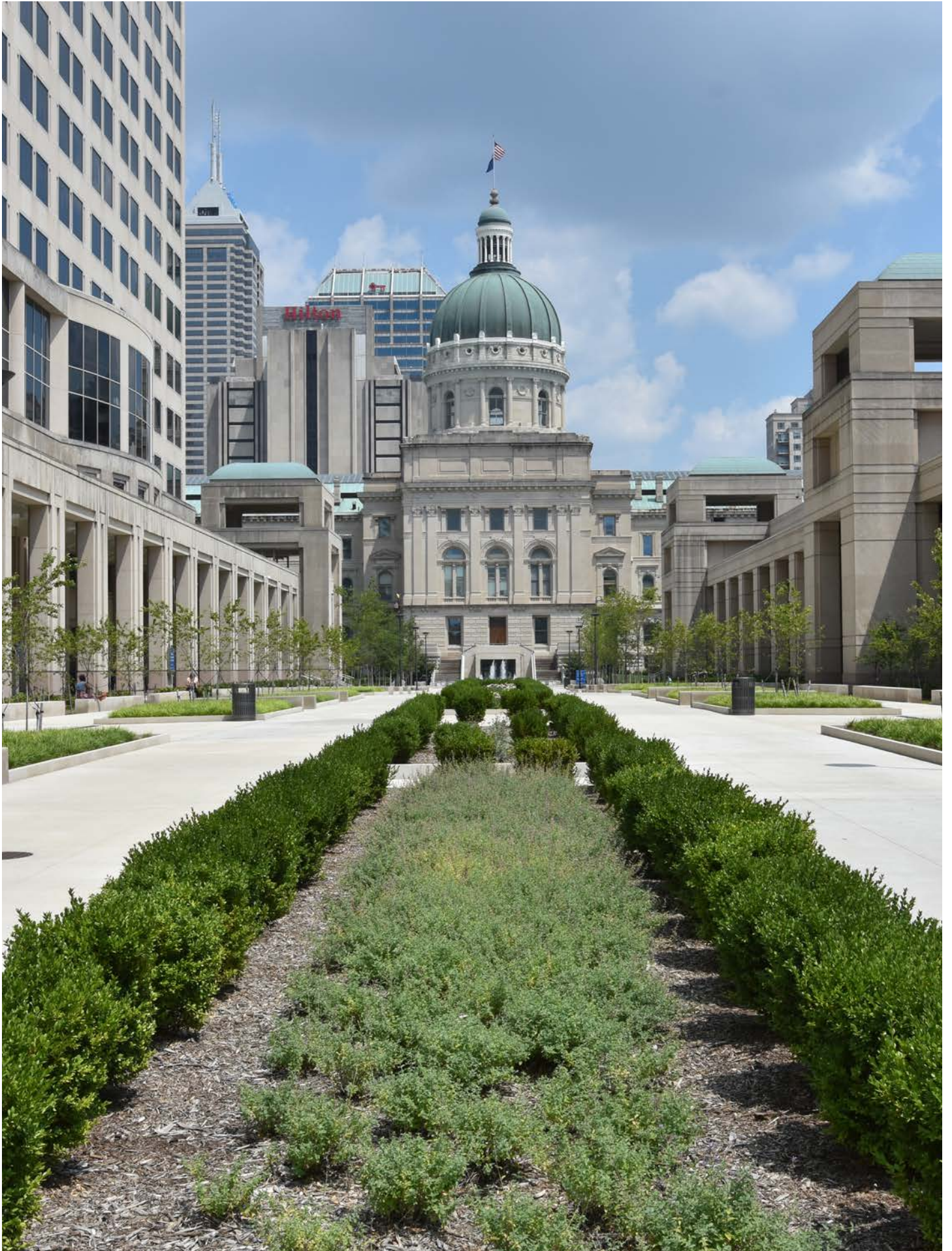




2020 ANNUAL REPORT

Office of the Indiana Attorney General



Marion County



FROM THE ATTORNEY GENERAL

2020 Office of the Indiana Attorney General's Annual Report

Dear Fellow Hoosiers:

Serving as your 43rd attorney general has been simultaneously a great honor and a humbling experience.

I am eternally grateful for the genuine goodness and heartfelt support of so many Hoosiers I have gotten to meet and know during these past four years.

I am grateful also for the tireless work of a dedicated staff whose efforts have enabled our office to produce many worthwhile achievements for the good of Indiana — some of which are briefly summarized in this 2020 annual report.

This past year, of course, has been especially challenging as we all have endured the COVID-19 pandemic.

When the pandemic hit, our office acted quickly to implement a multi-phased business continuity plan to ensure OAG employees were kept safe and that Hoosiers continued being served. Much of our staff, for example, worked remotely from their homes during 2020.

At the same time, as other government officials issued orders restricting Hoosiers' activities during the pandemic, our office stood as a watchdog to make sure our constituents' constitutional liberties were not infringed. Even well-intentioned mandates, after all, must be watched with vigilance by freedom-loving people.

With vaccines now on the way, all Hoosiers can look to 2021 with hope and optimism.

And as I enter my own next chapter, I will do so with fond memories of the opportunity to serve my fellow citizens as your attorney general.

Very truly yours,
Curtis T. Hill, Jr.





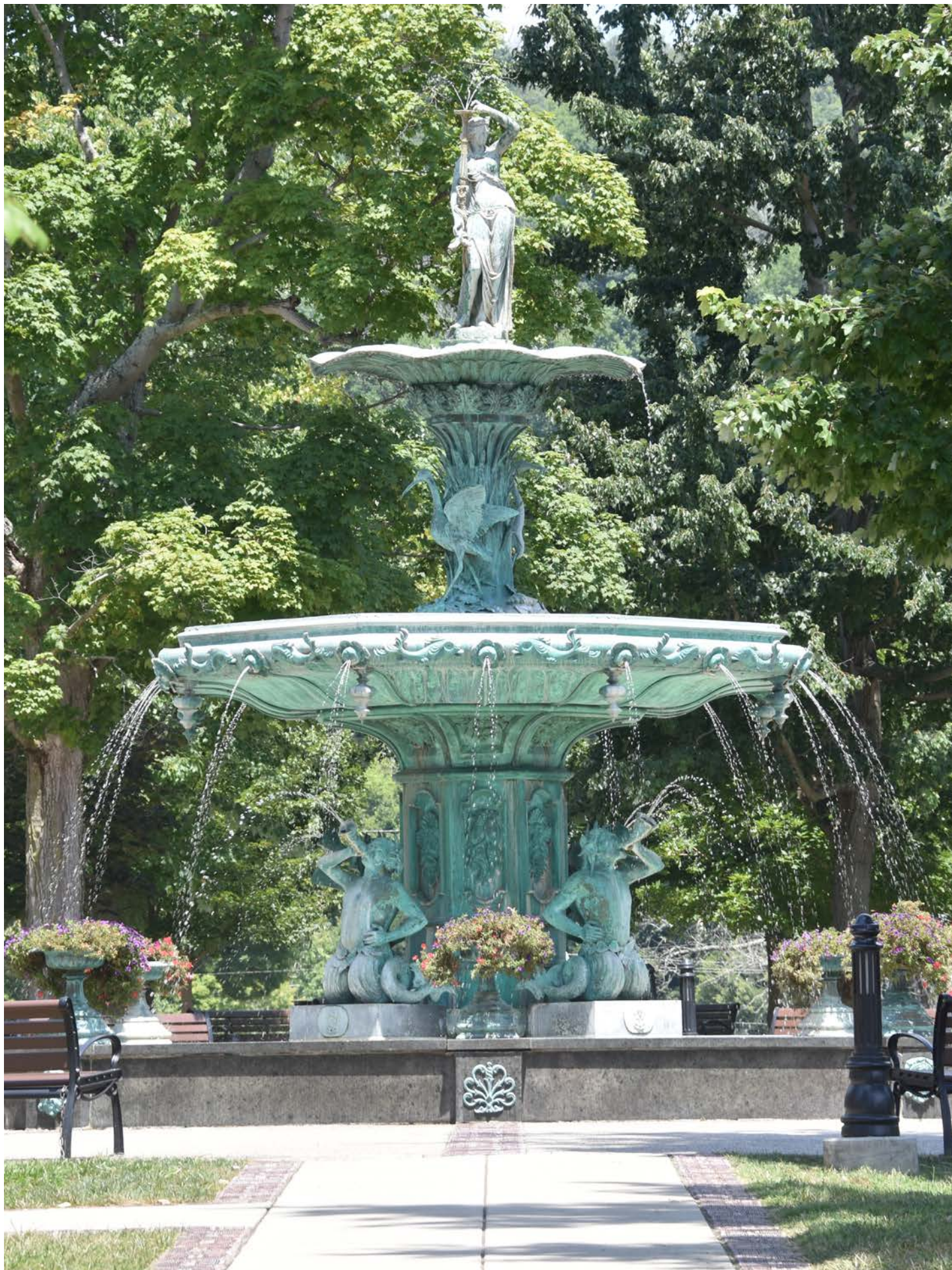
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Monroe County



Madison County

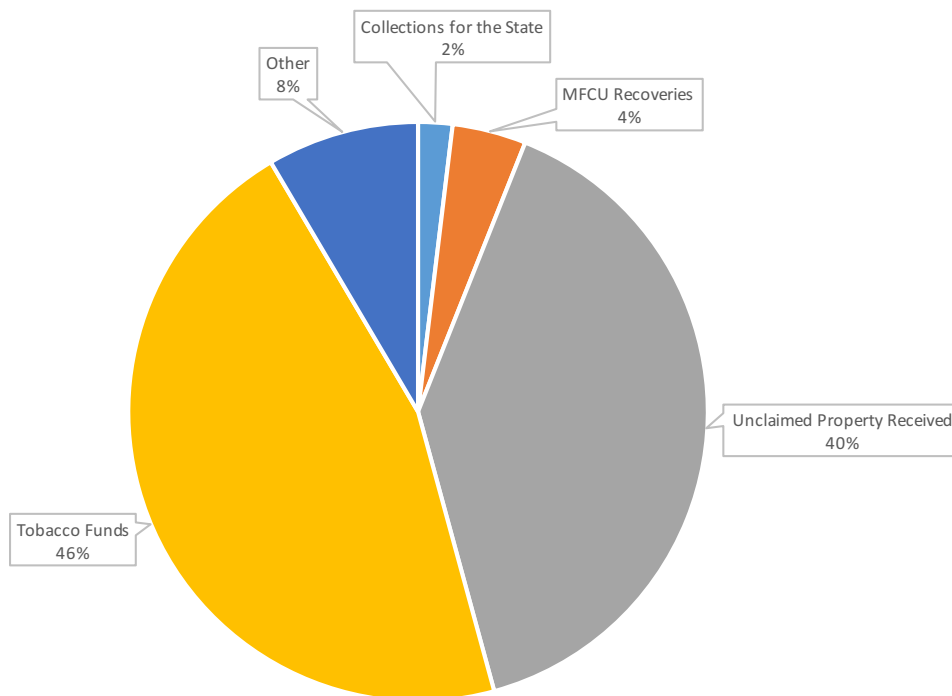


FINANCIAL STEWARDSHIP

2020 Office of the Indiana Attorney General's Annual Report

This administration takes very seriously our responsibility to provide maximum value to taxpayers. Below are just a few examples of the return on investment generated by the Office of the Attorney General.

The OAG brought in more than \$285.9 million in 2020



- Unclaimed Property returned \$55,316,212.00 directly to Hoosiers
- The State received \$8,614,861 from Consumer Settlements
- The OAG brought in more than \$284.9 million in 2020
- MFCU Recoveries: \$11,744,406.53
- Unclaimed Property Received: \$113,297,627.00
- Tobacco Funds: \$130,484,369.00
- Other (Consumer Litigation Settlements, Homeowner Protection, ID Theft Recoveries, Solicitation and Real Estate Fees): \$24,199,087.43



FACILITIES

2020 Office of the Indiana Attorney General's Annual Report

Upon assuming office in 2017, Attorney General Curtis Hill made it a priority to serve Hoosiers in all corners of Indiana in a fiscally efficient way. He opted against renewing a pre-existing lease for additional office space in Downtown Indianapolis and has operated offices in Angola, Castleton, Elkhart, Evansville, Greenwood, Hobart and New Albany. Five of those offices house Medicaid Fraud Control Unit staff, and one houses Unclaimed Property Division staff.

It was clear from the beginning that the office space housing the greatest number of staff members — the fifth floor of the Indiana Government Center-South (IGCS) — showed signs of neglect, disrepair and underutilization of available square footage. Attorney General Hill authorized an assessment of needs and prospective solutions.

In 2018, the OAG conducted (in partnership with DORIS Research) a thorough assessment to evaluate space utilization and employee satisfaction of the fifth-floor IGCS offices. As part of this employee-centered approach, 221 OAG employees provided insight through individual and group interviews about the state of the physical environment at IGCS and what they would like to see changed. This also included a space utilization assessment that provided data about how employees use the office space.

Several solutions were developed to address key issues identified by OAG employees:

- Create more multi-purpose meeting spaces (breakroom/legal strategy rooms).
- Better leverage law library for a common/shared workspace.
- Create “mothers’ room” for nursing mothers.
- Update the look and feel of the office.
- Create more opportunities for working remotely (telecommuting).
- Create a variety of support spaces.
- Implement better wayfinding/signage.
- Provide more settings with access to natural light.
- Better utilize and maximize workstations to allow for consolidation of 42 employees then being housed off-site.



In partnership with IDOA, a fifth-floor renovation and consolidation project began in 2019 and was completed in fall of 2020 — on time and under budget. In addition to updating the look and feel of the office, the workstation configuration and redesign of the IGCS footprint allowed for the non-renewal of a lease at the Old Trails office space in Indianapolis. It enabled 42 OAG employees to be welcomed back to the IGCS. Annual lease rates for the Old Trails space was projected at \$225,000 in the first year, increasing steadily to \$250,000 annually over the final two years of an eight-year lease. These cost savings will pay for the expenses of the overall office redesign in five to six years and realize an annual cost savings after that. Funding for the redesign project was drawn from multiple fiscal year budgets so that no new funding was requested to complete this project.

Renee Stroud from Design Applications (OAG design contractor) said this about the project: “The team thought through the fiscal responsibilities by minimizing construction, maintaining existing office furniture where possible and shopping to get best pricing on common area furnishings. You made tough choices of having internal staff assist wherever possible to keep moving costs to a minimum. You were flexible when opportunities came about to accelerate the construction schedule. All part of the sacrifices made to get this project through completion...We came in well under initial budget and still got everything accomplished.”

Making efficient use of facilities equates to a financial win for Indiana taxpayers. The OAG decreased its physical footprint in Indianapolis, thereby freeing up money for other purposes and enabling a recoupment of the cost of the project over a five-year period.



PROTECTING HOOSIERS

2020 Office of the Indiana Attorney General's Annual Report

Attorney General Curtis Hill has implemented several key initiatives as part of the office's mission to protect the rights, freedoms, and safety of Hoosiers. By using our resources and platform, we work to identify systemic barriers facing Hoosier communities that can contribute to increased crime rates, advocate for legislative changes, and facilitate solution-based conversations among stakeholders.

Initiatives

Crime Prevention Forums

The Attorney General has made crime prevention one of his initiatives as part of the OAG's mission to protect the rights, freedoms, and safety of Hoosiers around the state. The forums bring together key stakeholders including elected officials, law enforcement, mental health professionals, the courts, community-based organizations, medical providers, and others to identify and share best practices to assist with crime prevention in local communities. Forums were held in Bloomington and Franklin in 2020.

Drug Abuse Symposium

The Office of the Indiana Attorney General hosts an annual convening of stakeholders with a vested interest in combating the drug epidemic. This symposium is the largest statewide collaboration of professionals from government agencies, business, academia, clinics, treatment facilities, counseling, education, state and national leadership, and other entities that have been impacted by drug abuse. In 2020, the Office of the Indiana Attorney General held the 11th annual Symposium and for the first time it was hosted both virtually and in-person. Since 2017, it has played host to such noted speakers as former New Jersey Governor Chris Christie, Indiana Supreme Court Chief Justice Loretta Rush, Indiana Supreme Court Justice Steven David, former Florida Attorney General Pam Bondi, Arkansas Attorney General Leslie Rutledge, Jamie Johnson of The Grascals, and others.





PROTECTING HOOSIERS

2020 Office of the Indiana Attorney General's Annual Report

Initiatives

Prescription Drug Safety Program

The Indiana Attorney General joined EVERFI's Prescription Drug Safety Network in 2018. The Network is the nation's first public-private initiative to combat the opioid crisis through prevention education in schools. Together we are committed to empowering Hoosiers with the skills and knowledge, through digital education, to make safe decisions about prescription medications.

2019 - 2020 Academic Year

During the 2019-2020 school year, the most common place for students to hear about prescription drug abuse was from the news – highlighting the increased visibility of this public health crisis. The second most common place for students to hear about prescription drug abuse was at school. As a school-based digital education course, Prescription Drug Safety provides accurate and empowering information where students are most likely to be thinking and talking about prescription drugs. A sizable portion of students say they talk about prescription drug abuse with their family. Particularly during the transition to remote learning due to COVID-19, Prescription Drug Safety is a valuable tool for families to discuss safe use.

During the 2019-2020 academic year, the Office of the Indiana Attorney General provided more than 368 students in 11 Indiana schools with access to a digital learning experience designed to equip students with the knowledge and skills necessary to make healthy decisions. This resulted in 241 hours of critical learning for these Hoosier students.

Knowledge Gain

In order to protect their own health and wellness, students must first understand the key concepts behind addiction, prescription drug labels, how to use prescription drugs safely, and where to seek help. Through assessments taken before and after each module, student scores indicate an increase in knowledge of prescription drug safety. Students' assessment scores increased on average by 37% (from 67 to 92 out of 100).

Impact Since 2018

- 100+ Schools participated
- 6,500+ Students
- 4,800+ Hours of Learning

Counties Sponsored by the Office of the Indiana Attorney General

- | | | |
|-------------------|-------------------|----------------------|
| • Allen County | • Hancock County | • Scott County |
| • Clark County | • Henry County | • Starke County |
| • Crawford County | • Lake County | • Switzerland County |
| • Delaware County | • Morgan County | • Vanderburgh County |
| • Dearborn County | • Jennings County | • Washington County |
| • Fayette County | • Ripley County | • Wayne County |





PROTECTING HOOSIERS

2020 Office of the Indiana Attorney General's Annual Report

Initiatives

Highway Interdiction Team

In collaboration with the Indiana Drug Enforcement Association, the Office of the Indiana Attorney General provides funding to support regional highway interdiction teams (HITs). Funds have been used to provide police cars, drug sniffing dogs, and surveillance equipment to interrupt drug smugglers across Indiana. Following is a chart indicating the contra-band recovered on Hoosier highways by the HITs.

Interdiction teams benefiting from grants

- **Allen County**
Sheriff's Office and Fort Wayne PD
- **Clark County**
Sheriff's Office, Clarksville PD & Jeffersonville PD
- **Dearborn County**
Sheriff's Office & Special Crimes Unit (Prosecutor's Office)
- **Elkhart County**
Intelligence & Covert Enforcement (ICE) Unit (Prosecutor's Office)
- **Hendricks County**
Brownsburg PD
- **Howard County**
Kokomo PD
- **Lake County**
Sheriff's Office
- **Porter County**
Sheriff's Office
- **St. Joseph County**
Mishawaka PD
- **Tippecanoe County**
Lafayette PD & West Lafayette PD
- **Tipton County**
Sheriff's Office
- **Vanderburgh County**
Sheriff's Office & Evansville PD

Indiana Hit Team Statistics

2018 - 2020 HIT by the numbers

Heroin: 64.69 lbs. (29,342.89 g)

Marijuana: 2,434.98 lbs. (1,104,488.35 g)

Meth: 93.02 lbs. (42,193.16 g)

Cocaine: 7.35 lbs. (3333.90 g)

Arrests: 1,630

Weapons: 251





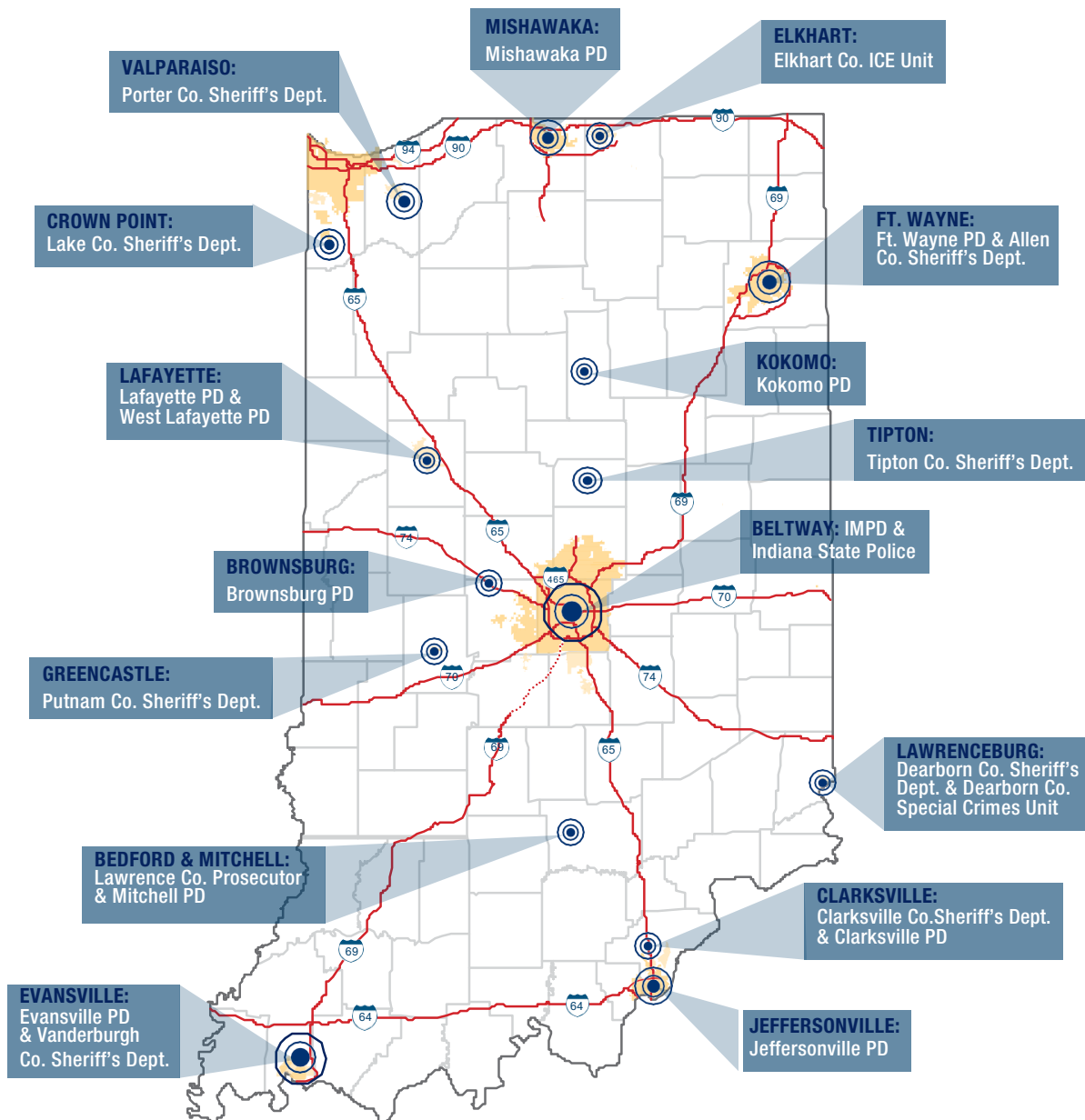
PROTECTING HOOSIERS

2020 Office of the Indiana Attorney General's Annual Report

Initiatives

Highway Interdiction Team

Statewide Teams & Statistics 2018 - 2020



Heroin: 64.69 lbs. (29,342.89 g)
Marijuana: 2,434.98 lbs. (1,104,488.35 g)
Methamphetamine: 93.02 lbs. (42,193.16 g)

Cocaine: 7.35 lbs. (3333.90 g)
Arrests: 1,630
Weapons: 251



PROTECTING HOOSIERS

2020 Office of the Indiana Attorney General's Annual Report

Initiatives

Jail Chemical Addiction Program

Since 2018, the Office of the Indiana Attorney General, in collaboration with the Indiana Drug Enforcement Association, has provided funding to enable counties to establish a Jail Chemical Addiction Program (JCAP). More than 100 offenders have successfully graduated from JCAPs established through grants awarded to the following counties: Kosciusko County, Shelby County, Montgomery County, Elkhart County, Fountain County, Scott County, Marshall County.

JCAP Statistics

- Over 800 offenders served by JCAPs from 2007-2019 (excludes Boone County.)
- 6 programs implemented as a result of our grants: Shelby, Montgomery, Kosciusko, Fountain, Scott, Marshall
- Grants were awarded to Dearborn and Elkhart Counties to evaluate their programs.
- 17.4% recidivism rate among Dearborn County JCAP graduates, compared to a 42.8% recidivism rate among all other Dearborn County offenders. (2014)
- Less than 20% recidivism rate for JCAP graduates in 2019—only 15% committed higher offenses in 3 years following graduation from program.





PROTECTING HOOSIERS

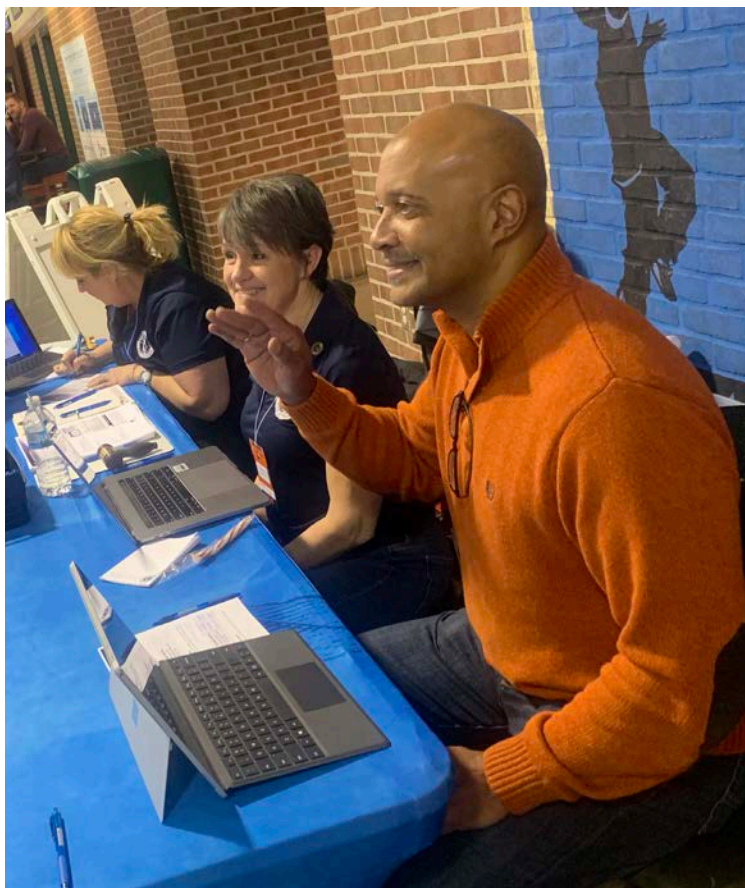
2020 Office of the Indiana Attorney General's Annual Report

Initiatives

Outreach

While the COVID pandemic changed the world and affected our scheduled Outreach Events, with safety and social distancing foremost in our planning, our Mobile Office accomplished the following in 2020:

- Conducted 13 Prescription Drug Take Back events with our partners in law enforcement. We collected 670 pounds of unwanted prescription medications from our events in the following communities: Crown Point, Terre Haute, Lawrenceburg, Greenfield, Fishers, Danville, Crown Point, Clarksville, Indianapolis, Bedford, Shelbyville, Scottsburg, and Columbus.
- Hosted eight Unclaimed Property Outreach Events helping Hoosiers locate more than \$1,700 worth of unclaimed property. This included opening a kiosk at Indianapolis International Airport. The kiosk is designed to educate Hoosier travelers about Unclaimed Property. Users may view a video about unclaimed property while they wait for their flights. A person can then enter his/her email address and he/she will be sent a reminder email to check about unclaimed property.
- Presented two (pre-COVID) Consumer Protection events for 109 attendees that offered tips on how to avoid becoming a victim of scams.





PROTECTING HOOSIERS

2020 Office of the Indiana Attorney General's Annual Report

Initiatives

Human Trafficking

Human trafficking is a crime involving the exploitation of someone for the purposes of compelled labor or a commercial sex act through the use of force, fraud, or coercion. Human trafficking affects individuals across the world, including here in the United States, and is commonly regarded as one of the most pressing human rights issues of our time. Human trafficking affects every community across age, gender, ethnicity, and socio-economic backgrounds. State Attorneys General are at the forefront of leading and coordinating awareness campaigns in their respective states. In 2020, the Office of the Attorney General doubled down on its commitment to protect Hoosiers from human trafficking in all of its forms.

Attorney General Hill hired an experienced prosecutor in the areas of sex crimes, domestic violence, and juvenile law to be a Deputy Attorney General dedicated to coordinating Indiana's human trafficking prevention efforts and encourage and assist law enforcement in stepping up its efforts as well. The Office is a key partner in the collaborative efforts of the Indiana Protection of Abused and Trafficked Humans (IPATH) Taskforce. The Office continues to be engaged in combating human trafficking through the important work of the Indiana Commission on the Status of Children, as well. Just as importantly, the Office is actively assisting law enforcement and prosecutors in several trafficking investigations and prosecutions statewide.



CONSUMER PROTECTION

2020 Office of the Indiana Attorney General's Annual Report

The Office of the Indiana Attorney General Consumer Protection Division safeguards Hoosiers from predatory business practices by taking legal action for violations of the Deceptive Consumer Sales Act. The division also oversees data privacy, identity theft, and investigates and pursues matters relating to medical and professional licenses.

Accomplishments

Intake and Mediation

- The Office has received approximately 20,000 calls and opened approximately 14,495 complaints in 2020.
- The mediation team provided resolution to consumers valued at approximately \$2,213,361 through successful mediations in 2020.

Consumer Litigation

- Successfully obtained judgments, assurances of voluntary compliance, restitution and penalties totaling more than \$7.796 million. The Section also obtained more than \$9 million in loan forgiveness for Indiana consumers.
- Took an active leadership role in development of consequential antitrust cases filed this year against Google and Facebook, in conjunction with other states.
- Successfully obtained an injunction and a judgment against Wildlife in Need, ensuring that more than 150 animals were removed from WIN's Southern Indiana facility.
- Served on the Executive Committee for C.R. Bard multistate resulting in a \$60 million settlement for allegedly deceptive marketing of transvaginal surgical mesh devices. Indiana received \$1,706,213 million in this settlement.
- Obtained judgment against Crown Theatre for deceptive acts and practices in the amount of \$285,500.
- Obtained a judgment against Greenfield Granite in the amount of \$379,500 for committing unfair, abusive, or deceptive acts.
- Conducted diligent enforcement of Tobacco Master Settlement Agreement, and secured \$130,484,368 in funds for the State of Indiana.

Medical Licensing

- Appears before boards or commissions, which regulate health care professionals.
- In the last year, Medical Licensing has closed 2,166 investigation files and opened 1,505 investigation files.
- The average age of a Medical Licensing investigation file is 8.03 months.

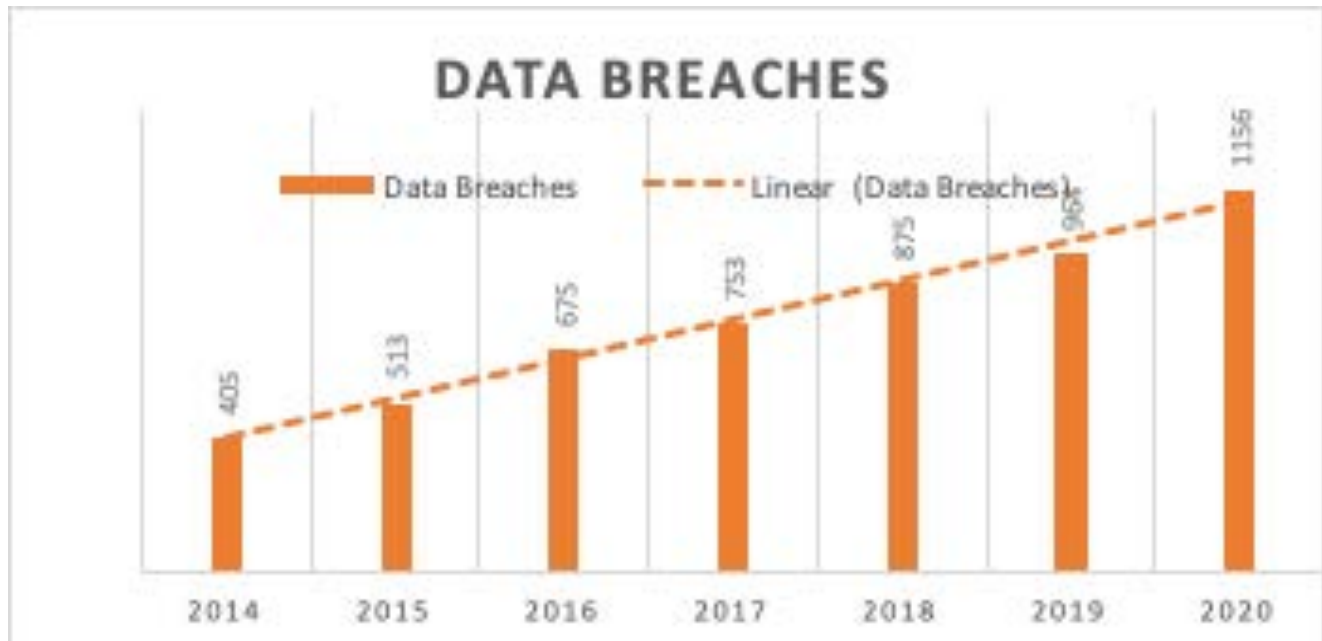


CONSUMER PROTECTION

2020 Office of the Indiana Attorney General's Annual Report

Accomplishments

Data Privacy



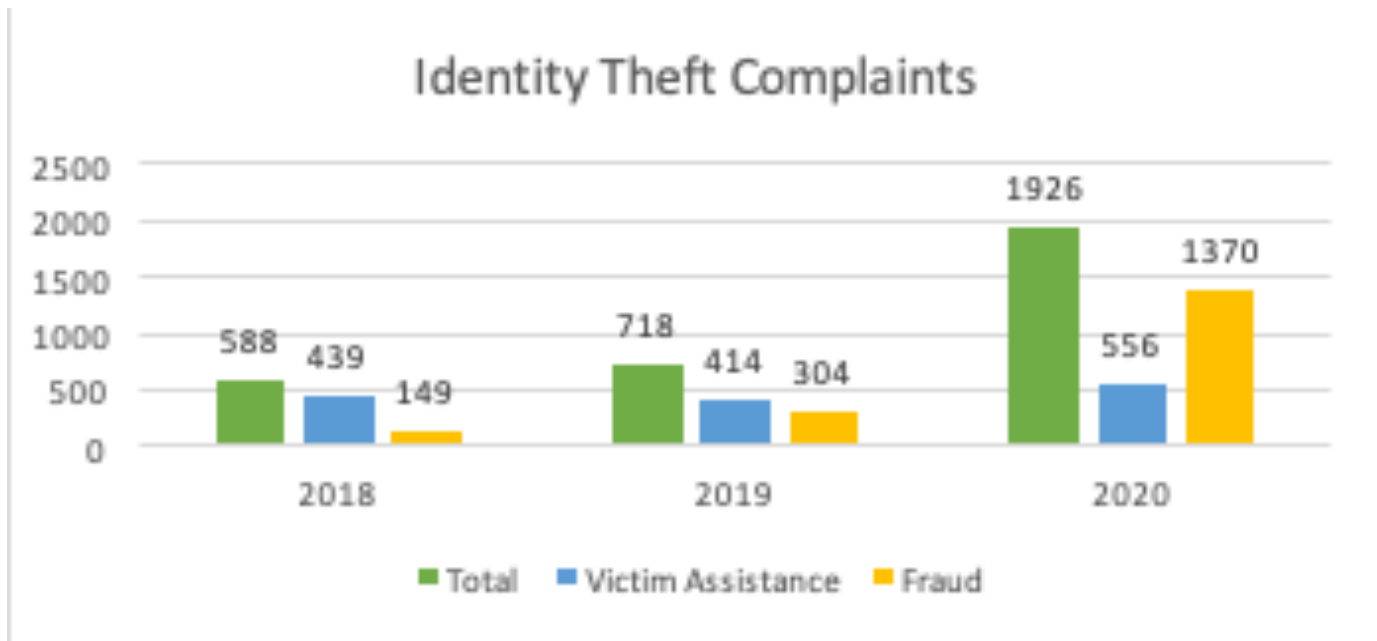
- Indiana opted out of a multistate settlement and filed a lawsuit against Equifax following a data breach that impacted nearly 4 million Hoosiers. In April of 2020, Indiana entered into a \$19.5 million settlement and structured that agreement so Hoosiers could have the opportunity to claim the money they lost.
- In 2020, Data Privacy obtained judgments or settlements, including multistate cases on which it was a lead state or part of the executive committee, totaling \$179.4 million, of which Indiana's share was \$28.5 million. In addition \$8,966,269 was paid in penalties to the Agency Settlement Fund, and \$19,590,399 was returned to consumers as restitution.
- In 2020, Data Privacy saw a 260% increase in the total number of identity theft complaints filed with the Office and a 450% increase in fraud claims.
- In 2020, Data Privacy processed 3,869 telephone privacy complaints.
- Issued 1,233 subpoenas and 883 Civil Investigative Demands.
- Indiana opted out of a multistate settlement and filed a lawsuit against Equifax following a data breach that impacted Indiana and several other states that led a multistate investigation into Anthem Blue Cross & Shield. Indiana proposed a \$40 million settlement, and the matter was ultimately settled for \$39.5 million, of which Indiana received \$2,682,793.
- Indiana led a multistate action concerning Apple's intentional throttling of iPhones leading to a \$113 million settlement with Indiana receiving \$4,890,219.
- Indiana leads NAAG Do Not Call/Autodialer working group and is an active Executive Committee member on Robocall Technology, coordinating with the industry trace back group to implement technologies to slow or prevent fraudulent calls and to change the process by which illegal calls are investigated and enforced.



CONSUMER PROTECTION

2020 Office of the Indiana Attorney General's Annual Report

Accomplishments



- Indiana was one of eight states to file lawsuit against the worst robocaller in the U.S. in U.S. District Court for the Southern District of Texas, Arkansas et al. v. Rising Eagle et al. 4:20-CV-2021.
- Initiated 3 new multistate cases where Indiana is a lead state.
- Led nationwide NAAG Data Privacy training - obtained grant from TJX Fund to provide scholarships for up to 4 attorneys per state, resulting in CIPP/US certification for 2 staff attorneys.
- One of our Data Privacy Investigators was selected for training from the elite U.S. Secret Service National Computer Forensic Institute. Another investigator was selected for NAGTRI investigator training for telephone privacy investigator.

Professional Licensing Enforcement & Homeowner Protection Unit

- PLE-HPU investigates and prosecutes licensing violations before 15 professional licensing boards and civil lawsuits regarding violations of the Home Loan Practices Act, the Deceptive Consumer Sales Act, and Ind. Code Ch. 32-25.5-3, which regulates homeowners' associations.
- The PLE-HPU team processed 41.8% more investigative files to conclusion in 2020 than 2019; nearly doubled the number of litigation files opened.
- Attained civil judgments in 2020 with awards totaling \$601,500 in civil penalties, \$28,580 in consumer restitution, and \$8,830 in the repayment of costs of the Attorney General's prosecutions.



LITIGATION

2020 Office of the Indiana Attorney General's Annual Report

The Litigation Division represents and defends the State of Indiana in lawsuits involving the state's interests.

Accomplishments

• 2020

- Despite the unprecedented challenges of 2020, the Litigation Division litigated approximately 4,000 cases in federal and state courts, opened 2,987 cases and closed 2,730 cases YTD, and recouped more than a total of \$8.9 million.
- Through successful litigation strategy, the Litigation team achieved noteworthy taxpayer savings for the State of Indiana. In FY 20, the State paid much less for civil rights and tort cases than fiscal estimates (\$6.67 million paid out of the Tort Claim Fund) and since FY 2017 achieved a reduction of tort claim fund payments by approximately 79.5 %.

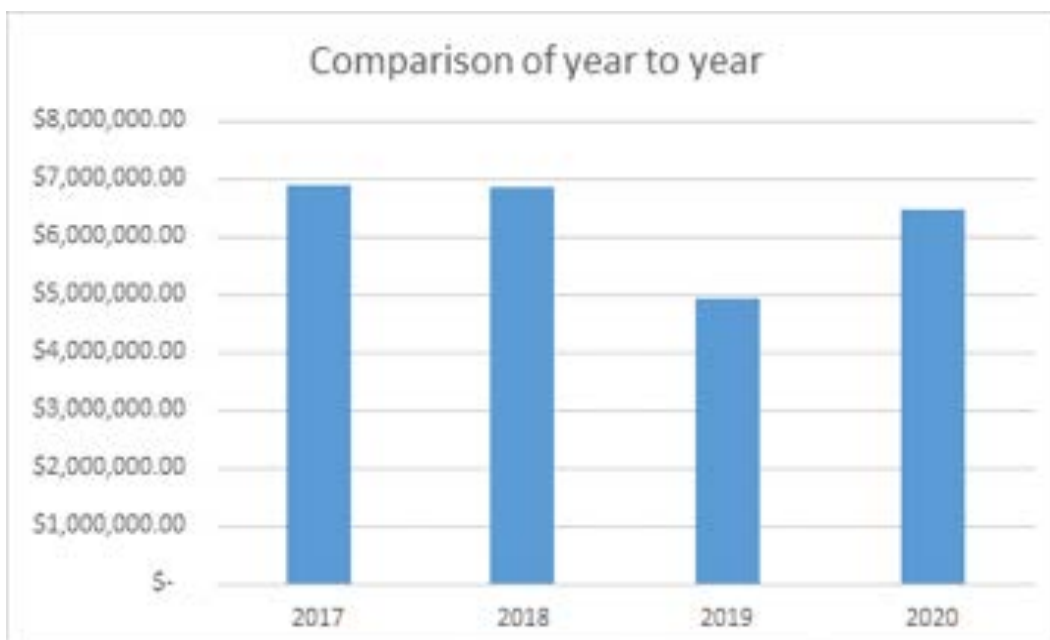
• Administrative and Regulatory Enforcement Litigation Section:

- o Successfully defended high-profile constitutional challenges to state laws, including Indiana's ballot deadline and absentee ballot requirements.

o YTD Financial Recoveries: \$956,700.00 (\$2,119,200.00)

• Asset Recovery and Bankruptcy Litigation Section:

- o YTD Financial Recoveries: \$6,597,909.59
- o Recoveries 2017-present: \$23,865,922.26
- o Cases brought to judgment: 167 with 100% success rate.

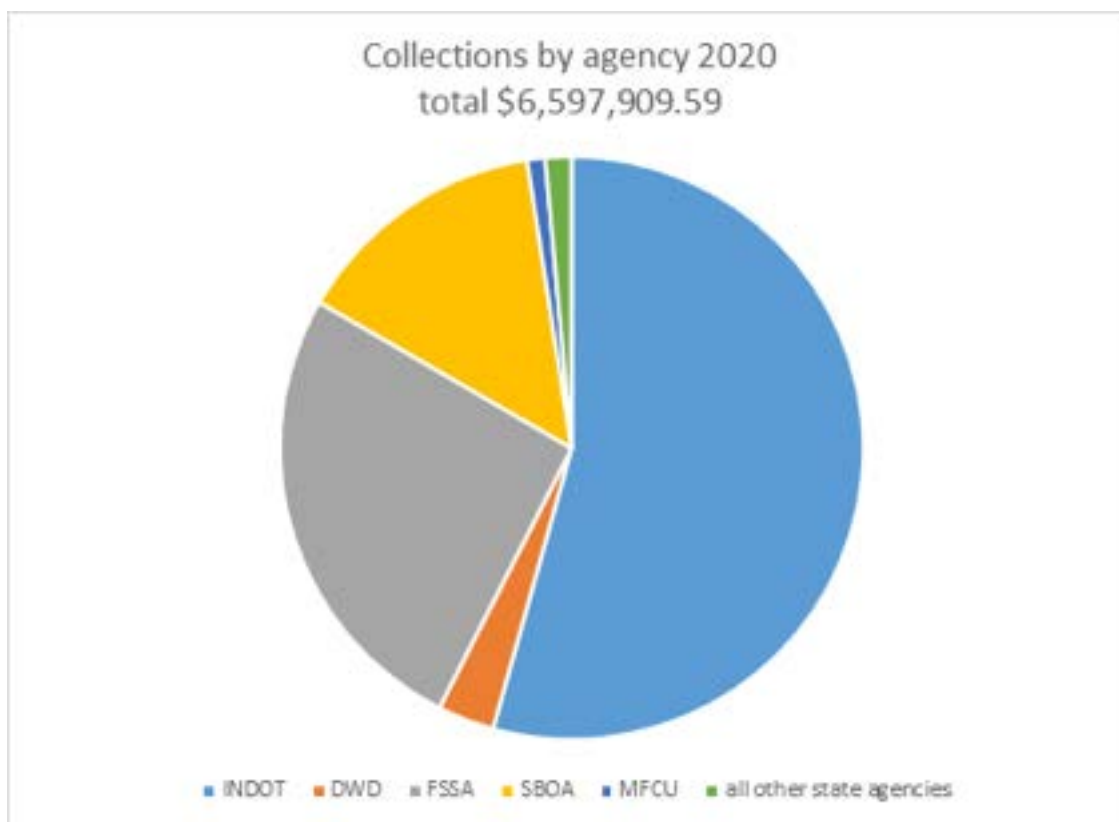




LITIGATION

2020 Office of the Indiana Attorney General's Annual Report

Accomplishments



- **Government Litigation Section:**

- o Successfully defended the State's COVID-19 response in an original action filed by the ACLU in the Indiana Supreme Court which requested early-release for certain prisoners due to COVID-19;
- o Successfully defended hundreds of Section 1983, employment, and other claims through jury trials, mediations, settlement conferences, and dispositive motions including a jury verdict for the Defense in a wrongful death action brought against an Indiana State Police Trooper as a result of a police action shooting.

- **Real Estate Litigation Section:**

- o Represented the State in all eminent domain cases which assisted INDOT in meeting its construction deadlines;
- o Negotiated real estate acquisitions and handled the review and approval of 966 secured real estate parcels, representing a 27% increase over 2019.
- o YTD Financial Recoveries: \$71,741.39



MEDICAID FRAUD CONTROL UNIT

2020 Office of the Indiana Attorney General's Annual Report

The Medicaid Fraud Control Unit investigates Medicaid provider fraud and patient abuse or neglect.

Accomplishments

• 2020

- Recovered over \$4.5 million from various civil and criminal cases involving fraud and abuse or neglect of patients who receive Medicaid benefits
- 27 convictions in State and Federal courts in 2020
- 61 indictments in State and Federal courts in 2020

• 2017 – 2019

- 104 convictions in State and Federal courts
- Over \$59 million in recoveries from various civil and criminal cases involving Medicaid fraud or patient abuse or neglect
- 155 providers excluded from participating in federally funded healthcare programs





UNCLAIMED PROPERTY

2020 Office of the Indiana Attorney General's Annual Report

The Unclaimed Property Division collects, safeguards, and returns unclaimed property to rightful owners.

Accomplishments

- Returned over **\$55.5 million** to Hoosiers in 2020
- Processed 11,442 more claims than in 2019
- Returned 3.5% more properties in 2020 than in 2019
- In 2020, received over **\$118 million** in property (a \$13 million increase from the previous year) including contents of safe deposit boxes, unclaimed stock dividends, refunds from utility companies, etc.

Check www.IndianaUnclaimed.gov to see if the Office of the Attorney General has funds for you





COMPLEX LITIGATION

2020 Office of the Indiana Attorney General's Annual Report

The Complex Litigation Division handles unique cases requiring specialized expertise.

Accomplishments

- Assisted the Litigation Division as first chair in the five-day jury trial and successfully obtained defense verdict in the matter of *Damiani v. Allen* for the State Trooper accused of utilizing excessive force resulting in death.
- Filed Indiana's proof of claim in the amount of \$58.044 billion in the Purdue Pharma bankruptcy.
- Continued prosecution of the State's case against three drug distributors (AmerisourceBergen Drug Corporation, Cardinal Health, and McKesson Corporation) alleged to be responsible for a significant share of the prescription opioids sold to Indiana pharmacies.
- Prosecuting the State's claims in *State of Indiana v. Oceanpoint Investments, LLC.*, a lawsuit alleging that the Defendants engaged in a real estate scheme where consumers would invest in properties in Indianapolis believing that the properties would be rehabilitated and then the consumers would obtain rental income.
- Assisted the Consumer Protection Division in obtaining a \$19.5 million settlement of the State's case related to Equifax's data breach and security protocols. Assisted in setting up the claims process for payments to affected Indiana consumers.
- Assisting the Consumer Protection Division in prosecution of the claims in *State of Indiana v. Wildlife in Need, et al.* Successfully obtained judgment against Wildlife in Need placing it in receivership.
- Conducted investigations regarding issues that significantly impact Hoosiers and the State of Indiana, including the nationwide opioid crisis through continuous coordination with a majority of other states, to determine whether action could be pursued to obtain appropriate relief.



SOLICITOR GENERAL

2020 Office of the Indiana Attorney General's Annual Report

The Solicitor General represents the State of Indiana in litigation before the Supreme Court of the United States and other significant and high profile matters.

Accomplishments

- The SG Division devotes substantial effort to defending reasonable regulation of abortion procedures. In the U.S. Supreme Court, Indiana co-authored a multistate amicus brief urging the Court to uphold a Louisiana abortion statute. Following its decision in that case, the Supreme Court summarily vacated and remanded two Indiana cases where lower courts had enjoined abortion statutes, including one that requires notice to parents when a minor gets an abortion and one that requires an ultrasound 18 hours before an abortion. Ultimately, Planned Parenthood dropped its challenge to the ultrasound law, which will become enforceable January 1, 2021.
- On the eve of Election Day 2020, the SG Division fended off several last-minute challenges to Indiana election laws, including demands that Indiana permit universal mail-in voting and that Indiana officials count mail-in ballots received after the statutory deadline.
- In the Seventh Circuit, SG Division lawyers obtained reversal of a district court invalidation of Indiana's ban on smokable hemp and reversal of an injunction that required Indiana's Family and Social Services Administration to raise Medicaid reimbursement rates to provide home-healthcare to a Medicaid beneficiary.
- The SG Division provided national leadership by writing and filing more than two-dozen multi-state amicus briefs in important and high-profile cases pending before the U.S. Supreme Court, lower federal courts and the Indiana Supreme Court.



APPEALS

2020 Office of the Indiana Attorney General's Annual Report

The Appeals Division represents the State's interests before the Indiana Supreme Court, U.S. Courts of Appeals, and the Court of Appeals of Indiana. This includes serving as prosecutors at the appellate stage of all criminal cases, as well as litigating appellate cases in a wide range of civil matters. Its attorneys also represent State officials in habeas corpus challenges to criminal convictions and prison disciplinary sanctions that are filed by prisoners in the U.S. District Courts. The Division also operates a variety of victim services programs related to domestic violence, protective orders, and human trafficking prevention.

2020 Overview

In 2020, the Appeals Division opened around 1,750 new cases; filed about 1,700 briefs; and appeared before appellate courts for oral argument in 35 cases. It continued its longstanding tradition of excellence in appellate advocacy, prevailing in 93 percent of criminal appeals and 91 percent of appeals in civil matters.

Accomplishments - Criminal Appeals

- Secured reinstatement of the murder conviction of John Myers, the killer of Indiana University student Jill Behrman in 2000, in the U.S. Court of Appeals after a lower court judge ordered Myers's release;
- Won appeals brought by Alyssa Shepherd, a Fulton County woman who killed three schoolchildren and seriously injured a fourth when she disregarded a school bus stop arm and struck the children with her automobile;
- Successfully defended the constitutionality of lengthy sentences for exceptionally heinous crimes committed by juveniles who claimed such sentences violate the Cruel and Unusual Punishments Clause of the Eighth Amendment to the United States Constitution;
- Persuaded appellate courts to reject the appeals of Clinton Loehrlein, who murdered his wife and attempted to kill his two daughters at their Vanderburgh County home in 2017; and
- Won an appeal brought by former police trainee Wesley Ryder to have courts throw out on technicalities the results of his blood tests conducted after Ryder drunkenly caused a crash on Interstate 465 in Marion County in 2015.



APPEALS

2020 Office of the Indiana Attorney General's Annual Report

Accomplishments - Civil Appeals

- Successfully defended the constitutionality of the Indiana Right to Farm Act in the Indiana and U.S. Supreme Courts;
- Won favorable decisions by the Indiana Supreme Court that reaffirm the Attorney General's responsibility to recoup public funds from officials who illegally pilfer local government coffers;
- Convinced the U.S. Court of Appeals to protect Hoosiers from overreaching injunctions issued by lower federal courts;
- Secured an important decision that confirms the state judiciary's sovereign immunity from suits under the Americans with Disabilities Act;
- Ensured that Indiana State Police troopers cannot be held personally liable for automobile accidents when driving a police car and that such claims can only be brought against the State;
- Persuaded the U.S. Court of Appeals that the Constitution does not give prisoners a First Amendment right to frustrate a warden's decision to transfer offenders between prisons; and
- Protected the safety of nearly 350 children from abusive and neglectful parents by winning appellate cases, such as one parent's attempt to game court deadlines to delay child protection cases, and another parent's effort to have courts invalidate a statute placing the burden on parents to explain to courts how their children's non-accidental injuries occurred.

Accomplishments - Victim Advocacy

- During the 2020 session of the General Assembly, legislators passed an overhaul of the Attorney General's Address Confidentiality Program, which provides a confidential, anonymous address to victims of crime trying to avoid detection from perpetrators. Under the revised statutes, the OAG will be able to serve more victims more effectively through this highly successful and important program.



ADVISORY

2020 Office of the Indiana Attorney General's Annual Report

The Advisory Division provides legal advice and opinions to State of Indiana elected officials and agencies.

Accomplishments

- 31 Rules reviewed and processed
- Advised 59 boards and commissions, including professional licensing boards and bodies corporate and politic
- 8 Attorney General Opinions issued:
 - 2020-1 RE: Regulation of Online "Merchant Service Provider"
 - 2020-2 RE: Municipal Utilities and Rental Properties Under Ind. Code § 8-1.5-3-8
 - 2020-3 RE: Senate Bill 74 and Definition of Gender Under Indiana Code
 - 2020-4 RE: Local Government Restriction of Firearms During Emergencies
 - 2020-5 RE: Payroll Deductions for Public Sector Employees
 - 2020-6 RE: Mask Mandate
 - 2020-7 RE: Licensure of Internally Created Software Application
 - 2020-8 RE: Restrictions on Religious Activities and Organizations

Contracts Reviewed

Year	# Reviewed
2017	No Data Available
2018	5,144
2019	6,419
2020 (as of 11/25)	7,008



Gibson County



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