve service delivery to victims of both misdemeanor and felony crimes.



APPELLATE UNIT

The Appellate Unit is responsible for representing the State in all criminal cases before the Rhode Island Supreme Court, responding to post-conviction relief applications in the Superior Court, responding to petitions for writs of habeas corpus in Federal Court, and providing research and other assistance to trial prosecutors both before and during trial.

BY THE NUMBERS



Significant decisions from 2018

State v. Moten, 187 A.3d 1080 (R.I. 2018)

The Rhode Island Supreme Court affirmed the defendant's murder, felony assault, conspiracy, and firearm convictions for fatally shooting one man and wounding another in Providence in 2014. The Supreme Court held that the defendant did not preserve his claim that the trial justice erred in permitting a police detective to offer a lay opinion regarding the location of a cell phone at a certain point in time and that the trial justice did not err in concluding that the weight of evidence supported the guilty verdicts.

State v. Patino, 188 A.3d 646 (R.I. 2018)

The Rhode Island Supreme Court affirmed the defendant's second-degree murder conviction for the death of his girlfriend's six-year-old son in 2009. The Supreme Court held that the trial justice correctly instructed the jury on second-degree murder and did not err in permitting testimony of a witness who had previously observed bruising on the six-year-old's back because the evidence was relevant to show the defendant's intent and lack of mistake.

RIAG COUNTY OFFICES

KENT

LOCATED AT:

Noel Judicial Complex,
222 Quaker Lane, Warwick

SUPERIOR COURT CALENDAR:

Daily criminal calendar, Kent
County Adult Drug Court,
Termination of Probation Calendar,
Sex Offender Registration Calendar,
Post-Conviction Relief Calendar,
and Veteran's Court

PROSECUTES FELONIES FROM:

Warwick, Cranston, Coventry,
East Greenwich, Foster, Glocester,
Johnston, Lincoln, North
Providence, North Smithfield,
Scituate, Smithfield, West
Greenwich, and West Warwick

2018 SUPERIOR COURT STATISTICS:

770 criminal cases
640 Violations of probation
787 cases for felony screening

DISTRICT COURT:

Third Division District Court
1,221 total cases in Third Division
District Court
596 Probation and Bail
Violation Hearings
25 Trials
92 Fugitive From Justice
Complaints
30 Chemical Test Refusal
(second or subsequent offense)

WASHINGTON

LOCATED AT:

J. Howard McGrath Judicial
Complex, 4800 Tower Hill Road,
Wakefield

SUPERIOR COURT CALENDAR:

Daily criminal calendar

PROSECUTES FELONIES FROM:

North Kingstown, South Kingstown,
Narragansett, Charlestown,
Richmond, Hopkinton, Westerly,
New Shoreham, URI PD, RISP
Wickford & Hope Valley barracks

2018 SUPERIOR COURT STATISTICS:

376 criminal cases
One jury and six non-jury trials
prosecuted
246 plea hearings
90 dismissals filed
414 cases for felony screening
2018 DISTRICT COURT STATISTICS:
78 cases waived from District Court
to dispositions in Superior Court
95 criminal complaints disposed of by
way of pleas
Additional 124 dispositions by
48A (dismissal)
87 new violations
16 bail hearings

NEWPORT

LOCATED AT:

Florence K. Murray Judicial
Complex, 45 Washington Square,
Newport

SUPERIOR COURT CALENDAR:

Daily criminal calendar

PROSECUTES FELONIES FROM:

Newport, Portsmouth,
Middletown, Little Compton,
Jamestown, Tiverton, RISP
Wickford barracks

2018 SUPERIOR COURT STATISTICS:

272 criminal cases
188 Violations of probation
368 cases for felony screening

DISTRICT COURT:

434 Total cases
204 Probation and
Bail Violation Hearings
6 Trials
15 Fugitive From Justice Complaints
14 Chemical Test Refusal
(second or subsequent offense)

SUPERIOR COURT CASE STATISTICS 2018

COUNTY	FILED				DISPOSED			ACTIVE PENDING SC		
	MISD	FELONY	TOTAL CMS	TOTAL FB	MISD	FELONY	TOTAL	MISD	FELONY	TOTAL
KENT COUNTY	105	710	815	834	96	630	726	123	1964	2087
NEWPORT COUNTY	13	386	399	386	7	278	285	15	609	624
WASHINGTON COUNTY	64	414	478	543	50	347	397	74	820	894
PROVIDENCE COUNTY	197	4203	4400	4316	186	3349	3535	266	7730	7996
STATEWIDE	379	5713	6092	6079	339	4604	4943	478	11123	11601

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	188	318	15	123	6	55	3	55	5	87
NEWPORT COUNTY	65	101	3	90	1	34	0	34	0	30
WASHINGTON COUNTY	271	137	13	71	5	32	2	32	4	73
PROVIDENCE COUNTY	359	1465	58	474	23	434	14	434	28	684
STATEWIDE	883	2021	89	758	35	555	19	555	37	874

MANNER OF DISPOSITIONS - FELONIES

COUNTY	GUILTY	NOT GUILTY	NG/FILING	PLEA	DISM 48A	DISM TR	MISTRIAL	HUNG JURY	TRIALS	VERDICTS
KENT COUNTY	1	1	3	537	71	1	0	0	3	2
NEWPORT COUNTY	0	0	0	210	53	0	0	0	0	0
WASHINGTON COUNTY	2	0	4	241	65	0	0	0	2	2
PROVIDENCE COUNTY	25	10	8	2760	449	7	0	0	42	35
STATEWIDE	28	11	15	3748	638	8	0	0	47	39

MANNER OF DISPOSITION - MISDEMEANOR APPEALS

COUNTY	GUILTY	NOT GUILTY	NG/FILING	PLEA	DISM 48A	DISM TR	MISTRIAL	HUNG JURY	TRIALS	VERDICTS
KENT COUNTY	1	0	1	70	20	0	0	0	1	1
NEWPORT COUNTY	0	0	0	3	3	0	0	0	0	0
WASHINGTON COUNTY	1	0	1	37	4	0	0	0	1	1
PROVIDENCE COUNTY	3	3	7	118	42	0	0	0	6	6
STATEWIDE	5	3	9	228	69	0	0	0	8	8

MANNER OF DISPOSITION - STATEWIDE TOTALS

COUNTY	GUILTY	NOT GUILTY	NG/FILING	PLEA	DISM 48A	DISM TR	MISTRIAL	HUNG JURY	TRIALS	VERDICTS
KENT COUNTY	2	1	4	607	91	1	0	0	4	3
NEWPORT COUNTY	0	0	0	213	56	0	0	0	0	0
WASHINGTON COUNTY	3	0	5	278	69	0	0	0	3	3
PROVIDENCE COUNTY	28	13	15	2875	491	7	0	0	48	41
STATEWIDE	33	14	25	3976	707	8	0	0	55	47

Statistics were prepared by the Criminal Division based upon Case Management System (CMS) data on April 2, 2019. AG Trial Verdict Statistics were maintained manually within the Criminal Division and include all cases tried throughout the calendar year, regardless if sentencing or appeal is pending.





“It is my honor to serve as your Attorney General. It is my commitment to all Rhode Islanders that in 2019 and beyond, this Office will hold itself to the highest standards of professionalism, transparency, and accessibility. All Rhode Islanders ought to know who their Attorney General is, and how this Office can serve them.”

- Attorney General Neronha



**Attorney General
Julius C. Michaelson Customer
Service Center**

4 Howard Avenue
Cranston, RI 02920
Phone: (401) 274-4400

**Noel Judicial Complex
(Kent County Courthouse)**

222 Quaker Lane
Warwick, Rhode Island 02886
Phone: (401) 822-6800

**Licht Judicial Complex
(Providence County Courthouse)**

Licht Judicial Complex
250 Benefit Street, 2nd Floor
Providence, Rhode Island 02903
Phone: (401) 274-4400

**Newport County
Courthouse Office**

Florence Murray Judicial Complex
Eisenhower Square
Newport, Rhode Island 02840
Phone: (401) 841-8310

**Washington County
Courthouse Office**

McGrath Judicial Complex
4800 Tower Hill Road
Wakefield, Rhode Island 02879
Phone: (401) 782-4150



**OFFICE OF THE ATTORNEY GENERAL
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