

2024

ANNUAL REPORT

OFFICE OF THE UTAH ATTORNEY GENERAL

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OAG OFFICE

MISSION & VISION

MISSION

The mission of the Office of the Utah Attorney General (OAG) is to uphold the Constitutions of the United States and Utah, to enforce the law, and to protect the interests of Utah and its people, environment, and resources.

VISION

Under the leadership of Utah Attorney General Sean Reyes, the OAG strives to be the best public law office in Utah and the United States.

With approximately 550 attorneys and staff in offices across the state, the OAG advises nearly 60 state agencies, boards and commissions, colleges, and universities, as well as the Governor and, on occasion, the Legislature.

Each member of the OAG team is committed to representing the citizens of Utah with the highest level of integrity, professionalism, civility, and transparency.

OAG OFFICE

PRIORITIES

Protect Utahns, particularly children

The top priority of the OAG is to protect citizens, especially children, from violent and predatory crimes. Our attorneys, investigators, and staff work hard to fight internet crimes against children, human trafficking, government corruption, and many other types of serious criminal activity. The Office investigates and prosecutes these crimes to make the state safe for Utah families and to support victims.

Defend the Constitution and provide effective legal representation

Defending the Constitutions of the United States and Utah is at the heart of the OAG. The OAG is committed to best practices of proper government and providing the best possible legal representation to the state and its agencies.

Defend Utah laws against federal government overreach

Utah's rich natural resources and wild landscapes reflect a strength and independence that the OAG is proud to defend. From urban to rural interests, energy development to conservation, and pioneer stock to new residents, defense of our public lands, and economic strength has a far-reaching impact.

Protect Utah businesses and consumers from white collar frauds and scams

The OAG is committed to protecting businesses and consumers from those who abuse the law. Whether investigating and prosecuting tax fraud and Ponzi schemes, enforcing the Consumer Protection Act, cracking down on internet abuse and anti-competitive business practices, combating counterfeiting and identity theft, or safeguarding against other business crimes and abuses, these protections translate into a safer Utah for all of us.

OAG OFFICE

LOCATIONS



Multistate Lawsuits, Amicus Briefs, & Comments Letters

In 2024, the State of Utah filed or joined numerous multistate lawsuits challenging federal overreach including but not limited to:

State of Utah, v. EPA, No. 23-1157 (D.C. Cir.); State of Utah v. EPA, No. 23-9509 (10th Cir.); and Oklahoma and Utah v. EPA, No. 23-1067 (U.S. Sup. Ct.)

The State of Utah challenged in the Tenth Circuit EPA’s denial of Utah’s state implementation plan (SIP) regarding EPA’s good neighbor rule that limits emissions affecting neighboring states. After EPA denied Utah’s SIP, it promulgated a federal implementation plan (FIP) for Utah and 22 other states regarding good neighbor rule requirements. EPA’s FIP would force the early retirement of Utah’s coal power plants. The State of Utah also filed a challenge to the FIP in the D.C. Circuit. Both challenges remain pending. The Tenth Circuit decided that Utah’s (and Oklahoma’s) SIP challenges had to be transferred to the D.C. Circuit. The States successfully petitioned for Supreme Court review. Briefing and argument will be completed in the Supreme Court in early 2025.

State of Utah v. United States, No. 220160 (U.S. Sup. Ct.)

Utah asked the U.S. Supreme Court for permission to file an original action against the United States requesting an order (1) declaring it is unconstitutional for the federal government to indefinitely retain vast swathes of unappropriated public lands—not designated for use under any constitutionally enumerated power—in Utah over the State’s objection, and (2) requiring the federal government to start disposing these lands.

Utah-led Amicus Briefs

In 2024, in addition to joining 138 amicus briefs, the State of Utah led the filing of amicus briefs in multiple actions including but not limited to:

Glossip v. Oklahoma, No. 22-7746 (U.S. Sup. Ct.)

Utah led a seven-state amicus brief in support of the Oklahoma Court of Criminal Appeal’s judgment (and the court-appointed amicus) arguing that Oklahoma’s post-conviction relief statute provided an adequate and independent state-law ground to prevent U.S. Supreme Court review of the state court’s decision declining further post-conviction challenges to a defendant’s murder conviction.

Comments and Sign-On Letters

Utah led or joined over 25 comment and sign-on letters in 2024 opposing federal action or regulations including but not limited to:

Letter to Asset Managers re Membership in Climate Action 100+

Utah led a 17-state letter to large asset managers that are still members of Climate Action 100+ (CA100+) asking questions about whether continued membership in CA100+ is consistent with multiple legal duties.

Bridge, et al. v. Oklahoma State Dept. of Education, No. 24-6072 (10th Cir.)

Utah led a 23-state amicus brief in support of Oklahoma’s defense of its statute prohibiting an individual from using a bathroom not designated for use by the individual’s birth sex.



INITIATIVES & PROGRAMS



UTAH OPIOID TASK FORCE

OVERVIEW

Opioids have ruined countless lives, resulted in Utahns becoming involved with the criminal justice system, and has had a significant economic impact. In response, the OAG created the Utah Opioid Task Force (UTOTF), Utah Opioid Settlement Advisory Committee (OSAC), and litigation strategies to fight the opioid epidemic. The OAG has also been active on the Subcommittee of Consenting States, which agreed to the initial settlement with the Sackler family in Purdue’s bankruptcy.

The UTOTF is a collection of federal, state, local leadership, stakeholders, subject matter experts and community leaders across the state to address the pressing issues of the opioid crisis.

The OSAC is comprised of subject matter experts from the varying applicable fields to facilitate statewide surveys to give feedback on how opioid settlement dollars should be allocated and publish the [Utah Opioid Crisis Response Blueprint](https://www.utahopioidpriorities.org/) found here: <https://www.utahopioidpriorities.org/>

The UTOTF is a voluntary task force to prevent opioid misuse and overdose, while having dedicated staff to create action-oriented agendas, collaborate, provide education, and have the capacity to respond to timely occurrences in the opioid realm. This multidisciplinary approach is a place to discuss comprehensive legislation and innovation of active solutions that happen at quarterly meetings and beyond.

The UTOTF supports overdose prevention strategies, harm reduction efforts, rehabilitation, extended needed services programs, and policies to improve mental health and drug overdose death initiatives.



Utah@EASE

OVERVIEW

Utah@EASE is a referral program led by the OAG in conjunction with the Utah Department of Veterans and Military Affairs and the Utah State Bar. The public-private partnership offers pro bono referrals for legal assistance and representation to those in uniform and no longer in uniform, who were characterized Honorable or General at discharge, for Servicemembers Civil Relief Act (SCRA), Uniformed Services Employment and Reemployment Rights Act (USERRA), landlord, debt, consumer fraud, predatory lending, immigration, and wills. Criminal, family, and personal injury matters, among others, and legal matters against the federal government, a state, county, or city are not covered.

Utah@EASE works closely with the U.S. Department of Veterans Affairs (VA), Veterans Justice Outreach office, to ensure that veterans who contact their offices seeking covered legal assistance are referred to Utah@EASE. Legal assistance to veterans is not a federal benefit. The VA does not directly provide legal services.

Utah@EASE regularly works with the National Association of Attorneys General (NAAG) on updating and publishing its Veterans Legal Manual as well as serving on the NAAG Military Affairs committees.

BY THE NUMBERS (UTAH@EASE)

INQUIRIES

247

SUPPORTED

(screening, ready, placed, closed, withdrew/out of scope)

172

ATTORNEY VOLUNTEERS

67

HIGHLIGHTS

Utah@EASE was invited to participate in the Navajo Veterans Celebration in Monument Valley on November 9, 2024.

The by-invitation event, aimed at veteran outreach for veterans’ benefits information, included a benefit resource fair (Utah@EASE, VA Claims assistance, and Veteran Entrepreneur Assistance) and a Welcome Home Veterans gourd dance.

The gourd dance had not been conducted since the outbreak of COVID, which was particularly harmful to the Navajo Nation.

Larry Schmidt and three others who provide support to veterans were initiated into the Western Intertribal Gourd Society.



SAFEUT

Overview

The SafeUT smartphone app is a statewide service that provides real-time crisis intervention to Utah’s students, parents, and educators at no cost. SafeUT was developed by the legislatively created SafeUT Commission and chaired by the OAG.

SafeUT allows students in crisis or with other concerns to open a two-way messaging service with licensed mental health counselors, call a certified crisis worker directly, or submit confidential tips to crisis counselors and school administrators regarding bullying, violence, threats of harm to self or others, loss, and grief. The app is staffed by master’s-level crisis counselors at the Huntsman Mental Health Institute (HMHI) - 24 hours a day, 365 days a year.

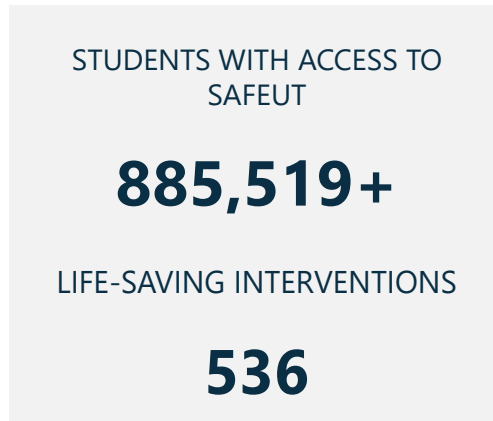
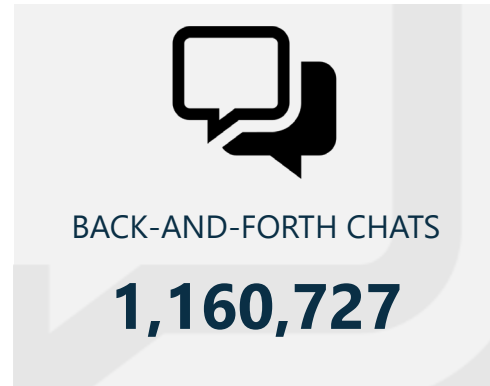
The SafeUT Story

SafeUT was developed in response to Utah’s unacceptably high youth suicide rate—the leading cause of death for young people aged 10-24—and increasing safety threats within schools. SafeUT launched as an app in 2015 and was redeveloped by the University of Utah in 2016, as a way for students, parents/guardians, and educators to confidentially connect to a licensed counselor at HMHI.

Counselors are available 24/7, 365 days a year to support any sized crisis or concern at no cost, through real-time chat. Safety concerns submitted through the app such as bullying, school safety threats, and potential violence are triaged by SafeUT counselors and coordinated with school administrators and/or law enforcement as needed. SafeUT is nationally recognized for its effectiveness in saving lives and de-escalating potential school threats using a behavioral health-first approach.

SafeUT National Guard launched in 2019 and SafeUT Frontline in 2020.

BY THE NUMBERS



- 358 Harm, or intent to harm, self (suicide)*
- 112 Harm, or intent to harm, others**
- 29 Both harm, or intent to harm, self and others***



The **SafeUT Frontline** app is for Utah's health care providers, law enforcement, fire/EMS, corrections officers, and their families. These people, who offer support to the community, have unique needs based on the stressors of their jobs.



The **SafeUT National Guard** app is for Utah's Air and Army National Guard members, veterans, civilian personnel, and their families. Military service can contribute to unique personal and professional life challenges.

368 Total Frontline chats

189 Total National Guard chats



The **SafeUT app** is available for students, parents/guardians, and educators. While suicide is the leading cause of death for young people aged 10-24 in Utah, parents/guardians and educators may struggle with their own mental health challenges while caring for their students.

26,808 Total K-12 & higher education chats

8,985 Total K-12 & higher education tips

*Of the 358 harm, or intent to harm, self emergency interventions, 215 emergency interventions included law enforcement and/or emergency medical services (EMS) response. 143 were de-escalated by counselors and involved collaboration with the user's school and parent/guardian.

**Of the 112 harm, or intent to harm, others emergency interventions, 38 emergency interventions included law enforcement and/or emergency medical services (EMS) response. 74 were de-escalated by counselors and involved collaboration with the user's school and parent/guardian.

***Of the 29 both harm, or intent to harm, self and others emergency interventions, 10 emergency interventions included law enforcement and/or emergency medical services (EMS) response. 19 were de-escalated by counselors and involved collaboration with the user's school and parent/guardian.



WHITE COLLAR CRIME OFFENDER REGISTRY

OVERVIEW

The White Collar Crime Offender Registry (WCCOR) is the first website nationwide that provides consumers with a central database of white-collar offenders. It allows interested citizens and businesses to look up white-collar offenders convicted of qualifying felonies in Utah state courts. Investors and businesses can use the registry to protect themselves and others, such as vulnerable family members, from financial fraud.

The WCCOR was developed by the OAG in cooperation with the Utah Legislature, the Utah Department of Commerce, the Utah Department of Consumer Protection, the Securities and Exchange Commission, and the Federal Bureau of Investigation.

While the main goal of the WCCOR is to provide a resource to investors, the database also incentivizes offenders to pay restitution. In Utah, over 100 people are convicted of white-collar crimes each year. Because of the volume and high dollar amounts of fraud crimes in Utah, most offenders the OAG prosecutes have defrauded their victims of over \$10 million. Investigations are complicated and can take years, translating into millions of dollars lost before criminals are brought to justice.

The WCCOR is fully searchable and users may either scroll through photos and names of offenders alphabetically or search by key words, including names, aliases, and schemes. In FY2024, 31 offenders were added to the WCCOR. There are currently 362 offenders on the WCCOR, and the WCCOR was viewed 87,330 times in 2024.

The WCCOR can be accessed at utfraud.com.



TEEN TITANS

OAG YOUTH ADVISORY COMMITTEE

OVERVIEW

The OAG's Youth Advisory Committee (Teen Titans) was launched to engage youth aged 13-18 to help improve the State of Utah. They explore topics that affect them and provide advice to the OAG on events, programs, and policies that directly influence teens.

Each year, teens are selected from across the state to work together on issues that impact students in Utah. The group is run by an OAG staff member and supported by student leaders.

In 2024, Teen Titans was led by a University of Utah undergrad student who brought energy and a lot of fun to the program. The students met regularly at the Utah State Capitol with some joining via video conference where they discussed various ideas that were explored to become OAG programs.

One of the established programs started by Teen Titans is the Utah Attorney General's Police Leading Activities for Youth (PLAY). In many environments, children are taught that officers are enemies, so this program is designed to help students in Utah personally connect with law enforcement in a friendly setting through game playing on their school playgrounds.

In addition, the OAG Internet Crimes Against Children (ICAC) Education Officer teaches internet safety through fun ball games.



P.L.A.Y. Program



OAG's Youth Advisory: Elementary School PLAY Event



APPEALS, CONSTITUTIONAL DEFENSE, & ANTITRUST

4 SECTIONS

40 ATTORNEYS & 8 STAFF



CONSTITUTIONAL DEFENSE & SPECIAL LITIGATION

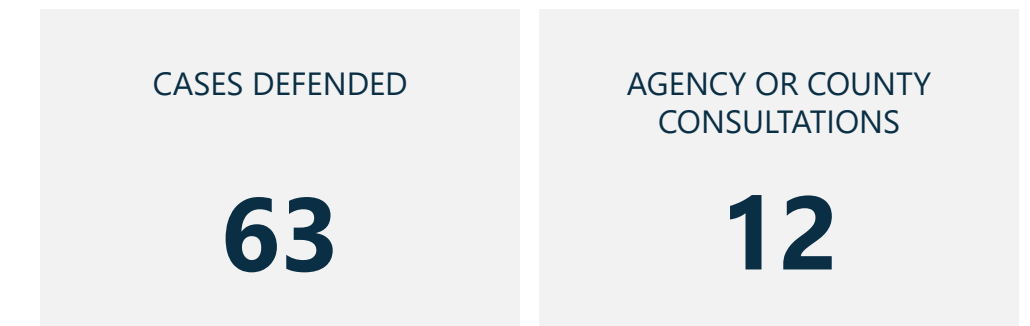
OVERVIEW

The Constitutional Defense and Special Litigation (CDSL) division was created in 2014 to address previous gaps in specialized expertise and funding for complex, labor-intensive, and often expensive state cases that are not covered by Risk Management’s insurance policy. CDSL defends state laws against constitutional challenges and takes the lead in litigating cases of significant importance to the state.

Under the supervision of the OAG Executive Division, CDSL works closely with the Governor’s Office and members of the Utah State Legislature and Legislative Counsel to identify constitutional concerns with Utah statutes and proposed legislation in a collaborative effort to accomplish policy objectives, while staying within constitutional boundaries.

Since its inception, CDSL has grown from one attorney to its current composition of four attorneys and one legal assistant.

BY THE NUMBERS



NOTABLE CASES

Throughout 2024, CDSL defended dozens of cases and achieved favorable results. Here is a sampling of notable cases:

In <i>Free Speech Coalition v. DPS</i> , CDSL successfully defended a challenge to Utah’s law requiring internet sites that distribute materials harmful to minors to verify the age of their users.	In <i>Christensen v. Miner</i> , CDSL worked closely with the Utah Department of Health and Human Services to obtain dismissal of a class-action lawsuit challenging the State’s institutionalization of individuals with intellectual and developmental disabilities.
In <i>Menzies, et al. v. Utah Department of Corrections</i> , CDSL secured dismissal of Plaintiffs’ claims challenging Utah’s methods of execution.	In <i>White v. Utah</i> , CDSL obtained dismissal of Plaintiffs’ challenge to Utah’s law capping attorneys’ fees available to Plaintiffs’ counsel in medical malpractice actions.
In <i>Mountain Lion Federation et al. v. State</i> , CDSL obtained an order dismissing Plaintiffs’ claims challenging the State’s regulation of the hunting of mountain lions.	In <i>Medina v. Allen</i> , CDSL is currently defending criminal defendants’ challenge to the methods through which district court judges set monetary bail.

CDSL also represents the Lt. Governor’s interests in the League of Women’s Voters pending challenge to the Legislature’s redistricting of congressional boundaries.

CDSL is defending House Bill 11, which prohibits transgender girls from competing in girls’ high school sports.

CDSL is also defending the State’s law prohibiting abortions from the time of conception, with exceptions for rape, incest, certain birth defects, and to protect the health and safety of the mother.

CDSL is defending against a constitutional challenge to the Utah Fits All Scholarship Program, which provides financial support for children who opt out of the public education system, electing to attend private or charter schools.

CDSL is representing Governor Cox in the challenge to the appointment process and composition of the Utah Inland Port Authority Board.

Finally, CDSL is defending the recent challenge to the 2024 amendments to Senate Bill 61, which regulates the sale and distribution of Electronic Cigarettes. Plaintiffs have challenged Utah’s law on federal preemption and Fourth Amendment grounds and seek significant money damages based on an alleged unconstitutional regulatory taking.

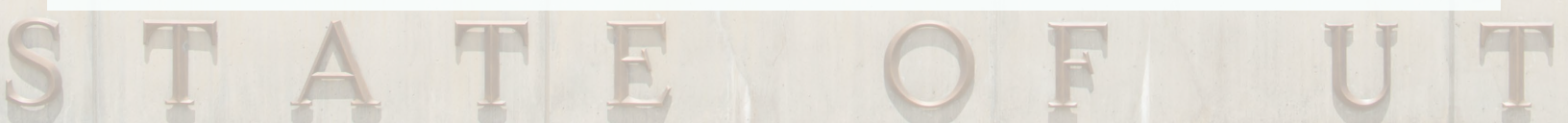
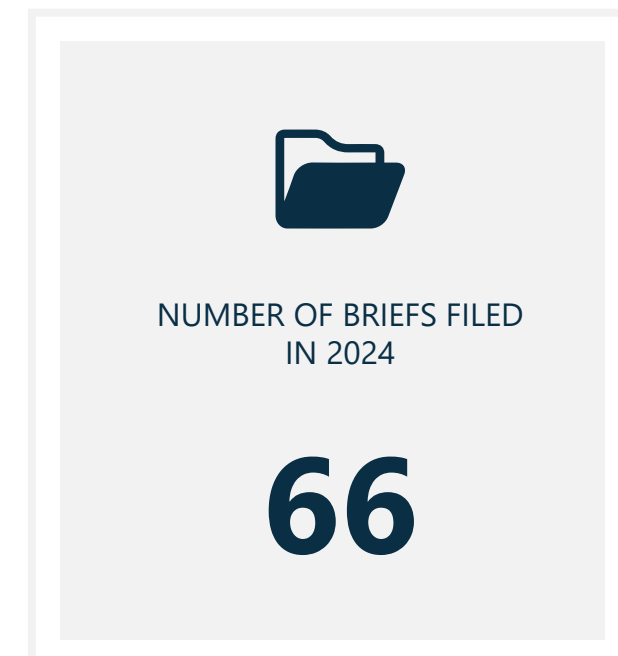
CIVIL APPEALS

OVERVIEW

Civil Appeals Division appellate lawyers defend the state’s victories from challenges on appeal or obtain reversals by the appellate court of erroneous, adverse decisions. The division frequently works together with other trial attorneys in the OAG on complex substantive matters involving challenges from administrative actions and district court cases, as well as questions certified to the Utah Supreme Court from other courts.

Wide-ranging challenges handled by the division may involve constitutional challenges, Native American law, administrative law, eminent domain, tax law, water law, public lands, and prisoner parole issues.

BY THE NUMBERS



SUMMARY

The division is divided into two sections: the Civil Appeals Section and the Litigation Appeals Section. The Civil Appeals Section has four attorneys and handles civil appeals within the OAG. These appeals cover a wide variety of issues, including constitutional challenges, Native American law, administrative law, eminent domain, tax law, water law, education law, public lands, and environmental law.

The Litigation Appeals Section has three attorneys and handles appeals from risk management-covered cases involving torts, civil rights, and employment claims against the state, other governmental entities, and their employees. These appeals not only present important legal questions; they also often pose significant financial risk for the state and its agencies.

On appeal, attorneys generally defend the lower court's decision, but can occasionally take appeals seeking to reverse adverse lower court decisions. Done properly, most appeals take significant time, effort, and skill.

In addition to briefs (merit or amicus), attorneys may have to draft other substantive pleadings, and they participate in mediations when settling an appeal is in the state's best interest. In addition to preparing for their own oral arguments, attorneys spend significant time helping prepare their colleagues for oral argument by reviewing the briefs, discussing the issues, and acting as judges in moot courts.

NOTABLE CASES

The Civil Appeals Division had several notable victories issued in or because of work done in FY 2024.

***Free Speech Coalition Inc. v. Anderson*, 23-4104, F.4th (10th Cir. 2024):** In 2023, the legislature passed S.B. 287, Utah’s Online Pornography Viewing Age Requirements, which requires commercial entities that publish material harmful to minors to perform reasonable age verifications methods to ensure those viewing the content are over 18. Plaintiffs filed a complaint against the Attorney General and the Commissioner of the Department of Public Safety seeking a declaratory judgment that the Act violates the First and Fourteenth Amendments and the Commerce and Supremacy Clauses of the U.S. Constitution and seeking to enjoin the Attorney General and the Commissioner from enforcing the Act.

The district court held that the Plaintiffs could not maintain their claims against the Attorney General or the Commissioner and thus dismissed the complaint. The Division represented the Attorney General and the Commissioner on appeal, where the U.S. Court of Appeals for the Tenth Circuit affirmed the district court’s ruling.

***Ramirez v. Reddish*, 104 F.4th 1219 (10th Cir. 2024):** Ramirez and his family members filed federal litigation asserting claims under the Federal Tort Claims Act (FTCA) and Fourth Amendment against the U.S. and individual members of the U.S. Marshals Service Violent Fugitive Apprehension Strike Team (VFAST) after VFAST twice unsuccessfully attempted to execute an arrest warrant against Ramirez. The Division represented two state officers who were members of VFAST on appeal, while the federal defendants were represented by U.S. Attorneys. The Tenth Circuit held the claims against the individual officers were barred by the FTCA. This was a high-profile case with a lot of press about the VFAST raids.

CRIMINAL APPEALS

OVERVIEW

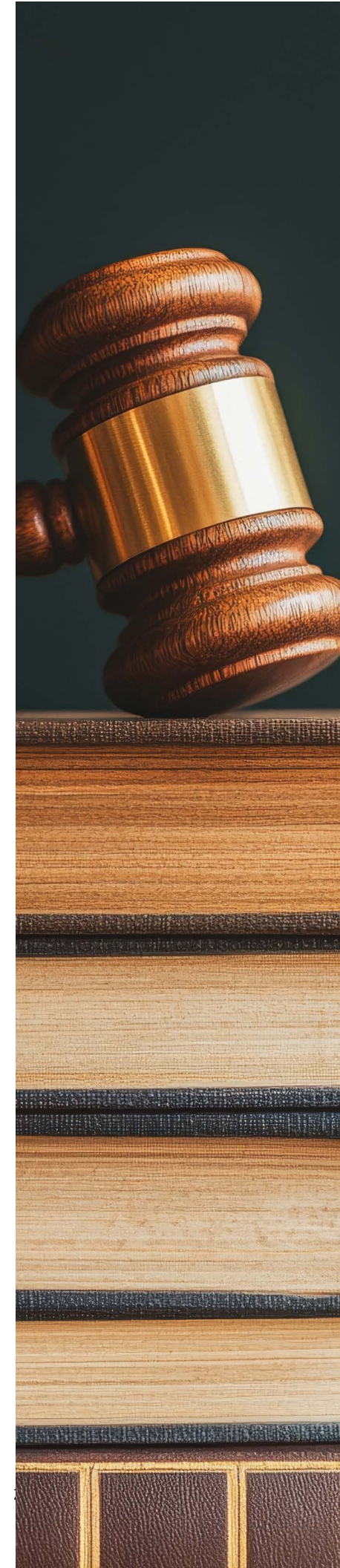
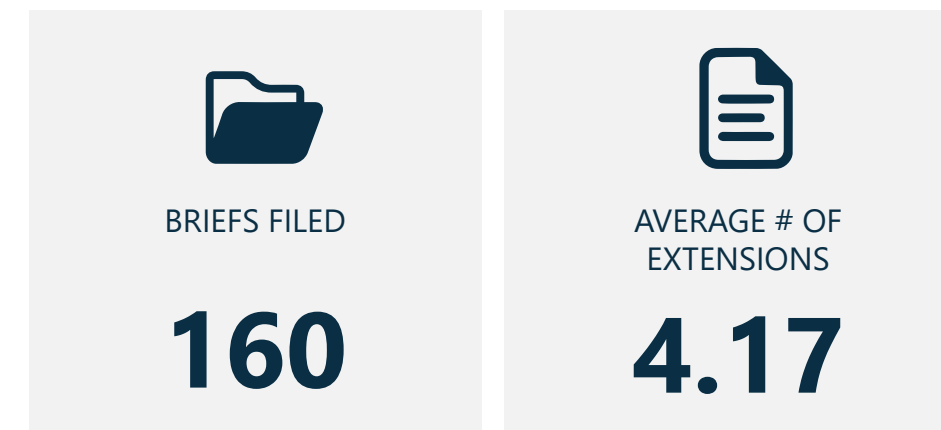
The Criminal Appeals Division defends all felony convictions—including capital murder convictions—from the direct appeal through all the remaining levels of review in State and Federal Court. In addition to briefing and argument in the appellate courts, which includes civil litigation practice covering complex discovery and evidentiary hearings, the Division works to shape precedent so that the law is fair to all of Utah's citizens.

In addition to managing a high case load under very trying circumstances, the Criminal Appeals Division has had successes over 2024 that illustrate the confidence and prestige with which the Division is viewed.

The Division serves a critical training and advisory role for prosecutors across the state by presenting training sessions several times a year on criminal and constitutional law. The Division writes States’ amici (friend of court) briefs in the United States Supreme Court supporting other states’ appeals on issues that affect Utahns, and attorneys in the Division serve on several Utah Supreme Court Rules Advisory Committees (including Rules of Criminal Procedure, Rules of Evidence, and Rules of Appellate Procedure).

The Division also advocates for and assists in legislative changes. Nearly every proposed bill that touches on criminal issues and that has a plausible chance of passage is reviewed by attorneys within the Division for substance and constitutional compliance. The Division has also worked with other stakeholders on restitution amendments to maximize victims’ recovery while assuring due process for defendants.

BY THE NUMBERS





HIGHLIGHTS

State v. Florreich

The court of appeals rejected a dozen ineffective-assistance claims and affirmed the defendant’s convictions for five counts of aggravated sexual abuse of a child for her abuse of a child she cared for as a nanny.

This case received media attention and brought to light issues about sexual assault, secrecy, victim privacy, and male sex crimes victims.

State v. Lovell

Based on its incorrect reading of federal law, the Utah Supreme Court reversed Doug Lovell’s death sentence for the second time. A case like this illustrates the Supreme Court’s reluctance to respect federal law and the state’s interest in criminal judgments being final.

The Division is seeking certiorari review with the United States Supreme Court.

State v. Chadwick

The Supreme Court reversed a conviction for sexual abuse of a child because the jury was not given a specific enough telling the jury it had to agree on the specific criminal act the defendant committed.

State v. Thompson

The district court declared Michael Thompson “factually innocent” of sexually abusing his little sister. Of particular note, the judge published an explicit finding that the sex abuse victim was “a liar.” The Division appealed, and the supreme court entirely reversed the district court’s ruling.

State v. Smith

This case arose from a sting operation conducted by Utah’s Internet Crimes Against Children Task Force. The target of the sting agreed to transport what he believed to be a 13-year-old girl to California in exchange for sexual favors.

The Division obtained a favorable ruling from the Utah Supreme Court that made clear that people who agree to commit these sorts of acts as part of a sting operation can be charged with attempted child rape and attempted child kidnapping—and not merely the lesser crime of enticing a minor.

ANTITRUST & DATA PRIVACY

OVERVIEW

The Antitrust and Data Privacy Division (“ADP Division”) currently consists of six attorneys, a paralegal, and two or three law clerks.

As the name implies, it is primarily tasked with enforcing federal and state antitrust laws, as well as federal and state data privacy laws, and attorneys are informally assigned to work on either the Antitrust Team or the Data Privacy Team.

However, the ADP Division also runs the Utah White Collar Crime Offender Registry, and is often involved in reviewing and recommending legislation and amicus briefs with respect to issues that affect antitrust law, competition and free market principles, or consumers’ data privacy rights.

While Utah is a small state, the ADP Division’s Antitrust Team has achieved a national reputation as a leading enforcer that regularly punches above its weight, taking on major litigation against some of the largest corporations in the United States, to protect Utah’s markets and consumers.

Nowhere is this increase in Utah’s standing as a leading antitrust enforcement state more obvious than in the states’ investigation of and litigation against Google. Utah was one of the eight lead states in the investigation of Google for antitrust violations, which began in 2018. That investigation eventually divided into three branches that brought separate cases focusing on different alleged anticompetitive conduct. *Utah v. Google* concerns the Google Android environment, in particular the Google Play Store and Google’s control over in-app purchase payments.

The other main responsibility of the ADP Division, data privacy, is a rapidly emerging field of law. Most recently, the Data Privacy Team participated in the \$52 million nationwide settlement on October 11, 2024 of the Marriott/Starwood data breach that occurred from 2014 to 2018. Utah’s limited role in these early cases under the Utah Protection of Personal Information Act (UPPIA) was due to a lack of specialized data privacy law knowledge inside the Antitrust Section. All attorneys on the Data Privacy Team are now expected to be Certified Information Privacy Professions (CIPP/US), and also a Certified Information Privacy Manager (CIPM).

2024 saw the addition of the Government Data Privacy Act (GDPA), which is the first of its kind in the nation granting Utahns explicit rights and Utah government specific duties with respect to private information collected by state agencies and other governmental entities. The ADP Division is the ultimate enforcer if a Utah governmental entity fails to comply with the GDPA.



CIVIL DEPARTMENT

7 DIVISIONS

155 ATTORNEYS & 62 STAFF



STATE AGENCY COUNSEL

OVERVIEW

The State Agency Counsel (SAC) Division acts as a catch-all for the OAG, handling work that doesn't fit within more narrowly-focused divisions. The division provides legal counsel and services for the following sections: Government Operations, Corrections, Constitutional Officers and Issues, and State Agency Counsel.

STATE AGENCY COUNSEL

The Division mitigates litigation risk at the front end and brings in revenue by navigating complex legal questions for clients throughout State government. Attorneys draft contracts, administrative rules, and policies and provide statutory interpretation on a day-to-day basis to address urgent matters as they arise on topics as diverse as election integrity, debt collection, data privacy, gender, alcohol, ESG, and more.

Ultimately, SAC's true successes occur in the background and never reach the courtroom or public consciousness. In the event of adjudication, SAC's attorneys work efficiently and have led the state to multiple key wins and savings.

At the end of 2024, State Agency Counsel Division has four sections and 34 staff, adding two attorneys and one secretary to represent the Department of Corrections. In addition, the OAG now has two attorneys and one secretary representing the Utah Office for Victims of Crime. A paralegal was added to the team collecting debt for the Labor Commission. And, representation of the Utah Office for State Debt Collection now has two attorneys and a paralegal.

SAC division workloads have increased, making it necessary to add both a secretary and a paralegal to assist. State independent entities including the Inland Port Authority, Utah Communications Authority, and Heber Valley Railroad Authority are now represented by SAC.



NOTABLE SUCCESSES

Corrections

- The Corrections Section was involved in the execution of Taberone Honie during FY24. The Corrections Section represents both the Board of Pardons and the Department of Corrections. Representation of those agencies was subject to an office-wide conflict screen and so counsel for the agencies worked independently, without the assistance of others from the section.
- In 2024, the Corrections Section obtained \$64,115.05 in restitution for Utah Office for Victims of Crime (UOVC) in a single case and secured over \$1,000,000 in total awards. Attorneys for UOVC were also successful in obtaining restitution in an aggravated assault case that involved domestic violence. An evidentiary hearing involving medical expenses was required to obtain restitution. The judge ordered the defendant to pay UOVC \$50,000 in restitution for reimbursements of costs that the agency paid for the victim.

Constitutional and Executive Officers

- The Constitutional Officers and Executive Issues Section was involved in defending the Lieutenant Governor and Elections Office against numerous, meritless, challenges. Those challenges ranged from defending against requests to see individual votes to judicial actions challenging the results of the elections. Without exception, we successfully defended the Elections Office.

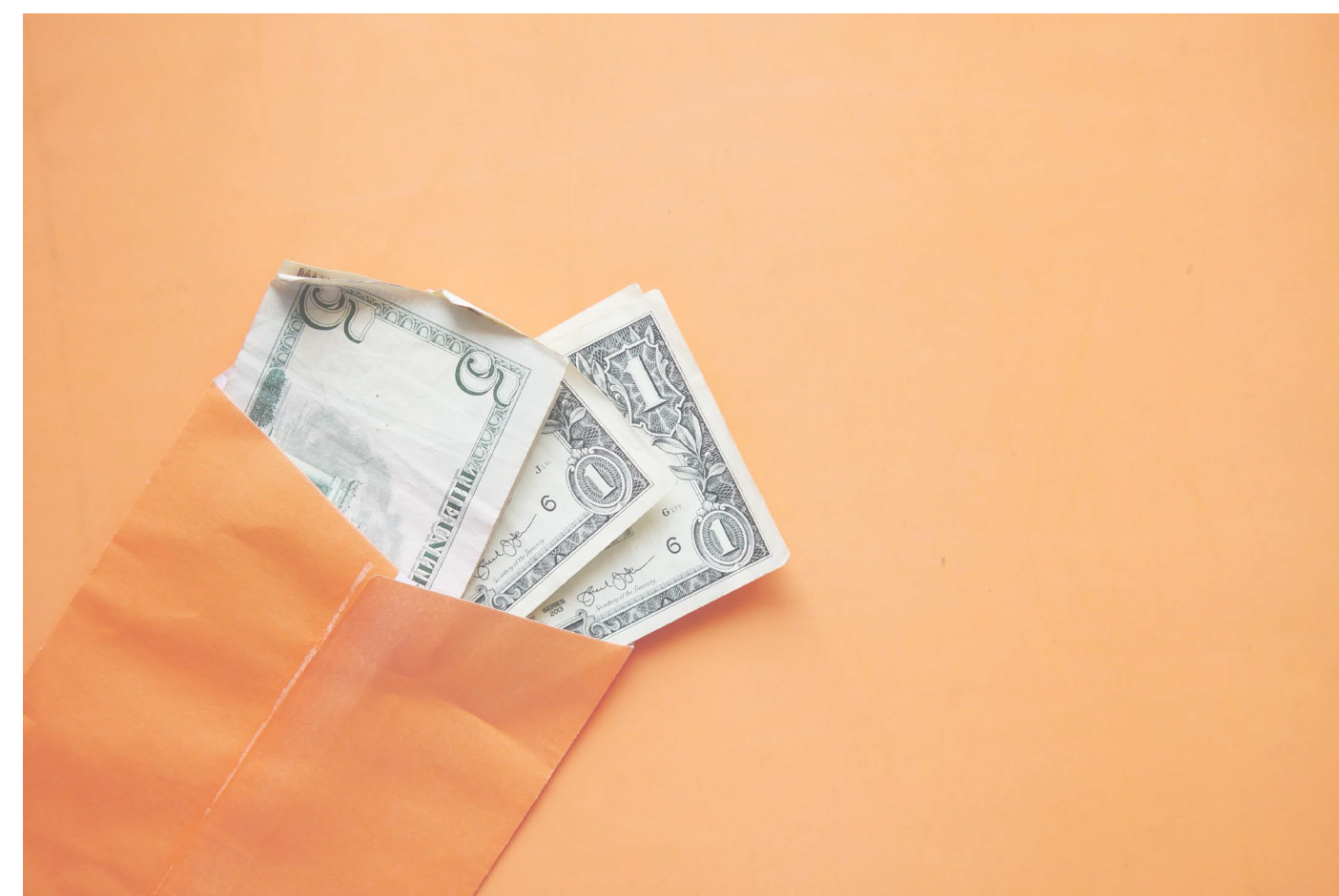
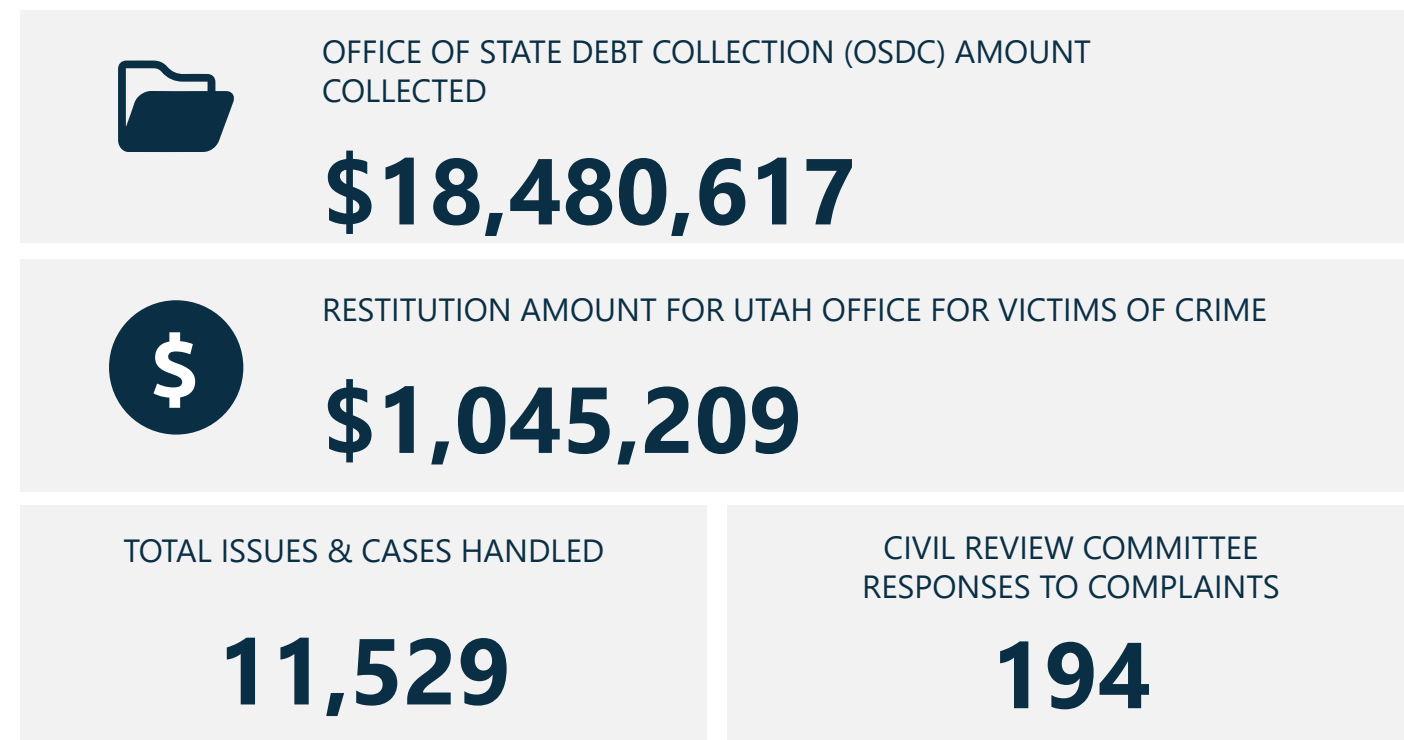
State Agency Counsel

- Over the past five decades, the State of Utah has steadily acquired over three hundred easements on parcels of land around Hill Air Force Base (Hill AFB), to conserve the property from further development, and to protect Hill AFB missions and operations from encroachment. In recognition of this important work, the Utah Legislature appropriated \$2.5 Million in FY 2024 to further this Hill AFB indexing project.
- The State Agency Counsel Section collected a record-breaking **\$1,334,741,13** for the Industrial Accidents Division of the Labor Commission.

Government Operations Section

- The Government Operations Section assisted with 277 cases that came before the State Records Committee. Counsel for Utah Office of State Debt also collected more in 2024 than any year previous. They have collected **\$18,480,617.11**. That money is collected on behalf of state agencies, the state general fund, and victims of crime.

BY THE NUMBERS (SAC)



EDUCATION



OVERVIEW

The Education Division provides legal counsel to the state's systems of public education and higher education, which consists of the State Board of Regents, the University of Utah, Utah State University, Weber State University, Utah Valley University, Southern Utah University, Utah Tech University, Snow College, and Salt Lake Community College. Legal services provided to the colleges and universities vary from campus to campus, but are primarily focused on practicing preventative law, complying with state and federal statutes, and defending the institutions during internal hearings, including student conduct hearings, employee discipline matters, and tenure appeal hearings.

PUBLIC EDUCATION

In public education, the division provides legal counsel and guidance to the 15-member State Board of Education (USBE) and its committees, the State Superintendent and staff, the State Charter School Board, the School and Institutional Trust Lands Administration (SITLA) nominating committee, the Utah Schools for the Deaf and Blind (USDB), and the various departments, programs and boards associated with the USBE. In addition, the division provides counsel for state agencies under the direct control and supervision of the USBE.

BY THE NUMBERS

 APPROX. NUMBER OF CONSULTATIONS 850	 APPROX. NUMBER OF RULES DRAFTED & REVIEWED 150
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RESPONSIBILITIES

- Represent institutions, Tech Colleges, the Utah System of Higher Education, and the Utah State Board of Education in non-risk covered matters including contract disputes
- Review state and federal legislation and regulation for compliance and application
- Represent institutions in bankruptcy courts
- Represent and advise internal university matters and hearings (student code of conduct, appeals of denial of tenure, student rights, and employee discipline)
- Represent state colleges and universities before the State Records Committee related to the disclosure of records
- Represent state colleges and universities in bonding efforts

LEGAL SERVICES

- Review, draft, and negotiate hundreds of grants, contracts, and procurements.
- Act to ensure compliance with state and federal laws and regulations to properly conduct educational programs and implement educational policies.
- Provide legal representation during administrative hearings and for non-Risk covered litigation, including public teacher misconduct, civil rights, educational rights of indigent or immigrant families, Equal Employment Opportunity Commission (EEOC), and Utah Antidiscrimination and Labor Division (UALD) discrimination claims, sexual misconduct or sexual harassment, and student rights.

HIGHER EDUCATION

The division has ten attorneys assigned to provide legal counsel and advice to each of the state's eight institutions of higher education, the Offices of the Commission of Higher Education, the Utah System of Technical Colleges and its eight separate college campuses, the Utah Educational Savings Plan, and the Utah Education and Telehealth Network.



MONIES COLLECTED FOR PAST DUE
 ACCOUNTS WITH UNIVERSITY HOSPITAL
 & CLINICS

\$13,000,000

LITIGATION

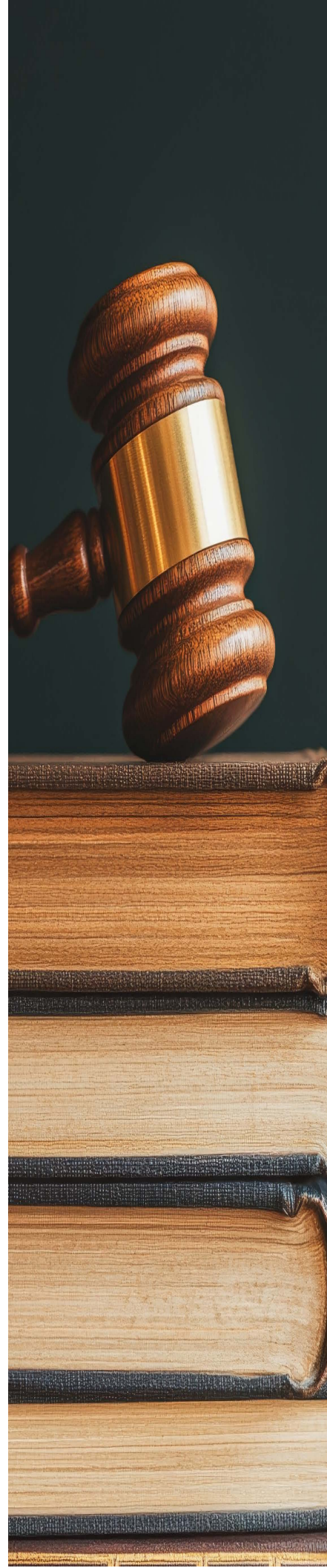
OVERVIEW

The Division’s 27 attorneys and 21 support staff work in three different practice groups, or sections: employment, civil rights, and torts. In addition, three appellate attorneys from the Civil Appeals Division are dedicated to handling appeals of cases in the Litigation Division. Attorneys exercise independent, professional judgment and render candid advice, referring not only to the law but also to moral, economic, social, and political considerations relevant to the individual client’s situation. The division handles some of the most important and highest profile cases in the state. On average, the division has over 300 active lawsuits at any given time.

LAWSUITS

In FY 2024, the Litigation Division closed 261 lawsuits. These closed cases were either settled, dismissed on motion before trial, or tried to a jury or judge in federal or state court or before an administrative body. Each of these cases demanded money from the state or state agencies, either a specific dollar amount or “reasonable damages.” In 2024, the Litigation Division received 245 new cases, screened 366 employment matters, and provided 120 training hours to state agencies, universities, and school districts.

BY THE NUMBERS



SECTIONS

The **Civil Rights Section** deals with lawsuits claiming monetary damages for constitutional and statutory civil rights violations, such as free speech, religious freedom, and establishment claims, as well as search and seizure, due process, cruel and unusual punishment, equal protection, ADA, and Title IX.

Attorneys in the **Employment Section** specialize in defending state agencies, higher education, school districts, and charter schools who are sued by present and former public employees claiming wrongful termination or other job-related mistreatment under numerous federal and state laws including Title VII, Title IX, and the ADA. The attorneys also regularly advise these state entities when they are contemplating adverse employment actions.

The **Torts Section** handles lawsuits involving catastrophic bodily and emotional injury, property damage, and other personal loss allegedly caused by state employees’ negligence. As mandated by the Legislature, the torts section now also defends UTA’s tort cases, which include accidents with UTA buses, TRAX, and Frontrunner.

OTHER MATTERS

While litigation is the focus, the Division is also involved in other important activities, including:

Early Intervention in Civil Rights and Employment Matters. Employment attorneys advise state agencies that are considering whether to discipline or terminate an employee. This advice helps agencies to avoid exposure if the employee later sues the state. Recently the Utah Division of Risk Management, the Division’s client agency that insures the State, has recognized the value of early intervention in employment matters and has decided to cover the costs of early intervention for state agencies, school districts, and colleges and Universities.

Risk has already seen a decline in employment claim payouts. After seeing the benefits of early intervention in employment cases, Risk expanded its coverage of pre-lawsuit OAG involvement to civil rights claims.

Division attorneys’ professional activities include:

- Board of Directors of Utah Defense Lawyers Association
- Member of Utah Supreme Court Advisory committee for the Rules of Professional Conduct
- Member of Utah Supreme Court Advisory Committee for Model Civil Jury Rules
- Chair of the Civil Rights Section of the Federal Bar Association
- Co-Chair of the Utah State Bar Governmental Relations Committee
- Co-Chair of the Utah State Bar Innovation in Law Committee
- Chair of the Utah State Bar’s Appellate Practice Section

Civil rights section attorneys have already assisted in resolving a number of pre-lawsuit disputes and continue to offer assistance on civil rights matters at the request of state agencies, school districts and colleges and Universities.

Trainings. Attorneys in the Litigation Division provide training to state agencies, universities, and school districts in matters such as Title VII, Title IX, Whistleblower, and the ADA.

In addition, Division attorneys provided continuing legal education throughout the state and the country on topics on which they have developed expertise, including the First Amendment, qualified immunity, constitutional interpretation, appellate law updates, and other topics.

NATURAL RESOURCES

OVERVIEW

The Natural Resources Division provides general legal and litigation support to the Utah Department of Natural Resources (DNR) and its divisions: Forestry, Fire & State Lands (FFSL); Oil, Gas & Mining (DOGM); Parks; Recreation; Water Resources; Water Rights; Wildlife Resources; Utah Geological Survey; Office of Energy Development; and Public Lands Policy Coordination Office (PLPCO).

The division also represents and supports the Utah Department of Agriculture and Food (UDAF) and its divisions; Constitutional Defense Council (CDC); Colorado River Authority of Utah; Utah Lake Authority; and Office of the Great Salt Lake Commissioner in the protection, preservation, development, use, stewardship, and conservation of the State public lands, roads, natural resources, water resources, and agricultural resources.

NOTABLE CASES

PUBLIC LANDS SECTION | *Kane County (2) v. U.S.*, 2:10-cv-1073 (D. Utah) (“Bellwether Case”). The Bellwether Case involves a set of 15 R.S. 2477 rights-of-way in Kane County. The case is still ongoing regarding the issue of scope.

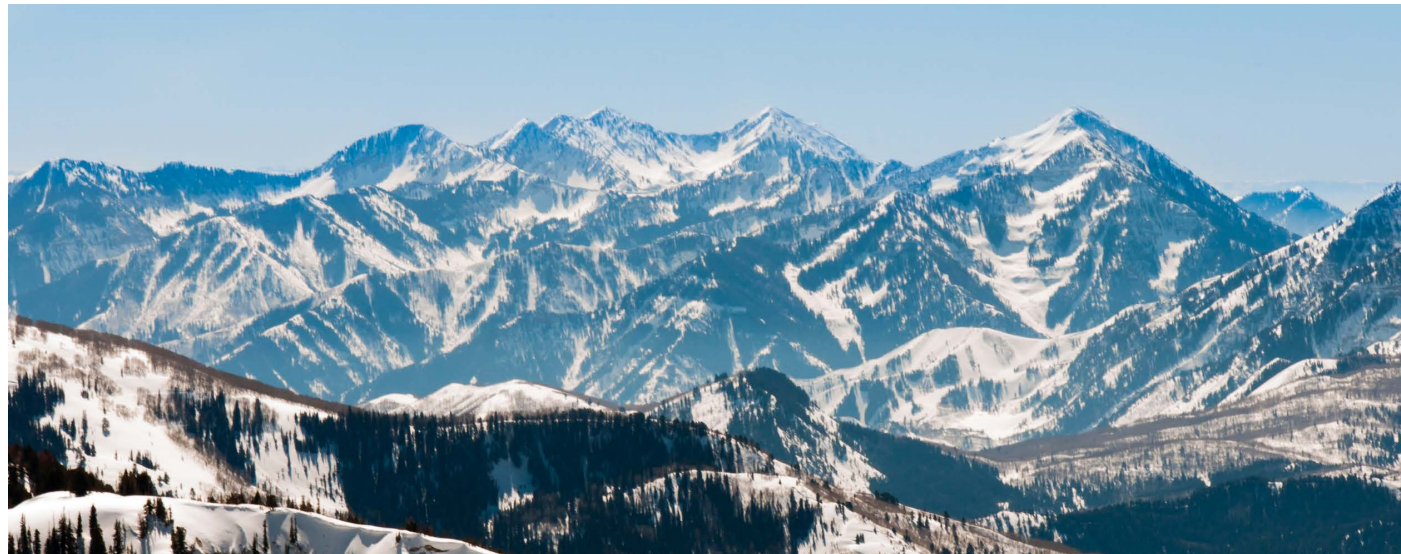
FORESTRY, OIL, AND MINING SECTION | The Board's caseload has increased from 30 to closer to 80 cases in 2024. As such, they streamlined the hearing examiner process so that uncontested matters relating to compulsory pooling can be handled by a hearing examiner.

AGRICULTURE, PARKS, AND WILDLIFE SECTION | AAGs for Wildlife worked closely with staff, and in cooperation with U.S. Fish and Wildlife, to mitigate the impacts of Colorado’s introduction of gray wolves to the western slope. AAGs assisted the Utah Department of Agriculture and Food in successfully transitioning from a cooperative program with the Federal government to a solely state-run program. AAGs assisted the Department of Agriculture and Food with implementation of a water optimization program.

WATER SECTION | In 2024, the Adjudication AAGs assisted the Division in publishing three Lists of Unclaimed Rights and four Proposed Determinations, and in resolving 26 objections. They also obtained four interlocutory decrees.

RESPONSIBILITIES

- Protecting Utah’s interstate water allocations and providing litigation support for the general adjudication of water rights in Utah
- Determining rights-of-way across federal lands and litigating with the United States to determine ownership and maintain uses of land
- Overseeing ownership of and access to lands and waterways for recreational uses
- Conserving sensitive wildlife species and ensuring that the decisions under the federal Endangered Species Act are appropriate
- Preserving the State’s sovereign authority to manage wildlife resources on private and public lands within its borders
- Negotiating with the United States and Native American tribes to resolve reserved water right claims for federal reservations
- Assuring all requirements are met to allow appropriate and responsible development of mineral, oil, and gas resources
- Assuring the State’s agricultural interests are enhanced and safeguarded consistent with statutory directive and necessary regulations
- Assuring the State medical cannabis program satisfies legislative directive



BY THE NUMBERS

Department of Natural Resources (DNR)		
JUDICIAL CASES	ADMINISTRATIVE ACTIONS	MAJOR LEGAL PROJECTS <i>(SIGNIFICANT CONTRACTS, RULES, NEGOTIATIONS, SETTLEMENTS, ETC.)</i>
23	198	127
Public Lands Coordinating Office (PLPCO)		
CASES	ADMINISTRATIVE ACTIONS	MAJOR LEGAL PROJECTS <i>(SIGNIFICANT CONTRACTS, RULES, NEGOTIATIONS, SETTLEMENTS, ETC.)</i>
59	3	14
Department of Agriculture and Food (UDAF)		
CASES	ADMINISTRATIVE ACTIONS	MAJOR LEGAL PROJECTS <i>(SIGNIFICANT CONTRACTS, RULES, NEGOTIATIONS, SETTLEMENTS, ETC.)</i>
2	51	43

ENVIRONMENT, HEALTH, & HUMAN SERVICES

ENVIRONMENT

OVERVIEW

Most federal environmental laws grant expansive regulatory authority to federal agencies, as well as authorize states to implement plans outlined in federal laws. States are asked to implement and enforce federal laws while retaining the power to create laws more stringent than federal laws. This delegation of authority is important because it allows for local regulation by a state agency rather than a remote federal agency. Regulated entities and stakeholders can interact with the technical staff and participate in agency processes at the local level.

This delegation of authority is based on representations that the state has the necessary constitutional and statutory authority to assume the implementation, management, and enforcement of specific delegated federal programs. These programs include, but are not limited to, the Clean Air Act, the Clean Water Act, the Pollution Prevention Act, the Resource Conservation and Recovery Act, the Safe Drinking Water Act, and the Toxic Substances Control Act.

For the State of Utah, these programs are implemented through statutes enacted by the State Legislature and contained in Utah Code Title 19 (the Utah Environmental Code). The Utah Department of Environmental Quality (DEQ) maintains and implements the federal programs in conformance with State laws, regulations, and conditions. The Environment Section of the OAG provides legal representation to all five Divisions of the DEQ (i.e., Air Quality, Drinking Water, Environmental Response and Remediation, Waste Management and Radiation Control, and Water Quality) as they implement the federal environmental programs delegated to the State.



RESPONSIBILITIES

- Writing and implementing environmental regulations as well as providing legal support in rule-making, record requests, and legislative requests
- Interpreting, administrating, and enforcing permits issued to regulated facilities
- Participating in administrative hearings, adjudicative proceedings, civil litigation, and appeals before state and federal courts
- Working with the Investigations Division to investigate and prosecute environmental crimes throughout the state
- Providing counsel to the Natural Resource Damages Trustee appointed by the Governor and to four regulatory boards: the Utah Air Quality Board, the Utah Water Quality Board, the Utah Waste Management and Radiation Control Board, and the Utah Drinking Water Board
- Coordinating regulatory roles and communication among other state agencies in environmental matters, including the Utah Department of Natural Resources
- Tracking developments with federal agency rulemaking, guidance, and reviews in environmental matters

NOTABLE CASES

Division of Air Quality (DAQ)

Good Neighbor Litigation: Ozone Transport Plans | Ovintiv Joint Utah/EPA Settlement

Division of Drinking Water (DDW)

Enforcement Improvements

Division of Water Quality (DWQ)

Great Salt Lake Mineral Extraction Rules | Water Quality Enforcement Actions

Division of Environmental Response and Remediation (DERR)

Superfund Sites

Division of Waste Management and Radiation Control (DWMRC)

Radioactive Waste Program- Depleted Uranium Federal Cell and Low Activity Cell Licensing | Promontory Point Resources Class V Permit Application



HEALTH & HUMAN SERVICES

OVERVIEW









The Health and Human Services Section completed its first full year as a Section and its representation of the consolidated Utah Department of Health and Human Services (DHHS). In addition to its public health activities, the DHHS administers many programs for services provided to vulnerable individuals in Utah.

The HHS Section’s team of 13 attorneys provide substantive legal services to each DHHS program, which includes Medicaid, the Children’s Health Insurance Program, the Office of Substance Abuse and Mental Health, Services for People with Disabilities, the Utah State Developmental Center, Adult Protective Services, the Office of Public Guardian, the Center for Medical Cannabis, the Utah State Hospital, Juvenile Justice and Youth Services, Office of the Medical Examiner, Primary Care and Rural Health, the State Laboratory, the Office of Vital Records, the Division of Licensing and Background Checks, Maternal and Child Health Services, the DHHS Fatality Review Committee, the Center for Health Data and Informatic, Health Promotion and Prevention, Communicable Diseases and Emerging Infections.

RESPONSIBILITIES

- Advising the Department to ensure the privacy and security of all individual data collected by the Department, including compliance with HIPAA and HITECH and State health data code
- Assisting in the drafting and execution of all contracts and memoranda of agreements executed by the Department
- Assisting in the drafting and implementation in more than 100 administrative rules of the Department
- Representing the Department in the compliance of licensing requirements of healthcare facilities, foster homes, childcare facilities, adult day care, adoption agencies, day treatment, intermediate secure care, outpatient treatment, residential support, residential treatment, social detoxification, outdoor youth programs, recovery residences, and other various human services programs that protect the dependent and vulnerable individuals in Utah
- Advising the Department in carrying out its statutory duties under the Utah Emergency Medical Services System Act to coordinate the provision of emergency medical services, including ground transport, air transport and non-transport services, in all areas of the state
- Representing Department programs in administrative hearings, adjudicative proceedings, and civil litigation in state and federal court
- Providing legal guidance to the Department in its efforts to identify, control, and prevent communicable diseases and in the reduction of risk factors causing injury, sickness, death and disability to Utahans such as the syringe exchange program, Baby Your Baby media campaigns, and health disparities reduction
- Advise the Department in drafting and implementing rules related to public areas safety and sanitation such as public pools and public eating establishments
- Advising the Department on various legal issues arising from its administration of the Utah State Hospital as part of the State’s comprehensive mental health program, including representing the Utah State Hospital in competency determinations for criminal defendants
- Advising the Department in carrying out the Settlement Agreement entered in *Christensen and DLC vs. DHHS* including contracts, guardianships, rulemaking, bed delicensing, HCBS Grants, education and training, reporting, licensing, statutory changes, advisory committee, and discouragement log issues
- Providing legal advice to the Department’s various ombudsman and oversight programs such as the Long-Term Care Ombudsman, Disability Ombudsman, Child Protection Ombudsman, the Department Fatality Review Committee, and the Division of Continuous Quality Improvement
- Advising the Department’s Division of Integrated Healthcare in coordinating the provision for or payment of healthcare to uninsured, low-income, elderly, or disabled Utah residents
- Providing legal advice to 34 statutory boards and commissions overseen by the Department

BY THE NUMBERS

ENVIRONMENT	HEALTH & HUMAN SERVICES
 ADMINISTRATIVE ENFORCEMENT MATTERS 142	 CONTRACTS & GRANTS 893
 PERMITTING 76	 AGENCY REVIEWS 2,946
 COMPLIANCE (NOVs & Orders) 142	 HEARINGS 309
 MATTERS WITH REPRESENTATION <small>(OPPOSING COUNSEL)</small> 132	 ADMINISTRATIVE RULES REVIEWED/DRAFTED 373

HIGHWAYS & UTILITIES

OVERVIEW

The Highways & Utilities Division represents and provides legal advice to the Utah Department of Transportation (UDOT) in the following areas: eminent domain actions (condemnation), real estate transactions, leases, property valuation, property encroachments, right-of-way boundary and access disputes, easements (construction, access, utility, light, air and view), exactions and dedications, construction disputes, construction contracts, debarments and suspension of contractors, relocation assistance, billboards/outdoor advertising regulation, junkyard regulation, ski lifts/ropeway/tram regulation, rulemaking, and all aspects of motion and trial practice.

In addition, Highways & Utilities represents the Division of Public Utilities and the Office of Consumer Services to help ensure that public utilities only charge reasonable rates and provide efficient services.

The Division also provides legal counsel and support to the Utah Department of Public Safety (DPS) on a variety of law enforcement and public safety issues. This includes providing support for driver licensing, criminal history records, fire prevention, emergency response, forensics, highway safety, and taking action against peace officer certifications. The division works with DPS to develop policies, manage legal risks, and represent DPS in legal actions.

Finally, the Division advises and represents the Utah Transit Authority (UTA) in a variety of matters involving public transit including complex civil litigation, capital improvement projects, procurement, federal grant compliance, property acquisition and management, transit-oriented development partnerships, police operations, agreements for enhanced access to public transit by disadvantaged persons, and legal support for the Board of Trustees and its Local Advisory Council. Effective May 1, 2024, the UTA section moved to the Tax & Financial Services Division.



BY THE NUMBERS

DEPARTMENT OF PUBLIC SAFETY (DPS)



NEW MATTERS

158



CLOSED MATTERS

151

UTAH TRANSIT AUTHORITY (UTA)



NEW MATTERS

64



CLOSED MATTERS

35

APPROXIMATE DOLLAR AMOUNTS
IN CONTROVERSY

\$2,500,000

DRIVERS LICENCE DIVISION



NEW CASES

62



CASES CLOSED

43

UTAH DEPARTMENT OF TRANSPORTATION (UDOT)



NEW MATTERS

35



CLOSED MATTERS

71

APPROXIMATE DOLLAR AMOUNTS
IN CONTROVERSY

\$1,030,000,000

DIVISION OF PUBLIC UTILITIES*

*DPU and OCS cases combined.



MATTERS

375

APPROXIMATE TOTAL DOLLAR
AMOUNTS AT ISSUE

\$63,519,742.46

TAX & FINANCIAL SERVICES

OVERVIEW

The Tax & Financial Services Division of the OAG provides legal representation to the Utah State Tax Commission, the Utah Insurance Department, and the Utah Department of Financial Institutions. The division also represents the State of Utah in the issuance of state and local governmental bonds and monitors the termination and modification of charitable trusts.

The division represents the state in tax litigation involving millions of dollars in sales, income, and other taxes, as well as providing legal representation on a large number of key property-assessment tax matters.

Auditing attorneys represented various divisions of the Tax Commission in administrative proceedings involving corporate franchise, individual income, sales, cigarette and tobacco, and other state taxes. Resolution of these matters corrected errors and facilitated compliance with Utah's tax laws. Auditing Section attorneys also represented the Tax Commission in matters before the State Records Committee and in state court.

PROPERTY

Property Tax represents the Tax Commission in property tax, collection and motor vehicle titling, registration, and dealer regulation matters. The property tax matters include representing the Centrally Assessed Division of the Tax Commission in defending its assessment of mining, oil & gas, utility, and transportation properties.

Property Tax matters also include representing the Tax Commission in district and appellate courts on appeal of its centrally and locally assessed property decisions. Collection matters include representing the Tax Commission in bankruptcy court actions locally and nationwide when taxes are owed by the entity or individual filing bankruptcy.

Collection matters also include assisting the Tax Commission in district court where section attorneys provide advice to the Tax Commission in many different areas, including maintaining the confidentiality of taxpayer information and responding to GRAMA requests. In addition, the Property Tax Section represents the OAG regarding its common law authority to protect the public charitable interest regarding the termination and modification of charitable trusts.

TAX

The Tax Section of the division represents the Utah State Tax Commission in administrative proceedings heard by the Tax Commission and in trial and appellate courts (if the Tax Commission's decisions are appealed) in the areas related to the following units of the Tax Commission: Customer Services, Miscellaneous Tax, Tax and Revenue, and Enforcement (motor vehicle).

FINANCIAL SERVICES

The Financial Services Section represents the Insurance Department, Financial Institutions, and State Treasurer for purposes of issuing municipal bonds.

AAGs represent these agencies as both general counsel and as enforcement counsel in matters dealing with violations of Utah law. AAGs were successful in revoking the license of an insurance company and agent that defrauded customers and stole their money.

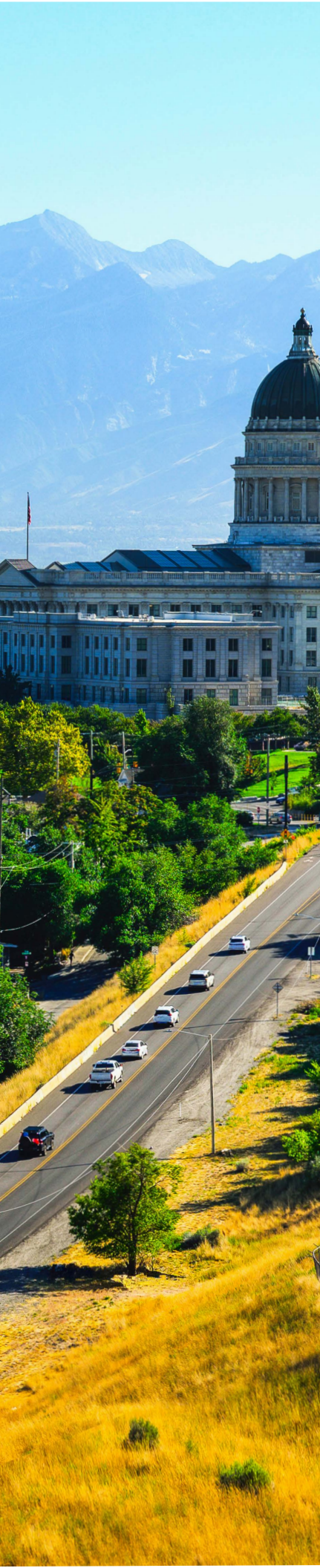
AAGs were successful in issuing bonds to secure funding for several charter schools in Utah. The state did not need to issue general obligation or lease revenue bonds in 2024 because of the positive cash flow of the state in FY 2023.



CRIMINAL DEPARTMENT

7 DIVISIONS

111 ATTORNEYS, 61 AGENTS,
& 93 STAFF



JUSTICE

OVERVIEW

The Justice Division is comprised of prosecutorial units working together with specialized investigative units in the areas of Criminal Non-Support (CNS), Internet Crimes Against Children (ICAC), the SECURE Strike Force, and the DEA/HIDTA Drug Prosecution Unit, as well as units servicing the Insurance Division, the Office of Recovery Services (ORS), and the Department of Workforce Services (DWS).

The division includes a Special Prosecution Unit (SPU) that handles or assists other jurisdictions on complex matters including public corruption; the State Racketeering Influenced and Corrupt Organizations Act (RICO); identity theft; serious and violent felonies including murder, capital murder, child and elder abuse and exploitation; and asset forfeitures. The division also manages and houses the Utah Prosecution Council.



VICTIM SERVICES

Critical to the OAG's efforts against crime is its support of victims of crime. Currently, the OAG has one Victim Coordinator for the thousands of cases it handles annually.

The Victim Coordinator is tasked with ensuring the OAG complies with the Utah's Victims' Rights Statute and provides assistance and support to victims and staff during the investigation, prosecution, and appeals of a case.

The Victim Coordinator also provides assistance to victims on inactive cases, victims on cases not prosecuted, and members of the general public with inquiries. In addition, the coordinator often provides assistance to potential victims and witnesses while SECURE team investigators determine a party's specific role in the case. The coordinator also serves on the Utah Trafficking in Persons (UTIP) task force, acts as Co-Chair of the UTIP Youth Subcommittee, and provides quarterly reports for the UTIP grant.

The victim coordinator currently serves on the following local/state committees:

- Third District's Rights Committee
- National Crime Victims' Rights Week Committee
- Utah Coalition Against Sexual Assault Training Committee
- Salt Lake County Victim Advocate Committee
- Utah DPS SIAC (Interdiction for the Protection for Children-Certified Trainer)
- Human Trafficking Juvenile Working Group
- STOP VAWA (Violence Against Women Act) Implementation & Planning Committee

BY THE NUMBERS



VICTIMS & WITNESSES

1,708



ACTIVE CASES

349



CASES CLOSED

124

INSURANCE FRAUD

Insurance fraud occurs when individuals deceive an insurance company, agent, or other person to try to obtain money to which they are not entitled. It happens when someone puts false information on an insurance application and when false or misleading information is given or important information is omitted in an insurance transaction or claim.

Insurance fraud is committed by individuals from all walks of life. The Insurance Fraud Division (IFD) has prosecuted doctors, lawyers, chiropractors, car salesmen, insurance agents, and other persons in positions of trust.

Anyone who seeks to benefit from insurance with inflated or false claims of loss or injury commits insurance fraud.



BY THE NUMBERS



CRIMINAL NON-SUPPORT

CNS Mission Statement

The Criminal Nonsupport (CNS) Team mission is to improve the lives of Utah families by helping parents provide for the financial and emotional needs of their children by establishing and enforcing child support orders. The CNS team consists of two attorneys, two paralegals, and a legal secretary.



BY THE NUMBERS





INTERNET CRIMES AGAINST CHILDREN TASK FORCE

SUMMARY

The Utah OAG ICAC Task Force is a multi-jurisdictional task force that investigates and prosecutes individuals who use the Internet to exploit children within Utah. The ICAC Task Force prosecution team consists of four attorneys and one legal secretary.

Their mission is to serve the citizens of Utah through timely, proactive, ethical, vigorous, and impartial enforcement of the laws of Utah; improve the safety of our communities; and do justice in every matter. This mission is accomplished by:

- Assisting state and local law enforcement agencies and prosecutors in investigating and effectively prosecuting cases involving enticement of minors, dealing in material harmful to minors, child pornography, and other related Internet-facilitated crimes against children;
- Seeking the imposition of evidence-based sentences on offenders, appropriately protecting the children of our community, and effectively reducing recidivism;
- Acting as a resource and fostering continual collaboration between local, statewide, and federal agencies in information sharing, networking, and case prosecution; and
- Seeking and maintaining a reputation for professionalism, respect, efficiency, reliability, and legal expertise.



ICAC Tip Line:
801.281.1211

ICAC Email:
utahicac@agutah.gov



**2024 Utah Winner
3rd Place
National Winner**

Abby | Age 10

2024 National Missing Children's Day Poster Contest

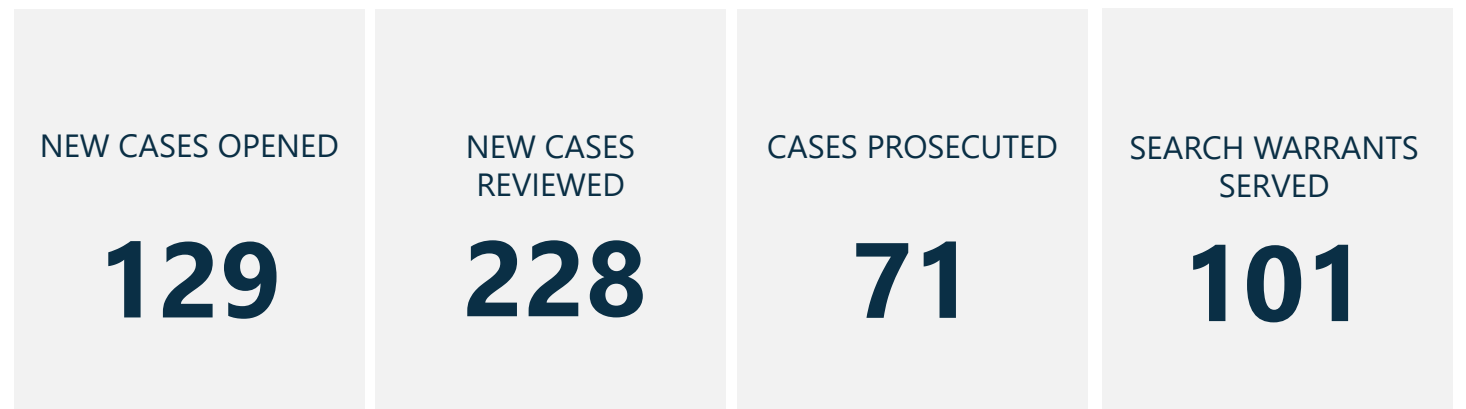
The OAG again participated in the poster contest run by the U.S. Department of Justice for National Missing Children's Day. The OAG mailed out contest information to schools throughout Utah as well as to all of the state's community partners.

Abby was our 2024 Utah Winner with a poster entitled "Bringing our missing children home." Abby shared that her "poster is about even if your child is missing there never far from home...and I made this poster to remind people that your child is always with you."

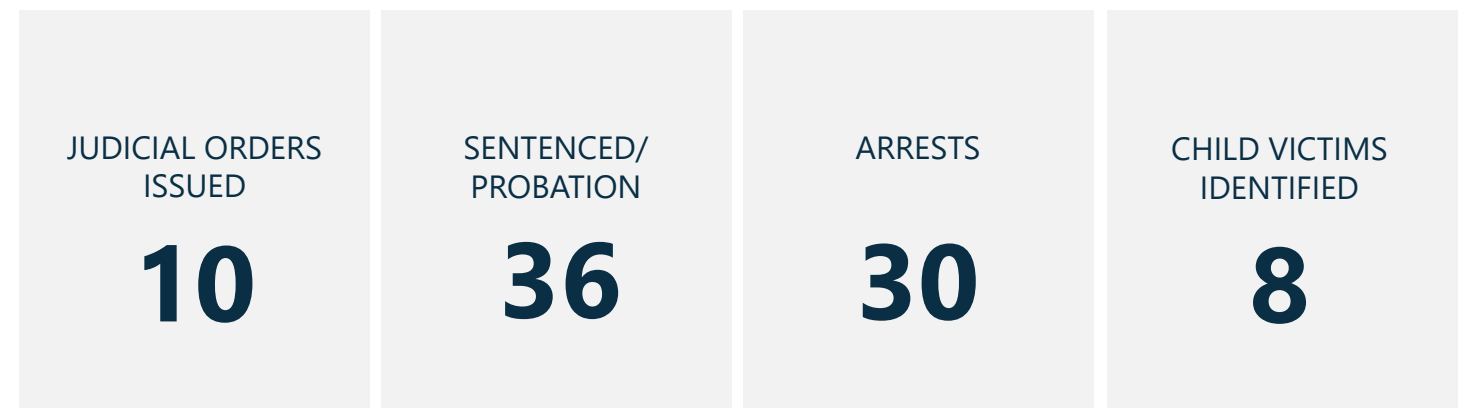
Abby also placed 3rd in the National contest marking the first time Utah has had a submission rank nationally!

BY THE NUMBERS

Investigations



Prosecutions





STATEWIDE ENFORCEMENT OF CRIMES BY UNDOCUMENTED RESIDENTS (SECURE) TASK FORCE

SUMMARY

The SECURE Strike Force (SECURE) partners with many Federal and State law enforcement agencies to ensure the directive of the legislature, including the U.S. Attorney’s Office, U.S. Immigration & Customs Enforcement (ICE/ERO), U.S. Secret Service, U.S. Postal Inspection Service, West Jordan Police Department, West Valley City Police Department, Ogden Police Department and other state and local law enforcement agencies throughout the state.

SECURE's Investigators, Prosecutors and support staff are active participants in the Utah Trafficking in Persons Task Force (UTIP). SECURE's unique ability to thoroughly investigate these large-scale crimes and follow-up with a large-scale prosecution of these offenders helps ensure the safety of Utah’s communities and protect the rights of all Utahns.

SECURE will continue to educate and train local law enforcement agencies, juvenile services, non-governmental organizations (NGOs), and other related entities in the area of human trafficking. The SECURE Task Force will continue evaluating and updating their strategies as traffickers adapt to evade detection and arrest.

NOTABLE CASES

State of Utah v. Michael Ricks

In October of 2021, Mr. Ricks was charged with 2 counts of Aggravated Human Trafficking for sexual exploitation, 3 counts of aggravated exploitation of prostitution, and multiple drug offenses. Mr. Ricks engaged in a scheme of recruiting commercial sex workers to work for him and reside in properties he leased. Mr. Ricks would control the women through manipulation of drug addiction and promises of extreme wealth. After his arrest, he was subsequently charged with multiple felony violations of a protective order and felony witness tampering.

On October 10, 2023 Mr. Ricks pled guilty to two counts of Agg. Exploitation of prostitution as F2s, aiding prostitution as a Class A, possession of controlled substance (heroin as Class A, MDMA as Class A, and marijuana as F3) in the first case, and he pled guilty to felony violations of a protective order and witness tampering in the second case.

On January 26, 2024, Mr. Ricks was sentenced to two concurrent prison sentences of 1-15 years for the first case, and a consecutive 0-5 years in prison for the second case. Two of the identified victims were present for sentencing and spoke.

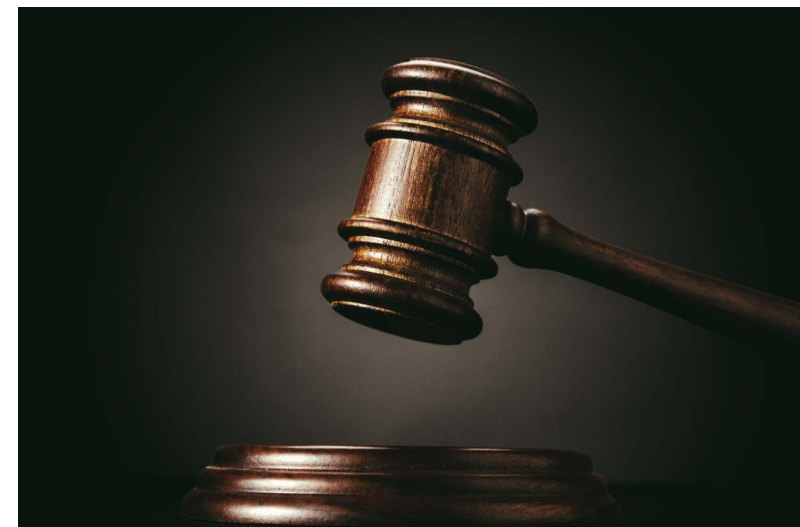


SPECIAL PROSECUTION UNIT

The Special Prosecution Unit (SPU) is an experienced group of elite attorneys specializing in aggravated felonies, public corruption, sexual abuse, narcotics, weapons, theft, and fraud.

The section works in partnership with both the OAG, Special Investigations Unit, and local law enforcement agencies to promote a safe and lawful environment for residents statewide.

The section serves to implement the criminal justice system and minimize negative impact upon the lives of victims, witnesses, and their families during the prosecution of felony crimes, which is best achieved through: justice, fairness, prompt and courteous attention, and cooperation with law enforcement.



SPU is comprised of the following units:

- DEA/HIDTA Drug Prosecution Unit, which handles Federal and State DEA-related cases.
- Department of Workforce Services and Social Security Administration Unit, which handles fraud cases.

The Special Prosecution Unit advises, handles, or assists other jurisdictions on complex matters including multi-jurisdiction and conflict cases, public corruption, asset forfeiture, factual innocence, State RICO, and all serious and violent felonies including death penalty, capital murder, homicide, and physical sexual abuse and exploitation.

BY THE NUMBERS (SPU)



NOTABLE CASES

Lokos Money Laundering Case: Money laundering conspiracy case involving multiple individuals and entities who had been successfully laundering nearly 20 million dollars yearly in proceeds from narcotics sales to Mexico and Honduras.

This case took months of investigation and a unique wiretap investigation that hadn’t been done in Utah in over twenty years, resulting in the indictment of 27 defendants plus 1 business, as well as the seizure of 11.9 lbs. of cocaine, .5 lbs. of crack, 109,377 pills of fentanyl, 31.3 lbs. of heroin, .2 lbs. of marijuana, .6 lbs. of meth, \$250,446 in cash, and 5 guns.

Muayed Kareem Case: March 6, 2024, search warrants were executed on the home, vehicle, and business of Muayed Kareem, 47, of Sandy, Utah.

Law enforcement agents recovered a loaded Smith & Wesson .38 Special, three bags containing a white powdery substance that tested positive for synthetic cathinones, α -PVP, known as “bath salts” worth \$11,200.

Agents also seized a fake saltshaker full of small plastic baggies used for distribution, a prescription bottle with 366 of 30 mg Oxycontin, a total of \$41,600 cash, approximately 948 blue tablets with “A-51” and “M-30 stamped on them and identified as Oxycodone, 1,067 white oval shaped tablets stamped with “M367” and “M366” identified as hydrocodone, 643 white oval shaped tablets stamped with “G037” identified as Lortabs. Kareem is charged with possession of α -Pyrrolidinohephenone (α -PVP) with intent to distribute and carrying a firearm during and in relation to a drug trafficking crime.



FIRST-DEGREE FELONY CASE REVIEW (HB 281 CASES)

In accordance with House Bill 281, the OAG accepts cases for review that have been investigated, then screened, and declined for prosecution by a district or county attorney.

Victims in such a case, or the representative of a victim, can refer their case to the Justice Division of the OAG.

The request will be quickly evaluated to determine whether the case meets the review criteria of the new law. If criteria are met, the victim or representative is contacted for the next steps.

BY THE NUMBERS



UPC | UTAH PROSECUTION COUNCIL

Training and Serving Utah Prosecutors Since 1990

OVERVIEW

Utah Prosecution Council (UPC) is a statutorily-created agency composed of twelve members that includes the Attorney General, four elected county/ district attorneys, four city prosecutors, the Commissioner of Public Safety, the Chair of the Utah Prosecutor Assistant's Association (UPAA), and the Chair of the Statewide Association of Prosecutors and Public Attorneys (SWAP). UPC is mandated to provide continuing legal education to prosecutors. UPC provides current and relevant legal training to state and local prosecutors, law enforcement agencies and officers, and victim advocates. UPC also works with SWAP to effectively and accurately represent and advocate for the interests of public attorneys.

Full-time staff include a Director, a training coordinator who is responsible for all logistical aspects related to UPC's conferences, an IT specialist who is the project manager for a statewide prosecutorial case management system, and two specialty resource prosecutors: a Traffic Safety Resource Prosecutor (TSRP) and a Sexual Assault/Domestic Violence Resource Prosecutor (SADVRP). These resource prosecutors provide expert assistance to prosecutors and law enforcement personnel statewide.

PURPOSE

The purpose of the UPC is to provide high-quality continuing legal education training for state and local prosecutors through full participation of all prosecution agencies. UPC facilitates communication between law enforcement partners, state agencies, and advocacy groups working to achieve the highest levels of success. UPC provides cutting-edge training and resources to assist all members to better perform their duties.

UPC also provides statutorily mandated training to law enforcement officers in trauma-informed responses and investigations of sexual assault and sexual abuse. UPC staff and select faculty travel the state offering this course several times each year.

UPC INVOLVEMENT

Conferences

UPC holds the following conferences on an annual basis:

- Spring Caselaw and Legislative Update
- Regional Legislative Updates
- Utah Prosecutorial Assistants Association Annual Conference
- Basic Prosecutor Course
- Fall Prosecutor Training
- Government Civil Practice Conference
- Utah Misdemeanor Prosecutors Association Conference
- County/District Attorney Executive Conference

Courses

UPC offers additional courses, including the following, as needed and as funding allows:

- New County/District Attorney Seminar
- Train the Trainers
- DV101 Bootcamp (Jan 2021, Nov 2024)
- Mental Health 101
- Adult Sex Crimes
- Advanced Trial Skills
- DUI/DRE Training
- The Visual Trial
- White Collar Crime

UPC Director Robert Church teaches the Domestic Violence 101 course to new cadets at the Peace Officer Standards Training (POST) academy multiple times each year.

Boards & Commissions

Members of the UPC Staff serve on the following boards and commissions:

- Editorial Board of the Utah Journal of Criminal Law
- National District Attorneys Association Veterans Committee
- National Association of Prosecutor Coordinators (Chair of Finance Committee)
- Utah Prosecutor Assistants Association
- Utah Council for Victims of Crime, Crime Victims Conference Sub-Committee (Co-Chair)
- Sexual Assault Kit Initiative (SAKI) Case Review Committee
- Domestic Violence Advisory Council, Sexual Assault Advisory Council and Justice Sub-Committee
- Multi-Disciplinary Trauma Informed Committee
- Trauma Curriculum Committee (Chair)
- Alcohol Drug and Fee Committee (Chair)
- Criminal Justice Track for the National Lifesaver's Conference
- Utah e-Warrant Review Committee

UPC also helps eligible prosecutors and public defenders repay their student loans through its administration of the John R. Justice Federal Student Loan Repayment Program.

BY THE NUMBERS (UPC)



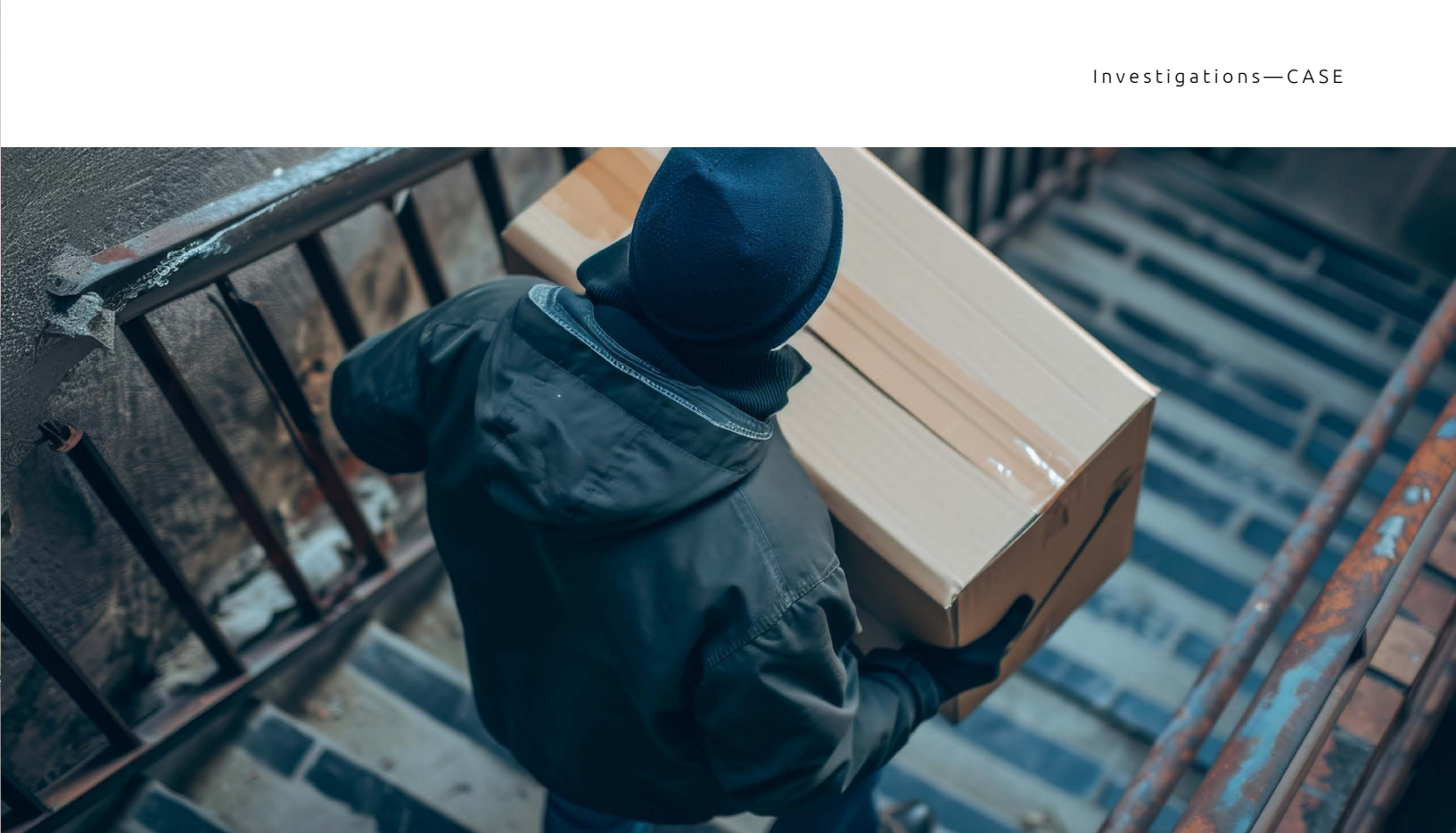
TOTAL NUMBER OF CONFERENCES AND REGIONAL TRAINING EVENTS

33



TOTAL NUMBER OF INDIVIDUALS TRAINED AT UPC EVENTS

1,382



INVESTIGATIONS

OVERVIEW

The Investigations Division identifies, apprehends, and assists in the prosecution of violations of the criminal laws of the State of Utah and the United States through investigation of criminal complaints in the areas of: complex white-collar and financial crimes; public corruption; general fraud; child abuse and exploitation (includes sexual abuse, physical abuse, homicide, and child pornography); cybercrime, internet fraud, identity theft, and internet crimes against children; crimes associated with closed societies; environmental crimes; antitrust; disability; and significant street crime including homicide, aggravated assault, and sex crimes where a local authority requests involvement.

This division provides investigative support to the prosecutors of the Justice Division on prosecution referrals and also receives referrals from the Grand Jury Panel of Judges to conduct investigations to determine if sufficient cause exists to convene a state grand jury.

All investigators are POST-certified state peace officers.

CRIMES AGAINST STATEWIDE ECONOMY (CASE)

With the passage of HB 461 in 2020, the Utah Legislature tasked the OAG and the Utah Department of Public Safety to “create and coordinate the operation of a multi-agency joint strike force to combat criminal activity that may have a negative impact on the state's economy” (U.C.A. § 67-5-37). Today, a team of elite investigators, highly qualified prosecutors and support staff carry out this mandate in the form of the C.A.S.E. (Crimes Against State Economy) strike force.

The CASE Strike Force partners with many Federal, State, and local law enforcement agencies as well as law enforcement agencies in surrounding states.

Through these partnerships and its own independent investigations, the CASE Strike Force capably investigates and prosecutes cases including but not limited to: Organized Retail Crime, Cargo Theft, Porch Piracy, Gambling and Catalytic Converter Scrap Metal thefts each year.

The CASE Strike Force team of investigators, prosecutors and support staff are active participants in the private industry groups such as the Utah Organized Retail Crime Association, the Retail Industry Leaders Association, Chamber West, and the Coalition of Law Enforcement and Retail.

In this role, they work with non-governmental organizations and other stakeholders to combat crimes that impact retailers doing business in the state of Utah. Investigators from the CASE Strike Force have become recognized experts in their field, presenting on these topics across the country and at major national conferences.

Agents from CASE have been invited to speak to retail stakeholders and elected officials from numerous other states regarding the importance of starting similar strike forces and have conducted training on how to investigate and prosecute these types of complex cases.

The CASE Task Force’s unique ability to investigate and prosecute large-scale crimes helps ensure the safety of Utah’s economy and protects the rights and property of all Utahns.

BY THE NUMBERS (CASE)



NOTABLE CASES

Theft Ring | Home Depot alerted the CASE Strike Force to multiple individuals who were stealing water heaters and other home improvement items through a scheme utilizing counterfeit purchase receipts. Two residential search warrants were served, and over \$17,000 in products were recovered including 18 new in the box water heaters. All seven individuals were charged and have plead.

Counterfeit DVD Movies | The CASE Strike Force received information from eBay regarding multiple related accounts from the Draper area which appeared to be selling counterfeit DVDs on the eBay platform. A residential search warrant was served on the two suspects’ homes in Draper and over 3,800 counterfeit DVDs. In addition, multiple warrants were served on the suspects’ bank accounts with over \$30,000 being seized.

Booster Blitzes/Organized Retail Crime Traveling Crew | The CASE Strike Force regularly organizes operations referred to as booster blitzes as a way to work with local law enforcement and retailers to curb retail theft, generate intelligence, and establish relationships within the retail community.

While conducting one of these booster blitz operations with Taylorsville Police, three males were identified by Ross Dress for Less as a traveling organized retail crime (ORC) crew out of California. These males were observed stuffing purses and fragrances into their pants utilizing Spanks to hold the items in place. As they exited the store, they were approached by multiple officers but opted to run. Officers gave chase as the suspects sprinted in three different directions while throwing purses and perfumes.

All three of them were caught and found to have tools specific to counter Ross security measures. Officers recovered just over \$3,000 in product they had on them as well as another \$8,000 worth of product in their van. All three were arrested and later deported.



UTAH TRAFFICKING IN PERSONS TASK FORCE

OVERVIEW

The OAG SECURE Strike Force investigates and prosecutes human trafficking offenses as part of its mandate from the Utah Legislature. The OAG also hosts and coordinates the efforts of the Utah Trafficking in Persons Task Force (UTIP).

UTIP is a multi-disciplinary group of experts from law enforcement, academia, victim services, state and federal agencies, and non-governmental organizations (NGOs) working together to combat human trafficking in Utah.

UTIP’s goal is to attack every aspect of the human trafficking problem—not just prosecuting offenders, but also rescuing victims and providing them with aftercare, educating the public on trafficking issues, and improving legislation.

Working together with UTIP, the OAG has made major strides in bolstering Utah’s response to human trafficking. Utah is now recognized as a leader in combatting this horrible crime.

INVESTIGATIONS

OAG investigators actively investigate human trafficking cases throughout the state. In addition to running its own proactive investigations, the Investigations Division also takes referrals from local police departments, follows up on tips from the National Human Trafficking Hotline, and works with victims referred by UTIP partners.

VICTIMS

In the course of its human trafficking investigations, the division works to identify human trafficking victims and refer them to comprehensive victim services through its UTIP partners. Although arresting and prosecuting offenders is a major goal of the division, rescuing human trafficking victims is even more important.

SPECIAL INVESTIGATIONS UNIT (SIU)

The Special Investigations Unit (SIU) has a primary focus of complex, multi-jurisdictional, multi-victim, and felony-level investigations. These investigations include fraud, public corruption, officer-involved critical incidents, conflict cases, agency assists, and other miscellaneous crimes. SIU is currently made up of nine Special Agents and one Direct Supervisor, three Reserve Agents, two Evidence Technicians, and one Training Specialist.

Case Highlight

Ryan Goodrich/Synergy Title Fraud Investigation

An investigation into Ryan Goodrich and Synergy Title Insurance Agency, LLC, was initiated due to allegations that Goodrich engaged in a wide-ranging scheme to defraud property buyers, sellers, and lenders through numerous false representations, pretenses, promises, false wire receipts, or material omissions. Goodrich closed several real estate transactions in which he failed to disburse funds according to the settlement statements to pay off the sellers' existing mortgages. Goodrich also failed to disburse earnest money to respective victims, filed forged documents which allowed him to obtain a loan on the home, and defrauded several lenders.

By the conclusion of the investigation in April of 2024, it was found that Goodrich had victimized over 20 individuals resulting in considerable financial loss of over \$9 million. Upon his arrest, Goodrich pled guilty to one count of Communications Fraud and one count of Pattern of Unlawful Activity, both second-degree felonies, and agreed to pay over \$6,000,000 in restitution. Goodrich was sentenced on October 16, 2024 to two 1-15 year sentences to run consecutive to additional convictions he had on other cases unrelated to this one. He was also ordered restitution in the amount of \$6,566,488.43.

SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION (SITLA)

There is one SIU agent that is assigned to investigate any potential crime involving the School and Institutional Trust Lands Administration (SITLA). These investigations have included issues arising from staged protests, seed gathering, illegal timber cutting, and illegal mining. This position is fully paid for by SITLA.

BY THE NUMBERS (SIU)

CASES OPENED

129

INVESTIGATIONS REQUESTED/REVIEWED

260

SEARCH WARRANTS

33

ARRESTS

31

VIRTRA BACKGROUND

The OAG's VirTra™ started operations in September 2015 with the support of the Legislature, the Governor, and many other public safety partners. The Center's mission is to advance law enforcement in Utah by providing cutting-edge, high-tech virtual reality training to over 100 Utah law enforcement agencies at the city, county, state, and federal levels in the following areas:

Constitutional Use of Force, Autism Awareness, Tactical Medical Care, Street-Smart De-escalation, Crisis Communications, Duty to Intervene, Officer Self-De-Escalation, Stress Management, Decision Making, Taser Management, Tactical Medical and Community Leader Education.

VIRTRA NOTABLE SUCCESSES

Investing in Utah Public Safety Training

In July of 2024, the OAG made a significant investment in virtual reality training for Utah law enforcement with the upgrade and installation of the VirTra™ ProTruss 300 simulator. This cutting-edge simulator is supported by advanced training content, and realistic immersive scenarios.

My Story – Kyle Dinkheller Program

Based on the murder of Deputy Kyle Dinkheller during a traffic stop in Georgia, this has been one of the most requested training programs of all VirTra™ offerings. It emphasizes officer and citizen safety during traffic stops and refines fundamental policing skills such as verbal de-escalation, stress management, mental health awareness and the appropriate deployment of less lethal use of force to resolve complicated citizen encounters.

Duty to Self-De-Escalate and Community Accountability

As part of VirTra's continued effort to support constitutional policing and community accountability, the Training Center offers a program to help officers and deputies self-de-escalate and manage their emotions during highly charged encounters and crisis events.

Autism Awareness for First Responders

OAG VirTra™ continues to support Utah's autism community by providing autism awareness training while engaging with the public.

This program includes a multimedia presentation, interactive simulator scenarios, classroom instruction, and a discussion with leaders and volunteers from the Autism Council of Utah.

Duty to Intervene

The Utah Legislature passed Senate Bill 126, codifying an officer's duty to intervene in another officer's unconstitutional use of force or other violations of constitutional rights. The bill received broad support from law enforcement, civic advocacy groups, the legal community, and major political parties. The bill passed unanimously in the Senate and the House of Representatives.

The Utah Code Annotated 53-6-210.5 created standards defining police misconduct; set standards for intervention and reporting requirements in law enforcement agencies; directed the Peace Officer Standards and Training Council to establish minimum standards for reporting police misconduct; and prohibits retaliatory action against an officer who reports police misconduct.

In response to this law, VirTra™ educates officers on the standards, requirements, and community expectations for officer intervention and reporting officer misconduct.

VIRTRA NOTABLE TRAINING SUCCESSES (cont.)

Core Training - Use of Force / De-escalation

The Training Center offers fundamental training courses on the Constitutional Use of Force Decision Making and De-escalation for law enforcement agencies and is a platform by which agencies may evaluate new hires and lateral transfers. Some agencies have integrated the Training Center's use of the VirTra™ simulator to into their in-house orientation of new hires.

COPTALKS Video Library

The Training Center's COPTALKS library contains over 30 video titles. This video series addresses various legal and best practices and is produced to be used with the virtual reality scenarios shown in the VirTra™ simulator. Utah law enforcement community members have requested the OAG's Training Center to make its COPTALKS video library available for in-service and roll-call training. Access to this library is now open to allied law enforcement agencies.

Community Leader Educational Program

To help key community leaders in their management of police budgets, policies, training, and organizational development, the OAG's Training Center developed a Community Leader Education Program.

This program is designed to help legislators, mayors, council members, district attorneys, educators, school administrators, faith-based leaders, media, and others understand the realities and challenging work environment of police.

The VirTra™ simulator provides leaders with the opportunity to step into the shoes of a police officer and make split-second judgments under circumstances that are "tense, uncertain, and rapidly evolving." The program helps community leaders understand the practical limits of police policy improvement.



BY THE NUMBERS (VIRTRA)

27	Local and state law enforcement agencies have completed training programs in the Virtra simulator
987	Law enforcement officer training sessions completed
31	Community leader groups that participated in police use of force and de-escalation presentations (city, county, and state government organizations)
261	Community leaders that participated in use of force and de-escalation educational presentations (mayors, council members, legislators, citizen advisors, faith-based leaders, school administrators, media personnel, and other community leaders)

COOPERATIVE DISABILITY INVESTIGATION UNIT

The Salt Lake Cooperative Disability Investigation Unit (CDIU) is a multi-agency task force that investigates fraudulent disability applicants and recipients. The Salt Lake CDIU investigates disability claims under the Social Security Administration's (SSA) Title II and Title XVI programs that Utah disability examiners believe are suspicious. There are currently four Special Agents (one of which acts as the supervisor) and one Criminal Information Specialist, assigned to the Salt Lake CDIU from the OAG. The positions are all fully funded federally (wages and benefits), and the OAG is reimbursed from the SSA for the costs associated with the five staff members assigned to the Salt Lake CDIU. The Salt Lake CDIU program's primary mission is to obtain evidence that can resolve questions of fraud before benefits are ever paid. The Salt Lake CDIU may also provide investigative support to examiners during continuing disability reviews that can be used to cease benefits

of in-payment beneficiaries. Upon completion of the investigation, a report detailing the investigation is sent to Disability Determination Services (DDS), where staff serve as the ultimate decision-making entity in determining whether a person is eligible to receive a monthly disability benefit payment. If the claimant is already receiving benefits, DDS and/or SSA will determine whether the person's benefits should be continued or terminated. In some cases, there is a possibility of criminal prosecution, the imposition of Civil Monetary Penalties (CMP), or administrative sanctions may occur. The Salt Lake CDIU began operating in April 2011. A team leader assigned from the Office of the Inspector General (OIG) supervises the Salt Lake CDIU. The following agencies are members of the Salt Lake CDIU Task Force: the Office of the Inspector General, Disability Determination Services, the Social Security Administration, and the OAG.

BY THE NUMBERS

			
ALLEGATIONS RECEIVED	CASES OPENED	CASES COMPLETED	TOTAL SAVINGS
63	50	125	\$5,727,577

CHILD PROTECTION

OVERVIEW

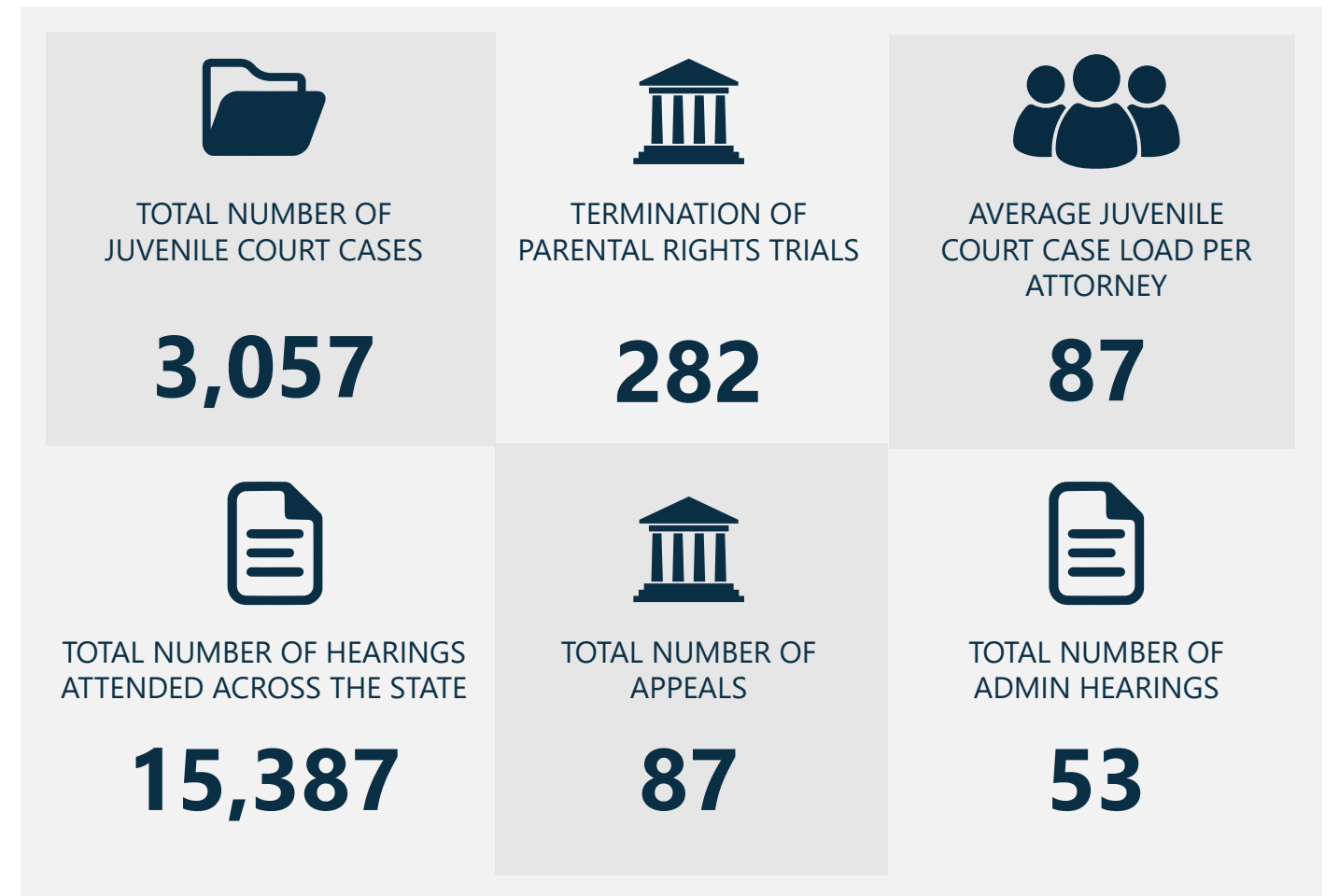
The Child Protection Division provides judicial protection for children who are in imminent danger or at risk of abuse or neglect. Division attorneys work in tandem with partners in the Utah Division of Child and Family Services (DCFS) to ensure that evidence is clear and that proper legal processes are followed whenever the state decides that it is necessary to intervene into the privacy of a family in order to protect a child.

RESPONSIBILITIES

- Present evidence of abuse and neglect to prove that a child is in need of the court’s protection.
- Provide DCFS with legal advice on its duties and responsibilities, and represent the agency in making its recommendations regarding a child and its family to the court.
- Assure that court orders entered for the protection of the child and for the rehabilitation of the family are enforced.
- Bring legal action to provide supervision and services in the home or to determine an alternative permanent living arrangement for an abused or neglected child when a family fails or refuses to remedy the abuse or neglect within the time allowed by law and the behavior makes the home unsafe for the child.



BY THE NUMBERS



CHILD & FAMILY SUPPORT

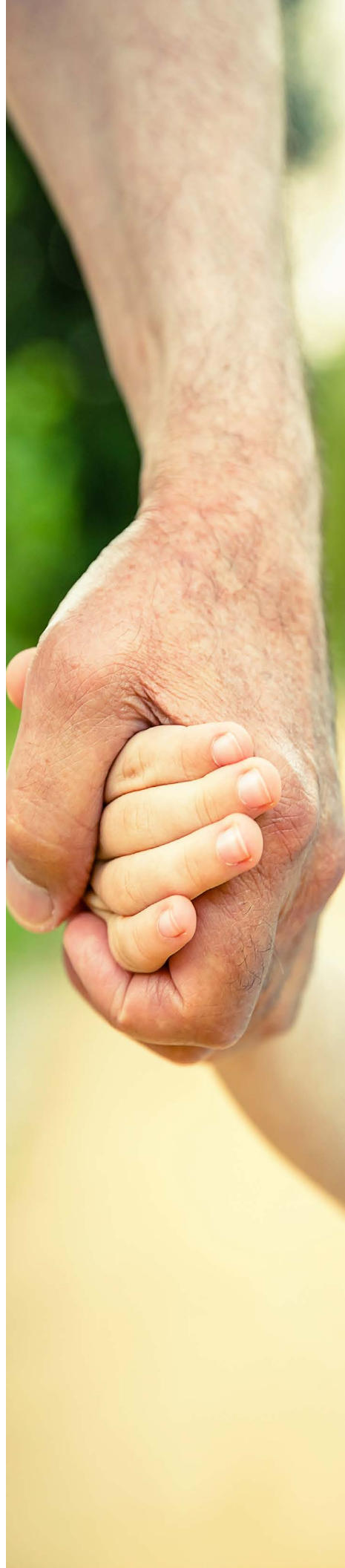
OVERVIEW

The Division of Child & Family Support represents the Office of Recovery Services (ORS) in establishing paternity and child support orders, enforcing and modifying child support orders, and recovering child support assigned to the state of Utah for public benefits received.

RESPONSIBILITIES

- Establish paternity
- Establish, enforce, and modify child support orders
- Recover assigned child support for receipt of public benefits
- Medicaid recovery*

*The Division pursues recovery of Medicaid paid through probate and tort litigation.



BY THE NUMBERS



DIVISION CASELOAD

3,813



AVERAGE CASELOAD PER ATTORNEY*

211



NUMBER OF COURT APPEARANCES STATEWIDE

2,503



AVERAGE NUMBER OF APPEARANCES PER ATTORNEY EACH MONTH

139

*Does not include cases in which the agency did not refer the file





CHILDREN'S JUSTICE CENTERS

OVERVIEW

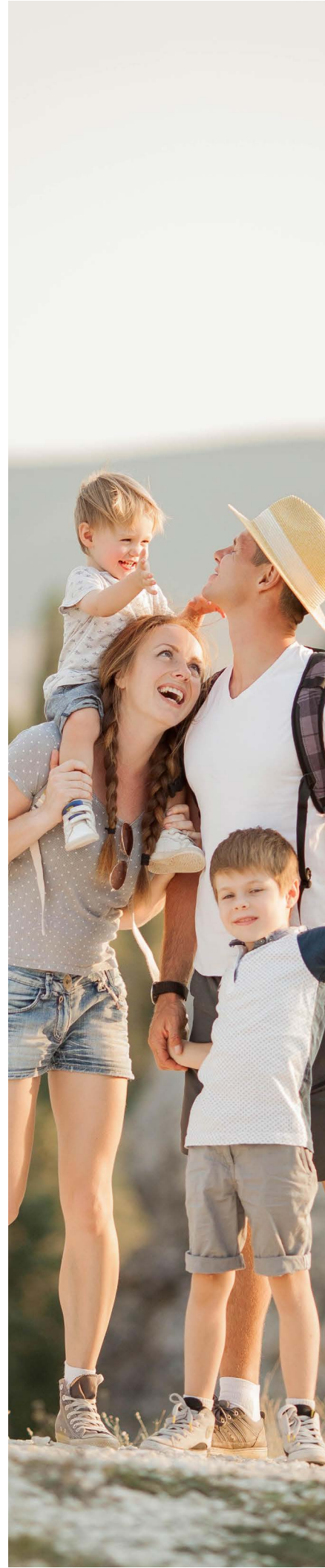
The Utah Children's Justice Center (CJC) Program is an accredited chapter of the National Children's Alliance and is dedicated to helping local communities respond to allegations of child abuse in ways that are effective and minimize trauma for the child. Administered by the Utah Attorney General's Office, the Utah CJC Program includes 25 locations statewide.

When abuse is suspected, the child is brought to a Children's Justice Center—a safe, child-focused facility—to talk to a trained interviewer. A team of law enforcement members, child protective services agents, medical and mental health providers, victim advocates, and prosecutors make decisions together about how to handle the case and help the child. Children and families are connected with services and supported throughout the process.

The CJC Program is responsible for administering the state's 25 CJC's, providing oversight, allocating state and federal funding, providing training and technical assistance, monitoring service delivery, and serving as the liaison to the many organizations and councils that have child abuse as a focus.

MISSION

The mission of the Children's Justice Center Program is to promote and support a comfortable, neutral, child-friendly atmosphere for children to receive coordinated services during the child abuse investigative process.



BY THE NUMBERS

CASES HANDLED

6,673

INDIVIDUALS SERVED

20,038

% of Caregivers that agree the CJC provides them with resources to support them & their children

97.7%

% of Caregivers that would refer others in similar situations to the CJC

92.5%

% of Team Members that believe clients benefit from the collaborative approach of the MDT

96.8%

MEDICAID FRAUD CONTROL UNIT

OVERVIEW

The Medicaid Fraud Control Unit (MFCU) is a division of the OAG that investigates and prosecutes Medicaid fraud committed by providers of medical services, products, and drugs, including patient abuse and neglect.

It lowers medical and drug costs for Utah consumers and employers by challenging fraudulent practices that result in over-payments to Medicaid.

Cases range from local prosecutions of doctors and facilities that charge Medicaid for services that were not provided, to participating in national lawsuits against drug companies that conspire to limit competition for generic drugs.

NOTABLE CASES

Abuse and Neglect at Unlicensed Board and Care Facility | This case involved allegations that owners of an unlicensed board and care facility were admitting patients with severe mental health issues and allowing them to live in unfit conditions. This case resulted in multiple felony and misdemeanor convictions against the owners and all residents were transferred to safe settings through the collaboration of many state and local partners.

Hospice Nurse Wrongfully Forged Prescriptions for Hospice Patients | This case involved a hospice nurse who inappropriately put patients on hospice and forged prescriptions to obtain medications for those patients. The defendant was convicted and sentenced on March 12, 2024.

Hospital Pays over \$3,000,000 to Resolve Allegations of Upcoding | In cooperation with the U.S. Attorney’s Office, HHS-OIG agents, and other state and federal partners, the division investigated allegations of upcoding being committed by a large hospital chain when billing emergency department services.

In August 2024, a settlement of \$3,043,701 was reached, representing double damages. Of that, \$853,760 was Medicaid money.

Woman Sentenced to up to 30 years in Utah Prison for Stealing Over \$500,000 from 76 Vulnerable Individuals | This case, referred by Adult Protective Services, involved allegations that a provider who was supposed to assist clients with personal budget assistance had instead stolen money from numerous vulnerable adults. On March 29, 2024, the woman was convicted of 6 felonies, ordered to pay restitution to all 76 victims, and sentenced to serve two, five-life sentences.

BY THE NUMBERS



TOTAL NUMBER OF FRAUD CASES OPENED

43



TOTAL NUMBER OF FRAUD CASES CLOSED

28



TOTAL NUMBER OF ABUSE & NEGLECT CASES OPENED

39



TOTAL NUMBER OF ABUSE & NEGLECT CASES CLOSED

41



CRIMINAL RESTITUTION ORDERED

\$912,485.08



CIVIL RESTITUTION ORDERED

\$3,082,882.54

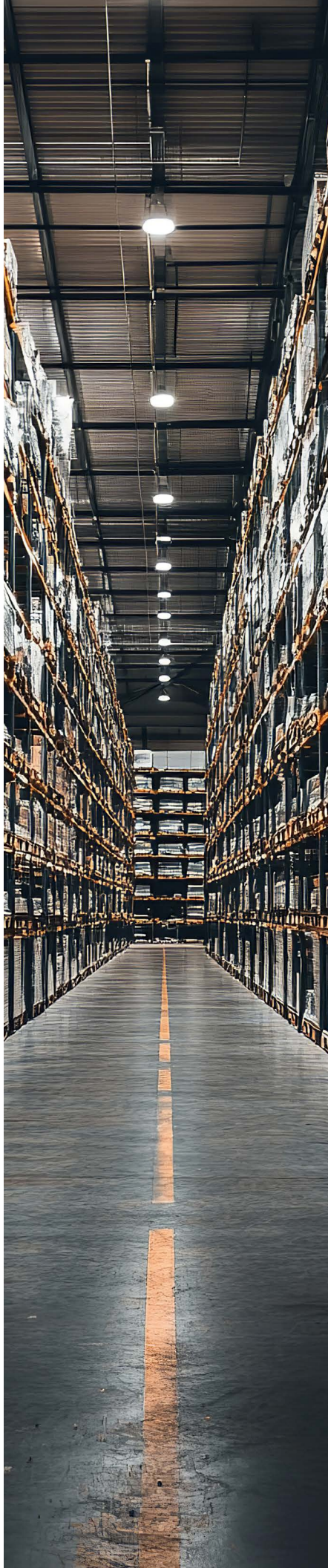
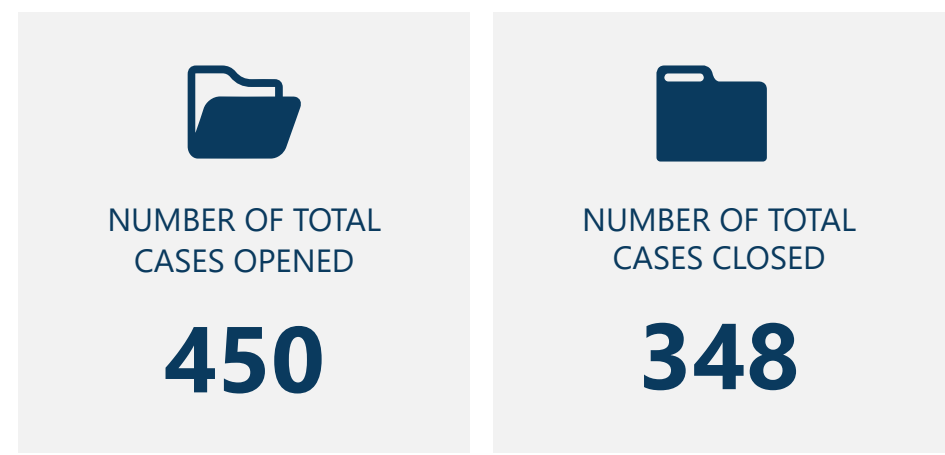


WHITE COLLAR & COMMERCIAL ENFORCEMENT

OVERVIEW

The White Collar & Commercial Enforcement Division (WCCE) takes on some of the uniquely meaningful and far-reaching cases for Utahns. WCCE serves as agency counsel for the Department of Commerce and its various divisions, including: the Division of Consumer Protection (DCP), Division of Professional Licensing (DOPL), the Division of Real Estate (DRE), the Division of Corporations and Uniform Commercial Code, and the Division of Securities. WCCE counsels and litigates these agencies' enforcement matters in administrative hearings and state or federal courts, including multi-state investigations and litigation. At the same time, WCCE brings actions based on common and statutory law reserved for the OAG on behalf of the State of Utah and the Utah public.

BY THE NUMBERS



NOTABLE CASES

SOCIAL MEDIA

TikTok Investigation and Litigation | WCCE supported the Division of Consumer Protection in its investigation of TikTok and demanded that TikTok comply with all the Division's subpoenas. In late 2023 and early 2024, WCCE's attorney held TikTok's feet to the fire until it certified full compliance with a state district court's finding of TikTok's contempt for refusing to comply with the Division's subpoena. TikTok initially appealed this order; however, recently TikTok has entered an agreement in principle to voluntarily dismiss this appeal.

WCCE continues to aggressively pursue Division of Consumer Protection's lawsuit against TikTok for deceptively and unconscionably hooking kids on the dangerous and addictive TikTok app, also for misrepresenting the app's geographic origin.

Additionally, WCCE filed suit for TikTok LIVE's highly risky and dangerous real-time video broadcasting that allows for money. In effect it creates a virtual strip-club and money laundering all in a place where TikTok encourages children participation and increases the risk of exploitation. WCCE and the Division of Consumer Protection have become leaders in the country on pursuing similar actions against TikTok.

Meta (Facebook & Instagram) | WCCE continues to advance Consumer Protection's suit against Meta for deceptive and unconscionable practices related to the addictive and harmful nature of its social media apps.

WCCE overcame Meta's motion to dismiss and a petition for interlocutory appeal. Again, WCCE works with and helps lead a collaborative multi-state effort as it takes on one of the most well-funded tech companies in the history of the world.

PHARMACEUTICAL/HEALTH ISSUES

Opioid Epidemic Abatement | In 2024, the OAG and the Division of Consumer Protection reached a settlement with Publicis, one of the world's largest healthcare advertising companies. Publicis developed predatory and deceptive marketing strategies for Purdue Pharma designed to increase prescriptions and sales of opioids, like OxyContin. The settlement contributed \$3.9 million to Utah's abatement fund.

From 2022-2024, WCCE litigated against pharmacies, including Kroger, Rite Aid, and Walgreens. In 2023, WCCE worked with other states to form a national settlement agreement with Walgreens, CVS, Walmart, Teva, and Allergan for \$209 million. After aggressive litigation against Rite Aid and Kroger, Rite Aid sought bankruptcy protection, and Kroger agreed to settle for approximately \$45 million.

With the Kroger settlement, WCCE's litigation team crossed the half-billion dollar mark in committed funding for the Utah abatement fund. Also, WCCE announced its intent to re-initiate Consumer Protection's aggressive adjudication against Richard Sackler, the leader of Purdue Pharma after the bankruptcy protections were held to be unlawful by the U.S. Supreme Court.

SECURITIES AND COMMODITIES

Rust Rare Coin was a long-running enforcement action against the largest Ponzi-scheme in the history of Utah, which was brought down by the Division of Securities and its WCCE attorneys, along with the U.S. Commodity Futures Trading Commission. At the beginning of 2024, the court-appointed receiver made three initial distributions to victims who filed claims for approximately \$23.3 million, representing a return approximately 25% of their losses. The receiver anticipates making additional distributions in the future.

MORTGAGE & FINANCIAL FRAUD

OVERVIEW

The Mortgage & Financial Fraud Division is a criminal unit. Its mission is to diligently and ethically investigate and prosecute mortgage fraud and other major financial fraud committed within the State of Utah. In every case, the division pursues justice on behalf of the state and victims of fraud and vigorously applies its resources toward investigation, prosecution, and financial remedies and recovery. The division specializes in felony-level multi-jurisdictional investment fraud matters and prosecutes large-scale communications fraud, theft, and racketeering cases.

The division protects Utah citizens by prosecuting many varieties of white-collar crime, including mortgage fraud, securities fraud, communications fraud, affinity fraud, general consumer fraud, and other fraudulent conduct that threatens Utah consumers and businesses. Attorneys in this section aggressively prosecute fraud perpetrated against the most vulnerable citizens of Utah, particularly the elderly. The division works closely with many state and federal agencies to accomplish its goals. The division prosecutions can range from cases involving a single victim and a small loss to sophisticated schemes with hundreds of victims and millions of dollars in lost money and assets. The division regularly monitors and enforces all restitution orders against those people the unit convicts, and every year the unit returns substantial amounts of restitution to victims of these crimes.



BY THE NUMBERS



NEW CRIMINAL CASES OPENED

15



CRIMINAL CASES CLOSED

11

RESTITUTION ORDERED
UPON CONVICTION

\$294,288.96

NUMBER OF NEW VICTIMS
IDENTIFIED FOR RESTITUTION

63

NOTABLE CASES

State v. Vincent McKinnon

Defendant had a history of securities fraud convictions. The defendant pled guilty to securities fraud, a second-degree felony. He offered and sold an investment opportunity in his business to two investors and collected approximately \$90,000. An investigation revealed that the defendant and his wife used the investor funds in an inconsistent manner to the representations he made to the investors, including various personal expenses and purchase of a luxury personal vehicle. The defendant was sentenced to 1-15 years in prison and ordered to pay \$90,000 in restitution to the victims.

State v. Jason Cameron Van Wagoner

Defendant pled guilty to tax evasion, a second-degree felony. The defendant earned substantial income and filed individual income tax returns for tax years 2017-2020 and failed to file a return for tax year 2021. For these years, the defendant failed to pay his taxes owing. For tax year 2020, defendant falsely claimed 15 qualifying children and 10 other dependents, thus, reducing his tax liability to \$0. The defendant was ordered to pay restitution in the amount of \$198,049.00 to the Utah State Tax Commission.

State v. Paul Alger Paxman

The defendant pled guilty to tax evasion, a second-degree felony. The defendant failed to pay appropriate sales tax for his business between 2017 and 2023. The defendant intentionally underpaid sales tax. He was ordered to pay \$64,734.26 in sales tax deficiencies for tax years 2017- 2023. He was ordered to pay \$32,367.21 in penalties and \$7,059.84 in interest. Also, the defendant was ordered to file with the Utah State Tax Commission timely sales tax returns for all tax years after 2023 and timely pay all sales tax due as required by law.

State v. Nicholas Nielsen

Defendant pled guilty to securities fraud, a third-degree felony. The defendant offered and sold real estate investments to two investors, collecting approximately \$85,000. The defendant used investor funds inconsistent with representations made to the investors, and instead used the investment funds for personal purchases. The defendant paid restitution in full at the time of sentencing and was placed on probation.



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