

OFFICE OF ATTORNEY GENERAL
ANDREA JOY CAMPBELL

ANNUAL REPORT

**FISCAL YEAR
2023**

Report of the Attorney General for Fiscal Year 2023

Dear Residents of Massachusetts,

In accordance with the provisions of Section 11 of Chapter 12 of the Massachusetts General Laws, I hereby submit the Annual Report for the Office of the Attorney General, which covers the period from July 1, 2022, through June 30, 2023.

It is an honor to serve as your Attorney General.

Respectfully submitted,

Andrea Joy Campbell
Attorney General

EXECUTIVE BUREAU

The Executive Bureau provides administration, public information, and policy development support for the Attorney General's Office (AGO), as well as operational support, information technology, human resources, and fiscal management services. Executive Bureau leadership includes the First Assistant Attorney General, three Deputy Attorneys General, the Chief of Staff, the Chief Operating Officer, and Chief of Organizational Diversity Equity and Inclusion. Divisions within the Executive Bureau include Budget; Communications; Community Engagement; General Counsel's Office; Grants Management; Human Resources; Information Services Center; Information Technology; the Law Library; Office of the State Solicitor; Operations and Support Services; Policy and Government Affairs; Victim Compensation and Assistance; and three regional AGO offices.

Community Engagement Division

The Community Engagement Division (CED) establishes a bridge between community members and the AGO to ensure that every resident has access to AGO resources, services, and educational materials. CED identifies community and government stakeholders with which to partner to advance and amplify AGO priorities, initiatives, and projects. CED leverages community relationships and partnerships to help ensure that the AGO's work is as community-informed and community-driven as possible. CED creates structures for community to interact with the office and provides and facilitates listening sessions, in-person office hours in the region, educational trainings, forums, and presentations on a wide variety of topics.

Significant Achievements & Priorities for FY2023

Over the course of the year CED added new staff and roles into the Division including a new Chief, Director of Outreach, Director of Partnership, and a Community Engagement Coordinator in the Southeastern Regional Office.

As part of the Attorney General's commitment to expand the reach of the AGO and engage communities outside of Metro Boston and in the rest of the Commonwealth, CED planned and hosted regional open houses, conducted trainings on priority issues throughout the Commonwealth, and continued to build support for language access to ensure that all residents can access our office and our materials. Specific initiatives included Student Loan outreach, Addressing Hate in Sports Trainings, wage theft clinics, and support for Non-Profit Organizations/Public Charities Division's monthly webinars. .

Important Statistics and Numbers:

CED organized and attended 85 in-person events and trainings and hosted 45 public and private webinars, engaging directly with residents across the state in English, Spanish, Portuguese, and

Haitian Creole on a wide range of topics and services, including Consumer Rights, AGO Assistance to Immigrants and Refugees, Energy and Fuel Assistance: A Consumer Warning, and Worker's Rights.

General Counsel's Office

The primary responsibility of the General Counsel's Office (GCO) is to provide legal assistance and operational support to the Attorney General, Senior Management, Executive Bureau, and the office as a whole.

Specifically, the GCO provides legal assistance with employment, ethics, and conflicts of interest issues; assists in the development and implementation of office policies and procedures; works with the Human Resources Division to ensure best employment practices; ensures that all staff members comply with G.L. c. 268A; coordinates the AGO's appointments to state boards and commissions; manages the AGO's responses to public records requests; and runs the AGO in-house legal training program.

The GCO is also instrumental in identifying cost savings by encouraging sound business practices. For example, the GCO reviews outside legal and other vendor services and ensures all AGO contracts and grants comply with legally and fiscally-sound procurement, contracting, and grant-making processes. The GCO also manages the library and eDiscovery teams.

Significant Achievements & Priorities for FY2023

In FY2023, the GCO facilitated a two-day management training by the National Association of Attorneys General Training Institute. The NAAG Core Competencies for First and Mid-line Managers was attended by 47 AGO managers.

In FY2023, the General Counsel's Office provided legal support to the transition of administrations and oversaw the swearing in and reappointment of 262 Assistant Attorneys General.

Important Statistics and Numbers

AG Institute: In FY2023, the AG Institute conducted 20 training programs for AAGs and staff, filling approximately 1,000 seats. The AG Institute also conducted the New Employee Orientation, training a total of 70 new employees.

Boards and Commissions: In FY2023, there were a total of 24 new Boards & Commissions Appointments and 8 Boards & Commissions Reappointments.

Public Records Requests: In FY2023, the AGO received 696 public records requests, a 2% increase from the number received in FY2022. Members of the press/media submitted 102 of those requests.

Special Assistant Attorneys General (SAAsG): In FY2023, there were a total of 39 new SAAG Appointments, 23 amended SAAG Appointments, and 1 vacated SAAG Appointment. In addition, all existing SAAGs were reappointed with the change in administration.

Review of outside Legal Services Contracts: In FY2023, the GCO reviewed 9 Legal Services Contracts and provided substantial assistance to agencies' retention of outside legal counsel.

Grants Management

The Grants Management team creates and oversees settlement-funded grant programs often through cross-bureau collaboration with other AGO divisions. Grants are awarded to nonprofits and municipalities throughout each fiscal year. The team is responsible for grant program development, proposal solicitation, application evaluation, grantee contracting, and grantee program compliance.

The Grants Management team also applies for and manages federal grant awards from the U.S. Department of Justice which expand the AGO's capacity to serve its constituents. Led by its Director, the team develops high-quality grant applications, ensures compliance with federal award conditions, manages numerous subgrantees, and collaborates with cross-bureau program implementation staff.

Significant Achievements & Priorities for FY2023

- During FY2023, the Grants Management team awarded \$5.9 million in grants to nonprofits and municipalities, more than doubling its awards from the prior fiscal year.
- In cooperation with the Health Care Division, the Grants Management team launched the Mental Health Diversionary Services Grant Program which awarded a total of \$2,851,723.02 to 13 grantees. Programming funded by the grant will divert individuals in need of mental health care from accessing it through emergency departments and/or allow individuals to be discharged from the hospital rather than boarding in the emergency department.
- The Grants Management team, in cooperation with the Human Trafficking Division and the Victim Services Division, received two U.S. Department of Justice grants totaling a combined \$1.5 million. Funds will be used for human trafficking prevention activities and support for survivors of human trafficking.

Important Statistics and Numbers

- Grants received (number and value): 3 grants totaling \$3,518,999.00
- Grants given (number and value): 133 grants totaling \$5,897,060.77

Information Services Center

The Information Services Center (ISC) is the AGO's robust call center for inbound calls from the public. Created in January 2020, ISC is working through the process of absorbing all inbound hotlines, tip lines and helplines with the goals of maximizing efficiency, minimizing hold times

and erroneous transfers while improving the quality of information provided to the public. During FY2023 ISC answered six inbound lines: Constituent Services, Consumer Hotline, Criminal Bureau Duty Line, False Claims Tipline, Public Charities Hotline, Switchboard and served as a data collection pass through for Commonwealth Anti-Trafficking Task Force Tipline, Casino Employee Trafficking Tipline and the Opioid Settlement Help Line. ISC also manages the Constituent Services email MassAGO@mass.gov. ISC currently provides its services in English, Portuguese and Spanish.

Significant Achievements & Priorities for FY2023

In May 2023, ISC created a flier designed to assist members of the public self-determine if their situation requires a call to one of the AGO phone lines or completing one of the AGO online complaint forms. It is used by many divisions in their public facing work and is currently available in Chinese, English, Portuguese, and Spanish.

In Spring 2023, ISC in partnership with HR, launched a mandatory training program for public touch employees. Currently consisting of three required courses offered through AG Institute, the program is designed to insure public touch employees have the tools and resources they need to effectively interact with members of the public in high volume.

Throughout FY2023, ISC created two new pass-through lines (GED/HT Casino Employee Tipline and the Opioid Settlement Helpline) and transitioned the Constituent Services phone number and email into its portfolio.

Important Statistics and Numbers

In FY 2023, ISC live answered 53,525 calls across the six AGO phone numbers in its portfolio, averaging just over 2,000 phone calls per week:

- Constituent Services: 105
- Consumer Hotline: 22,397
- Criminal Bureau Duty Line: 460
- False Claims Tipline: 55
- Public Charities Hotline: 7,653
- Switchboard: 22,960

Of these calls, 949 were handled in Spanish and 146 were handled in Portuguese.

An additional 383 calls passed through ISC's call center platform to other AGO divisions:

- **Office of the State Solicitor**

The Office of the State Solicitor's (OSS) mission is to ensure the highest quality of appellate advocacy throughout the Office of the Attorney General. OSS serves as a resource in determining whether and when to appeal, helping craft a brief or argument, consulting on appellate procedure or strategy, and framing and ensuring adequate preservation of key issues at the trial court level. OSS also helps ensure the consistency of legal positions taken in briefs filed by the Office of the Attorney General; serves as a liaison to the appellate courts on recurring or difficult procedural problems; advises the Attorney General on whether to write or join amicus curiae briefs; and offers other support for the Attorney General's appellate work.

Significant Achievements & Priorities for FY2023

In FY2023, the Office of the State Solicitor continued its work leading the Commonwealth's appellate advocacy. Among other priorities advanced, OSS supported the Attorney General's efforts to advance racial justice and equity, including by leading a multistate amicus brief in the Supreme Court in support of the constitutionality of holistic race-conscious admissions policies at our institutions of higher education; advising agencies and internal stakeholders following the Supreme Court's decision overturning 50 years of precedent permitting such policies where necessary; and leading other multistate amicus briefs defending other, race-neutral policies aiming to increase equity in educational opportunities here in Massachusetts and other courts around the country.

OSS also continued to contribute to the Attorney General's efforts to protect workers and economically vulnerable people. This work included leading a multistate amicus brief in the Supreme Court in support of the lawfulness of the Biden Administration's exercise of its authority under the HEROES Act to cancel student loan debt to mitigate harms caused by the COVID-19 pandemic; filing an amicus brief in the First Circuit fighting back against employee misclassification in the context of franchise agreements; and filing an amicus brief before the Appeals Court sitting en banc defending tenants' rights in summary process eviction proceedings.

Additionally, OSS continued to support the Attorney General's Office's work to eradicate pernicious discrimination, including leading a multistate amicus brief in the Supreme Court defending states' public accommodations laws against a First Amendment challenge by a business owner wishing to refuse business to same-sex couples, as well as leading or joining briefs defending employees from discrimination on the basis of sexual orientation and defending healthcare access for transgender people.

Policy and Government Affairs Division

The Policy and Government Affairs Division guides the development and advancement of the Attorney General's Office's policy and legislative priorities. The Division supports the Attorney General's Office's work as the "the top policy shop in the Commonwealth." The Division articulates the office's positions on legislation under consideration in the Massachusetts Legislature and U.S. Congress. The Division serves as a liaison between the office and our local, state, and federal partners; the Division responds to inquiries made to the office by members of the congressional delegation, state legislators, executive agencies and local officials, often made on behalf of constituents, and helps those constituents access resources within the office.

Significant Achievements & Priorities for FY2023

In consultation with reproductive and gender-affirming health care advocates, the Massachusetts legislature, and the Governor's office, the Policy and Government Affairs Division contributed to the drafting and development of *An Act expanding protections for reproductive and gender-affirming care*, signed by Governor Baker on July 29, 2022. This legislation codified new protections for the provision and receipt of health care in the wake of the *Dobbs* decision issued by the U.S. Supreme Court.

In collaboration with legislative partners in the House and Senate, Attorney General Andrea Joy Campbell signed on to five pieces of legislation just two days after her inauguration on January 18, 2023:

- An Act strengthening the Attorney General's tools to protect nursing home residents and other patients from abuse and neglect.
- An Act modernizing protections for consumers in automobile transactions.
- An Act relative to silencers.
- An Act relative to electric ratepayer protections.
- An Act to protect the privacy of crime victims.

Attorney General Campbell became a regular presence at the Massachusetts State House in 2023 and testified in support of key priority legislation.

Constituent Success Stories

In February 2023, the Division was contacted by a Worcester County legislator with an inquiry concerning a constituent who did not receive her paychecks in a timely manner to her home address. After filing a complaint with our office, the Fair Labor Division issued a citation to the employer with a penalty and order of restitution for two workers.

In June 2023, the Division was contacted by a Middlesex County legislator with an inquiry regarding a constituent who was served a notice to quit by their landlord despite having paid their rent in a timely fashion. After mediation by our Consumer Advocacy & Response Division, the constituent was able to remain in their home.

In February 2023, the Division was contacted by a Hampshire County legislator on behalf of a 75-year-old constituent who had their electricity shut off for nonpayment without permission from the DPU. Staff from the Consumer Advocacy & Response Division quickly jumped into action and resolved the issue the same day.

In July 2022, a Bristol County legislator contacted the Division on behalf of a constituent with a lemon law issue and an uncooperative dealership; after mediation from our Consumer Advocacy & Response Division, the dealership reimbursed the constituent for the full price of the sale.

A Suffolk County legislator contacted the Division in March 2023 on behalf of a constituent who was having trouble submitting their documents to our online Non-Profit Organizations/Public Charities portal; after quick action by NPCD staff and our IT liaison, we were able to quickly diagnose the issue and get the constituent's charity into compliance.

Central Massachusetts Regional Office

The Central Massachusetts Regional Office serves as the local representative of the Office of the Attorney General. The CMAS Division includes lawyers, labor inspectors, consumer mediators, and administrative staff who are knowledgeable about the statewide activities of the Attorney General's Office and have also developed special relationships with local, regional, and community resources. The CMAS office works closely with local community organizations (including the City Manager's Coalition Against Bias and Hate, the YWCA's Coordinated Community Response Network, the Mayor's Brownfields Task Force, the Regional Response to Addiction Partnership, and the Better Business Bureau) to provide outreach and education programs on important consumer, environmental, and public safety issues.

Significant Achievements & Priorities for FY2023

CMAS staff worked closely with FLD to assist with the first Worcester based Wage Theft Clinic. CMAS staff have supported the Office's work in the Housing Working Group by coordinating with municipalities and DOR/DLS regarding the handling of municipal tax title foreclosures in the wake of the U.S. Supreme Court's decision in *Tyler v. Hennepin County*. CMAS FLD, CPD, FCD and MFD staff handled numerous complaints and cases related to regional issues.

Southeastern Massachusetts Regional Office

The Southeastern Massachusetts Regional Office ("SEMA") serves as an accessible representative of the Attorney General's Office, providing services and assistance to residents of Bristol, Plymouth, Barnstable and Dukes Counties. SEMA consists of lawyers, administrative staff, mediators, labor inspectors and consumer specialists who primarily handle matters for the Fair Labor, Constitutional and Administrative Law, Trial, Neighborhood Renewal, Consumer Advocacy and Response, Consumer Protection, and Insurance and Financial Services Divisions.

Significant Achievements & Priorities for FY2023

During Fiscal Year 2023, the Attorney General's Office established a Community Engagement Coordinator position based out of SEMA. This filled a huge need within the Southeastern Massachusetts region and has been critical in establishing and nurturing connections between the Attorney General's Office and communities throughout the area.

The SEMA Fair Labor team collected \$8,698,198 in revenue of which \$956,536 was restitution and \$7,741,662 was civil penalties.

The Insurance and Financial Services mediator assigned to the SEMA office successfully returned over \$93,000 into the pockets of consumers through settlements reached with their auto insurers.

Western Massachusetts Regional Office

The Western Massachusetts Regional Office ("WMAS") of the AGO was the first regional office and remains the largest regional office. WMAS has approximately 35 employees representing nearly every bureau, division, and initiative of the AGO. During Fiscal Year 2023, WMAS continued to succeed in its mission of providing accessible AGO assistance and services to Western Massachusetts residents in the four western counties—Berkshire, Hampden, Hampshire, and Franklin—while engaging with the AGO as a whole on statewide initiatives.

WMAS represents the Commonwealth in state and federal court, primarily in the four western counties, and provides direct constituent services in many areas, including civil rights, consumer protection, fair labor, Medicaid fraud, neighborhood renewal, and criminal matters. In addition, the WMAS staff participate in numerous outreach programs—online and in person—with the public, partner agencies, and law enforcement. WMAS staff also represent the AGO as appointees or liaisons to various governmental bodies, including the Board of Appeals on Motor Vehicle Liability Policies and Bonds.

Significant Achievements & Priorities for FY2023

The Fair Labor Division in WMAS collected \$7,744,041.47 in revenue (\$737,156.97 in restitution and \$7,006,884.50 in penalties) and presented at multiple educational trainings.

The Trial Division and Constitutional and Administrative Law Division in WMAS opened 28 new cases and resolved 37, with an estimated savings to the Commonwealth of approximately \$1,573,000.00. Litigation included motion practice, discovery, trials, and appeals in:

- torts arising from alleged negligent conduct by state employees;

- employment claims brought against various state agencies;
- contract and eminent domain claims arising from state construction projects;
- administrative appeals of decisions by the Department of Children and Families, the Civil Service Commission, the Board of Appeals on Motor Vehicle Liability Policies and Bonds, and other state agencies; and
- challenges to the legality of state laws and policies.

The Neighborhood Renewal Division in WMAS recovered over \$ 117,534.31 for the Western region, in unpaid taxes and other municipal fees for the towns of Ashfield, Becket, East Longmeadow, Erving, Gill, Greenfield, Holyoke, Orange. It concluded 4 receiverships and addressed 9 properties that did not meet the MA state sanitary code.

The Civil Rights Division in WMAS investigated allegations and resolved cases alleging discrimination in housing and public accommodations resulting in tens of thousands of dollars in payments; assisted with drafting an amicus brief regarding standing for testers who uncover civil rights violations; organized three disability rights awareness events for the AGO; submitted testimony regarding proposed legislation related to disability rights to legislative committees; sat on the Developmental Disability Council and the Commission on the Status of Persons with Disabilities; and spearheaded state-wide disability rights advocacy for the office.

The Consumer Protection Division in WMAS investigated allegations of consumer protection law violations; assisted consumers with loan modifications, housing conditions issues, and illegal lockouts; and litigated various state-wide consumer protection actions.

The Criminal Bureau in WMAS achieved multiple arrests, indictments, and guilty pleas. Representative cases include:

- over 263 investigations and prosecutions arising out of MGM Springfield Casino, including operating under the influence, disorderly conduct, possession of firearms and ammunition, narcotic offenses, money laundering, robbery, larceny, cheating offenses, and violent domestic assaults;
- indictment of West Springfield man in connection with scheme to defraud Hampden County Board of Retirement of more than \$27,000;
- guilty pleas of four individuals in connection with a state and federal wiretap investigation into major heroin trafficking operation in Western Massachusetts, resulting in seizure of more than 4 kilograms of heroin, fentanyl, and cocaine, 6 illegal firearms (including 3 “ghost guns”), more than \$200,000 in case, jewelry, and vehicles;
- indictment of former Massachusetts State Police Captain on child pornography charges; and
- a guilty jury verdict of assault and battery of individual for violent domestic assault, in which defendant assaulted victim who suffered a fractured hyoid bone in neck area.

The Medicaid Fraud Division in WMAS achieved multiple indictments, convictions, and settlements. Representative cases include:

- continued prosecution, following successful SJC opinion, of former superintendent and medical director of Holyoke Soldiers' Home, who are charged with neglecting residents during the response to the COVID-19 outbreak;
- indictment and guilty plea of a Springfield home health aide for abusing an elderly patient;
- indictments of a Springfield personal care attendant and surrogate of disabled consumer for billing MassHealth for services that were never provided to disabled consumer; and
- \$1.75 million settlement with long-term care facility owner and operator of multiple nursing homes, including in Northampton, which includes ongoing compliance monitoring of facilities to improve quality of care delivered to residents.

The Community Engagement Division in WMAS attended a wide range of regional events and held regular presentations for the public on consumer rights and common scams, worker's rights, worker's teen rights, landlord/tenant rights, job fairs, immigration law, wage theft clinics for victims of wage theft, minimum, prevailing wage, and public construction bid and workforce participation presentations for employers.

Victim Compensation and Assistance Division

The Victim Compensation & Assistance Division is the state's financial assistance program that has served victims of violent crime that occur within the Commonwealth since the late 1960's. As an administrative program, survivors of violent crimes can apply for assistance with their crime related expenses that include medical, dental, counseling, loss of financial support, and funeral/burial expenses that are not covered by any other source of assistance or benefit. The program generally receives over 1600 unduplicated applications a year and pays out over \$3 million dollars annually to aid survivors in their recovery from the impact of violent crime in their lives. Criminal fines, forfeitures, special assessments, and gifts or donations deposited into the national Crime Victims Fund and an allocation from the state legislature are the program's funding streams for compensating survivors' out of pocket and outstanding crime related expenses.

Important Statistics and Fiscal Information

During Fiscal Year 2023 (FY2023), the Division received 1568 new, unduplicated applications from victims of violent crime with 413 direct billing requests for Forensic Sexual Assault Exam Kit payments and 260 applications for assistance with crime related expenses post kit administration, totaling 673 requests for assistance regarding both child and adult survivors of

sexual assault. The new claims represent the number of crime survivors and the families of homicide victims who were impacted by violent crime in the Commonwealth, including homicides, assaults, domestic violence, sexual assault, child abuse, stalking, arson, human trafficking, robbery, and terrorism. FY 2023 saw 1373 new claims deemed eligible for compensation of their crime related expenses. By the end of this fiscal period the Division paid out a total of \$3,209,616.52 in reimbursements for claimant's out of pocket expenses and payments for outstanding expenses to providers. Of the 931 claims that were paid out during FY 2023, the top three expense categories paid out by the division to all eligible claimants were economic support, funeral/burial costs, and forensic sexual assault exam expenses. The division paid out a total of \$641,070.08 in economic support, \$1,022,504.88 in funeral/burial costs, and \$653,473.57 in forensic exam expenses.

Community Engagement

Victim Compensation maintains a duty line for incoming calls for both Compensation Program and non-program related inquiries. Staff responded to over 2200 calls to the Division during FY 2023. All calls are returned within twenty-four hours of their receipt. These calls involved inquiries regarding the Victim Compensation Program, emergency resources, general victim services, consumer related issues, and calls requiring general information about other government agencies.

During FY 2023, the Division worked with our database developer to improve our capacity to access our confidential database without requiring access to the Commonwealth's virtual private network (VPN). This will allow the Division to continue its work in case of another pandemic or even provide remote support to survivors of mass violence in real time. In addition, the Division worked to develop an online portal which will be formally launched in January 2024. This will allow for more timely processing of applications and provide information to applicants, providers and others with real time information concerning the Victim Compensation & Assistance Division.

Our division continued to provide training and outreach throughout the Commonwealth during this reporting period. Given the post pandemic environment, many trainings were conducted remotely at the requesting agencies. During the FY2023 period, the staff in the Victim Compensation and Assistance Division conducted 39 trainings involving stakeholder groups throughout the Commonwealth, including all ten district attorney's offices, victim services agencies, various community groups and hospitals.

CRIMINAL BUREAU

The Criminal Bureau works to protect the public by investigating and prosecuting a wide range of criminal cases. These include public corruption, financial fraud, and other violations of the public trust, organized crime, major narcotic offenses, appellate issues, human trafficking, casino crime, insurance and unemployment fraud, environmental crimes, and internet and online crimes.

The Criminal Bureau's investigations are supported by a team of State Police detectives as well as investigators, assistant attorneys general, and federal, state, and local law enforcement partners.

Appeals Division

The Appeals Division defends Massachusetts convictions, criminal justice officials, and criminal laws and practices, in federal and state courts. Specifically, the Division strives to uphold convictions secured by the Attorney General's Office. Such convictions often arise from large-scale drug trafficking, human trafficking, environmental violations, child pornography, and white-collar offenses. The Division also is the only unit of state government to defend Massachusetts convictions, obtained by the AGO and the Commonwealth's District Attorneys, in federal courts. Challenges come in the form of direct appeals to the United States Supreme Court, and through habeas corpus actions in the United States District Court, Court of Appeals for the First Circuit, and Supreme Court.

The Division additionally represents Massachusetts agencies and officials when they are sued or subpoenaed in relation to criminal justice matters in federal or state civil actions, and when they are subpoenaed in criminal cases. The Division's clients include the AGO itself, District Attorneys' Offices, the Parole Board, courts, the Probation Service, other criminal justice agencies, and members of such bodies. In its various cases, the Division is often required to defend the constitutionality of statutes, rules, procedures, and practices related to criminal adjudication and punishment.

Significant Achievements & Priorities for FY2023

In Fiscal Year 2023, the Appeals Division contributed in significant ways to the AGO's advancement of its priorities, the important work of colleagues, the positive development of the law, and the cause of securing justice for victims and the vulnerable. Such contributions are reflected by the Division's initiatives in at least three core areas.

First, Division members successfully defended numerous convictions that were challenged in the federal and state courts. In one case, the United States Supreme Court denied a petition for a writ of certiorari, after requesting a formal brief in opposition from the Division—a step the Court takes in only a fraction of its cases. There, the Court declined to review the conviction for heroin trafficking. The United States Court of Appeals for the First Circuit, meanwhile, refused to set aside several convictions, for murder, and unarmed robbery and unnatural and lascivious acts. Division members also persuaded the United States District Court not to set aside scores of state convictions, including those for murder, and home invasion and other offenses.

In other cases handled by the Division, the appellate courts of Massachusetts likewise issued decisions favorable to the Commonwealth. For instance, the Supreme Judicial Court reinstated the indictments for elder neglect, and those misleading investigators. And the Appeals Court affirmed convictions for sex trafficking, while rejecting convictions for violating the Medicaid false claims statute, and human-trafficking-related offenses.

Second, Division members prevailed on behalf of clients in civil matters. For example, the team obtained favorable rulings from the Supreme Judicial Court and the Appeals Court in appeals brought to challenge the Parole Board's actions in denying parole. The Division also secured favorable outcomes for at least two assistant district attorneys in federal civil actions, arising out of their duties in the course of prosecutions in Norfolk County and Essex County. And it persuaded the Superior Court to dismiss a civil action against an assistant district attorney, an attorney with the Committee for Public Counsel Services, bar counsel, and a probation officer, arising out of their official duties related to a state prosecution.

Third, the Appeals Division actively engaged with members of the public and with other governmental entities, through training, education, committee service, assistance with legal matters, and other pursuits. For instance, Division members facilitated clinical seminars and lectured on appellate advocacy. They additionally served as AGO designees on the Commonwealth's Criminal Records Review Board, Firearms Licensing Review Board, Illegal Tobacco Task Force, and Supreme Judicial Court Standing Advisory Committee on Eyewitness Identification.

Important Statistics and Numbers

In Fiscal Year 2023, the Appeals Division opened about 130 new matters. A plurality of these were brought by prisoners seeking federal habeas corpus relief from their state convictions. The remainder involved: direct appeals of Massachusetts convictions in the United States Supreme Court and state appellate courts; other post-conviction challenges in state courts and appeals from decisions thereon; proceedings in the Supreme Judicial Court for Suffolk County; civil actions and appeals in federal and state courts; and subpoena matters in relation to federal and state civil and criminal actions.

Appeals Division members presented eleven oral arguments and submitted more than fifty briefs and dispositive motions to appellate and trial courts within Fiscal Year 2023.

In Fiscal Year 2023, the Appeals Division made recommendations as to whether the AGO should join amicus briefs filed by others in several cases.

Digital Evidence Laboratory

The Massachusetts Attorney General's Office has a specialized unit dedicated to the cyber components of criminal investigations. The Digital Evidence Laboratory ("DEL") is staffed by full-time forensic investigators and cyber experts performing computer and mobile device forensic examinations, data analytics, open-source intelligence, multimedia forensics, and other technical tasks in the course of all types of criminal offenses. The DEL is a state-wide unit offering services both to AGO personnel as well as other police departments and prosecutors' offices across the Commonwealth of Massachusetts. During the reporting period, the DEL had 110 cases referred for service including human trafficking, narcotics, public integrity, unlawful tobacco sales, insurance fraud, ABDW, larceny/embezzlement, child sexual exploitation, hacking, unlawful gaming, sexual assault, robbery, and murder. Lab personnel engaged in priority initiatives including the National Cyber Crime Conference, which featured more than 500 hours of training content for attendees, primarily law enforcement and prosecutors.

Significant Achievements & Priorities for FY2023

During the reporting period, DEL personnel worked on several murder cases including a first-degree case as an assist to a neighboring county that required significant research, testing, and expertise in the field of location data. The matter is before the Massachusetts Supreme Judicial Court. DEL personnel hosted and ran the 12th National Cyber Crime Conference in April. The NCCC is known as one of the premier cyber training events for law enforcement in the United States. Perhaps most significant however, the DEL continued to expand its role as the coordinator of the Massachusetts Cyber Crime Coalition, a task force comprised of several different agencies to develop the Commonwealth's capacity to deal with the technical components of criminal investigations. This included the establishment of a lab facility on the campus of one of its partners, the University of Massachusetts, where students engage in experiential learning by working together with digital forensic investigators. Through this initiative the DEL has expanded membership on its team exponentially with the goal of meeting the myriad technical challenges faced every day.

Important Statistics and Numbers

During the reporting period, the DEL opened 137 new forensic investigations. A total of 465 devices were submitted to the DEL for examination during that time. A total of 57 expert witness reports were submitted.

Community Engagement statistics

The DEL organized several training events during the reporting period. These include the NCCC as well as other training events for local, state, and federal law enforcement, judges, and litigators on myriad topics. The NCCC is by far the most significant of these. In its second hybrid event (onsite/virtual), more than 1,200 attendees, staff, exhibitors, and speakers took part

in hundreds of live and recorded training sessions over the course of three days in April. This training event has a massive positive impact on the ability of police and prosecutors to deal with digital evidence in all manners of cases. Further, the DEL holds regular internal training events performed by its own personnel to guarantee the continued success of our forensic operations.

Enterprise and Major Cyber Crimes Division

The Enterprise, Major and Cyber Crimes Division (EMCCD) targets criminal enterprises and organizations using sophisticated investigative techniques and strategies to develop high impact prosecutions. The Division includes prosecutors, intelligence analysts, and State Police assigned to the Attorney General's Office who work closely with various federal, state, and local law enforcement agencies to investigate, prosecute, and disrupt criminal organizations to promote and ensure public safety in communities throughout the Commonwealth. EMCCD investigates and prosecutes a wide variety of criminal offenses, including narcotics trafficking with a focus on opioid cases, possession and trafficking of firearms, and other serious felonies.

Significant Achievements & Priorities for FY2023

Commonwealth v. Ryan Wells

Massachusetts State Police assigned to the AGO initiated an investigation leading to multiple charges of firearms violations during July 2022. The investigation began when law enforcement officers assigned to Homeland Security Investigations and Customs and Border Protection determined that a package containing an illegal Glock selector switch was delivered to the defendant. Investigators determined that neither he nor his wife possessed an LTC or FID card. Further investigation revealed that the defendant previously purchased nearly a dozen firearm parts and accessories commonly used in the maintenance and manufacturing of Glock and AR-15 style ghost guns. Based on these facts, investigators executed a search warrant where police recovered eight large capacity feeding devices, three firearms without trigger locks, hundreds of rounds of ammunition, body armor, several "ghost gun" parts, numerous tools consistent with the manufacturing of firearms, the necessary parts to assemble an AR-15 rifle, and seven 80% kits containing lower receiver. After being informed that he was under arrest and advised of his Miranda rights, the defendant told police that he had recently sold and/or transferred possession of six completed firearms to individuals who investigators determined to be violent felons.

Commonwealth v Pedro Lopez

November 2022, troopers began an investigation into a Lynn based drug trafficking organization led by members of the Massachusetts State Police assigned to Commonwealth Interstate Narcotics Reduction Enforcement Team North and the Attorney General's Office. That month, troopers executed a search warrant at a luxury apartment building in Saugus, Massachusetts. Investigators seized approximately 23,000 grams of methamphetamine, approximately 3,900 grams of fentanyl, and three firearms during the execution. A rough estimate of the recovered

narcotics already pressed into counterfeit prescription pill form and ready for distribution was approximately 1.2 million dollars. Further investigation led to an arrest warrant for the leader of the drug trafficking organization, and during this arrest, another 40 grams of fentanyl was seized, as well as approximately \$140,000.

Commonwealth v Dylan Lopes and Angelo Henderson

June 2023, Massachusetts State Police troopers assigned to the Attorney General's Office and law enforcement partners charged an extensive investigation into two defendants involved in a scheme to fraudulently acquire luxury cars from auto auctions, steal them through other means, and then sell, or attempted to sell, the stolen vehicles through Facebook Marketplace using multiple aliases. For the sixteen stolen vehicles identified in the scheme across six counties – Suffolk, Norfolk, Essex, Bristol, Plymouth, and Worcester – the total estimated value was approximately \$1,067,613. The defendants were also charged for their alleged participation in a shooting in Dorchester that occurred March 2023 using one of those stolen vehicles.

Financial Data

Money Seized/Forfeited: \$311,321.00

Important Statistics and Numbers

Number of cases handled in FY22:

- Cases charged/indicted (open): 68
- Cases resolved: 31

Drug Seizures:

Heroin/Fentanyl kilograms: 13, 524 grams

Non-fentanyl opioid pills: 23,150 grams

Cocaine/Crack Cocaine: 1,456 grams

Gun Seizures: 40

Financial Investigations Division

The Financial Investigations Division (FID) is a team of trained civilian criminal investigators who partner with Criminal Bureau prosecutors, State Police, victim witness advocates and support staff from the White Collar/Public Integrity Division, the Human Trafficking Division and the Enterprise and Major Crimes Division. The financial investigators provide extensive analysis and forensically examine documentary evidence for allegations of criminal misconduct involving a broad array of complex financial crimes including larceny, embezzlement, identity theft, public corruption, money laundering and human trafficking. The financial investigators also interview victims, witnesses, and targets and draft interview reports. The financial investigators provide, as a summary witness, testimony to the documentary evidence they

gathered and examined in the Grand Jury and at trial. The Financial Investigations Division also oversees an accounting and disbursement of the funds used in the undercover operations of the State Police assigned to the office.

Significant Achievements & Priorities for FY23

Participating in trainings related to the field of financial investigations provides us with the most up to date and innovative methods of tracing stolen funds. It also provides us with the knowledge and tools necessary to conduct these investigations accurately and successfully.

In FY23 the financial investigators attended the following trainings presented by the National White Collar Crime Center (NW3C) and Financial Crimes Enforcement Network (FinCEN):

- Asset Tracing Intelligence: Automating Check Image and Bank Records Analysis
- Financial Records Investigative Skills
- Leveraging Open-Source Intelligence to Investigate Fraud Rings
- Law Enforcement Support Programs

Commonwealth v. Kevin Lennon, KBL Inc.

Lennon, the owner of a food and beverage vending machine company, KBL Inc. pled guilty to Larceny Over \$1,200 (3 counts) and Publishing of False or Exaggerated Statements Prohibited (2 counts) and was sentenced to two years in the House of Correction with credit for 36 days served and the balance suspended for four years of probation, and has been ordered to pay restitution for his role in a scheme that defrauded third party buyers of vending routes out of approximately \$187,500. A financial investigator partnered with the prosecutor and State Police to interview multiple victims. A financial investigator analyzed Lennon's personal and business bank accounts as well as other records and determined that documentation had been fabricated, including spreadsheets, of past profits at the vending locations the third-party buyers purchased from Lennon.

Commonwealth v. Samuel Artunduaga Herrera

Herrera was charged with Trafficking of Persons for Sexual Servitude (2 counts); Owner of place inducing or suffering person to resort in such place for sexual intercourse (2 counts); Support from, or sharing, earnings of prostitute (2 counts); Keeping house of ill fame; Conspiracy to Traffic. A financial investigator partnered with the prosecutor and State Police and analyzed banks, credit cards, utilities, cell phone records and mobile apps associated with Herrera. Herrera pled guilty to 5 years in state prison.

Gaming Enforcement Division

The Gaming Enforcement Division (GED) investigates and prosecutes criminal conduct related to expanded gaming in the Commonwealth, monitors the fairness and integrity of the gaming industry, aids the Gaming Commission in consideration and promulgation of rules and regulations, and participates in generating a list of persons to be excluded from licensed gaming facilities. The work of the Division is not strictly limited to gambling offenses or crimes committed within casinos but includes activity that relates to the gaming facilities-such as financial crime, organized crime, corruption, and money laundering. The Division works closely with the State Police Gaming Enforcement Unit, located at each gaming facility, as well as other federal, state, and local law enforcement entities. Members of the Division adhere to an enhanced code of ethics, as mandated by G.L. c. 12, § 11M(c).

Significant Achievements & Priorities for FY2023

The Division has prioritized ensuring the public's trust in making the three licensed casinos -- Encore Boston Harbor Casino, Plainridge Park Casino, and MGM Springfield Casino -- and the surrounding communities safe. As part of the priority, the Division added an additional AAG position in both Springfield and Malden District Courts and a Managing Attorney of the District Courts. This reflects the Division's commitment to the highest level of prosecution in our District Courts while also ensuring fair and equitable resolutions. Similarly, in furtherance of this priority, the Division indicted its most serious incidents involving violence stemming from the casinos, holding those individuals who engage in the most egregious offenses accountable for their actions.

Commonwealth v. Scott Weaver

In July 2022, a Hampden County grand jury indicted the defendant for an incident inside MGM Springfield Casino. On March 5, 2021, the victim had been at the casino using two side by side money changing machines when the defendant and his girlfriend picked up the victim's money in one of the machines and refused to return it. After some back and forth between the victim, the defendant, and his girlfriend about returning the victim's money, the defendant began physically attacking the victim, by placing his hands around the victim's neck and bringing him to the ground. After forty seconds, the defendant ultimately released the pressure around the victim's neck. As a result of the defendant's assault, the victim suffered a fractured hyoid bone (neck area). In July 2023, a Hampden County jury found the defendant guilty of Assault and Battery.

Commonwealth v. Igor Paradovsky

In October 2022, a statewide grand jury indicted the defendant for a series of assaults on his ex-wife, the first of which occurred inside Encore Boston Harbor casino in January 2022. While inside the casino, the defendant physically assaulted his now ex-wife, by grabbing her and refusing to let her go. Following the incident, the defendant was served with a restraining order, which the defendant violated multiple times by physically assaulting the victim at her home and

stalking her from January 2022 until August 8, 2022. The defendant also engaged in a series of incidents intended to intimidate his ex-wife, including placing a GPS tracker on her vehicle and interfering with her email correspondence with prosecutors. The defendant's charges are currently pending in Suffolk Superior Court.

Important Statistics and Numbers

The Division conducted over 263 investigations and prosecutions arising out of MGM Springfield Casino located in downtown Springfield. The investigations and prosecutions at MGM have ranged from operating under the influence, disorderly conduct, possession of firearms and ammunition, narcotic offenses, money laundering, robbery, larceny, cheating offenses, and violent domestic assaults.

The Division conducted over 373 investigations and prosecutions arising out of Encore Boston Harbor in Everett. The investigations and prosecutions at Encore have ranged from disorderly conduct, assault and battery offenses, narcotic offenses, operating under the influence, destruction of property, violent domestic assaults, and money laundering.

Human Trafficking Division

The Human Trafficking Division (HTD) uses a multidisciplinary team approach to prosecuting and preventing human trafficking through law enforcement efforts, policy development, and community partnerships. HTD is comprised of a dedicated team of prosecutors, victim-witness advocates, Massachusetts State Police troopers, and a paralegal. HTD multidisciplinary teams often work alongside analysts from the Criminal Bureau's Financial Investigations Division, Digital Evidence Laboratory, and local, state, and federal law enforcement to investigate and prosecute multijurisdictional, high impact cases of human trafficking throughout the Commonwealth. HTD is frequently involved in outreach and training for law enforcement and civilian community members statewide and works extensively with stakeholders on collaborative efforts toward prevention, service provision, and data collection.

Significant Achievements and Priorities for FY2023

Commonwealth v. Hollins

In September 2022, following an incident caught on video at the Encore Boston Harbor casino, the defendant was indicted in Middlesex and Suffolk Counties for Trafficking Persons for Sexual Servitude, Deriving Support from Prostitution, Assault and Battery, Assault and Battery with a Dangerous Weapon, and Intimidation of a Witness with respect to crimes committed against his girlfriend. The cases were consolidated in Suffolk Superior Court and are pending in Suffolk Superior Court.

Commonwealth v. Mo, Tang, Zhang, and Loi

In the fall of 2022, the HTD conducted a wiretap investigation into a long-running apartment brothel operating in downtown Boston. In December 2022, two targets were arrested in Massachusetts, and two targets were arrested in New York in connection with their roles in the trafficking organization. The grand jury investigation resulted in charges of Trafficking Persons for Sexual Servitude, Deriving Support from Prostitution, Keeping a House of Ill Fame, Money Laundering, and Conspiracy. These cases are pending in Suffolk Superior Court.

Commonwealth v. Herrera and Arguello-Uribe

In May 2023, the defendants pled guilty in Middlesex Superior Court to charges related to their operation of residential brothels in Framingham. Herrera pled guilty to Trafficking Persons for Sexual Servitude, Deriving Support from Prostitution, Maintaining a House of Prostitution, Keeping a House of Ill Fame, and Conspiracy and was sentenced to 5 years to 5 years and 1 day state prison. Pursuant to an agreement with the Commonwealth, Arguello-Uribe agreed to testify against Herrera if his case went to trial. As a result of Herrera's plea, she pled guilty to Conspiracy and Keeping a House of Ill Fame and was placed on probation for 3 years.

Commonwealth's Anti-Trafficking Task Force

In FY2023, the Commonwealth's Anti-Trafficking Task Force (CATTF) continued its mission of combating human trafficking through a statewide, multidisciplinary, and collaborative approach. Grant funding allowed the AGO to hire staff dedicated to the CATTF and subgrantee victim service providers to provide essential services to survivors of human trafficking. The AGO's application for a second iteration of grant funding from OVC to continue and expand upon the work of CATTF was awarded in October 2022.

Important Statistics and Numbers

- 6 individuals were indicted for human trafficking and related offenses.
- 44 indictments were returned for human trafficking and related offenses.
- 3 cases resolved by way of plea.
- 10 investigations for sex and/or labor trafficking were initiated.
- HTD staff presented at 7 trainings.

Insurance and Unemployment Fraud Division

The Insurance and Unemployment Fraud Division (IUFD) investigates and prosecutes people and businesses who commit fraud against private insurance carriers, the Commonwealth's unemployment trust fund and the Commonwealth's workers' compensation system.

IUFD works in partnership with the Massachusetts Insurance Fraud Bureau (IFB), and the Massachusetts Department of Unemployment Assistance (DUA). Both agencies refer cases to IUFD and assist with investigations. IUFD also works with the Massachusetts Rehabilitation

Commission and the U.S. Social Security Administration through the Cooperative Disability Investigations (CDI) program, investigating Federal benefits fraud.

Examples of insurance fraud include counterfeiting insurance documents, manipulating payroll reporting to reduce premiums, and the submission of disability claims. Examples of unemployment fraud include stealing Covid-19 pandemic assistance benefits, to ensure those in need receive appropriate assistance.

Significant Achievements & Priorities for FY2023

Commonwealth v. Paul Webb & Montrail Brooks

During October and November of 2021, the defendants took part in a scheme to defraud a Waltham-based nonprofit organization affiliated with a local university. The defendants received a total of \$126,000 into various shell companies and then laundered the funds to hide their unlawful origin. The scheme was accomplished through a “business email compromise,” a form of cybercrime that exploits email vulnerabilities to fraudulently re-direct business and other funds by posing as a legitimate business partner or contractor. Indicted September 10, 2022.

Commonwealth v. Gary Gomes

Between August 2, 2017, and May 8, 2019, the defendant fraudulently collected \$46,582.48 in Total Temporary Disability (TDD) benefits while he misrepresented to the insurance company and the Massachusetts Department of Industrial Accidents (DIA) that he was not working when in actuality he was working at Excel Recycling. Indicted March 30, 2023.

Commonwealth v. Phyllis Palazzola & Palazzola Insurance Company

Between 2017 and 2018, the defendant, owner of Gloucester-based Palazzola Insurance Agency, stole over \$39,000 from customers who gave her money for their insurance premium payments. Instead of paying the carriers, the defendant kept the money for herself. She continued to operate her business (and continued the fraud) even after the Massachusetts Division of Insurance revoked her license in 2018. In an attempt to cover up her scheme, she forged signatures of clients on two insurance financing agreements. Indicted May 15, 2023.

Financial Data

Court ordered restitution and repayments:

- Unemployment Fraud: \$236,519
- Insurance Fraud: \$495,147

Important Statistics

- Open Unemployment Fraud Investigations & Litigation: 19
- Open Insurance Fraud Investigations & Litigation: 26
- DUA Referrals: 7
- IFB Referrals: 4

Victim Services Division

The Victim Services Division (VSD) is comprised of Victim Witness Advocates responsible for providing information, support, and advocacy services to victims, witnesses, and their families that are associated with cases falling under the jurisdiction of the Attorney General's Office as outlined in the Victim Bill of Rights (M.G.L. c.258B).

Significant Achievements & Priorities for FY2023

Commonwealth v. Jose Diaz, Derrick Gentry-Mitchell, and Shavonne Lewis

This case involved off duty police officers from the Springfield Police Department. The Victim Witness Advocate maintained contact with several out of state and non-cooperative witnesses through two trials this year. This involved making numerous travel arrangements and organizing victims and witnesses to testify.

Commonwealth V. Alvys Marino

This was a conflict case the office handled for the Cape and Islands District Attorney's Office. This was a domestic violence case involving sexual and physical abuse that occurred over more than a decade. The case was a very challenging as the victim was now having to meet a new prosecution team for the third time. Gaining the victim's trust was not easy but the VWA and prosecutor established a solid working relationship with her. The victim and first complaint witness both lived out of state. Coordinating travel became difficult as the trial ran from May 20, 2022 -June 22, 2023. The length and schedule of Barnstable Superior Court made it necessary for the victim to travel back to her home state mid testimony and then back again to the Cape to resume her testimony.

Commonwealth v. Igor Poradovsky

This is a case of domestic violence. The defendant was relentlessly stalking the victim and it was escalating. The Victim Witness Advocate along with the State Police detective worked tirelessly to support this victim and provide resources to her. She had endured this abuse for years. The defendant was finally held after a Dangerousness hearing and is currently awaiting trial.

One of the Victim Services Division's priorities is to maintain and build relationships with service providers who are crucial to assisting some of our most vulnerable victims and witnesses. We have continued to partner with the EVA Center and LIFT on Human Trafficking and Labor Trafficking cases. We are attempting to develop some new contacts with other Human Trafficking resources in the state and beyond as housing and shelters continue to be in crisis.

Good communication with the prosecution team continues to be crucial to providing survivors, witnesses, and family members with the most up to date information on their cases. This is something we continue to bring to the forefront. Our main priority for all cases is to uphold the rights that victims and witnesses are entitled to under the MA Victim Bill of Rights (M.G.L. c.258B).

Important Statistics and Numbers

- Number of Cases handled: 208+
- Victims/Witnesses served: 163+
- Victim/Witness contact: 1000+
- VSD Duty Line Calls: 120+

White Collar and Public Integrity Division

The White Collar & Public Integrity Division (WCPID) investigates and prosecutes cases that involve violations of public trust by public employees, and complex fraud and financial crimes. Public Integrity cases involve serious criminal misconduct by public employees and officials who engage in or conspire to commit larceny, fraud, bribery, gratuities, and other crimes in which there is a hidden or unwarranted personal financial interest. This portion of the Division also includes crimes committed against or upon public agencies, perjury, and obstruction of justice, which are corrosive or harmful to public confidence in government and other trusted institutions.

Financial Crimes include fiduciary embezzlement by attorneys, stockbrokers, accountants, and other financial professionals who steal client funds, theft and fraudulent recordkeeping by employees, complex pyramid schemes, telemarketing fraud, commercial bribery, mortgage fraud, large-scale consumer fraud schemes, identity theft, and tax fraud by both individuals and businesses. The most significant cases have a dramatic and often long-lasting financial impact on unsuspecting and vulnerable victims.

WCPID's staff of experienced prosecutors regularly partners with civilian financial investigators, state police, computer forensics investigators, victim witness advocates and other support staff from within the AGO, as well as with local, state and federal investigative and enforcement agencies. Collectively, the combined law enforcement resources aid in the handling of challenging and complex investigations and prosecutions.

Significant Achievements & Priorities for FY2023

Commonwealth v. Manuel Duran, Casa Nueva Vida

On September 29, 2022, Manuel Duran, the former Executive Director of Casa Nueva Vida (CNV) pled guilty to the charges of Perjury (4 counts), Larceny over \$1,200 (3 counts), and Making False Entries in Corporate Books (2 counts) for stealing nearly \$1.5 million from the non-profit organization and lying under oath to conceal his self-dealing in annual disclosure forms submitted to AGO Non-Profit & Public Charities Division. CNV operated a publicly funded scattered-site homeless shelter in Boston and Lawrence, which housed over 150 families. Duran, who was also the President of the board of CNV, had essentially unfettered control over the organization and its financial resources. Duran's embezzlement schemes were multi-faceted. Duran leased four of his own privately owned properties to CNV as shelter locations, cloaking his interests through use of LLC's. He skimmed \$1.1 million through inflated rent payments, recruited vendors to submit false invoices and passed the unearned payments, totaling over \$220,612, back to himself, and intercepted \$140,831 worth of paychecks he had issued in the name of a CNV janitor. Duran's misdeeds led to the effective demise of the organization in June 2022, and the transfer of its services to another entity.

Duran was sentenced to one year in the House of Correction followed by four years of probation, with the conditions that he pay restitution, perform 250 hours of community service, and to not work as a fiduciary or in transitional housing. The AGO had recommended a sentence of four to six years in state prison, with six years of concurrent probation. The amount of restitution remains the subject of ongoing, contested post-conviction proceedings.

Commonwealth v Victor Lopez

On September 30, 2022, Victor Lopez was indicted by a Bristol County Grand Jury on the charges of Larceny over \$1,200 (11 counts), Larceny under \$1,200 (4 counts), and Witness Intimidation (2 counts). Lopez falsely presented himself as the owner (or soon-to-be owner) of affordable apartments for rent in New Bedford and collected \$24,050 in rental deposits from 15 unsuspecting prospective tenants. He also threatened to kill a community organizer who had been assisting Lopez's rental scam victims and workers to whom Lopez had failed to pay wages due. Lopez targeted Spanish-speaking and immigrant communities by posting advertisements for apartments on social media and in a local community chat group.

Commonwealth v. Matthew Morrissey

On March 30, 2023, Former Boston Police Officer Matthew Morrissey was indicted on charges of Witness Intimidation (1 count), Forgery (2 counts), and Perjury (2 counts) by a Suffolk County Grand Jury in connection with his intimidation of a fellow police officer who was then spearheading an Anti-Corruption Unit criminal investigation of Morrissey for submitting false and forged statements of residency in 2020 and 2021. Morrissey falsely claimed in writing, under the pains and penalties of perjury, that he lived at certain addresses and bolstered those lies by forging the signatures of the persons who would have been his landlords had he truly lived where he claimed. Just hours after being placed on leave by the lead anti-corruption investigator,

Morrissey drove to the investigator's home in the middle of the night and stared him down. In September 2023, Morrissey pled guilty to all charges.

Important Statics and Numbers

The White Collar & Public Integrity Division worked with the Criminal Bureau intake team to assess and resolve several hundred complaints received from the public involving violations of public trust and complex financial fraud. In addition, the Division received over several hundred referrals in the fiscal year directly from law enforcement and other state agencies.

WCPID is also regularly called upon to handle, or assist with, post-conviction matters, especially restitution enforcement proceedings, at the request of the Probation Department and the courts. WCPID handled at least 10 meaningful post-conviction restitution-related matters during the evaluation year, requiring court appearances, the filing of numerous motions and oppositions.

A central component of most WCPID disposition recommendations is restitution. In the fiscal year under review, WCPID sought \$724,843 in restitution from Defendants during sentencing. During the fiscal year, the White Collar & Public Integrity Division indicted 6 defendants and litigated 2 new district court matters by criminal complaint. When combined with the litigation matters WCPID members carried over from the prior year, WCPID carried 29 open cases in the various superior and district courts, not including post-conviction probation matters. During the same period, 12 of those 29 litigation matters were resolved by plea.

WCPID carried approximately 41 open investigations during the evaluation period, 16 of those were opened in that timeframe and 9 were closed without the issuance of charges. Of the 16 new matters, 11 were authorized for grand jury investigation. The initial investigations WCPID conducted to evaluate the matters referred for potential criminal prosecution during the evaluation period are not included in these calculations.

Tobacco Contingent of WCPID

In criminal tax matters, WCPID's work this year included the resolution of one prosecution for the evasion of more than \$4 million of excise taxes through the illegal selling of untaxed tobacco products. That prosecution anchored tax liabilities more than \$4 million, which WCPID referred for civil collection to the Massachusetts Department of Revenue, at DOR's request. Because the criminal dispositions secured by WCPID streamline DOR's post-conviction collection of the evaded tax, the sums WCPID referred to DOR for collection effectively equate to additional criminal restitution.

ENERGY AND ENVIRONMENT BUREAU

The Energy and Environment Bureau works to protect utility ratepayers and the environment while reducing the threat of climate change for the people of the Commonwealth. The Bureau's integration of energy and environmental advocacy ensures that the office speaks with one voice in addressing the intertwined ratepayer and environmental protection matters that impact the Commonwealth and its residents.

Energy and Telecommunications Division¹

Through the Energy and Telecommunications Division ("ETD"), the Attorney General serves as the statutory Ratepayer Advocate in administrative and judicial proceedings on behalf of consumers in matters involving the rates, charges, and tariffs of electric, gas, and water companies doing business in the Commonwealth.

ETD works to ensure that businesses and residents have access to reliable, safe, and affordable energy. The Division litigates cases before state and federal courts, as well as administrative bodies such as the Massachusetts Department of Public Utilities ("Department") and the Federal Energy Regulatory Commission ("FERC").

In many of these matters, the Attorney General is the only active participant advocating for the interests of Massachusetts consumers.

Significant Achievements & Priorities for FY2023

Future of Gas Investigation

In October 2020, in response to a petition by ETD, the Department opened an investigation to develop a regulatory and policy roadmap to guide the Commonwealth's transition away from fossil fuels. On October 14, 2022, ETD submitted final comments and recommendations regarding the Department's future of gas investigation, many of which were adopted by the Department.²

Consumer Engagement and Stakeholder Working Groups

ETD continued to expand its consumer outreach and community engagement in FY2023. The Division actively participated in public participation proceedings at the Department. In addition, the Division was actively involved in many stakeholder working groups and councils, including the:

¹ In FY24, ETD was renamed the Energy and Ratepayer Advocacy Division (ERA).

² On December 6, 2024, the Department issued an Order enunciating a set of regulatory principles that will guide its decision-making in this and future dockets. Notably, the Department's Order adopts many of the recommendations to minimize or reduce costs that ETD put forth in its final comments.

- Stakeholder Working Group, made up of community organizations and consumer and environmental advocacy groups, addresses barriers to the public's participation at the Department and Energy Facilities Siting Board (EFSB);
- Grid Modernization Advisory Council, made up of state agencies and consumer and environmental advocacy groups as well as the Commonwealth's electric distribution companies, provides recommendations on Massachusetts' electric-sector modernization plans with the goal of increasing transparency and broadening stakeholder engagement to the grid planning process;
- Consumer Liaison Group, made up of consumer organizations, advocates, ratepayers, and consumers of electricity, creates a convenient and meaningful forum for the exchange of information between ISO New England and interested electricity consumers in New England;
- Gas System Enhancement Plan (GSEP) Working Group, made up of state agencies, community organizations and consumer and environmental advocacy groups, develops recommendations and legislative changes to align the GSEPs with statewide emission limits;
- Energy Efficiency Advisory Council, created by the Green Communities Act of 2008 and made up of state agencies, community organizations and consumer and environmental advocacy groups, guides the development of state- and nation-leading energy efficiency plans by the Commonwealth's gas and electric utilities and energy providers;
- Merrimack Valley Renewal Fund (MVRF) is administered by the AGO and DOER in consultation with the MVRF Advisory Council. In October 2022, MVRF granted \$2.9 million for the renovation of the historic Stone Mill in the city of Lawrence, with the aim to rebuild 86 affordable housing units which will be fully electrified for low-income residents; and
- Residential Energy Assistance Grant Program utilizes money collected through various Division settlements to provide funding to state agencies, municipalities, and nonprofits to assist households in paying their monthly heating bills.

Federal and Regional Energy Issues

The Division continues to lead on federal and regional energy issues, including working with other New England consumer advocates to reduce transmission costs for New England ratepayers and advance state energy policies.

Significant Cases

NSTAR Electric Rate Case

The Division advocated against NSTAR Electric's proposed increase to its electric distribution base rates. As a result of the Division's advocacy, the Department reduced the Company's requested rate increase by \$29.2 million, which will save ratepayers approximately \$153 million over the next five years.

Electric Vehicle Infrastructure

The Division advocated against portions of the electric distribution companies' ("EDCs") request to recover certain costs associated with the EDCs EV charging infrastructure program. As a result of the Division's advocacy, the Department reduced the EDC's proposed cost recovery by \$76 million.

Fiscal Information

Cases that were finalized in FY2023 yielded approximately \$276 million in savings to ratepayers and customers. In addition to those cases mentioned above, the Division secured over \$46 million in ratepayer savings in two FERC-related reliability contracts (\$17.3M); Berkshire Gas Rate Case (\$5.1M); Liberty Utilities Renewable Natural Gas contract (\$20.0M); and Liberty Utilities Gas Management contract (\$4.0M).

Important Statistics and Numbers

In FY2023, the Division represented ratepayers and energy customers in over 100 dockets pending before state and federal courts and regulatory bodies. In addition to the stakeholder working groups and councils listed above, the Division participates in numerous ISO-New England stakeholder technical and governance meetings.

Environmental Protection Division

The Environmental Protection Division ("EPD") enforces environmental laws that protect our air and water, preserve our wetlands, tidelands, and public open space, require the clean-up of contaminated sites, and govern the use of pesticides and the handling and disposal of solid and hazardous waste. Working in close coordination with state and federal agencies, particularly the Department of Environmental Protection, EPD pursues three main types of work: 1) prosecuting civil enforcement cases; 2) representing the Commonwealth's agencies in environmental defensive cases; and 3) undertaking affirmative, non-enforcement work to pursue innovative ways to further environmental protection and environmental justice. This third type of advocacy includes bringing federal litigation in coalition with other state attorneys general to challenge illegal or harmful changes to federal environmental regulations and policies; filing *amici curiae*

briefs in other litigation to further the Commonwealth's interests; developing or supporting legislative or policy proposals; and entering into Brownfields Covenant Not to Sue agreements to further the clean-up and redevelopment of contaminated sites. EPD also engages in community outreach to ensure that marginalized communities disproportionately impacted by the environmental harms and risks are heard and that our work is impactful to these communities.

Significant Achievements & Priorities for FY2023

Commonwealth v. Penske

EPD collaborated with the Department of Environmental Protection and the Registry of Motor Vehicles to secure a settlement requiring Penske Truck Leasing, Co., LP, a national truck rental company, to pay a civil penalty of up to \$3.5 million to resolve allegations that six of its inspectors issued passing inspection certificates to heavy-duty trucks that underwent fraudulent safety and emissions inspections, largely at Penske's New Bedford facility. According to the Commonwealth's complaint, Penske's inspectors failed to properly conduct 129 safety inspections and conducted at least 123 fraudulent emissions inspections on fleet vehicles, including heavy-duty diesel-powered trucks weighing more than 10,000 pounds, putting the health and safety of the public and Penske's drivers at significant risk. Penske's inspectors allegedly failed to inspect the brakes, fifth wheel (which connects the trailer to the cab of the truck), and tire and wheel components on those vehicles and failed to conduct "smoke opacity" testing to determine whether their pollution controls were working properly to reduce emissions of dangerous air pollutants, such as particulate matter. Under the AG's settlement, Penske must provide enhanced training to newly hired inspectors and hire an independent auditor to evaluate its vehicle inspections for six months. The settlement also permanently bars the six inspectors alleged to have committed the violations from conducting further motor vehicle inspections.

Illegal Idling Awareness Videos

This spring, EPD, in collaboration with community partners in New Bedford, produced [two videos](#) explaining the environmental and health risks associated with illegal idling. The first, filmed with students at New Bedford High School, aims to raise awareness about illegal idling and associated harms to health and the environment. The second, filmed with healthcare practitioners at the New Bedford Community Health Center, discusses various health concerns associated with illegal idling and available resources for affected consumers. Both include a demonstration on how to use EPD's [Illegal Idling Tip Form](#) to report illegal idling to the Attorney General's Office and include subtitles in English, Spanish, and Portuguese, with transcripts available in Haitian Creole and Cape Verdean. The videos are part of EPD's Clean Air Initiative, which it launched in 2021 and focuses on projects that can make a meaningful impact on the residents of disadvantaged communities throughout the Commonwealth.

Distribution of Federal Funds to Communities

EPD's federal enforcement team pursues enforcement actions using the citizen suit provision of federal environmental laws. In fiscal year 2023, the team resolved five enforcement cases against companies alleged to have been violating the federal Clean Air Act and/or federal Clean Water Act. These settlements resulted in injunctive relief and a total of \$442,000 in payments in lieu of penalties to community-based organizations and municipalities. The Attorney General's Office recovered costs and fees in the amount of \$210,000 from the defendants in these cases pursuant to a line item in the Commonwealth's budget that allows recovered costs/fees to support EPD's federal enforcement work.

Community Engagement

In FY2023, EPD engaged with communities in:

Lawrence, MA. EPD supported and co-led a community engagement event in Lawrence in October 2023 to identify community concerns. The event was coordinated and facilitated by a host of community-based environmental justice organizations. In addition to EPD, other divisions in the Attorney General's Office also supported and attended the event, including the Community Engagement Division and the Energy and Ratepayers Advocacy Division. Though this meeting, EPD was able to identify community concerns and collect information to better inform its enforcement work.

New Bedford, MA. EPD has done a significant amount of work helping to support Environmental Justice efforts in New Bedford. First, we held multiple coordination sessions with 5 local community organizations led by Old Bedford Village, in partnership with the Department of Environmental Protection, the Executive Office of Environmental Affairs, the Environmental Protection Agency, and the City of New Bedford to help structure and implement a Greater New Bedford Environmental Justice Council. We also provided direct support through Supplemental Environmental Project funding to two New Bedford based environmental justice organizations to support projects that meet the community's needs, including a youth-led community garden and a technical support project to analyze data about PCB levels in the New Bedford Harbor.

Belchertown, MA. In May, with the help of EPD, residents of a manufactured housing community, Sportshaven Mobile Home Park, in Belchertown, began receiving high quality drinking water from a new on-site well, installed using federal grant money. EPD has been working for several years with that community, local officials, the Department of Environmental Protection, and the Executive Office of Housing and Livable Communities, to secure safe drinking water for the residents, including families and elderly individuals, who have been living under a "boil water" order due to bacterial contamination of the property's prior, shallow well. That success is just the first step in a larger project that will also involve replacement of the community's water distribution system and antiquated septic systems and the transfer of ownership of the property to the

residents, satisfying a decades-old court judgment obtained by the Attorney General's Office directing the property's owner to comply with state drinking water and wastewater treatment standards.

Financial Data

Total State Enforcement Recoveries: \$1,134,051.82

- Penalties: \$534,674.24
- Other (Supplemental Environmental Projects, Damages, Attorney's Fees): \$599,377.58

Total Federal Enforcement Recoveries: \$652,000

- Costs/fees: \$210,000
- Total to community organizations (in lieu of penalties): \$442,000

Important Statistics and Numbers

Total number of cases handled in FY23: 91

- Open (Affirmative): 38
- Open (Defensive): 9
- Resolved (Affirmative): 12
- Resolved (Defensive): 3
- Argued (Defensive): 2
- Entered, but in active compliance stage: 19
- Federal suits initiated/joined: 3
- Federal multistate suits with resolution/dispositive order: 5
- Federal Appeals briefed/argued: 1
- Federal Amicus briefs filed/joined: 9
- Comment Letters/Administrative Petitions: 45

Community Engagement Statistics:

EPD received 111 complaints and inquiries via: phone (14), email (26), mail (37), and e-form (34), covering various environmental issues, including PFAS, Article 97 protections, drinking water, hazardous material and waste, animal health, pesticides, emissions (mobile and stationary sources), waterways and beach access, and wetlands. The division held 14 external events and trainings, including BBA events, webinars, panels, community listening sessions, and presentations to other Commonwealth agencies. Overall, EPD engaged approximately 20 municipalities, 30 community organizations, and 300 community members and residents.

Environmental Crimes Strike Force Division

The Environmental Crimes Strike Force Division investigates and prosecutes environmental crimes that have serious public health consequences, including cases involving illegal hazardous and solid waste disposal, water pollution, air quality violations, illegal pesticide application, and violations of wetland protection statutes. ECSF is comprised of prosecutors from the Attorney General's Office, detectives from the Massachusetts Environmental Police, and investigators, engineers, and attorneys from the Massachusetts Department of Environmental Protection.

Significant Achievements & Priorities for FY2023

ECSF has continued to partner with its state and federal agency partners, including the Executive Office of Energy and Environmental Affairs, MassDEP, the Massachusetts Environmental Police, the U.S. Environmental Protection Agency, and the U.S. Fish and Wildlife Service to investigate instances of environmental crime, including illegal asbestos removal, illegal disposal of hazardous waste, and illegal disposal of solid waste.

Massachusetts Clean Air Act - Asbestos Enforcement

In April 2023, ECSF obtained indictments in the Statewide Grand Jury, charging an asbestos abatement company, and its owners, with 98 counts of violating the Massachusetts Clean Air Act by conducting illegal asbestos work at locations that include former industrial and construction sites in New Bedford, Fall River, Dartmouth, and North Andover, and illegally transporting uncovered asbestos waste through Brockton, West Bridgewater and Bridgewater while en route to illegally dispose of asbestos waste at a recycling center in Stoughton. The cases are Commonwealth v. Franklin Analytical Services, Inc.; Commonwealth v. Thomas J. McCoog, Sr.; and Commonwealth v. Amy Franklin McCoog. The indictments were returned in Bristol, Essex, Norfolk, and Plymouth Superior Courts.

ECSF also investigates multiple other instances of improper removal and handling of asbestos containing materials, potential violations of the Massachusetts Clean Air Act and the regulations promulgated thereunder. The improper handling of asbestos containing materials poses a significant risk to the health and safety of workers and the public. These investigations have involved large scale demolition and construction projects in Bristol, Hampden, and Worcester Counties. ECSF has actively partnered with the Massachusetts Environmental Police to investigate additional offenses including solid waste violations, hazardous waste violations, clean water violations, and wildlife offenses. Those investigations are active and ongoing as of the end of FY23, with new cases expected in FY24.

Commonwealth v. Ronald H. Bussiere

In March 2023, ECSF obtained a guilty plea from a defendant accused of violating the terms of his probation on a previous guilty plea for environmental offenses. The defendant was ordered

by the Worcester Superior Court to pay \$10,000 to the Commonwealth's Natural Resources Damages Trust. Due to his age and other factors, his continuing probation was terminated.

Important Statistics and Numbers

Number of cases handled in FY23:

- 3 open cases (indictments)
- 13 open investigations

GOVERNMENT BUREAU

The Government Bureau represents the Commonwealth, its agencies, and officials in many types of civil litigation and further defends Commonwealth employees from civil claims made against them resulting from the performance of their duties. The Bureau develops and maintains close working relationships with the agencies it represents, often providing them guidance and advice where advanced legal consultation may prevent unnecessary and costly lawsuits. The Government Bureau initiates affirmative litigation in the public interest on behalf of the Commonwealth and its residents. The Bureau also enforces the state's Open Meeting Law through its Division of Open Government, reviews and approves town bylaws through its Municipal Law Unit and reduces blight and creates safer homes and neighborhoods through the Abandoned Housing Initiative.

Constitutional and Administrative Law Division

The Constitutional & Administrative Law Division represents state agencies and state officials in a broad range of civil litigation. The Division defends against constitutional and other legal challenges to state statutes and regulations, suits that challenge state policies and programs, and suits that challenge the decisions of state administrative agencies in their adjudicatory capacity. The Division also initiates litigation on behalf of state agencies to support their programs or assist their regulatory activities.

As of June 30, 2023, the Division had 1124 open and pending cases and other litigation matters (of which 1076 were court-filed litigation matters, with the remainder being pre-litigation advisory matters). During FY 2023, the Division opened 439 new cases and other litigation matters (434 litigation & the remainder pre-litigation), and closed 435 cases and litigation matters (430 litigation & the remainder pre-litigation).

Examples of significant cases handled by the Constitutional & Administrative Law Division and reaching a conclusion during FY 2023 include the following:

Lyons v. Secretary of the Commonwealth, Supreme Judicial Court. The Court affirmed the constitutionality of the VOTES Act, a state law that would expand opportunities for voters to cast their ballots early and by mail and would increase the time for voters to register to vote in state elections. In the opinion, the Court found that voting is a fundamental right, and nothing in art. 45, as amended by art. 105, or in other parts of the State Constitution, prohibits the Legislature, which has broad powers to regulate the process of elections, from enhancing voting opportunities. This is particularly true with respect to the universal early voting provisions in the VOTES Act, which, in stark contrast to the narrow and discrete absentee-voting provisions of art. 45, enhance voting opportunities equally for all voters. The Court also rejected plaintiffs' claims that the VOTES Act (1) violates the elections clause of the United States Constitution, U.S. Const. art. I, § 4, by allowing municipalities to fill poll worker vacancies in the six weeks leading up to the election without regard to political party affiliation; (2) violates the First Amendment to the United States Constitution and its State constitutional equivalents by extending the ban on electioneering in and around polling places to the early voting period; (3) violates art. 38 of the Amendments to the Massachusetts Constitution by allowing disabled, overseas, and military voters to cast votes electronically; and (4) arbitrarily and irrationally counts the votes of people who lawfully cast their ballots during the early voting period but who pass away before election day.

Kligler v. Healey, Supreme Judicial Court. In a case brought by a terminally ill patient and a physician seeking a declaration that terminally-ill patients have a state constitutional right to physician-assisted suicide, the Court held that there is no fundamental right to physician-assisted suicide under the state constitution, and thus the state's prohibition on the practice, including through criminal prosecution for manslaughter, was subject only to rational-basis review, which it survived. The Court first noted that the physician-plaintiff had standing to bring the suit on behalf of patients, and that the Court would apply a broader conception of "fundamental rights" for purposes of due process analysis under our state constitution than the U.S. Supreme Court has recently under the federal constitution (as exemplified in the Dobbs decision)—eschewing the "history only" approach of the U.S. Supreme Court in favor of a more "comprehensive approach" that considers history but also recent precedent and possibly also emerging consensus and evolving norms. Nonetheless, the Court concluded that the right to physician-assisted suicide nonetheless was not "fundamental" in a constitutional sense, and thus the state's proscription of it—including through prosecution for manslaughter—was subject only to rational-basis review, which it survived. The Court further held that the common law of manslaughter as applied to these circumstances was not unconstitutionally vague, and that a ban on physician-assisted suicide did not violate equal protection principles.

Garcia v. Department of Housing and Community Development, Suffolk Superior Court. The Court approved a partial settlement agreement that calls for a wide array of improvements to the State's "Emergency Assistance" ("EA") shelter benefit program, including the application process, placement and transfer practices, disability-related accommodations, and more.

Separately, the parties briefed and argued cross-motions for summary judgment on one legal issue that remains outstanding, which concerns the authority of DHCD (now known as EOHLC) to verify the identity, family relationship or pregnancy, and Massachusetts residency of applicants for EA shelter, in light of a budgetary line-item proviso that calls for “immediate placement” of “families who appear to be eligible for shelter based on statements provided by the family and any other information in the possession of the department but who need additional time to obtain any third-party verifications reasonably required by the department.” The Superior Court concluded that this line-item proviso only applies to a “family” and thus allows DHCD to make some inquiries before immediate placement; but that the proviso was ambiguous about what types of verifications should be allowed. On that issue, the court held that (1) DHCD may lawfully verify that applicants are in fact “families” (meaning that an adult has some cognizable legal relationship to a child with them, or that a person is pregnant); (2) DHCD may lawfully verify the identity of applicants to the extent needed to verify that they are a family; and (3) DHCD may not verify Massachusetts residency as part of this inquiry. The parties have cross-appealed the Superior Court’s summary judgment decision with respect to verification of identity and family status, and that appeal is currently pending before the SJC.

Division of Open Government

Through enforcement of the state’s key government transparency laws, the Division ensures that government at all levels in Massachusetts is open and accountable to the people it represents. The Division is responsible for state-wide enforcement of the Open Meeting Law. The purpose of the Open Meeting Law is to ensure transparency in the deliberations on which public policy is based. Because the democratic process depends on the public having knowledge about the considerations underlying governmental action, the Open Meeting Law requires, with some exceptions, that meetings of public bodies be open to the public. The Division of Open Government advocates for sound policy with regard to government transparency, provides training and guidance to members of public bodies and of the public on the requirements of the Open Meeting Law, investigates complaints of violations, and makes findings and orders remedial action to address violations of the law. The Division also plays an enforcement role as to the Public Records Law, reviewing enforcement referrals from the Supervisor of Records, working with records custodians to ensure compliance with the Public Records Law, and, when necessary, pursuing enforcement action in court.

Significant Achievements & Priorities for FY2023

In three separate cases where the Division found that public bodies took significant action during public meetings without adequate advance notice to the public, the Division nullified the action taken. Fundamental to the Open Meeting Law’s transparency goals is the requirement that public bodies provide the public with advance notice of the specific matters that are anticipated for discussion during meetings. When a public body posts a meeting notice that includes a vague

or nonspecific listing of the matters to be discussed, the public is denied the opportunity to meaningfully decide whether to be present to witness the public body's deliberation and decision-making. One case involved pay raises for public officials, one involved a decision to advocate for a controversial settlement of a longstanding environmental dispute, and the third involved the potential demolition of a historic town building.

After filing suit against the Boston Police Department to compel compliance with the Public Records Law, the Division persuaded BPD to turn over internal affairs investigation records, with only limited redactions as appropriate to protect the privacy of crime victims and consistent with state law.

In recognition of the enhanced access to public meetings that the temporary pandemic-era remote and hybrid meeting flexibility has afforded the public, the Division continued to advocate for permanent legislative changes to the Open Meeting Law that would promote the OML's objectives of transparency, efficiency, and access by the public.

Important Statistics and Numbers

- Number of cases handled in FY23: Two litigation matters, one affirmative (public records enforcement) and one defensive (action for judicial review of an OML determination). Both are open.
- Determination letters/declination letters: 209 determination letters, 20 declination letters
- Total number of Open Meeting Law complaints resolved: 300
- Number of telephone/email/letter inquires received and responded to: Approximately 1,400
- 55% of complaints resulted in a finding of at least one violation of the Open Meeting Law. Overall, 42% of separate alleged violations resulted in a finding of a violation
- Most common remedies: (1) Immediate and future compliance with the OML, (2) Creation, approval, and/or revision of open session minutes, (3) Revision and/or release of executive session minutes, and (4) Attendance at a training on the OML
- Number and type of external events and trainings: 20 Open Meeting Law webinar trainings open to the public; 2 MCLE conferences aimed at legal professionals; 2 trainings to state commissions; and a training to the statewide assessors' association.
- Estimate of community members/municipalities engaged: 1,200 individuals directly attended these trainings.

Municipal Law Unit

The Municipal Law Unit (MLU) carries out the Attorney General's statutory obligation, pursuant to G.L. c. 40, § 32, to review all town by-laws for any conflict with the Constitution or laws of the Commonwealth. The MLU also performs the Attorney General's statutory obligation,

pursuant to G.L. c. 43B, § 10 (c), to review all city and town charter amendments for any conflict with the Constitution or laws of the Commonwealth. Finally, the MLU responds to constituent questions regarding municipal law issues and conducts frequent trainings for municipal officials and attorneys on municipal law issues related to the work of the MLU.

Significant Achievements & Priorities for FY2023

Section 3A (MBTA Communities Zoning Requirements)

A large portion of MLU's work this year was devoted to assisting communities to comply with the amendments to G.L. c. 40A, § 3A ("Multi-family zoning as-of-right in MBTA communities"). We participated in 4 trainings with representatives from the Executive Office of Housing and Livable Communities, planners, and town counsel. We have participated in regular calls with the HLC Section 3A team to coordinate review of Section 3A-related by-laws, and we have worked closely with legal counsel for the Rapid Transit Communities to assist with compliance with the December 31, 2023 deadline. Finally, we have issued 9 by-law decisions explaining the requirements of Section 3A.

Housing Choice Decisions

This year we have also spent a considerable amount of time educating communities on the "Housing choice" statutory amendments to G.L. c. 40A, § 5 that allow certain zoning by-law amendments to be enacted by simple majority vote of Town Meeting versus the standard two-thirds vote. We have participated in two trainings on this topic with representatives from HLC and others and issued 8 by-law decisions explaining how the housing choice amendments apply to a particular by-law vote.

Solar and battery energy storage

We have issued over 16 decisions on town's attempts to regulate solar installations or battery energy storage systems. In these decisions we have articulated how the Supreme Judicial Court's decision in Tracer Lane II has impacted municipal power to regulate in this area.

Important Statistics and Numbers

MLU responded to 1190 calls on various municipal law-related topics.

The unit conducted 7 external events and trainings and engaged an estimated 630 community members/municipalities.

Neighborhood Renewal Division

The Neighborhood Renewal Division (NRD) partners with communities to revitalize neighborhoods through the equitable preservation of existing housing and by supporting the creation of affordable housing. Through our partnerships with 157 municipalities across

Massachusetts, NRD reduces the safety hazards, economic drag, and criminal activity created by vacant and distressed residential properties. NRD achieves high rates of voluntary compliance from delinquent owners through written demands to correct serious code violations. Utilizing the enforcement authority under the State Sanitary Code, non-compliance is remedied through NRD receivership actions in Housing Court. NRD bolsters its mission by administering grant programs that address receivers' access to capital, property demolition and redevelopment, and code enforcement technology upgrades.

Significant Achievements & Priorities for FY2023

15 Murray St. Lynn

The City of Lynn has spent a great deal of time and effort to address the critical housing shortage in their city and has been interested in partnering with our division to address its current housing crisis. During FY23, a booby-trapped single-family residence with longstanding sanitary and fire code violations at 15 Murray Street finally became the first property in Lynn to be placed into receivership through a petition by our office. This receivership petition was filed in January 2023 after a months-long investigation, which involved an owner who died intestate more than twenty years ago, leaving an estate that was never probated and two generations of potential heirs. While much work is still ahead, the property's municipal lien in the amount of \$15,383 has already been paid off, the property sold to a responsible developer, and a surplus amount of about \$170,000 is in the process of being turned over to the heirs of the estate. The new owner is actively addressing all code violations and has already obtained the City's Zoning Board's approval to turn this property into a two-family residential dwelling, thereby providing additional housing opportunities to the neighborhood. Additionally, through this effort, Lynn was helped to fortify and ramp up its ability to issue code violation orders through a collaboration with MassHousing, which provided a \$200,000 Neighborhood Hub Grant to the city.

21 Ely Street, Randolph

This property, which was condemned by the Randolph Fire Department in 2013 due to excessive hoarding, was referred to NRD in 2017 and 2020. After receiving the first demand letter from NRD in 2017, the owner took sufficient steps to address the violations and the Town requested the referral be closed. Unfortunately, the property slipped into further decline over the next few years with excessive hoarding returning and the additional presence of biohazardous materials. NRD requested a limited receivership in order to retain as much equity in the property for the owner. The court approved NRD's request and appointed a receiver. The receiver corrected the most concerning violations, which posed a risk to the health and safety of the community, and subsequently obtained court approval to auction the property. The property ultimately sold for \$136,000, with the owner receiving \$93,362.00 after the costs for the receivership were paid. As a result of the receivership, the Town of Randolph recovered \$23,988.00 in outstanding taxes and other municipal charges.

Special Attorney Receiver Pilot Project

NRD's mission includes the creation of affordable housing where possible. In the past NRD has successfully used traditional receivership actions to create affordable units across the Commonwealth. The opportunity to use traditional receivership proceedings to create affordable housing, however, is only available in limited circumstances. To this end, retired Housing Court Judge Dina Fein recently worked with the City of Springfield and numerous other stakeholders to create a pilot project using Special Attorney Receivers (SARs) to create additional affordable units out of distressed housing. The pilot program, known as the City of Homes Pilot, allows SARs for certain properties to propose the sale of the distressed property in its "as-is" state to a non-profit housing organization for rehabilitation and conversion to affordable housing under the supervision of the court. In FY23, NRD sought an SAR for a property in Greenfield, expanding the pilot program beyond Springfield. The Western Division Housing Court allowed our request for appointment of an SAR. The SAR has completed initial clean-up work at the property and is working with a non-profit organization to arrange a sale at the fair market value of the property. We expect the receivership to conclude in FY24 with rehabilitation of the property to follow. Also, in FY23, NRD joined Springfield in its pilot project and is currently working with the City on an SAR project within the City of Springfield.

Important Statistics and Numbers

During Fiscal Year 2023, NRD expanded its relationship with municipalities within the Commonwealth and now partners with 157 municipalities across the state. NRD received approximately 75 new property referrals and averaged an active caseload of approximately 240 properties, with an average of 61 cases in litigation at any one time. NRD filed 9 petitions in regional housing courts across the state and 10 receiverships successfully concluded over the course of the year. In total for the year, NRD obtained 82 successful outcomes.

NRD assisted municipalities in recovering \$292,000 in unpaid property taxes and municipal expenses such as past due utilities, water, and sewer bills. Several municipalities throughout the Commonwealth recovered significant amounts in unpaid taxes and fees reflected below by region: Eastern MA \$0; Central MA \$6,470; Metro South \$30,280; Northeast \$84,293; Southeast \$35,692; Western \$117,535.

82 Successful results in 42 municipalities during fiscal year 2023:

- In total, 33 owners or mortgagees responded and repaired the properties. Of these owners, 29 were individuals (as opposed to mortgagees) that cooperated and responded to NRD's inquiries, meetings, or inspections, and repaired their properties to comply with the State Sanitary Code.
- 38 properties were repaired and listed for sale by homeowners or mortgagees or sold as-is to new buyers who have pulled permits and shared their plans to repair the property with the local Board of Health.
- 11 receiverships were completed during the 2023 fiscal year across the Commonwealth.
- 9 receivership actions were filed in the 2023 fiscal year.

- \$292,000 in total recoveries of outstanding taxes and other fees for municipalities in FY23.
- 19 of the 83 successful cases were resolved through initial communication from our office (e.g., conversations and demand letter) with homeowners, finding successful resolutions without the need to file petitions in housing court.

In FY23, \$711,000 in AHIR funding was used to fund 11 receivership projects. Receivership projects receiving funds through the AHIR grant were located in East Boston, Dorchester, Jamaica Plain, Pittsfield, Arlington, Mattapan, and Millis.

Community Engagement statistics

During the fiscal year 2023, NRD attended or participated in a total of 18 events and presentations. We engaged with 3 new municipalities and reengaged with 6 former municipal partners who had been dormant with our program for some time. NRD also conducted several presentations focused on the functions of the Neighborhood Renewal Division, the state sanitary code, and the receivership process. Additionally, we participated in various virtual and in-person events concerning individuals' housing rights, environmental justice housing communities, affordable housing, and various other topics surrounding structural, racial, and gender-based barriers in our communities. Some of the notable events included receivership presentations/trainings with various municipalities and potential receivers, working with the Eastern Division of the Housing Court to create and host a recruitment and training program for new receivers, joining staff of the various divisions of the Housing Court for a training led by the Department of Public Health regarding an overhaul of the State Sanitary Code, attending the Land Loss, Reparation & Housing Policy Conference at BC Law, and meeting with Massachusetts Municipal Lawyers Association and the Massachusetts Health Officers Association to discuss receivership and partnership opportunities with municipalities across the Commonwealth.

Furthermore, NRD conducted inspections of abandoned houses with municipalities on 29 occasions, often inspecting three or more properties at any one time. Inspections were conducted across the Commonwealth and following inspections, NRD identified and reached out to property owners in attempts to help revitalize them.

Trial Division

The Trial Division defends suits brought against state agencies, officials and employees who are sued in the context of their agency duties. The types of cases generally include employment, torts, civil rights, contracts, erroneous conviction, eminent domain, and land use cases. These suits generally seek damages or other relief for alleged wrongful acts of government agencies, officials, or employees. The Trial Division handles cases in both federal and state court, and the

cases range from those with simple fact patterns to multi-million-dollar cases with complex fact patterns and legal issues.

Significant Cases

The Trial Division reached a favorable settlement on behalf of the Human Resources Division (HRD) in Tatum et al. v. Commonwealth of Massachusetts, a class action lawsuit on behalf of municipal police officers who allege that HRD's development and administration of promotional examinations for the position of police sergeant in 2005, 2006, 2007, 2008, 2010, and 2012 were acts of disparate impact discrimination under M.G.L. c. 151B, § 4. After the Superior Court found the HRD liable under the statute, the parties negotiated a comprehensive settlement that included monetary damages and a modified test design process.

In FY2023, the Trial Court continued to represent the Department of Children and Families (DCF) and eighteen individual DCF social workers in Jane Doe et al. v. Susan Blouin et al., involving the abuse of four minor children in the home of Susan and Raymond Blouin. After filing a notice of appeal of the decision denying the DCF defendants' motion to dismiss, the Trial Court successfully negotiated a resolution of all claims against the DCF defendants for \$7 million.

In October 2022, after years of extensive litigation and a fairness hearing in Suffolk Superior Court, the Trial Division obtained final court approval of the negotiated settlement agreement in Foster v. Commonwealth, a class action brought on behalf of 31,000 individuals whose drug convictions were vacated as a result of the misconduct of drug lab chemists. The settlement agreement provides a global administrative scheme for the refund of millions of dollars in case-related payments that class members made as a consequence of their subsequently vacated convictions, and provides for the class members' release of additional claims.

The Trial Division successfully defended the Executive Office of Health and Human Service (EOHHS) in Dermody v. EOHHS et al. and Mondor v. EOHHS et al., involving the distribution of proceeds from Medicaid-planning annuities, which net the Commonwealth several million dollars each year. A group of plaintiffs argued that EOHHS's recoveries from annuities, to reimburse for Medicaid/MassHealth payments for the long-term nursing home care of the annuitants' spouses, are not authorized under federal law. The Trial Division obtained a favorable decision from the Supreme Judicial Court in both cases in January 2023. The plaintiffs have petitioned the U.S. Supreme Court for certiorari review, which remains pending.

In August 2023, the Trial Division obtained a defense verdict on behalf of the Department of Conservation and Recreation (DCR) in Town of Holden v. DCR et al., against a claim of more than \$17 million for breach of contract arising from the Town of Holden's financial arrangements with DCR and the City of Worcester for the transport of Holden's wastewater through Worcester. The case is now on appeal in the Appeals Court.

The Trial Division handled two significant commercial matters on behalf of the Massachusetts Department of Transportation (MassDOT). The first is a land use matter, Smiley First LLC v. Massachusetts Department of Transportation, which reached final resolution in FY23 when the Supreme Judicial Court ruled that a 1991 order of taking of a parcel of property for railroad purposes did not encumber the entire parcel and did not allow MassDOT's use of the property for purposes of the MBTA's test track project. The second is a contract dispute, J.F. White v. Massachusetts Department of Transportation, in which a plaintiff contractor seeks millions of dollars in contract payments for performance of a culvert installation project, arising from what the plaintiff claims were unforeseen site conditions.

In addition, the Trial Division successfully brought two eminent domain cases to trial with favorable verdicts for the Commonwealth: GEMAC v. Commonwealth and Ferdie LLC v. Commonwealth. Particularly in Ferdie LLC, the trial team was able to successfully discredit the testimony of a frequently used plaintiffs' expert who had, here and in previous cases, provided unsupported, non-evidence-based appraisals and damages estimates, impacting a series of eminent domain cases that had previously been scheduled for trial using that same expert, and strengthening the defensive position of the Commonwealth in those cases.

Finally, the Trial Division litigated and resolved several erroneous convictions cases. Weichel v. Commonwealth was tried before a jury, resulting in a verdict for the plaintiff. In Cruz v. Commonwealth, the Appeals Court issued a decision in the Commonwealth's favor on an issue of Chapter 258D eligibility, which is now before the Supreme Judicial Court on further appellate review.

Financial Data

Approximate Amount of Money Saved the Commonwealth by the Trial Division in FY2023 (7/1/22 to 6/30/23): \$43,887,828.

Approximate Amount of Money Recovered for the Commonwealth by the Trial Division in FY2023 (7/1/22 to 6/30/23): \$32,821,534.

Approximate Amount of Money Saved the Commonwealth by the Trial Division in CY2023 (1/1/23 to 12/15/23): \$47,240,027.

Approximate Amount of Money Recovered for the Commonwealth by the Trial Division in CY2023 (1/1/23 to 12/15/23): \$783,638.

Case Statistics/Significant Achievements

- Approximate number of new litigation cases opened in FY2023: 370
- The Trial Division maintained a litigation docket of approximately 1300 active cases on behalf of Commonwealth agencies and employees in FY2023.
- Tried 13 cases in FY2023 in a wide variety of legal areas (eminent domain, employment discrimination, tort) in courts across the Commonwealth.
- The Trial Division handled over 50 appeals in FY2023.

- Approximate number of Presentments processed in FY2023: 350
- Approximate number of Affirmative matters handled in FY2023: 22
- Approximate number of Agency Settlements reviewed/processed in FY2023: 56

HEALTH CARE AND FAIR COMPETITION BUREAU

The Health Care and Fair Competition Bureau (HCFC) aligns divisions within the AGO that routinely touch upon the Massachusetts health care sector in fundamental ways and works to ensure a fair and competitive marketplace in the Commonwealth. The work of HCFC includes: overseeing public charities; preventing anticompetitive or fraudulent practices by providers of health care products and services within the Commonwealth; safeguarding rights of health care consumers; combatting fraud and abuse in the MassHealth system; and ensuring integrity by government contractors. The divisions within the Health Care and Fair Competition Bureau bring affirmative litigation on behalf of Massachusetts consumers and taxpayers, maintain a health care help line and mediation service, and engage in advocacy and policy initiatives to ensure access to quality, affordable health care in Massachusetts.

Antitrust Division

The Attorney General's Antitrust Division protects the people, state agencies, and businesses of Massachusetts from anticompetitive practices and works to maintain and encourage a competitive and vibrant economy through fair and effective enforcement of antitrust laws. The Antitrust Division investigates and challenges anticompetitive mergers, price-fixing agreements, and other illegal practices by companies, both local and national, that harm Massachusetts consumers and important state interests. For example, the Division promotes and protects competition in various industries directly affecting consumers, such as health care, pharmaceuticals, social media/technology, and transportation. The Division also obtains relief for consumers in the form of refunds for overcharges, civil penalties, and injunctions against offending businesses. Finally, the Division advocates for effective competition policy at the state and national levels by filing legal briefs in important antitrust cases, engaging in policy initiatives, and promoting procompetitive legislation.

Significant Achievements & Priorities for FY2023

Suboxone Antitrust Settlement

The Antitrust Division and 41 other states settled antitrust litigation against the maker of Suboxone, a combination of the drugs buprenorphine and naloxone used to control the effects of opioid addiction. The Division sued Indivior in 2016, alleging that Indivior violated the antitrust laws to preserve its monopoly over the brand-name Suboxone, including by making small changes to the product that allowed it to extend patent protections that prevented other

companies from offering cheaper generic alternatives. Under the settlement, Indivior will pay the plaintiff states \$102.5 million, with Massachusetts receiving over \$4.1 million. The settlement also prohibits Indivior from engaging in the same kind of conduct alleged in the complaint.

Blocking the Anticompetitive American Airlines/JetBlue Merger

The Antitrust Division, together with the U.S. Department of Justice and six other state attorney general offices, won a major victory for consumers in successfully blocking an unprecedented series of agreements between American Airlines Group Inc. and JetBlue Airways Corporation to consolidate their operations in Boston and New York City. On May 19, 2023, a federal court judge in Boston ruled in favor of the Division and the other plaintiffs and enjoined the challenged agreements. The court's order avoids what the Division alleged would be hundreds of millions of dollars in harm to air passengers travelling from Boston Logan airport and other airports across the country through higher fares and reduced choice. The victory fosters fair competition for travelers and is essential to lowering costs and improving service for consumers.

Price-fixing by generic drug manufacturers

The Antitrust Division continued to work to hold generic pharmaceutical companies and certain of their executives responsible for alleged price fixing and market allocation agreements that drive up generic drug costs for consumers and Massachusetts governmental purchasers. The Division is actively litigating three broad-ranging complaints alleging that drug makers and pharmaceutical executives agreed, unlawfully, to fix the prices of hundreds of generic medications. These lawsuits seek damages for consumers and Massachusetts governmental purchasers, civil penalties, and actions by the court to restore competition to the generic drug market.

Financial Data

ATD recovered \$4,172,132 in FY 2023.

Important Statistics and Numbers

Number of cases handled in FY2023:

- The Antitrust Division handled a total of 21 matters in FY2023. Of these, 10 were closed and 11 remain open.

Amicus Briefs or Policy Statements joined in FY2023:

- The Antitrust Division joined in 3 amicus briefs.

False Claims Division

The False Claims Division holds accountable individuals and companies that make false statements to obtain government contracts or funds. The False Claims Division aggressively

protects taxpayer interests through prosecution and outreach to ensure that Massachusetts contractors are a model for quality and integrity.

Using the Massachusetts False Claims Act (“MFCA”), the False Claims Division investigates allegations of civil fraud, focusing on conduct where companies and/or individuals have misled or defrauded state or municipal entities through, for example, the use of false or fraudulent claims, records or statements. The Division’s work is wide-ranging, including public construction, health care, data security, non-profit management, housing and pandemic fraud.

The False Claims Division has recovered millions of dollars in government funds and works with partners in government and with whistleblowers to expand upon those successes, recover funds for the Commonwealth and its citizens, and deter misconduct.

Significant Achievements & Priorities for FY2022

Advancing Massachusetts’ Women and Minority Business Enterprise Goals

In December 2022, FCD entered into an assurance of discontinuance with Gilbane/Hunt, a joint venture between Gilbane Building Company of Providence, RI and Hunt Construction Group, Inc. of Indianapolis, IN, to resolve allegations that Gilbane/Hunt violated the MFCA in its bid for the Polar Park construction project by falsely stating that it planned to maximize the participation of women and minority business enterprises (“W/MBEs”) on the project and then, once selected, misrepresented the status of W/MBE participation to the Worcester Redevelopment Authority until the project was substantially complete. Under the terms of the settlement, Gilbane/Hunt paid \$1.9 million to the Commonwealth, of which \$500,000 was returned to the City of Worcester as restitution. The City matched this amount and agreed to use the funds to promote W/MBE participation in government contracting.

Ensuring Integrity by State Subcontractors

Working in collaboration with the Office’s Fair Labor Division, FCD obtained a significant legal victory against BPI Construction Management Inc. for submitting fraudulent payroll records prepared by its subcontractor for payment on two municipal construction projects in violation of the MFCA. On December 15, 2022, the Superior Court allowed FCD’s Motion for Partial Summary Judgment as to Liability, finding BPI liable on all counts. The Court’s decision is the first to affirm that the MFCA’s liability provisions are broad enough to hold an upper tier contractor liable for its use of fraudulent records created by an unrelated subcontractor.

Addressing False Claims by COVID-19 Providers

FCD continued focusing on entities that took advantage of the COVID-19 pandemic by, among other things, receiving payment for personal protective equipment not delivered to the Commonwealth. Among the many matters handled by FCD in this space, FCD enforced a Civil Investigative Demand issued to USiDG, LLC related to its failure to provide \$16M in personal

protective equipment ordered by the Commonwealth at the start of the pandemic. In addition, FCD has sued Bedrock Group LLC related to its failure to return \$3.35M that the Commonwealth paid for over 900,000 masks the company did not deliver.

Constituent Success Stories

FCD continues its work protecting housing subsidies for the Commonwealth's most vulnerable residents and pursuing pandemic-related housing fraud. In two cases where landlords fraudulently applied for and received Commonwealth funds designated to help tenants facing emergency circumstances including the COVID-19 pandemic, FCD secured financial settlements and debarment agreements from landlords Jennifer Munoz and Thomas Theriault. In these two cases – one referred to the Commonwealth by a non-profit and the other by a tenant – FCD secured a total of \$149,100, representing multiple damages.

Following a union whistleblower's call to the Fair Labor Division's wage hotline, FLD and FCD met with union representatives to collaboratively investigate the whistleblower's claim that Avatar Construction failed to pay its workers the prevailing wage on one of its public construction projects. FLD cited the labor subcontractor for its failure to pay the proper prevailing wage, and FCD filed a complaint action against Avatar, the prime contractor, for knowingly facilitating the fraud.

Financial Data

Amounts Recovered:

- Damages and Penalties: \$4,583,853.04
- Restitution: \$500,000 (to City of Worcester)
- Recoveries to the General Fund/False Claims Line Item: \$4,055,123.41

Important Statistics and Numbers

- Number of matters handled in FY23: 67
- Number of matters closed in FY23: 27
- Number of matters resolved: 3
- Number of complaints filed in court by FCD: 3
- Number of *qui tam* complaints filed in court: 3
- Number of active litigations: 9
- Number of other whistleblower complaints received: 5

Community Engagement Statistics

- Number of Hotline Calls Received: 55

- Number of external trainings on MFCA/work of FCD (including bar association events and training of state agencies): 5

Health Care Division

The Health Care Division (HCD) blends its enforcement and policy tools to promote the interests of Massachusetts health care consumers. HCD leads a range of cases to protect consumers from unfair and deceptive practices by health insurers, providers, pharmaceutical companies, pharmaceutical distributors, pharmacies, and others. HCD also plays a key role in statewide efforts to examine the health care market, advocating for improving affordability, access, and equity in the marketplace. HCD provides guidance to hospitals and HMOs on how to determine the health care needs of their communities, plan programs with their community partners, and report those activities to the AGO. HCD also plays a vital role in advocating and litigating on behalf of consumers to ensure the continued strength of the Massachusetts health insurance marketplace. HCD maintains a consumer helpline and provides a robust mediation service that resolves thousands of health care complaints annually, saving consumers over \$2M in FY23.

Significant Achievements & Priorities for FY2023

Cost Trends Examination on Health Status Adjustment

In November 2022, HCD published a health care cost trends report examining how a commonly-used calculation for determining health care payments fails to accurately measure health needs and causes funding to be moved away from low-income communities in Massachusetts. Based upon analysis of data collected through our unique cost trends authority, G.L. c. 12C § 17, the report recommended that the Centers for Medicare & Medicaid Service’s risk adjustment program, as well as other programs designed to redistribute health care resources in alignment with needs, should incorporate data on a patient and community’s social determinants of health when estimating health needs.

Aspen Dental

In January 2023, HCD settled our litigation with Aspen Dental over its scheme to deceive consumers through bait-and-switch advertising campaigns in violation of 93A and the terms of its 2014 settlement with our office. As alleged in the litigation, Aspen Dental engaged in numerous deceptive advertising and marketing practices, including charging patients for services it advertised as “free” and advertising that it worked with “all” insurance when it did not accept MassHealth (which includes dental coverage). The \$3.5 million settlement will return up to \$750,000 to patients who paid for new patient examinations, x-rays and oral cancer screenings at Massachusetts Aspen Dental-branded offices and requires Aspen to pay \$250,000 for a consumer relief fund.

Maternal Health Equity Grant

On April 13, 2023, during Black Maternal Health Week, the AGO announced a new Maternal Health Equity Grant program designed to reduce maternal health disparities and access to promote culturally competent care. Using funds from HCD settlements, this grant program provides funding to non-profit organizations to provide culturally competent maternal health support services to Massachusetts residents, such as group models of prenatal care, access to doulas, doula workforce development, perinatal behavioral health support, and breastfeeding support.

Constituent Success Stories

A consumer's adolescent son was treated on an emergency basis and hospitalized while traveling internationally. Per medical necessity according to a physician, and with prior authorization from the insurer, the consumer's son was transported by air ambulance to a Boston hospital. The consumer was required to pay up front for an air ambulance and expected to be reimbursed by his insurer. The claim was denied and appealed twice by the consumer. Both appeals were denied on the grounds that criteria for medical necessity were not met. After many conversations with the consumer and gathering and reviewing all related documentation, an HCD Mediator contacted the insurer and sent supporting documentation. Based on a review of the complaint and the communication between the consumer and insurer, the insurer allowed a one-time benefit exception, and reimbursed the consumer \$18,763.

A consumer had a dental crown installed, which cost \$1,600. However, it was an uncomfortable fit from the start. The consumer reported that the whole tooth (including the crown) fell off a few months later. Consequently, she required an implant that cost \$5,000. After multiple failed attempts to get a refund and compensation she turned to the HCD. After discussing the patient's experience with her, an HCD Mediator sent a letter to the practice describing the consumer's issues. The Mediator then spoke with the dentist, who stated that her office had started the process to issue a refund. Several follow-up calls later, it was discovered that the dentist had just died. After many more calls - and promises of checks in the mail - the consumer received \$200 from the practice and reported that, almost a year from the day the crown had fallen out, she finally received \$5,000 from the dentist's malpractice insurer.

Financial Data

Amounts Recovered:

- Penalties: \$2,500,000
- Restitution: \$1,000,000
- Mediation Unit Recoveries: \$61,673
- Other Recoveries: \$104,678,946 (\$62,258,301 to the Opioid Recovery and Remediation Fund; \$42,420,646 in opioid settlement funds to municipalities)

Important Statistics and Numbers

- 2,017 consumers assisted through mediation helpline
- 2,932 consumers assisted through mediation cases

Medicaid Fraud Division

The Medicaid Fraud Division (“MFD”) investigates and prosecutes health care providers who defraud the Massachusetts Medicaid program, known as MassHealth. In addition, MFD is responsible for reviewing complaints of abuse, neglect, mistreatment, and financial exploitation of patients in long-term care facilities and Medicaid members in health care settings.

Through criminal and civil enforcement actions, MFD seeks to deter fraudulent activities and recover funds for Medicaid within every area of the Commonwealth’s healthcare provider community. MFD serves as the Medicaid Fraud Control Unit for the Commonwealth of Massachusetts and is annually certified by the Secretary of the U.S. Department of Health and Human Services, Office of Inspector General. MFD employs investigators, auditors, and attorneys who work together to develop investigations and bring prosecutions.

MFD partners with other local, state, and federal law enforcement agencies in its efforts to combat fraud, save taxpayer dollars, and protect the most vulnerable in our society from exploitation and abuse by their caregivers.

Significant Achievements & Priorities for FY2023

Nursing Home Abuse, Neglect, and Financial Misappropriation

MFD continued to prioritize its enforcement authority with respect to nursing home abuse, neglect, and financial misappropriation. In December 2022, MFD announced a \$1.75 million settlement with Athena Health Systems, a long-term care management company that operates nursing homes throughout Massachusetts, for failing to meet the needs of nursing home residents with histories of substance use disorder. In addition to the financial settlement, Athena agreed to participate in a program to become “Centers of Excellence for Geriatric Emotional/Mental Health and Substance Use Education” and agreed that MFD can require many of Athena’s facilities to contract with an independent compliance monitor if those facilities receive serious deficiencies in future surveys.

In November 2022, MFD announced a settlement with a nursing home, Sea View Retreat, and its owner, Stephen Comley II, to resolve allegations that they failed to implement appropriate infection control procedures at the start of the COVID-19 pandemic in spring 2020. Under the terms of the settlement, Sea View and Comley agreed to pay the state a total of \$175,000, and agreed to no longer own, operate, or manage a long-term care or assisted living facility in Massachusetts.

MFD also pursued criminal enforcement in this area, where appropriate. In October 2022, MFD charged two individuals, Caroline Khan and Diamond Deshields, nursing home employees who stole from the bank accounts of nursing home residents under their care. MFD also charged another individual, Alexander Irizarry, in April 2022, for his unauthorized use of four nursing home residents' debit cards; Irizarry pleaded guilty in December 2022. Given the SJC's reinstatement of MFD's criminal charges against the former superintendent and medical director at the Holyoke Soldiers' Home in April 2022, MFD continues to prosecute that action as well.

Furthermore, MFD continued to advocate for residents of long-term care facilities. In April 2023, MFD co-led a coalition of 18 state Attorneys General in support of a proposed rule by the Centers for Medicare and Medicaid Services that would require the disclosure of certain ownership, managerial, and other information regarding nursing facilities, particularly from private equity investors and real estate investment trusts.

Personal Care Attendant and Home-Based Services

MFD has continued to combat fraud among providers who deliver home-based services like personal care attendant ("PCA") services and home health services, which remain a major source of MassHealth spending. In September 2022, MFD obtained a jury verdict finding an individual, Abdinafa Maow, guilty after a trial for submitting claims to MassHealth for more than \$100,000 in services that were not rendered. In December 2022, MFD announced the indictment of Eric Melendez, a MassHealth member who received assistance from multiple personal care attendants. In addition to working with his PCAs to submit nearly \$200,000 in fraudulent timesheets to MassHealth, Melendez engaged in sexual conduct towards his PCAs, offered to compensate PCAs additional money in exchange for sexual favors, and tricked one PCA into viewing a video of him engaging in a sex act with another person. Also in December 2022, MFD indicted an individual, Jessica Parisella, for fraudulently billing MassHealth for PCA services that were never provided to her son. MFD also recovered nearly \$430,000 in a civil settlement from a home health agency, Allied Health Systems, which billed MassHealth for services without appropriate physician authorization.

Behavioral Health

MFD worked to ensure access to high-quality behavioral health care services for MassHealth members during this fiscal year. In July 2022, Nicole Kasimatis, the owner and operator of Fortitude Counseling and Recovery Center, pleaded guilty following an investigation that revealed that Kasimatis allegedly billed MassHealth while she was incarcerated or out of the country, as well as billed for services under the names of providers who did not provide the services. In February 2023, Northeast Health Services, LLC and its former owners agreed to pay \$940,000 to MassHealth to resolve allegations that Northeast caused fraudulent claims to be submitted to MassHealth by failing to ensure that certain clinicians received appropriate supervision from a licensed clinician. In September 2022, Priority Professional Care agreed to pay \$262,790 to resolve similar allegations that it had failed to provide appropriate supervision to unqualified clinicians.

Financial Data

Amounts Recovered: \$32,768,968.49

- Penalties: \$2,400,088.69
- Restitution: \$29,039,162.19
- Other Recoveries: \$1,329,717.61

Important Statistics and Numbers

Number of cases handled in FY23:

- Settlements: 23 (10 open)
- Indictments: 16 (15 open)
- Convictions: 14 (10 open)

Number of Hotline Calls Receive

- Fraud: 96
- Abuse/Neglect: 16
- Other: 65

Number of on-line complaint forms received:

- Fraud: 67
- Abuse/Neglect: 30
- Other: 29

Community Engagement Statistics

MFD presented at 27 external events and trainings last year. These external events and trainings included presentations at the annual conferences for National Association of Medicaid Fraud Control Units (“NAMFCU”) and the National Association of Medicaid Program Integrity, as well as specific conferences organized by the Boston Bar Association and American Conference Institute. These trainings covered a wide range of topics, including MFD’s enforcement work in the behavioral health and nursing home space and tips for conducting investigations using cash app technology. MFD AAsG and investigators also served as facilitators at numerous trainings conducted by NAMFCU.

Non-Profit Organizations/Public Charities Division

The Non-Profit Organizations/Public Charities Division is responsible for overseeing more than 25,000 public charities in Massachusetts, including ensuring appropriate application of charitable assets, investigating allegations of wrongdoing or fraud in the application or solicitation of

charitable funds, and initiating enforcement actions in cases of breach of fiduciary duty. This work includes reviewing sales of significant charitable assets and dissolutions of public charities, reviewing documentation of and ensuring fulfillment of charitable bequests, and supporting nonprofit charitable boards of directors in their efforts to discharge their fiduciary duties appropriately. The Division's administrative staff support transparency in the sector by processing and managing registration and annual filings by public charities, professional solicitors, fundraising counsel and commercial co-venturers, and by maintaining the AGO's Annual Filings Document Search, which makes much of this information available online to the public.

Significant Achievements & Priorities for FY2023

In October 2022, NPCD launched its online Charities Portal for charitable registration and annual filings. In May 2023, the Office announced that starting on September 1, 2023 it will no longer accept paper filings and charities in Massachusetts will be required to register and make annual filings using the online Charity Portal. In addition, to support smaller charitable organizations in the Commonwealth, NPCD raised the threshold for filing a Form 990 with annual charities filings in Massachusetts from \$5,000 to \$25,000.

In December 2022, NPCD published its revised Guide for Board Members of Charitable Organizations, which, among other things, highlights the importance of board and leadership diversity, financial accountability, and management of conflicts of interest.

In FY23, following the removal of the executive director of Casa Nueva Vida ("CNV") for misuse of public funds and False Claims Division litigation and settlement related to the same, NPCD worked with CNV, a public charity that for decades provided shelter and transitional housing services in the Boston and Lawrence areas, to seek court approval to transfer CNV's assets to Heading Home, an experienced shelter, transitional, and permanent housing nonprofit in the Commonwealth. The Single Justice of the SJC approved the transfer of assets on May 10, 2023.

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Financial Data

\$1,044,521 in reduced fees or money recovered and distributed to charities from review of estate administration issues.

Important Statistics and Numbers

- Number of cases handled in FY23: 35
- Affirmative cases brought/indicted, tried/argued, resolved: 7 open; 1 closed (includes involuntary dissolutions, affirmative fiduciary duty litigation, receiverships, significant probate matters)
- Defensive cases opened, tried/argued, resolved: 8 open; 19 closed (includes equity petitions, significant probate matters, fiduciary duty litigation of which we are a necessary party under G.L. c. 12, s. 8G)

- Dissolutions filed with the SJC: 54
- Administrative Dissolutions Approved: 45
- Number of initial charities registrations: 1,601
- Number of payments processed for public charity and professional fundraiser annual reports and registrations: 29,145
- Fees generated \$7,799,205

The Division received and reviewed 1,042 new wills, received 583 interim accounts, and reviewed 560 final accounts/documents closing estate files for personal representatives and trustees. The Division received and reviewed 35 petitions for license to sell real estate, 35 trust terminations and 1,389 miscellaneous complaints and filings. The AGO also resolved 77 matters involving potential misapplication of charitable bequests or excessive fees, resulting in \$1,044,521 in reduced fees or money recovered and distributed to charities.

Community Engagement statistics

- Number of on-line complaint forms received: 389
- Number and type of external events and trainings: 19 external events and trainings at which NPCD staff presented.
- Estimate of community members/municipalities engaged: approximately 650 community members attended these events/trainings.

PUBLIC PROTECTION AND ADVOCACY BUREAU

The Public Protection and Advocacy Bureau (PPAB) uses investigation, litigation, and other advocacy to enforce laws protecting the Commonwealth. PPAB works towards meaningful economic recovery for Massachusetts by tackling the economic and mortgage foreclosure crisis with a multifaceted and aggressive strategy. PPAB protects consumers from unfair and deceptive activity, enforces state and federal civil rights laws, ensures access and equal opportunity for all residents, pursues complex insurance and finance cases on behalf of residents or government entities, and enforces state wage and hour laws.

Children's Justice Unit

Core Mission Statement

The Children's Justice Unit works to advance justice and equity for children and youth across the Commonwealth through legal and policy advocacy and programming.

Significant Achievements & Priorities for FY2023

Addressing Hate in Sports: The AGO’s Children’s Justice Unit (“CJU”) teamed up with Executive staff to plan and host the Addressing Hate in School Sports conference at TD Garden on December 8, 2022. The conference was attended in-person by over 450 school and athletic leaders across the state and featured a series of panels and presentations on responding to hate and building positive and inclusive team sports cultures. CJU presented on school districts’ legal obligations and best practices for addressing hate, discriminatory bullying and harassment in schools. The AGO’s Children’s Justice Unit then planned and implemented 12 regional two-day trainings across the state during spring of 2023, providing more in-depth training for school districts on preventing and addressing hate on school sports teams. The trainings were attended by over 400 superintendents and athletic directors representing approximately 165 (over half of school districts statewide). Participants provided overwhelmingly positive feedback on the trainings.

Social Media Investigation: In FY2023, the AGO’s Data Privacy and Security Division and Children’s Justice Unit continued to lead the office’s comprehensive investigation into Meta and TikTok regarding the harms of social media platforms, Instagram and TikTok, on youth mental health. The national, bipartisan investigations examined whether these companies violated consumer protection laws and put the public at risk. The AG’s investigations targeted, among other things, the techniques utilized by Meta to increase the frequency and duration of engagement by young users and the associated harms of such extended use, including depression, eating disorders, self-harm and suicide. The AG will continue to prioritize the mental health and wellbeing of young people in Massachusetts through these investigations and litigation as necessary.

Middlesex Online Mandated Reporter Training: The Children’s Justice Unit partnered with the Middlesex District Attorney’s Office to develop an updated online training for mandated reporters in Massachusetts. Recognizing the complexity involved in identifying when to file a 51A Report, the OMRT provides users with guidance about how to evaluate whether a child is being maltreated and make decisions about when to file a report. The expanded content contains important information regarding the influence of implicit racial bias and other forms of bias, underscoring the importance of bias awareness, and the harms associated with applying subjective standards when evaluating whether a report should be filed.

Constituent Success Stories

Included below are two quotes from participants who attended one of the AGO Addressing Hate in School Sports Regional Trainings, held in Spring 2023.

“Thank you for all of your work in putting together this incredible and powerful program! I attended the two-day workshop in March with my high school Assistant Principal and Athletic Director and have been thinking about having you all work, in some capacity, with our coaches and student athletes/captains/ student leaders.”

-School District Superintendent

“This challenged me to address my own biases and develop action steps in my school.”

-Training participant

Division/Unit Specific Statistics:

Amicus briefs: The Civil Right Division and Children's Justice Unit worked jointly to uphold AGO's commitment to being a leader on protecting the rights of LGBTQ+ youth. In FY23, the Civil Rights Division and Children's Justice Unit drafted two amicus briefs defending school district policies that support and protect transgender and gender nonconforming students. CRD and CJU joined three other amicus briefs supporting the rights of transgender individuals, including youth, to access necessary healthcare. CRD and CJU also joined an amicus brief in support of a state's ability to protect LGBTQ+ children from the harmful and discredited practice of conversion therapy as well as an amicus brief supporting the rights of transgender students to participate in sex-segregated athletic programs consistent with their gender identity.

Online CJU complaint forms received: Approximately 91 online complaints received

- education/disability: 30
- education/race: 19
- bullying: 10
- DCF/child welfare (includes allegations of abuse in schools): 17
- police: 4
- other (including but not limited to: education/religion; education/age; hate in sports; child care; education/migrant families; education/1st A; social media, housing/disability; education/parental marital status and custody; privacy): 11

CJU Hotline calls received: Approx. 69 calls and inquiries to CJU (via CRD Hotline or internal referral from another division);

- education/disability: 17
- education/enrollment of migrant families or families experiencing homelessness: 8
- DCF/child welfare (includes allegations of abuse in schools): 8
- bullying: 9
- hate in sports: 4
- dress code: 3
- other (including but not limited to: education/religion; education/gender identity; public benefits; childcare; education/race; private school tuition; housing/disability; employment/gender identity; police): 20

Trainings/educational events:

- Number and type of external events and trainings: 15 external trainings (3 delivered by CJU on school districts' legal obligations re: discriminatory bullying and harassment, and 12 trainings subcontracted to Northeastern/delivered by Northeastern Center for the Study of Sport in Society)
- Estimate of community members/municipalities engaged: Over 900

Civil Investigations Division

The Civil Investigations Division (CID) employs a trained staff who provide investigative support in civil matters for the divisions both within PPAB and throughout the Attorney General's office. The divisions investigators locate and interview victims, witnesses and subjects connected with actions taken by the office. They obtain and review documentary evidence from numerous sources including individuals, corporations, federal, state, county, and municipal agencies, conduct background investigations, analyze financial records, and perform other forensic accounting functions, and testify in court. Investigators often work closely with other states Attorney General offices, local and state law enforcement agencies, the US Attorney's Office, and other federal law enforcement agencies.

Significant Achievements & Priorities for FY2023

Civil Investigations continues to play a significant role in the Attorney General's actions regarding, environmental harms, deceptive healthcare and health insurance schemes, civil rights violations, e-cigarettes, bitcoin scams, and consumer protection actions.

Deceptive and fraudulent practices: the Civil Investigation Division supports multiple divisions within the office in dealing with unscrupulous business practices against consumers by, among others, energy providers, healthcare providers, and service providers. Over the past year these cases have resulted in monetary penalties against many of these companies.

Civil rights violations: the Civil Investigations Division routinely assists in investigations into the violations of people's civil rights including cases of housing discrimination, job and pay equity, and business practices.

Important Statistics and Numbers

The investigative support provided to ten other divisions across four bureaus within the Attorney General's Office has been instrumental in resolving hundreds of cases and bringing thousands of dollars back to the Commonwealth and to consumers. In addition to the above represented cases, the Civil Investigations Division fielded hundreds of queries in 2022 to 2023 from other divisions that did not require opening an official case file.

Between January and June of 2023, civil investigators worked on cases that received over \$53,800,000 in restitution and penalties.

Civil Rights Division

The Civil Rights Division (CRD) protects and advances the constitutional and statutory civil rights and liberties of residents and visitors to the Commonwealth. The Division works to remedy and end discrimination on the basis of race, national origin, immigration status, religion, gender, gender identity, sexual orientation, age, and disability as well as other protected categories, and to ensure equal opportunity and constitutional rights in areas such as education, housing, employment, healthcare, immigration, public accommodations, and voting. The Division aims to serve vulnerable and historically marginalized individuals through community-informed and data-driven legal advocacy to advance civil rights and liberties. The work of the Division includes a focus on racial justice and equity, recognizing the importance of intersectionality in this work. Within CRD are the Children's Justice Unit, Police Accountability Unit and a Disability Rights team.

Significant Achievements & Priorities for FY2023

Housing Discrimination

The CRD continued to prioritize combatting housing discrimination to ensure access to housing for all our residents. In March, CRD settled a [case](#) against Our Lady's Guild House pursuant to allegations of age and disability discrimination. OLGH is a single occupancy apartment building for women in the Fenway. They agreed to pay \$115,000 to settle the case in addition to providing protections against eviction and rent increases while the sale of the building is pending, putting deed restrictions in place so that the building would remain an affordable housing property in perpetuity, and allowed 6 long-term residents to remain in the building. The CRD secured 20 more impactful resolutions from housing providers pursuant to fair housing complaints by tenants who alleged discrimination in various contexts. Monetary awards were secured for claimants as well as systemic changes to policies and practices. Along the vein of ensuring access to housing for all, CRD led the effort in drafting an advisory on the enforcement of the Massachusetts MBTA Communities Zoning Law. The [advisory](#) makes clear that MBTA communities have clear obligations under the law and could be subject to enforcement action for non-compliance. The MBTA Communities Zoning Law has broad implications on affordable housing and is an important response to the Commonwealth's glaring housing crisis disproportionately impacting marginalized communities.

Protecting and enforcing the rights of LGBTQ+ communities

CRD continued to make significant contributions in FY23 to the AGO's commitment to being a leader, both nationally and locally, on ensuring equal treatment of LGBTQ+ individuals. CRD worked extensively on the [guide](#) for LGBTQ+ youth and communities on resources throughout Massachusetts relevant to mental health and gender affirming care. CRD led important multistate amicus work defending the rights of LGBTQ+ couples and joined 7 multistate amicus briefs upholding the rights of transgender people, including youth, to equally access education and health care. In addition, CRD co-led a multistate coalition that collaborated on the submission of comments to the Department of Education on the eligibility of transgender students to participate in school athletics. In addition, CRD co-led a group of 15 state attorneys general on a multistate [letter](#) calling on Target to reject anti-LGBTQ+ hate, intimidation and discrimination.

Defending diversity in education

CRD led multistate amicus brief submissions supporting diversity in education, including a case impacting Boston Public Schools. The [brief](#) in that case was filed in *Boston Parent Coalition for Academic Excellence Corp. v. School Committee of the City of Boston* and argues against a claim that Boston's school committee and superintendent intentionally discriminated against white and Asian-American applicants when it revised the admissions plan of its three top exam schools during the COVID-19 pandemic. Boston Public Schools eliminated the standardized testing requirement in favor of relying solely on students' grades and a race-neutral ZIP-code-based formula to ensure that school placement would be equitably distributed across Boston's neighborhoods.

Financial Data

Amounts Recovered: \$242,600

Important Statistics and Numbers

CRD resolved 21 cases with written agreements requiring monetary and/or injunctive relief. We litigated 5 cases in state court. Of these, 3 are still open. CRD also litigated 1 case in federal court.

Community Engagement statistics

Total hotline calls received: 2825

Total online complaints received: 2880

- Approximately 32% of the complaints filed were employment related. Most of the other complaints were related to housing (13%), public accommodations (12%), police (6%), correctional facilities (3%) and other government entities (8%).

There were at least 34 external events and trainings ranging from trainings on the hate crimes statute and Mass Civil Rights Act, LGBTQ rights, fair housing and disability law, to the impact of the *Dobbs* decision on reproductive justice in Massachusetts, and coalition meetings and webinars on disability rights issues, pending legislation, and criminal justice matters.

There were over 660 people and municipalities engaged.

CRD also benefited from more than a handful of internal trainings in a range of areas including disability rights and criminal justice.

Consumer Advocacy and Response Division

The Consumer Advocacy and Response Division (CARD) provides individual assistance to consumers filing complaints with the AGO. The goal of consumer assistance is to help consumers resolve disputes with businesses in a manner that is fair and reasonable to all parties under the circumstances. The division also frequently partners with other AGO divisions to investigate unlawful business practices identified through its consumer advocacy work. CARD also conducts specific and targeted outreach across the Commonwealth to address high volume and high priority consumer issues and manages the Local Consumer Program grant supporting a network of eighteen consumer-focused agencies across the Commonwealth.

Significant Achievements & Priorities for FY2023

During FY23 the Consumer Advocacy and Response Division received 20,334 consumer complaints and provided individual consumer assistance in response to 10,681 complaints.

Through consumer assistance consumers saved or recovered \$5,991,360.

Major sources of consumer complaints included telephone scams, used vehicle sales, home improvement contracting, auto repair, rooftop and community solar energy, and landlord-tenant disputes.

In March of 2023, the office published a Consumer Advocacy Annual Report. The report summarizes consumer complaint trends for calendar year 2022 and identifies important changes in consumer protections, such as recent amendments to the state sanitary code.

Throughout FY23 the Consumer Advocacy and Response Division provided support to the Massachusetts Homeowner Assistance Fund (Mass HAF). Mass HAF was funded by the American Rescue Plan Act (ARPA) to help Massachusetts homeowners impacted by COVID-19. The Consumer Advocacy and Response Division supported Mass HAF by resolving disputes between consumers and mortgage loan servicers related to their mortgage assistance applications filed through Mass HAF. In particular, CARD consumer specialists helped consumers obtain postponements of scheduled foreclosure auctions in order to give homeowners more time to complete their Mass HAF applications and avoid an unnecessary foreclosure.

Constituent Success Stories

A CARD consumer specialist helped a family resolve a dispute with the parent's assisted living facility. The assisted living facility continued to charge the family for rent and care services well after their loved-one had passed. With the help of a consumer specialist the family recovered \$6,000 charged by the facility.

A consumer contacted the AGO after they were charged two years' worth of monthly and maintenance fees by a gym. The consumer had been verbally promised that his membership would be cancelled, but the company never processed the cancellation and continued to charge the consumer for nearly two years. After getting help from a CARD consumer specialist the gym agreed to cancel the consumer's membership and reimburse the consumer for \$543 in fees that were charged after the consumer had cancelled.

A CARD consumer specialist helped two consumers get liens removed from their homes after the debt collector that placed the liens went out of business and could no longer be contacted. CARD helped these consumers track down the beneficial holders of the liens and secured lien discharges totaling \$60,000 in debt relief.

A CARD consumer specialist helped resolve an ongoing complaint concerning a rooftop solar system that was severely underperforming and needed an upgrade. With CARD's help the consumer was able to secure the necessary updates at no cost.

A Consumer Specialist helped a homeowner avoid foreclosure after they were impacted by health issues related to COVID-19. Following a COVID-19 forbearance the consumer fell even further behind on their mortgage and could not catch up. With the help of a CARD specialist they were able to put foreclosure proceedings on hold and applied for the Mass HAF program. The consumer ultimately received \$20,000 which helped them get back on track with their mortgage payments.

Important Statistics and Numbers

During FY23 the Consumer Advocacy and Response Division received 20,334 consumer complaints and provided individual consumer assistance in response to 10,681 complaints.

Through consumer assistance consumers saved or recovered \$5,991,360.

87% of complaints received in FY23 are now closed.

Top 10 Complaints Received in FY23 by Product or Service:

Robocalls & Phone Scams	1514
Auto repair shop	769
Used Auto Sales	757

Home improvement contractor	698
Landlord-tenant	623
Rooftop & Community Solar	558
Bundled travel and vacation	452
Other Auto-related	417
Food (Restaurants & Supermarkets)	339
Auto financing	323

Consumer Protection Division

The Consumer Protection Division (CPD) is responsible for combatting “unfair or deceptive acts or practices in the conduct of any trade or commerce,” as prohibited by the Consumer Protection Act, G. L. c. 93A. CPD enforces the Consumer Protection Act through investigations and lawsuits, prioritizing cases that involve goods and services that are fundamental to the economic security of Massachusetts residents, such as housing, education and transportation. CPD seeks to return funds to consumers that were unlawfully obtained by businesses, to end unlawful practices, to deter future misconduct through penalties, and to impose oversight on problematic businesses through injunctive relief.

Significant Achievements & Priorities for FY2023

CPD reached a landmark settlement with JUUL Labs Inc. in which, as part of a large multistate effort and through issuance of a consent judgment in Suffolk Superior Court, JUUL will pay \$41.7 million in penalties to the Commonwealth to fund treatment and prevention for underage tobacco use. The AG’s Office originally sued JUUL in February of 2020 alleging numerous unfair and deceptive practices, including intentionally marketing and selling its e-cigarettes to young people. Its tactics included advertising on websites used by children and teenagers, recruiting young celebrities to build brand awareness, and knowingly advertising to and shipping e-cigarettes to underage consumers.

The consent judgment places strict ongoing restrictions on JUUL’s marketing, sales and distribution practices, in order to protect and prevent minors from engaging in underage smoking. Among other provisions, JUUL is now required to: conduct compliance checks at all MA stores selling JUUL products, and report results to the Commonwealth; cease providing free samples of its products; advertise only in media where 85% or more of the audience is 21 or older; cease depicting persons under 35 years old in marketing materials; cease sponsoring events in connection with brand names, other than at adults-only facilities; and accurately disclose the nicotine content in its products in packaging and promotional materials.

CPD entered a Consent Judgment in its litigation against Safe Home Security, Inc., a home security monitoring company, to resolve allegations that Safe Home Security violated

Massachusetts consumer protection laws by deceptively trapping consumers in long-term auto renewal contracts and engaging in illegal debt collection practices. As part of the settlement, Safe Home agreed to pay \$1,800,000 in restitution to Massachusetts consumers and to waive and forgive approximately \$4,700,000 of outstanding debt. In addition, Safe Home agreed to implement business practice changes to provide consumers with greater ability to cancel their contracts and to come into compliance with the Attorney General's Debt Collection Regulations.

CPD entered an assurance of discontinuance (AOD) with Fay Servicing, LLC, a national mortgage servicer that engaged in unfair and deceptive conduct through its mortgage servicing, debt collection, and foreclosure practices. Under the AOD, Fay made a \$500,000 payment to the Commonwealth and provided homeowners with \$2,734,592 in debt relief under a principal reduction loan modification program mandated under the terms of the AOD.

Attorneys and paralegals in CPD have initiated and expanded a campaign aimed at providing individuals who have upcoming debt collection hearings in Small Claims Court with notice and information about legal resources. The letters sent out as part of this campaign encourage debtors to appear for their hearings and make them aware of the availability of free legal aid at the courthouse. Paralegals engage in considerable communications with debtors who contact our office in response to these letters. We routinely hear from legal services attorneys about debtors who report that they would not have known about their hearings were it not for the letters from our office.

In total, during the past fiscal year, CPD sent out 1,220 letters. Of those recipients, at least 258 attended their hearings, of which 236 resulted in judgments for the debtors or in dismissals. In all, we estimate at least \$271,734 in savings to debtors from the hearings attended.

Financial Data

Amounts Recovered:

- Payments to the Commonwealth: \$43,913,397
- Restitution and refunds paid to Massachusetts consumers: \$2,775,000
- Mortgage principal cancellation obtained for Massachusetts homeowners: \$2,991,338
- Other debt cancellation or forgiveness obtained for Massachusetts consumers: \$6,809,000

Important Statistics and Numbers

- Amount of principal reduction or debt cancellation for consumers: \$2,991,338
- Number of homeowners contacted affirmatively to offer assistance in seeking principal reduction or other loan modification arising out of CPD enforcement actions: 789
- Number of loan modification reviews resulting from affirmative contacts: 461
- Number of loan modifications secured with further reviews still pending: 255

- Number of notices of debt collection actions sent: 1,220
- Amount of savings from hearings attended by debtors who received notices: \$271,734

Data Privacy and Security Division

DPSD’s goals are to protect consumers from online threats and the unfair or deceptive collection, use, and disclosure of consumers’ personal data; ensure that entities protect the security and integrity of Massachusetts residents’ personal information; and promote fairness in the digital economy.

DPSD pursues these goals through investigating and enforcing violations of the Consumer Protection Act (c. 93A), the Data Breach Notification Law (c. 93H), the Data Security Regulations (201 CMR 17.00), and related federal data protection laws. The Division protects consumers by improving organizations’ privacy and security practices through injunctive relief and the imposition of civil penalties to deter future unlawful conduct. DPSD also provides consultation on security, privacy, and technology matters within the office and other state agencies, and regularly engages with the business community and the public through presentations at legal events and conferences.

Significant Achievements & Priorities for FY2023

Google Location Tracking Resolution

In November 2022, DPSD reached, along with 39 other attorneys general, a \$391.5 million resolution with Google over its representations with respect to location tracking. This represents the largest ever multistate data privacy resolution by state attorneys general. The settlement concerned how Google confused users about the ability, or lack thereof, of turning off the collection of location information through two settings, called “Location History” and “Web and App Activity.” Massachusetts received \$9.3 million from this settlement.

Aveanna Data Breach Settlement

DPSD reached a \$425,000 consent judgment in November 2022 with Aveanna Healthcare, a home health care company that suffered a series of breaches in July 2019 affecting over 4,000 Massachusetts residents. This represented one of the first Massachusetts-specific data breach settlements concerning an incident arising from “phishing” activity and the lack of use of multi-factor authentication.

Sports Wagering Data Privacy

With the advent of online sports betting in the Commonwealth, DPSD took a central role in the winter and spring of 2023 in advocating for, and consulting with, the Gaming Commission to adopt stringent data privacy protections for those people using sports betting applications on their mobile devices. The Gaming Commission adopted a precedent-setting set of rules surrounding consent, opt-in requirements, and a prohibition on the use of information to promote addiction.

Financial Data

Amounts Recovered:

- \$7,615,795.62 in recoveries to the General Fund.
- \$1,000,000 to the Local Consumer Aid Fund

Important Statistics and Numbers

In FY2023, DPSD received and processed approximately 1,701 initial data breach notices under G.L. c. 93H.³ These notices reported over 1,993 data breaches which collectively affected over 3.1 million Massachusetts residents.⁴

Fair Labor Division

The Attorney General's Fair Labor Division (Fair Labor) is the primary enforcer of wage and hour laws in Massachusetts. Fair Labor vigorously enforces minimum wage, overtime, earned sick time and other related laws so that workers are paid the wages they are due, and employers compete on a level playing field. Fair Labor is also responsible for ensuring that public construction projects are fairly bid and awarded, and that employers engaged in public construction pay the prevailing wage to their workers.

Significant Achievements & Priorities for FY2023

Child Labor Enforcement

Fair Labor has continued to devote significant resources to ensuring that the state's child labor laws are followed and enforced. In addition to assessing over \$825,000 in penalties against 57 employers for child labor violations in FY23, Fair Labor has prioritized outreach and education for employers and others who interface with working teens. In FY23, Fair Labor took enforcement action against multiple Dunkin' franchise owners related to child labor violations. In the fall of 2022, Fair Labor entered into a settlement agreement with the Westford Group, Inc. to resolve numerous child labor violations at 14 of the company's 17 Dunkin' stores. Fair Labor issued citations to the company with a total of \$145,305 in penalties for an estimated 1,204 violations over the course of about a year and a half.

Fair Labor also issued four citations in March 2023 to Somerset Donut Express, Inc. d/b/a Dunkin', totaling \$150,000 in penalties, for failure to obtain valid work permits, employing minors after 8:00 PM without adult supervision, employing 16- or 17-year-olds for more than nine hours in a day, and employing minors later than the latest permissible hour of 10 p.m. Somerset Donut

³ Reporting entities may send follow-up notifications concerning the same event—these are not included in this total.

⁴ Note that one person may be affected by more than one breach. Each such breach is counted in this number.

Express operates seven Dunkin' stores in Somerset, Fall River, and Dartmouth. The investigation uncovered over a thousand violations of the state's child labor laws, affecting hundreds of employees.

In April 2023, we issued four citations totaling over \$222,000 in penalties to Courtney Donuts, LLC d/b/a Dunkin' for failure to obtain valid work permits, employing minors after 8:00 PM without adult supervision, employing 16- or 17-year-olds for more than nine hours in a day, and employing minors earlier than the earliest permissible hour of 6 a.m. The owners of Courtney Donuts operate 20 Dunkin' stores in towns throughout Massachusetts, including in Devens, Harvard, Groton, Shirley and Townsend.

Construction Enforcement

Wage theft enforcement in the construction industry continued to be a priority for Fair Labor in FY2023. Fair Labor issued citations and other assessments against 122 employers in the industry, with penalties and restitution assessed at over \$1.8 million affecting nearly 600 workers. Three citations totaling more than \$281,000 were issued to Master Spray Foam Insulation, Inc. and its president, for failure to pay overtime, provide paystubs to employees and keep true and accurate payroll records. The business, which provides residential and commercial insulation services, paid some workers by check and some in cash, and failed to pay overtime at the proper rate to workers for all hours worked over forty. Instead, the company paid workers at their regular hourly rate for overtime hours, often in cash so as to avoid detection. Unfortunately, this is a common practice for unscrupulous employers in the construction industry. Fair Labor found that more than \$211,000 in unpaid overtime was owed to 30 employees.

Independent Contractor Misclassification

GoPuff/GoBrands offers rapid delivery of food, snacks, drinks, household items, and toiletries in over 650 cities from its microfulfillment centers. The company is valued at over \$15 billion. It delivers to 35 cities and towns in Massachusetts.

Customers order items through an app, which are picked up from the microfulfillment centers and delivered by so-called "Driver Partners," delivery drivers whom the company classifies as independent contractors rather than as employees. This is despite the fact that drivers sign up for specific shifts, have no control over what deliveries they are assigned or how much they are paid, must comply with very specific company policies, and can be unilaterally terminated by the company. All of these factors point to them being employees rather than independent contractors.

In March, the Attorney General's Office issued three citations against GoBrands, Inc., GB Logistics, LLC (which together do business as GoPuff), and the president and treasurer of the company, for \$6,292,000 in penalties. GoPuff was cited for misclassifying 968 "Driver Partners" as independent contractors instead of as employees, for failing to permit those drivers to earn and use Earned Sick Time, and for failing to provide them with a suitable pay stub. The company appealed the citations, and the appeal is currently pending.

Other matters

In June, the AGO hosted representatives from the immigrant, education, and business communities, to raise public awareness surrounding workplace protections for migrant and other vulnerable children in Massachusetts and share information about the Office's ongoing efforts to thwart poor working conditions and exploitation of youth and vulnerable communities. In addition to highlighting recent enforcement, AG Campbell underscored the AGO's commitment to ensuring that youth are working in safe and healthy conditions by highlighting some of the ongoing work of the Office.

In FY23, Fair Labor continued to focus on helping the most vulnerable workers in Massachusetts, including immigrant workers. In May, Fair Labor issued an updated advisory reminding the public that all workers, no matter their immigration status, are protected by the state's labor and employment laws. Such protections include the right to be paid the minimum wage and overtime, in full and on time; the right to a safe and healthy workplace free from sexual harassment and other forms of discrimination; the right to protections under the Child Labor Laws; and the right to organize and to be classified properly as employees. The advisory additionally states that retaliation against workers who assert their legal rights will not be tolerated.

Constituent Success Stories

Wage Theft Clinic

FY23 marked the re-launch of regional wage theft clinics and monthly clinics in Boston post-COVID-19 public health emergency. A clinic in Springfield in May of 2023 and a solid year of monthly clinics in Boston enabled the Fair Labor Division to serve even more workers by connecting them with legal community partners to talk about their wage theft claims. In FY23, FLD issued more than 3,200 private right of action letters to workers who filed complaints with the Division. Massachusetts has powerful laws that protect workers' rights and entitle workers to treble damages, attorney fees and court costs when they prevail in court in their own civil actions for most wage and hour cases. FLD's Wage Theft Clinics have helped to bring justice to workers by connecting them with attorneys from community legal aid and the private bar. Partners in this effort have reported more than \$2M in wage recoveries from cases that came from these clinics. Multiple clinics in New Bedford and Worcester are planned for FY24.

Case Highlight

A referral by the Harvard Legal Aid Bureau and Justice at Work, two legal service organizations that partner with Fair Labor and defend the rights of low-wage workers, led to citations with more than \$100,000 in penalties issued to Kyle Matthew Construction, LLC and its owner. The employer, which provides construction services on residential and commercial projects throughout New England, failed to pay overtime to its employees working on Massachusetts projects for two-and-a-half years and to have an earned sick time policy that complies with the Massachusetts Earned Sick Time Law.

Partner Quotes (from Labor Day Report):

- “The MA AFL-CIO is proud to have such a staunch ally in Attorney General Campbell and the Fair Labor Division. Massachusetts has some of the strongest pro-worker employment laws in the nation, but they only protect workers when they are enforced. Every day, Attorney General Campbell’s team is fighting to end wage theft, cracking down on unscrupulous employers who misclassify their workers, and making sure that workers are getting what they are owed. The AGO’s Fair Labor Division continues to be an invaluable resource to the Labor Movement’s mission to create lasting economic, social, and racial justice in the Commonwealth.”- Chrissy Lynch, Secretary-Treasurer, Massachusetts AFL-CIO
- “Over the past 19 years, I worked at Chinese Progressive Association. I witnessed the work of the Attorney General Office being more responsive to the needs of our communities, especially through providing bilingual services for immigrant communities and promoting labor rights in our neighborhoods. The AGO educates both workers and employers on workplace safety, establishing standards for work, and the right to have dignity at work. Only when corporations adhere to labor standards can the economy in our communities develop healthily. I am proud of AGO’s work.” Fiona Yu, Workers Center Coordinator at Chinese Progressive Association.
- “Justice at Work is grateful for our relationship with Attorney General Andrea Campbell and her Fair Labor Division. The Fair Labor Division provides critical support for working people through aggressive enforcement, outreach, and partnership with worker organizations. We look forward to our continued partnership as we fight for workplace justice for all Massachusetts workers.” - Pablo Carrasco, Senior Staff Attorney, Justice at Work.
- “One of the biggest barriers to justice in this country is the fear people have of the legal system. ‘I think I have a claim, but I don’t know where to start. I can’t afford to talk to a lawyer. How do I know which lawyer to call?’ The Attorney General’s Wage Theft Clinic has done an incredible job in bridging this gap by putting real people with questions in front of lawyers who can help. Over the years I have been lucky to participate in this clinic that has done so much to help people make informed decisions about their legal claims. If you are looking for an example of how the government and the private bar can work together successfully, this is it.” - Lou Saban, Saban Legal Services.

Financial Data

- Penalties: \$2,489,296.51 (collected)
- Restitution: \$5,611,096.80 (collected)
- Other: \$23,919.05 (fees collected)
- Total collected: \$8,124,312.36 (incl. restitution, penalties and fees)

Important Statistics and Numbers

- Number of cases handled in FY2023:
 - Number of cases opened: 1,743
 - Number of cases closed: 1,629
- Total Citations and Assessments \$13,426,400.83 (assessed)
- Total Restitution \$4,209,191.45 (assessed)
- Total Penalties \$9,217,209.38 (assessed)
- Number of Employees Impacted 10,925
- Tax Liens Recorded for Unpaid Citations 112
- Site Inspections (enforcement capacity) 33
- Compliance visits (non-enforcement capacity) 165
- Total number of Public Construction Bid Unit protest hearings 20
- Community Engagement statistics:
 - Number of Hotline Calls Received: 13,189
 - Number of on-line complaint forms received: 6,616
- Number of cases handled in FY2023:
 - Number of cases opened: 1,743
 - Number of cases closed: 1,629
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- Community Engagement statistics:

Community Engagement statistics

- Number of Hotline Calls Received: 13,189
- Number of on-line complaint forms received: 6,616
- Number of community engagement events/trainings: 118

Insurance and Financial Services Division

The Insurance & Financial Services Division (IFSD) protects the interests of consumers, cities, towns and the state in civil matters involving the insurance, securities, lending, and for-profit

school industries. The Division investigates unfair practices and the submission of false claims, advocates for the public interest in administrative insurance rate proceedings, litigates cases in state and federal court, and provides advocacy and guidance regarding policy matters relating to consumer financial issues. The Division also offers mediation services to consumers relating to property, casualty, and life insurance, as well as annuities, investments, and, through IFSD's Student Loan Assistance Unit, student loans.

Significant Achievements & Priorities for FY2023

IFSD engaged in a variety of projects and initiatives in 2022-2023, ranging from auto insurance rate reviews to actions against unfair debt collection practices and failures to follow certain pricing protocols under the Massachusetts workers' compensation insurance system. All these matters were directed at the goals of assisting Massachusetts residents, ensuring fair practices, and supporting consumer economic security in the financial services arena. Some examples include:

Workers' Compensation Insurance System

Through IFSD's successful litigation in this year's workers' compensation insurance administrative rate case, IFSD secured over \$130 Million in savings for thousands of small businesses and other workers' compensation policyholders. In addition, IFSD continued its inquiry into prescription drug overcharges under the Massachusetts workers' compensation insurance system and obtained over \$10.1 Million in cash recoveries.

Auto Lending & Insurance

In Fiscal Year 2023, IFSD's continued review of subprime auto lending practices secured over \$7.6 Million in cash recoveries and debt relief for hundreds of Massachusetts consumers from Toyota Motor Credit Corporation. In addition, IFSD's involvement in several auto insurance company filings resulted in \$12.7 Million in savings for commercial auto policyholders. Finally, IFSD settled with GEICO concerning its at-fault accident claims reporting practices, obtaining \$35,000 in cash.

For-Profit Schools and Student Debt

IFSD also brought more cases relating to for-profit schools and student debt, including our Recording Radio Film Connection case, which pursued the school for its failure to make pertinent financial disclosures to applicants, recovering \$250,000 in restitution and approximately \$340,000 in debt relief. In addition, IFSD completed a case against Riverwalk Debt Solutions regarding its student loan debt relief practices. The case concluded with a judgment comprising a penalty of \$475,000 against the company and an award of over \$60,000 in restitution for Massachusetts borrowers. Further, IFSD worked with other states on advocacy letters relating to for-profit schools and student debt. For instance, IFSD joined other states to send a letter to NC-SARA, relating to the application of consumer protection standards to for-profit distance learning schools. We also sent letters to the U.S. Department of Education and

The White House concerning the Limited PSLF Waiver, One-Time Adjustment, and STOP Act. Additionally, IFSD hosted several Limited PSLF Waiver webinars assisting public service workers to access debt relief.

Financial Data

Cash Recoveries: \$15.65 Million

Amounts Saved for Consumers: \$211.09 Million

Case Statistics

Number of cases handled in FY23: 18

Amicus briefs filed/joined: 3

Community Engagement

IFSD, via multiple hotlines and mediation programs, helps Massachusetts consumers navigate a variety of complicated financial issues and disputes with lenders, brokers, and other financial institutions. Together, IFSD's mediation programs recovered \$1,105,697 and generated \$2,463,696 in savings for complainants.

Number of Hotline Calls Received:

- Insurance & investment inquiries: 1,938
- Student lending inquiries: 3,668
- Inquiries seeking assistance with ongoing settlements: 1,813

Number of on-line complaint forms received:

- 1,949, covering issues including auto home, life, and travel insurance; annuities and investment accounts; forced-placed insurance and mortgage escrow; and student loans

External Events

- Number: 16
- Type: IFSD participated as Board member in public Merit Rating Board meetings; IFSD chaired meetings of the Premium Finance Board; Testimony given at the Legislature's Joint Committee on Financial Services; and presentations at workers' compensation administrative rate case hearings.
- Community Members Engaged: Consumers, industry participants, State Legislators and other representatives in Massachusetts.

Internal Events

- Number: 4

- Type: Trainings in consumer protection and False Claims Act law and developments; Presentations regarding Fintech; Discussions regarding procedures in Civil Affirmative Rule 9A Context.
- Community Members Engaged: Paralegals, support staff, and lawyers.

Constituent Success Stories

Help with Public Service Loan Forgiveness (PSLF) and the Limited PSLF Waiver

IFSD's Student Loan Assistance Unit (SLAU) helped an employee of a nonprofit, who had worked in public service since before the beginning of the PSLF program and been denied multiple times in the past, apply to consolidate her previously ineligible loans into a Direct Consolidation Loan, which resulted in \$109,712 in forgiveness under the Limited PSLF Waiver.

A public-school teacher of 23 years contacted the Attorney General's Office about the many difficulties she had experienced with loan servicers as she tried to pursue PSLF. After reviewing the borrower's payment history, IFSD's SLAU secured a correction to her PSLF qualifying payment count, resulting in \$13,831 in forgiveness and a \$1,312 refund.

After being contacted for help exploring repayment options by a public-school worker of 30 years, who mistakenly believed she didn't qualify for PSLF because she was not a teacher, IFSD's SLAU helped her consolidate her Parent PLUS loans with her own student loans and file employment certifications, resulting in \$98,325 in forgiveness.

Help with Student Loan Disability Discharges

After a disabled private student loan borrower was sued by her lender, IFSD's SLAU contacted the lender, which agreed to dismiss the collection lawsuit and discharge the \$17,119 balance.

After being contacted by a disabled former public service worker, who was no longer able to work and had Parent PLUS Loans that were excluded from relief under the Limited PSLF Waiver, IFSD's SLAU helped the borrower apply for and receive a discharge of her \$34,043 debt based on her disability.

Help with Insurance

A couple living on a fixed income were unable to take a long-awaited 50th anniversary cruise vacation in June 2022 after testing positive for COVID-19. When their claim still hadn't been processed four months later, they contacted the Attorney General's Office. IFSD's Insurance & Investment Mediation Program was able to recoup \$3,575 for the couple under their travel insurance policy's trip cancellation coverage.

IFSD's Insurance & Investment Mediation Program helped an auto insurance policyholder recover \$22,000 for the total loss of a vehicle after discovering that the agent had mistakenly

written the policy to include limited collision instead of the full collision coverage the policyholder had requested in a recorded call.

IFSD's Insurance & Investment Mediation Program helped an unhoused auto insurance claimant get reimbursed for \$1,200 in hotel expenses for the period when his van, which is where he lives, was getting repaired.

After hearing from an 89-year-old life insurance policyholder that her life insurance policy was going to cancel due to increasing premium payments, IFSD's Insurance & Investment Mediation Program obtained an offer from the life insurance company, which had failed to provide annual statements for two years, to allow a backdated surrender of the policy, plus interest, amounting to \$8,645.

IFSD's Insurance & Investment Mediation Program helped recover \$46,910 on a return of premium rider. When the level-term period was ending, and the life insurance policy's premium was set to increase substantially, the company had been nonresponsive to the agent's outreach attempts to utilize the rider.

IFSD's Insurance & Investment Mediation program helped a homeowner get a \$487 refund for an unnecessary insurance policy that was force placed by his mortgage servicer and secured a corresponding reduction in the homeowner's monthly mortgage escrow payment.

After receiving a complaint from a dying policyholder's son regarding delays in processing a long-term care insurance claim, IFSD's Insurance & Investment Mediation Program promptly secured coverage approval and a refund of \$1,913 paid toward home health care assistance.

Help with Investment Products

A senior annuity holder selected the wrong death benefit for her annuity contract reportedly due to the company refusing to help her understand the form. While she meant to select the option that paid out the annuitization value over 5 years, the company had refused to allow her to change the election until IFSD's Investment & Insurance Mediation Program persuaded it to do so, resulting in \$10,836 in savings.

IFSD's Insurance & Investment Mediation Program helped resolve a longstanding dispute between the beneficiaries of an annuity and the annuity issuer over incorrect information about surrender fees provided to the annuitant shortly before his death. The company was convinced to compensate the beneficiaries \$5,662, the difference between what the company had told the annuitant the surrender charge would be and what was assessed at surrender.

After a cryptocurrency investor complained about a hack of his account, IFSD's Insurance & Investment Mediation Program convinced the crypto wallet company to refund \$9,110 in stolen funds.

IFSD's Insurance & Investment Mediation program facilitated the release of \$75,514 in retirement savings to the deceased worker's estate after the family had waited five months for the investment bank to respond.