



In the Public Interest:

Attorney General's Midterm Report

Karl A. Racine

Office of the Attorney General for the District of Columbia





Mission

The Office of the Attorney General (OAG) is the chief legal office of the District of Columbia. OAG is charged with enforcing the laws of the District and promoting the public interest. OAG's mission is to provide the District government with the highest level of legal advice and service, and to promote the interests of District residents. OAG seeks to be the nation's premier public law office.

Thank you to our employees

One of the Office of the Attorney General's best resources is its employees, and the accomplishments in this report would not have been possible without the extraordinary work of our attorneys, paralegals, investigators, administrative assistants, and other hard-working professionals. Thanks to all of the OAG employees who work day in and day out to serve and protect District residents.

Message from the Attorney General

In 2010, District of Columbia residents overwhelmingly voted in favor of establishing an independent Office of Attorney General (OAG) to serve as the District's chief legal office and act in the public interest. Since I took office as the District's first elected Attorney General in 2015, my colleagues and I have taken this charge from the voters seriously. We have prioritized data-driven public safety and juvenile justice reform, consumer protection efforts that assist the District's most vulnerable residents, legal actions to protect affordable housing, and measures to advance democracy and safeguard public integrity.



OAG has made great strides in advancing these priorities:

- We ended the Superior Court's blanket practice of shackling youth at court hearings and increased the rate at which we provide service-based interventions to low-level, non-violent juvenile offenders. Data shows that these interventions help keep our communities safe by ensuring that these young people get on and stay on the right path—with success rates much higher than those associated with traditional prosecution and punishment.
- OAG held neglectful landlords accountable and preserved existing affordable housing by bringing legal action against the owners of two apartment complexes in Ward 8. These landlords forced tenants to live in deplorable conditions, including years of non-working heating and air conditioning, leaky ceilings, and mold infestations.
- We established a dedicated Office of Consumer Protection, which zealously protects District residents from bad actors, pursues litigation against scammers, educates consumers about their rights, and brings millions of dollars to District residents and taxpayers.
- In an effort to ensure honest government, OAG introduced comprehensive campaign finance reform legislation that will require more transparency and end both the appearance and reality of pay-to-play politics in the District.

This report highlights these and other accomplishments that have moved the District forward and benefitted residents over our first two years as an independent agency. I am extremely proud of what our office has accomplished so far, and I know that we stand ready to jump into the important work still ahead of us.

Over the next year, we will expand initiatives that employ data-driven prosecution strategies to increase public safety, bolster community engagement, increase our focus to author and pass meaningful legislation, improve retention and recruitment of top talent for OAG, and more. One of our major initiatives will be the launch of a new Public Advocacy Division within our office. This division will consolidate all of our office's work to protect public integrity, abate public nuisances, and preserve affordable housing—functions that have previously been located in multiple divisions of OAG. Consolidating this work will ensure that we are able to strategically coordinate activities and better act as a watchdog responsive to the community's concerns.

There is much we can do to make the District a more just and equitable place. My promise to you is that I will continue to work as hard as I can to defend and promote the public interest while continuing to grow our office into a first-class public law firm. I hope you'll join us in that work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karl A. Racine'. The signature is stylized and cursive.

Karl A. Racine

Serving the People

By the Numbers

- Over 12,000 criminal and juvenile prosecutions filed
- Over 750 positive placements from the foster care system, including reunification, adoption, or guardianship
- Over \$1.5 million in incentives for meeting federal performance measures in child support services

Diversion Programs

Diversion is a creative, data-driven way to approach juvenile justice by providing support services to ensure the best possible outcomes for young people and for public safety.

80%

More than eighty percent of youth diverted to Alternatives to Court Experience (ACE) have not been rearrested since completing the program

88%

Eighty-eight percent of youth had improved Child and Adolescent Functional Assessment Scale (CAFAS) scores after completing the program

62%

Sixty-two percent of youth showed improved school attendance after completing the program

Consumer Protection

\$6,486,939



restitution to consumers from mediation and enforcement actions

\$98,455,833



payments to District/penalties from consumer protection action

1,923



consumer protection complaints received

Engaging with the Community

In 2010, District voters overwhelmingly voted to convert the Office of the Attorney General (OAG) to an independent office and made clear that the new Attorney General had a responsibility to promote and defend the public interest for all District residents. Of course, one of the best ways to ascertain the public interest is to listen closely to the public. When Attorney General Racine assumed office, he established an Office of Community Engagement designed to listen to the community and think creatively about how the office can use its authority to respond to the community's concerns. Through more than 730 community meetings, events, and constituent service actions since 2015, Attorney General Racine and the OAG Community Engagement team have listened to many concerns facing District residents, and this feedback has informed the Office's priorities and initiatives.

In addition to listening to residents, community engagement is a two-way street that allows OAG to speak to the public. OAG has collaborated with federal, state and local government agencies, the Executive Office of the Mayor (EOM), the Council, and non-profit organizations to devise comprehensive policies, initiatives and solutions to address recurrent, intractable issues. A few examples of community collaboration include:

- **Criminal Justice in the District Forums:** Partnering with Councilmembers and our federal partners to educate the public on the District's criminal justice system.
- **Mental Health Panel:** Highlighting District services for those with mental illness, such as community support networks, emergency psychiatric services, court programs designed to help and divert those with mental illness, and options for family members of those suffering from mental illness.
- **Human Trafficking Training:** Teaching students how to identify the signs of human trafficking and teaching community leaders how to lead these trainings.
- **Reentry and Family Reunification Forum:** Discussing the challenges of incarceration and reentry and partnering with local agencies and organizations to provide resources for returning citizens.
- **Consumer Protection Education:** Educating District consumers and vulnerable communities, including seniors and the immigrant community, about how they can avoid scams and what to do if they have fallen victim to one.
- **Financial Literacy Panel:** Sharing expert advice on how to understand finances, avoid financial scams and pitfalls, and protect investments.
- **Campaign Finance Forum with Georgetown University School of Law:** Educating the public on national campaign finance trends as well as local campaign finance laws and pending legislation.



Legislative Corner

Because of its new independence, the Office of the Attorney General is authorized to draft and introduce legislation for the Council's consideration. Based on Attorney General Racine's policy priorities and feedback gathered from our Office of Community Engagement, OAG introduced the below bills to address community concerns:

Cracking Down on Synthetic Drugs

Synthetics Abatement and Full Enforcement Drug Control Amendment Act of 2015 (SAFE DC Act)

SAFE DC makes important reforms to strengthen law enforcement officials' ability to test for and prosecute cases against sellers and distributors of synthetic cathinones and cannabinoids.

Fighting Companies that Defraud Immigrant Communities

Immigration Services Protection Act of 2016

This bill helps protect consumers from "notario fraud," an illegal practice that misleads consumers seeking immigration services into believing someone is legally able to perform such tasks when in fact they cannot and may make costly or devastating mistakes in immigration matters.





Standing Up for Workers' Rights

Wage Enforcement Initiative Amendment Act of 2016

This legislation would establish subpoena power and clarify the enforcement authority of the Office of the Attorney General to go after employers for failing to pay their workers, and it will allow for the recovery of reasonable attorneys' fees and costs from employers that have illegally withheld wages owed to District workers.

Protecting Democracy through Campaign Finance Reform

Campaign Finance Transparency and Accountability Amendment Act of 2016

Because voters are tired of the appearance of impropriety, OAG has introduced legislation that strengthens the District's campaign-finance laws in three ways: 1) ending pay-to-play politics; 2) making political donations transparent; and 3) creating a "bright line" between candidates and Political Action Committees or PACs.



Setting Youth Up For Success

OAG serves as the chief prosecutor for juvenile crimes in the District. In an effort to effectuate the dual purpose of the juvenile justice system to both promote public safety and rehabilitate children, and informed by smart, data-driven prosecution solutions, OAG has instituted a number of successful reforms and initiatives.

Ending the School-To-Prison Pipeline

Research shows that involvement in the juvenile justice system for low-risk youth can increase negative outcomes later, including the likelihood of recidivism. Attorney General Racine has tackled this problem by diverting juveniles who commit low-level offenses to an intensive program designed to get them back on the right track. The Alternatives to the Court Experience (ACE) is a program run by the District's Department of Human Services that provides an individually tailored program of wrap-around services that help each child achieve success and avoid reoffending. These services include family and individual therapy, mentoring, tutoring, mental-health treatment, substance-abuse treatment, and school supports. ACE benefits both youth and the District, and the success is in the numbers: more than 80% of the over 900 youth diverted to ACE have not been rearrested since completing the program and more than 60% of program participants show improved school attendance. Under Attorney General Racine's leadership, the Office now diverts five times more juveniles to ACE than it did in the program's first year.

Additionally, OAG, in conjunction with Ballou Senior High School, launched an innovative pilot program to offer mediation at school as an alternative to arresting youth. This model, called Restorative Justice Conferencing, engages the offender and victim of the conflict, along with their parents and teachers, in a dialogue to address the root of the problem, and come to an acceptable agreement to repair the harm. In the three years prior to the Ballou partnership, on average, there were 70 arrests per year at the school. As a result of Ballou's substantial efforts and the partnership with OAG, the total number of arrests made during the one-year pilot program was 31. Because of this success, OAG is seeking to expand its capacity and has been awarded a significant U.S. Department of Justice Smart Prosecution grant to increase the number of cases eligible for restorative justice and to evaluate outcomes.

And to give prosecutors a fuller picture of each juvenile referred to OAG, Attorney General Racine instituted “dual-jacketing” for each case. This means that a Family Services Division attorney, who knows a youth’s history in the neglect system, is paired with a Public Safety Division attorney, who charges juvenile offenses. Together, the attorneys can make appropriate recommendations for dual system involved youth, which might include rehabilitative services for low-level offenders.

Reforming Juvenile Shackling

The blanket practice of shackling juveniles in court proceedings unnecessarily humiliates and stigmatizes youth and can undermine the rehabilitative purpose of juvenile court. Attorney General Racine worked closely with Councilmembers Kenyan McDuffie and David Grosso, D.C. Superior Court Chief Judge Lee Satterfield, D.C. Department of Youth Rehabilitation Services Director Clinton Lacey, the D.C. Public Defenders Service, and other stakeholders to unveil a new administrative order to reform the court’s shackling policy for youth. Now, most juvenile courtrooms hold individualized determinations as to whether a youth poses a current public safety or flight risk and requires shackling. Overall, approximately 80% of youth are left unshackled in court now and judges have reported virtually no change in the safety of the courtrooms, with no increase in instances of flight or disruption.

Honoring Youth Who are on the Right Path

Youth who have made poor choices in the past not only deserve a second chance, but they also deserve to be recognized when they put their life back on the right track. This is why the Office of the Attorney General established the Right Direction Awards—to honor area youth who have overcome significant challenges and are showing self-improvement. The awards also highlight inspiring youth who show commitment to effecting positive change in their communities. Attorney General Racine believes that positive reinforcement is an important component that can help our youth succeed.

What the Right Direction Awards Mean to Youth

“The Right Direction Awards showed me that I can make a change in my community and gave me the motivation to pursue my goals with exceptionalism. I hope that youth look at this award as if they had won an MVP trophy.”

– Kenneil Cole, Right Direction Award Winner

Working to End Human Trafficking

Did you know experts estimate that 199,000 incidents of sexual exploitation of minors occur each year in the United States? That’s one trafficking crime every three minutes. The District of Columbia is not immune to this horrific problem, which is why OAG launched a Human Trafficking Initiative to educate residents about the warning signs of trafficking and how they can seek help. OAG launched a partnership with i-SAFE, a program that works in more than 3,500 school districts across the country, to educate youth about trafficking and train community leaders to conduct educational trainings, thus expanding OAG’s reach. OAG also established a Human Trafficking Task Force that participates in monthly case-review meetings on sex trafficking with other District government agencies that serve youth in the juvenile-justice and child-protection systems. The Task Force ensures that any youth OAG identifies as a trafficking victim will be referred for appropriate services and supports. The Task Force also works to provide training and education to social workers, probation officers, and attorneys so that they have the tools to identify potential victims on his or her caseload.

Ensuring Financial Support for District Children

Financial support is an important part to ensuring a child's success, and the Office of the Attorney General's Child Support Services Division (CSSD) works hard to establish paternity for children, establish support orders, and work with parents to ensure that they can be the financial backbone of their families.

Language Access for All Families

To guarantee all families can easily access these important services, it is critical to communicate with parents in their preferred language. Fiscal Year 2015 was the first year CSSD was classified as a District agency with major public contact, requiring it to fulfill language access requirements. Of the five newly classified major-public-contact agencies, CSSD ranked the best! CSSD has implemented protocol to better track the preferred language of its customers and has retrained staff on language access requirements.





Rave Reviews for Alternative Solutions Center

What is the Alternative Solutions Center (ASC)? It is a program housed in OAG's Child Support Services Division which connects unemployed non-custodial parents with resources that can help them find work, including literacy, mental health, and substance abuse resources. The program has had many success stories, including Roderick Dorsey. When Mr. Dorsey entered ASC, he had been unemployed for three years and had no way to pay his child support obligation. With the help of ASC, he was able to find employment with Raine & Son.

"[The CSSD staff] was very helpful and empowering. If I could give any advice to any other non-custodial parents who are thinking about joining the ASC program, I would tell them it's a great program and to stick with it."

-Roderick Dorsey

Going Digital with Child Support Services

We are living in an increasingly digital world, which is why in addition to meeting with clients at OAG and in the community, CSSD is creating a smartphone app to help with the management of child support services. The app will allow both custodial and non-custodial parents to check on basic information on their case, including payments made, child support orders, past and future appointments, actions taken on the case, and more. With easier access to case information, OAG hopes to improve delivery of services and encourage parents to be more consistent payers of child support.

Protecting Consumers



In order to protect District consumers and vulnerable communities preyed upon by scammers, OAG’s Office of Consumer Protection seeks to protect consumers by mediating disputes, educating residents and, if necessary, filing enforcement actions against individuals and companies who defraud District residents.

Establishing a Standalone Office of Consumer Protection

After Attorney General Racine took office, it became clear through engagement with the public that District residents were eager for more help in the area of consumer protection. This is especially true for vulnerable people who are often targeted by scammers—seniors, low-income residents, members of our immigrant communities, and others. With this community feedback and a public interest mandate in mind, Attorney General Racine established a standalone Office of Consumer Protection (OCP) within the Office of the Attorney General.

OCP is working to protect consumers through law enforcement actions; a consumer hotline (202-442-9828) and web portal through which it receives and attempts to mediate consumer complaints; a robust community-outreach program; an extensive and growing library of educational materials on consumer-protection topics like identity theft, student loan debt, and financial exploitation; increased media outreach and education on consumer topics; and drafting or supporting consumer-facing legislation.

Ensuring Student Loan Borrowers Get a Fair Shake

Hard-working students deserve the best chance to repay their loans and leverage their education for a successful future. Unfortunately, scam artists prey on students seeking higher education and graduates wishing to repay their loans. This is why OAG is working to help District residents who are victims of education-related scams by investigating fraudsters. They include companies like Education

Management Corp., a large for-profit school that has agreed to change its enrollment practices and forgive loans owed by District students, and Florida-based Student Aid Center, Inc., which unlawfully marketed student debt relief services to consumers in the District, including charging consumers for services that they could have received for free from the U.S. Department of Education.

OAG also educates students about debt forgiveness offered to them by the U.S. Department of Education. ITT Technical Institute, which abruptly closed its doors after state and federal investigations, and Corinthian Colleges, which misrepresented their educational program, left students with massive loans and no degree to help pay off the debt. To support these students, OAG has reached out directly to students who may be entitled to have their loans forgiven and advertised debt relief options available to eligible students through the Department of Education.

OAG also created a Student Loan Resource Page, which provides District residents with free resources about repayment options and up-to-date information about how to manage student loan debt:

www.oag.dc.gov/studentloans



Ensuring Quality Home Construction

When District residents make the significant decision to purchase a renovated home, they should not be saddled with immediate and costly repairs needed to bring the home up to code. Unfortunately, Insun and Jefferson Hofgard, a Virginia-based couple, sold numerous inadequately and improperly renovated properties to homeowners in the District.

Their actions caused homebuyers to pay for necessary repairs and resulted in major potential losses in the value of their homes. Attorney General Racine sued the Hofgards for their substandard and dangerous work, and the case was settled for a minimum of \$1.6 million.

This settlement secures restitution for affected consumers and also sends a strong message that the Office of Attorney General will hold accountable anyone who violates the District's consumer protection laws and takes advantage of our residents.



Fighting Companies that Defraud Immigrant Communities

The District is strengthened by the diversity of its residents, including a large number of immigrants. Unfortunately, fraudsters seek to take advantage of our immigrant community.

Have you ever heard of notario fraud? This scam often occurs in the context of someone offering immigrant-consultant services, including preparing immigration forms for a fee, after falsely advertising that they have the legal authority to do so. In Latin America, notarios are often authorized to practice certain types of law, and some take advantage of this fact by advertising legal services even though they are not authorized to do so in the United States.

Many non-citizens pay hundreds of dollars only to find out that they will never obtain a green card, legal immigration status, or other crucial benefits because they received incorrect advice from an unqualified notario fraudster.

OAG brought suit against UTS Corporation for bilking consumers through such a scam and helped draft and introduce the District of Columbia Immigration Services Act, which has been approved by the D.C. Council and will make it easier for the Office to prosecute this type of fraud.

Protecting Our Youth Online

The Internet and social media platforms offer wonderful educational opportunities for children in the District, but they also come with their own hidden dangers, including online predators, inappropriate content, and cyberbullying. To better equip District youth to deal with these dangers, Attorney General Racine has partnered with the National Center for Missing and Exploited Children (NCMEC) for a series of workshops focused on Internet safety.

NCMEC's NetSmartz program has curricula designed for kids, teens, and parents that teaches them about Internet safety basics through games and interactive Q&A scenarios. This important partnership is being rolled out in schools across the District.





Shutting Down Sham Charities

Hard-working District residents who generously donate money to charities should be applauded, not scammed. Unfortunately, two bogus charities defrauded donors in the District and around the country out of millions of dollars in contributions they thought would go to help cancer patients.

OAG joined the Federal Trade Commission (FTC) and attorneys general from every other state to take action against these sham charities and negotiated a settlement that shut down the Cancer Fund of America Inc. (CFA) and Cancer Support Services Inc. (CSS). The settlement also bans their leader, James Reynolds, Sr., from managing charitable assets and provides restitution for donations to the charities.

Leading Multistate Investigations and Suits

When bad actors take advantage of consumers on a large scale across multiple states, attorneys general band together in multistate investigations and lawsuits. Since Attorney General Racine established the Office of Consumer Protection, OAG has taken on increased responsibility in national multistate investigations. OAG recently settled such an investigation of Volkswagen for its emissions cheating scandal, resulting in a \$2.5 million penalty paid to the District and an additional \$7.5 million to fund local environmental projects.

The Office is also leading a variety of other national investigations of practices harming consumers, including debt collection, consumer credit, pharmaceuticals, data breaches and other privacy issues, and other deceptive advertising and pricing practices. In less than two years, the District has established itself as a leader in multistate cases.

Enforcing Antitrust Law to Benefit Consumers

Fighting the opioid addiction crisis is tough enough without also having to fight a monopoly on medicine used to treat opioid addiction. OAG joined a multistate lawsuit that alleges the manufacturers of Suboxone, a prescription drug that eases opioid addiction cravings, harmed consumers by engaging in an anticompetitive scheme to block generic competition.

The illegal scheme is called “product hopping,” in which a company makes modest changes to its product to extend patent protections so other companies cannot enter the market and offer cheaper generic alternatives. Attorney General Racine is committed to antitrust enforcement actions like this and will continue to promote fair competition to benefit consumers.

OAG is also committed to opposing mergers that would limit competition. Currently, there are five national health insurers in the country and a proposed merger would reduce that number to three, increasing concentration in the health-care market and severely limiting competition. Attorney General Racine joined a federal-state action to block Anthem’s proposed acquisition of Cigna and Aetna’s proposed acquisition of Humana because these two mergers would hurt residents by limiting price competition, reducing benefits, decreasing incentives to provide innovative wellness programs, and lowering the quality of care. Attorney General Racine is committed to using the power of his Office to ensure there are more—and better—options for District families.

Consumer Protection Library

Have you ever heard of phishing? Do you know what the Lemon Law is? Are you familiar with the most common telemarketing scams? OCP has developed a library of resources to empower consumers by educating them about their rights and noting warning signs for common scams. OCP and the Office’s Community Engagement team discuss and disseminate these resources at ANC meetings, OAG events, and other community gatherings.

These resources are also available to residents online at www.oag.dc.gov/ConsumerProtection





Promoting Safe and Affordable Housing

The District is facing an affordable housing crisis. Many longtime residents can no longer afford to live in our city and are being left out of the growth and opportunity that the city is experiencing. That's why OAG is doing its part to preserve existing housing and promote the production of new housing for low- and middle-income residents.

Preserving Affordable Housing

Some owners of affordable housing units across the District are allowing their properties to deteriorate and failing to maintain them in accordance with legal standards. Tenants should not be forced to choose between living in unsafe, uninhabitable conditions and leaving their homes.

OAG has already been successful in negotiating a court-monitored abatement plan to improve the living conditions of four buildings in Congress Heights. OAG alleged that the owners, Sanford Capital, violated the District's housing laws through willful neglect, leading to persistent and major health and safety violations like inoperable fire extinguishers, bedbugs, rodent infestations, unstable ceilings, and lack of heat and hot water. The owners repeatedly declined to rectify the problems, either by wholly ignoring the repeated complaints or by performing only limited, superficial fixes. OAG continues to monitor the situation to ensure the owners follow the abatement plan to maintain livable conditions at the property.

OAG has also filed a second lawsuit against the same owners for their conduct at an affordable housing development called Terrace Manor in Ward 8. Tenants at Terrace Manor have been forced to live in apartments with numerous habitability issues, and which have been cited for multiple violations of the District's housing code. Conditions at the property include rodent and vermin infestation and lack of proper heat. In the last four years, the occupancy in the 61-unit property has dropped from 51 to 14.

OAG is seeking to force Terrace Manor's owners to fix a multitude of longstanding problems at the property that threaten the safety of its occupants, pay restitution to the tenants in the form of back rent, and pay penalties under the District's Consumer Protection Procedures Act. The D.C. Council recently clarified OCP's authority to bring consumer protection enforcement cases in the landlord-tenant area, and similar cases will be a priority of the Office.

Facilitating New Affordable Housing Construction

Vacant properties in the District not only pose public safety concerns, but they can also potentially be used for affordable housing. In an effort to increase affordable housing options, OAG persuaded the District's Department of Housing and Community Development (DHCD) to again start using its authority to acquire such properties for the elimination of slum and blight. This will decrease the number of vacant and abandoned residential properties in the District and transform vacant or abandoned residential properties into homeownership opportunities for District residents at all income levels. In the last two fiscal years, the District has either initiated or closed 14 new land acquisition cases in support of these community revitalization goals.

Congress Heights Residents Applaud OAG

"I come here today not mad or angry like before, but with much joy in my heart and with a different outlook for D.C. government employees...[Attorney General Racine, former AAG Ebony Robinson, AAG Argatonia Weatherington, and Deputy Attorney General Tamar Meekins] made me believe that there is hope for a better D.C. and hope for the unfortunate people in the city... Mr. Racine and his associates took our case, the case of poor, mostly seniors, who are below moderate income that is mostly fixed...They fought a hard battle and brought justice and better living conditions to us, the citizens of Congress Heights."

-Robert Green, resident of Congress Heights speaking at the FY17 Budget Oversight Hearing



Cracking Down on Drugs in the District

The District and the nation are seeing a dangerous spike in deadly drugs like synthetic drugs, heroin, and opioids. Attorney General Racine established the Emerging Drug Trends Task Force to combat new and existing drug trends in the District using a multi-pronged, multi-disciplinary approach.

SAFE DC Act

Synthetic cannabinoids, although sometimes referred to as “fake weed” or “synthetic marijuana,” are actually far more dangerous than pot. In fact, these illegal substances often contain untested chemicals that can induce dangerous and even deadly effects in users. OAG introduced the SAFE DC Act to combat synthetic drugs, and it was unanimously passed by the D.C. Council. SAFE DC strengthens law enforcement officials’ ability to test for and prosecute cases against sellers and distributors of synthetics by adding them to the District’s controlled-substances list based on the class of the chemical compounds contained in the drugs rather than the individual compound found in a particular substance. This makes it easier to test for and prosecute sellers of these drugs.

Shutting Down Sales of Synthetic Drugs

In an effort to stop synthetic drugs at the point of sale, OAG has presented webinars to associations of grocers and convenience stores to educate store owners and operators on what synthetic drugs are, why they are illegal and dangerous, how to avoid selling them, and how to report distributors to the proper authorities. OAG has also prosecuted and shut down stores that continue to sell these illegal substances.

Drug Take-Back Days

When excess prescription opioids and other drugs are not consumed, there is a potential for those drugs to be improperly used by teens and others. Robust drug take-back programs help keep these potentially dangerous and addictive drugs off of the streets. OAG has partnered with the U.S. Drug Enforcement Agency to host Drug Take-Back Days where residents can bring their expired, unused, or unwanted prescription drugs to OAG’s main office building for safe disposal. This service is free, anonymous, and no questions are asked. OAG’s first Drug Take-Back Day resulted in more than 65 pounds of prescription drugs being taken off the street!



Other Successes

Establishing a Public Advocacy Division

While OAG already does significant work on behalf of the public, including public integrity, public nuisance, and affordable housing-related litigation, the lawyers who undertake that work are housed in different divisions with little or no coordination. In an effort to build the infrastructure and amplify this work in a strategic manner, Attorney General Racine established the Public Advocacy Division (PAD). The division is modeled off of successful divisions in other independently elected attorneys general offices such as New York, Massachusetts, and California, where the public interest litigation division serves as an innovative and aggressive public watchdog that responds to community concerns with creative and forward thinking solutions. PAD's two primary areas of subject-matter focus are: (1) litigating cases essential to preserving affordable housing and protecting residents from other abuses; and (2) litigating in an array of public integrity arenas, including false claims, Medicaid fraud, antitrust, nonprofit organization abuses, and tuition fraud. These types cases are important for District residents and now there are resources and staff specifically devoted to affirmative litigation. Attorney General Racine hopes that with expanded resources, this division will be able to focus more broadly on critical areas such as deterring wage theft, safeguarding the civil rights of minority groups, and protecting the environment.

Promoting Economic Well-Being of Workers

As the District's economy continues to boom, we must protect our workers from "wage theft," or the practice of denying workers their rightful pay. A 2014 report by the D.C. Employment Justice Center noted that, on average, each low-wage worker loses \$51 per week to wage theft, or \$2,634 per year. Wage Theft also reduces the District's tax revenues. To address this issue, Attorney General Racine introduced the Wage Enforcement Initiative Amendment Act of 2016. Provisions from OAG's bill were incorporated into a separate bill that passed the D.C. Council and, among other things, allows OAG to bring direct suit in Superior Court against businesses that show a pattern and practice of wage theft. This authority is vital to pursue wage-theft claims at the highest levels, deter wrongdoers, and raise industry standards.

Educating College Students about Drunk Driving

Thanks to a little creativity, OAG is using a new educational program to make District streets and our youth safer. As part of a deferred sentencing agreement, OAG required a first-time DUI offender with medical training to write a curriculum designed to educate college students about alcohol use and converted this information into a new program called "Sobriety Check." This innovative community-outreach program aimed at incoming freshmen alerts youth to the consequences of abusing alcohol and drugs, and includes a "Jeopardy!"-like game that tests students on the information learned throughout the program. OAG recently launched the Sobriety Check program at Howard University and will be presenting at several other colleges and universities in the District over the next year.

Stopping Dangerous Joyrides

All-terrain vehicles (ATV) and dirt bikes are illegal on the streets of the District of Columbia, and while some riders may think they are going for a harmless joyride, they create a dangerous atmosphere in the District. This is why Attorney General Racine has appointed a special prosecution task force aimed at improving prosecution and conviction rates for ATV and dirt-bike violators. In the ATV arrests that have been presented to OAG since summer 2015, the Office has brought charges in every single case with sufficient probable cause. The task force tracks cases and fashions plea offers and sentencing recommendations that take into account the seriousness of a given case, as well as a defendant's criminal history. Our prosecutors are filing sentencing enhancements, where appropriate, to ensure that the worst offenders are known to the court. Our prosecutors are also making strong recommendations that repeat offenders be sentenced appropriately.

Making Government Work

By the Numbers



Protecting Taxpayers' Money

\$14,843,133

Affirmative settlements recovered (False claims, non-resident tuition, Medicaid qui tam, non-Medicaid qui tam)

\$211,418,863

Total real property taxes saved in FY15 and FY16

\$3,867,093

Administrative program fees collected for bond issuances in FY15 and FY16

\$2,756,935

Bankruptcy collections in sales, corporate franchise, and individual income taxes for FY15 and FY16

The Office of the Attorney General benefits the city's coffers tremendously and in multiple ways, demonstrating its critical role in the District's financial stability.

2780

Legal advice memos on proposed and enrolled legislation, proposed rulemakings, and legal and ethics questions from employees and officials throughout District government.

\$978 million

Liability avoided in civil litigation in FY15 and FY16, including constitutional claims, contract claims, and torts.



Promoting Public Integrity

Through legal enforcement and comprehensive campaign finance reform, OAG is working to ensure that the District and those doing business in the District operate with the highest integrity.

Strengthening Democracy through Campaign Finance Reform

District residents are tired of public corruption and the appearance of impropriety. That is why Attorney General Racine introduced the Campaign Finance Transparency and Accountability Amendment Act of 2016. This bill would strengthen three major pillars of the District’s campaign-finance law: 1) ending pay-to-play politics; 2) making political donations transparent; and 3) creating a “bright line” between candidates and PACs. Under current law, donors to D.C. political campaigns can receive significant financial benefits from the District government. Our bill prevents anyone—including corporations—from engaging in major business with the District government for two years after donating to a District political campaign or PAC. This prohibition would preclude campaign donors from receiving large business contracts, major grants, or significant tax breaks from the District. In addition to this proposed legislation, OAG supports a public financing system that would seek to get money out of politics.

Protecting the Tax Dollars that Support D.C. Public School Children

In a big win for District taxpayers, the Office of the Attorney General secured a \$539,000 court judgment against a Maryland couple for fraudulently enrolling their three children in D.C. Public Schools (DCPS). While residing at homes in Maryland and Virginia,

Alan and Candace Hill avoided paying non-resident tuition for their children by providing a false District address—the address for an apartment unit that Alan Hill rented out to tenants—on enrollment forms they submitted to DCPS. Under the D.C. False Claims Act, the Court tripled the District’s damage award, which OAG hopes will deter others from similarly fraudulently enrolling their children in D.C. Public Schools. Attorney General Racine will continue to investigate and prosecute those who falsely claim District residency in order to obtain government benefits to which they are not entitled and ensure that our school children receive the financial investments they deserve.

Enforcing District Contracts

When District parents send their kids to school, they deserve to know that their children will be provided a nutritious and quality meal. Unfortunately, Chartwells/Thompson Hospitality LLC, one of D.C. Public Schools’ largest food vendors, mismanaged its contract with the District and delivered meals that were spoiled or in short supply. To remedy this problem, OAG brought suit and reached a \$19.4 million settlement resolving the District’s claims concerning multi-year contracts between Chartwells and DCPS. In addition to payments to the District, and in recognition of Chartwells’ commitment to education to the District of Columbia, Chartwells further agreed to make payments to D.C. area educational nonprofits and scholarship foundations.

Providing Top-Notch Legal Advice to the District

As the chief legal office for the District, OAG provides guidance to District agencies navigating legal issues and is expanding this work to better limit liability and improve efficiency.

Limiting Liability through Proactive Advice

OAG defends the District, its agencies, and its employees in civil actions, but it's also important to educate agencies about best practices that can help avoid a lawsuit. In an effort to minimize liability to the city, Attorney General Racine has put an emphasis on pre- and post-litigation legal advice to District agencies. OAG attorneys regularly meet with a number of agencies, but OAG will soon start providing bi-monthly reports on all pending litigation involving an agency client. Attorneys will also meet once every six months with agencies involved in a number of pending matters to discuss risk management strategies. This focus will not only help agencies better operate, but it will also save the District money.

Ensuring Fair Trials for All

"I/Leads" was a data-management system used by Metropolitan Police Department (MPD) officers to log information about cases; reports from I/Leads were generated and disclosed to defense counsel to provide information about cases they are trying. Unfortunately, in 2015 OAG attorneys discovered that not all information entered by officers appeared on reports for defense counsel. To correct this issue, OAG immediately began to work with MPD to ensure that all relevant information was provided to defense counsel, and OAG did not move forward in its prosecution of a matter until that information had been provided to the defense. Attorney General Racine also appointed an experienced criminal defense attorney to oversee and coordinate OAG's efforts to address the I/Leads problem. Attorney General Racine made it a priority to take corrective action so that OAG could fulfill all legal and ethical obligations to defendants and defense counsel.

Publishing ANC Guidance Online

In addition providing expert legal advice to the Council and Mayor on crucial issues such as District Statehood, OAG's campaign finance legislation, wage theft protections, and more, OAG frequently writes guidance letters to individual Advisory Neighborhood Commissions (ANC) or ANC Commissioners. Under Attorney General Racine's leadership, OAG now publishes this legal advice online within one week of letter date. Commissioners now have easy access to OAG letters that address important and recurring questions on the daily operations and





governance of their ANCs, as do agency officials who interact with ANCs. In addition, anyone wishing to raise concerns about a matter involving ANCs can access past guidance.

Protecting the District & Justice for the Innocent

It is a terrible miscarriage of justice when anyone serves time in prison for crimes they did not commit—and those who have suffered from unjust imprisonment rightly should be compensated. At the same time, the District must be concerned about its financial exposure. Last fiscal year, the District paid more than \$50 million to settle five lawsuits brought under the District's Unjust Imprisonment Act, a 1980 law. These are cases in which the plaintiffs were prosecuted by the federal government, not the District. And in most of these cases, the key evidence on which federal prosecutors relied was now-discredited FBI analysis of hair samples. The federal government, not the District, was responsible for that faulty analysis. Yet current law allows judges to award uncapped damages from the District, while federal law caps damages in these cases at \$50,000 per year of imprisonment.

OAG is advising city officials on how to create a thoughtful process that would provide generous caps on recovery from the District, reduce damages by any amount already paid by the federal government for a claim arising from the same occurrence, and speed the process by which individuals freed from unjust imprisonment may gain compensation from the District. This way, the District limits its liability, and the person who was wrongly imprisoned is not forced to go through the traumatic, lengthy, and costly experience of bringing a lawsuit and going to trial.

Providing Advice & Review for New Zoning Regulations

Zoning regulations are an important part of smart development in the District. In an effort to ensure legal sufficiency, OAG provided legal advice and review required for the zoning commission to adopt an entirely new version of the zoning regulations, which became effective on September 6, 2016. For example, OAG recommended, and the zoning commission adopted, rules to make it clear that an affected ANC may file a report at any time prior to the final decision meeting date for a case, where previously reports had to be filed seven days before a hearing. Zoning regulations exist to prevent nuisances, but cannot succeed unless the text is clear, enforceable, and legally sufficient. In confirming when these three prerequisites are met, OAG is working to ensure development can make a positive difference in the lives of District residents.

Major Cases

Defending Common Sense Gun Laws

Implementing common sense gun laws is essential for public safety and is the right of the District of Columbia government. Attorney General Racine has vigorously defended the District's law requiring applicants for permits to carry concealed guns in public to state a 'good reason' for doing so. OAG believes the gun laws are constitutional, reasonable, and in line with laws in other states that three other federal appellate courts have upheld. Attorney General Racine will continue to stand up for the District's right to keep our city safe.

Stopping Illegal Signs

District construction regulations are in place to protect residents, and Attorney General Racine takes enforcement of those regulations seriously. Digi Media Communications, LLC (Digi Media) did not apply for or obtain proper permits to install large exterior digital signs around the city. Even after stop-work orders were issued, Digi Media continued construction. In an effort to enforce and ensure compliance with District regulations, OAG took legal action against Digi Media to stop the company from unlawfully installing these signs on buildings in the District. An early ruling in favor of the District prevented further construction on both exterior and interior signs until a decision in the case can be made.



Recovering Lost Sales Tax Revenue

As our nation's capital, the District of Columbia is a popular vacation destination, which means the District generates hotel sales tax revenue that supports important things like our public schools, road maintenance, police officers, and more. It is important the District gets the funds to which it is entitled. In a big win for District taxpayers, online travel companies Expedia,

Hotels.com, Hotwire, Travelscape, Orbitz, Travelocity, and Priceline were ordered to pay a combined total of more than \$69 million in unpaid sales taxes and interest to the District. Attorney General Racine will zealously pursue claims against those who harm District consumers.

Negotiating the Best Deals for the District

When electric power companies Pepco and Exelon announced intentions of a merger that would impact District residents, OAG stepped in to ensure that the details of the merger would meet the threshold of serving the public interest. Attorney General Racine continues to believe that the only plan that sufficiently protects residential, including low-income, ratepayers is the plan originally approved by OAG, the People's Counsel, and the Mayor's office. That agreement protects residential ratepayers from rate increases through the end of March 2019, and offers millions of dollars to promote sustainable energy programs, green jobs training, and many other community benefits. OAG has filed a notice of appeal and continues to work through the appeals process.

Ensuring the Integrity of District Elections

Ensuring integrity in elections is critical for voter confidence and a functioning government. When there was an effort to stop a minimum-wage initiative from appearing on the ballot by arguing that the Board of Elections was not properly constituted at the time it authorized the ballot measure, OAG intervened because it was a matter crucial to the public interest. OAG argued that minimum-wage measure should move forward because the Board was properly constituted, and the Court agreed.

Promoting Top Quality Legal Services

Attorney General Racine has set a goal of making the Office of the Attorney General for the District of Columbia the nation's premier public-interest law office. He is devoting resources to strengthen OAG's standing through continuing professional development opportunities and recruiting top legal talent.

Enhancing Staff through Professional Development

The Office of the Attorney General partnered with the National Institute of Trial Advocacy (NITA) on a four-day intensive where lawyers participated in a mock trial and received feedback on direct/cross examinations, opening/closing remarks, and other trial skills. Lawyers also received specific training on legal writing and best practices for using discovery. OAG also values its support staff and has enhanced the skills of its paralegals through a Paralegal Institute where participants received instruction on drafting motions, case citations, court rules, and more. Going forward, OAG has hired a training officer who will develop a comprehensive and strategic training plan for new and existing attorneys and staff.

Securing Pay Parity to Recruit and Retain Top Talent

Our attorneys and staff do incredible work; in order to retain them and to continue to recruit and train top talent, we must be able to compensate them accordingly. Attorney General Racine successfully persuaded the Council to grant a budget enhancement to fund long overdue promotions and merit increases for both lawyers and administrative professionals. In addition, as of October 2, 2016, OAG attorneys received pay parity increases. As a result, the current pay schedule for District line attorneys is a little higher than the current pay scale of federal lawyers on the General Schedule in the Washington, D.C. area. This increase is an important part of keeping OAG competitive in the legal market, thereby strengthening OAG's ability to serve and protect the District.

Recruiting Top Area Law School Graduates

Several of the nation's best law schools are located right here in the District, and it's to the city's benefit to attract the top graduates to work at OAG. In 2012, OAG established the Charles

F.C. Ruff Fellowship to provide the District government with more legal assistance and to promote public interest legal work. The Fellowship is named in honor of Charles F.C. Ruff, who served as the District of Columbia Corporation Counsel (the position now known as Attorney General) from 1995 to 1997. The fellowships are jointly funded by the schools and OAG, and the fellows were selected through a highly competitive process among top graduates from each school. After completing their fellowship, many former Ruff Fellows have been hired for permanent positions at OAG. Under Attorney General Racine's leadership, this fellowship has expanded in class size and the number of participating law schools.

Improving Litigation Support

When the District is up against the top law firms in the country in court, it's essential to have the technological and administrative support needed to present the best case. In an effort to make sure OAG is on a level playing field with well-funded opponents, Attorney General Racine has put an emphasis on litigation support. In 2015, OAG introduced and the Council passed legislation creating an OAG Litigation Support Fund, which pays expenses ranging from retaining expert witnesses to creating high-quality court exhibits. Resources have also been used to purchase e-discovery software that allows trial attorneys to quickly and efficiently review and investigate data. Attorneys are trained on how to best take advantage of this software and new resources from a new full-time employee who specializes in litigation support technology. In 2016, the Council increased the fund's cap to \$3 million. These new resources continue to elevate OAG as the nation's premier law firm.

List of All OAG Divisions

The Attorney General for the District of Columbia is the District's chief legal officer, who—under the D.C. Charter—has “charge and conduct of all law business” of the District and is “responsible for upholding the public interest.” The Office of the Attorney General (OAG) has approximately 275 attorneys and 300 non-attorney staff. The office is divided into 11 areas:

Public Safety Division

Deputy Attorney General: Tamar Meekins

Email: tamar.meekins@dc.gov

Assistant Deputy Attorney General: Alicia Washington

Email: alicia.washington@dc.gov

Contact number: (202) 727-3500

- Prosecutes all of the District's juvenile cases as well as certain misdemeanor adult cases, including cases involving impaired driving, weapons violations, and fraud.
- Juvenile Section processes more than 3,500 cases a year in the Family Court of the Superior Court of the District of Columbia.
- Criminal Section handles approximately 14,000 adult cases per year.
- Housing and Community Justice Section assists victims of crimes and improves the quality of life in neighborhoods across the District by resolving nuisance and housing complaints.
- Domestic Violence and Mental Health Sections protect victims of domestic violence, incapacitated adults who are being abused, and mentally ill adults who need emergency psychiatric care.

Office of Consumer Protection

Director: Philip Ziperman

Email: philip.ziperman@dc.gov

Deputy Director: Jimmy Rock

Email: jimmy.rock@dc.gov

Contact number: (202) 442-9828

- Protects the District's consumers by bringing cases against businesses that take advantage of District residents.
- Educates consumers in the District through outreach events and materials on how best to protect themselves.
- Receives and investigates complaints from consumers in the District regarding potential violations of District consumer laws by businesses.

Civil Litigation Division

Deputy Attorney General: George Valentine

Email: george.valentine@dc.gov

Assistant Deputy Attorney General: Jonathan Pittman

Email: jonathan.pittman@dc.gov

Contact number: (202) 727-6295

- Represents the District, its agencies, and employees in more than 80 percent of the lawsuits seeking monetary damages filed against the District in federal or local courts.
- Cases can include common law torts, wrongful-death, employment discrimination, medical malpractice, police false arrest or excessive force, and other suits seeking significant monetary damages.

Commercial Division

Deputy Attorney General: David Fisher

Email: david.fisher@dc.gov

Contact number: (202) 727-6240

- Provides legal advice to District agencies in core areas of community and economic development, real-estate transactions, property acquisition, procurement, tax and finance, bankruptcy, land use and public works.
- The division provides critical assistance to District officials and agencies at virtually every stage of major government projects.

Support Services Division

Chief Administrative Officer: Tarifah Coaxum

Email: tarifah.coaxum@dc.gov

Contact number: (202) 724-5508

- Provides all of the crucial staff for finance, budget, customer-service, operations management, investigations, and other functions that enable the rest of the office to advocate for and defend the District, its residents, and its agencies.

Family Services Division

Deputy Attorney General: Erin Cullen

Email: erin.cullen@dc.gov

Contact number: (202) 727-3839

- Protects abused and neglected children in the District by representing the Child and Family Services Agency in all phases of neglect proceedings in the Family Court of the Superior Court of the District of Columbia.
- There are approximately 1,200 open cases of child abuse and neglect.

Public Interest Division

Deputy Attorney General: Sally Gere

Email: sally.gere@dc.gov

Assistant Deputy Attorney General: Chad Copeland

Email: chad.copeland@dc.gov

Contact number: (202) 724-7272

- Protects the District's taxpayers by representing the government in complex civil litigation.
- Prosecutes civil actions against those who have defrauded the District Government.
- Handles cases involving civil enforcement of District agency and board decisions.
- Represents the District in government contract litigation before the Contract Appeals Board.

Office of the Solicitor General

Deputy Attorney General: Todd Kim

Email: todd.kim@dc.gov

Contact number: (202) 727-6252

- Handles the District's civil and criminal appellate-court litigation.
- Cases can cover a wide variety of substantive areas in the courts of appeal and the Supreme Court.

Child Support Services Division

Deputy Attorney General: Benidia Rice

Email: benidia.rice@dc.gov

Assistant Deputy Attorney General: Tannisha Bell

Email: tannisha.bell@dc.gov

Contact number: (202) 442-9900

- Assists families in the District with locating absent parents, establishing paternity, establishing orders for monetary and medical support, collecting ongoing support, and enforcing delinquent child-support orders.
- As of the end of Fiscal Year 2015, the District had 49,342 open child-support cases representing 51,497 children living in the District of Columbia and 17,743 more children throughout the nation.

Personnel, Labor and Employment Division

Chief Counsel and Senior Advisor: Nadine Wilburn

Email: nadine.wilburn@dc.gov

Contact number: (202) 724-7716

- Defends the District and agencies in a wide range of personnel matters.
- Reviews prospective collective bargaining agreements for legal sufficiency.
- Directs recruitment and professional development of a talented, diverse and high-quality workforce for OAG.

Legal Counsel Division

Deputy Attorney General: Janet Robins

Email: janet.robins@dc.gov

Assistant Deputy Attorney General: Arthur Parker

Email: arthur.parker@dc.gov

Contact number: (202) 741-7652

- Provides oral and written advice—including opinions—to District officials on legal issues that affect virtually every aspect of District government.
- Performs legal reviews of all draft legislation introduced on the Mayor's behalf, all draft rulemakings from the Executive Branch, and all Council-enrolled bills presented to the Mayor.

Immediate Office

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