

COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL
2022-2023 BIENNIAL REPORT



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OFFICE OF THE ATTORNEY GENERAL

Table of Contents

INTRODUCTION

Message from the Attorney General	4
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PROTECTING KENTUCKY VALUES

Combating the Drug Epidemic	6
Bucking ESG & Woke Capitalism	7
Protecting Kentucky Kids From Experimental Drug Treatments	8
Defending Kentucky's Pro-Life Laws	9
Fighting the Anti-Fossil Fuel Agenda	10

ADVOCACY

Policy Letters & Regulatory Comments	11
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APPELLATE

Amicus Briefs	13
Criminal Appeals	13

CIVIL

Civil & Environmental Law	14
Consumer Protection	15
Office of Rate Intervention	16
Senior Protection and Mediation	18

CRIMINAL

Department of Criminal Investigation	19
Medicaid Fraud and Abuse Control	20
Prosecutors Advisory Council	21
Special Prosecutions	22
Trafficking and Abuse Prevention and Prosecution (TAPP)	23
Victims Advocacy	24

OPEN RECORDS & OPEN MEETINGS

25

ADMINISTRATIVE HEARINGS DIVISION

26

FIELD OFFICES

26



My Fellow Kentuckians,

As I conclude my term as the 51st Attorney General for the Commonwealth of Kentucky, I stand before you truly grateful for what we have achieved together on behalf of Kentuckians. Serving our Commonwealth in this unique role has been the honor of a lifetime.

It's been quite a journey. I'm incredibly proud of our team's steadfast commitment to defending the Constitution while ensuring our communities are safe and prosperous. When challenges to our Commonwealth emerged, we met them head-on. We remained dedicated to ensuring that our long history of freedom is safeguarded for the next generation of Kentuckians.

Each office, branch, and division within the Attorney General's Office has an integral role to play in furthering our mission of defending the rule of law and making our Commonwealth the best place to live, work, and raise a family. . This biennial report highlights a few of our team's accomplishments and our robust dedication to the men, women, and children of all 120 counties.

The truth is the last few years have presented challenges in many respects unlike any previously faced in our great Commonwealth. Our Kentucky values and our fundamental rights have been arbitrarily threatened. From protecting our most vulnerable to pushing back against heavy-handed government overreach, we've defended common sense and preserved liberty.

When President Biden unilaterally decided that millions of Americans must submit to new vaccines developed without routine testing protocols, or risk losing their jobs, we successfully challenged the mandates in court. When laws passed by the General Assembly to protect children from experimental drug treatments or to protect unborn children were challenged in court, we successfully defended the laws. When the EPA tried to force farmers and businesses to submit to heavy-handed regulation of land use through an inappropriate definition of "Waters of the United States," we challenged the regulation in court and successfully defended Kentucky's right to regulate its own land and water.

Our efforts to protect Kentuckians from federal overreach and unauthorized interference with Kentucky's families, industry and economy did not stop there. Since I came into office, the Biden Administration has used its "climate change" agenda to unfairly target Kentucky's low energy prices and Kentucky coal. We successfully stopped the EPA from imposing a rule that would have should down over 40% of Kentucky's coal-fired electricity generation. During this same time period, our Office has relentlessly advocated for Kentucky families in front of the Public Service Commission, ultimately helping keep coal-fired generation operating and securing nearly \$300 million in savings for Kentucky consumers.

During the biennium the opioid epidemic has remained the public health challenge of our lifetime. Kentuckians have pleaded for help, but for years little was forthcoming. Not content to simply file lawsuits, we prioritized bringing real dollars and real recovery into the Commonwealth.

As a result, we proudly secured nearly \$900 million from companies that pushed pills into our neighborhoods, our schools and onto our people. No attorney general in the Commonwealth's history has secured such unprecedented victories for opioid prevention, treatment, and recovery. This is truly the most important success of the Cameron administration.

Although the road to recovery has only just begun, we have an opportunity for real and lasting relief. Much of that money is already making a difference in the Commonwealth. For the first time, real dollars from Kentucky's opioid settlements are flowing to organizations in every corner of the Commonwealth. More than \$32 million has been awarded for opioid-related prevention, treatment, and recovery programs during the biennial. This year we hosted Kentucky's first Opioid Symposium that brought together a broad coalition of healthcare, addiction, and recovery experts to discuss the root causes of, and potential solutions to Kentucky's epidemic. The event was a true testimony of my administration's efforts to unit all stakeholders to solve once and for all the damage inflicted on our Kentucky families by this drug.

As the Chief Law Enforcement Officer, we've restored focus on public safety and a culture of respect for the rule of law. Our Office is the leading agency in pursuing justice for Kentuckians, which is why I've launched several regional and statewide task forces, advisory councils, and law enforcement and prosecutorial education programs. We've also ramped up efforts to combat child exploitation because every Kentucky kid deserves a safe childhood. Our tireless efforts held countless suspects accountable for child sexual abuse, child pornography, and other related horrific crimes.

Fair elections are essential to the strength of our Democracy, and we stand ready to do our part to ensure the integrity of our election process. During the 2022 primary election, the Election Fraud Hotline received a tip regarding a vote-buying scheme. Our team quickly investigated the alleged violations and prosecuted the case on behalf of the Commonwealth, resulting in a 40-count indictment charging seven individuals with election crimes.

To make life better for hardworking families, the General Assembly charted a course to reduce individual income tax rates for Kentuckians. President Biden tried to keep Kentuckians from receiving those tax cuts in spite of record-high inflation. I proudly defended the Commonwealth's rights in this important case, and we secured a crucial victory in the courtroom that guaranteed Kentuckians keep more of their hard-earned money. In fact, Kentucky's individual income tax is set to drop to 4% at the start of 2024.

With a thankful heart, I appreciate the collaborations that have made the accomplishments listed in this report and many others too numerous to mention possible. Strong partnerships with local, state, and federal law enforcement, as well as community leaders and stakeholders across our Commonwealth, have played a key role in each of these successes.

Kentucky remains the shining city on a hill thanks to the unrivaled courage of so many hardworking public servants. While we do not yet know what the upcoming year will hold, I do know that I leave this Office in the very capable hands of Attorney General-Elect Russell Coleman.

May God bless you in the coming year, and may God bless our Commonwealth.

A handwritten signature in black ink, appearing to read "Dan Claitor". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

PROTECTING KENTUCKY VALUES

Combatting the Drug Epidemic

Attorney General Cameron has called the drug epidemic the public health challenge of our lifetime—and he is right. In 2022, there were 2,135 overdose deaths in the Commonwealth. That's the equivalent of about 6 people per day. Kentucky is clearly in crisis. But General Cameron made it a mission to heal our Commonwealth.

During the biennium, General Cameron finalized settlements with the companies that pushed pills onto our people, securing nearly \$900 million for Kentucky. Since then, he has worked with the General Assembly to get those dollars into communities as fast as possible.

Kentucky Opioid Abatement Advisory Commission: Created with the passage of House Bill 427 during the 2021 Regular Session, the Kentucky Opioid Abatement Advisory Commission was established to distribute the Commonwealth's portion of the aforementioned dollars General Cameron won for Kentucky.



In April and October 2023, the Commission awarded 59 grants totaling more than \$32 million to organizations focused on prevention and treatment and recovery programs. That money is already making a difference in the Commonwealth.

In October, the Commission hosted the first-ever Kentucky Opioid Symposium in Lexington. The two-day conference, sponsored by the Kentucky Association of Health Plans, featured presentations and workshops by experts in their respective fields and increased awareness of the impact of the opioid epidemic.



Demanding a Federal Response: General Cameron has spent much of the biennium demanding a stronger response to the opioid crisis from the Biden Administration. In March, General Cameron urged the Department of Justice to take action against fentanyl. In July, General Cameron called on the Secretary of State to designate Mexican drug cartels as foreign terrorist organizations. In an October letter to the Department of Homeland Security, General Cameron criticized the Administration's failure at the southern border and called for real action. General Cameron even wrote to President Biden directly about his Administration's inaction on fentanyl. Remarkably, no one responded, but General Cameron has not relented.



Bucking ESG & Woke Capitalism

Environmental, social, governance (ESG) policies hurt not only Kentucky's economy but also our teachers, firefighters, and police officers whose retirement funds are adversely affected. Throughout the biennium, Attorney General Cameron has worked to protect hard-working Kentuckians from risky and politically driven investments.

Operation Fight Fentanyl: Litigation and advocacy are not the only fronts in the fight against drugs. So General Cameron did what others often didn't do: listened. In February, he launched Operation Fight Fentanyl, an initiative to combat the drug epidemic by hearing directly from law enforcement, local leaders, and citizens about how illicit fentanyl is devastating their communities. In forums and town halls across the Commonwealth, General Cameron met with thousands of Kentuckians in some of our hardest-hit areas. The information gained in those forums continues to help inform the response to the opioid crisis.

In 2022, General Cameron released the first Attorney General Opinion in the nation on ESG investment practices. That opinion concludes that politics has no place in our public pensions and that those exercising fiduciary duties while managing retirees' money have a duty to maximize investment returns, not pursue extraneous policy goals. He followed that Opinion with letters to the managers of our state's largest public pension funds, as well as to some of the world's most influential banks, asking that they explain how they are placing return on investment above any ESG goals.

In addition, General Cameron's Office is leading three separate investigations into the largest financial institutions in the world to ensure that these firms and their subsidiaries are complying with state and federal consumer protection and antitrust law. To be clear, ESG advocates are free to invest their own money however they like. The Cameron Administration is not stopping them from doing so. But he won't allow Kentucky's teachers, firefighters, and police officers to be used for their climate virtue signaling.

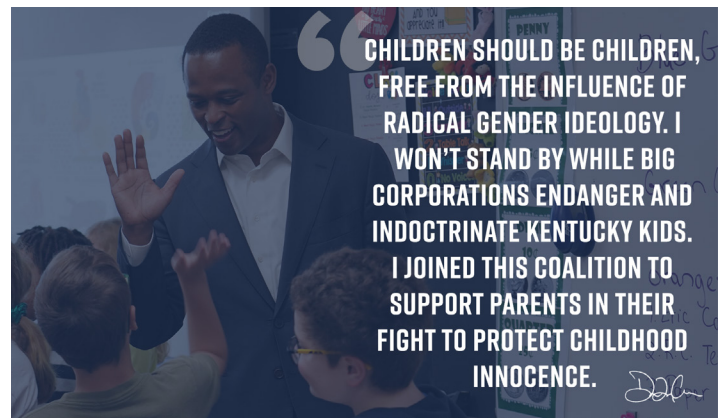


Protecting Kentucky Kids from Experimental Drug Treatments

The safety of Kentucky kids has been one of General Cameron's top priorities. During the biennium, this Office has fiercely defended our children at every turn.

Kentucky's General Assembly passed Senate Bill 150 during the 2023 Regular Session. The bill protects children from irreversible surgeries and experimental chemical treatments like puberty blockers and cross-sex hormones. Governor Beshear vetoed the bill, and the legislature overrode his veto.

Lawyers from the ACLU and the National Center for Lesbian Rights sued to halt enforcement of a section of Senate Bill 150 that would revoke the licenses of medical providers who perform gender mutilation procedures on minors. A federal court in Louisville ruled in their favor, and General Cameron immediately sought and secured emergency relief from that ruling. Over the summer, a federal appellate court [twice ruled](#) in General Cameron's favor, affirming Kentucky's right to protect its kids from these harmful treatments. The Office continues to defend Senate Bill 150 and Kentucky's children as the challengers have taken the case to the United States Supreme Court.



Another key provision of Senate Bill 150 protects children from ideological indoctrination in schools. In particular, the bill prohibits teaching kindergarteners and other elementary school students about human sexuality. But the Kentucky Department of Education inexplicably misinterpreted the law, prompting General Cameron to issue an official [Attorney General Opinion](#) rejecting the Department's views.

Apart from Senate Bill 150, General Cameron fought the Biden Administration's attempts to force schools to allow boys into girls' locker rooms and bathrooms and to allow biological men to compete in women's sports.



Defending Kentucky's Pro-Life Laws

A society is judged by how its treats its most vulnerable—and that's especially true for the unborn. Thanks to General Cameron, life is winning in Kentucky.

The same day as the U.S. Supreme Court's decision in *Dobbs v. Jackson Women's Health*, General Cameron announced the immediate effectiveness of Kentucky's Human Life Protection Act and issued public guidance explaining the law's application and impact. As a result, Kentucky's two abortion clinics closed their doors and canceled approximately 200 scheduled abortions.

Kentucky's two abortion facilities quickly challenged the Commonwealth's Human Life Protection Act and Heartbeat Law in court. Days later, a circuit court judge—without basis in the state's Constitution—temporarily halted enforcement of the laws. Doing so allowed abortions to temporarily resume.

Attorney General Cameron then took decisive action to enforce the Human Life Protection Act and the Heartbeat Law. He filed an appeal, and the Court of Appeals quickly ordered the laws to be enforced.



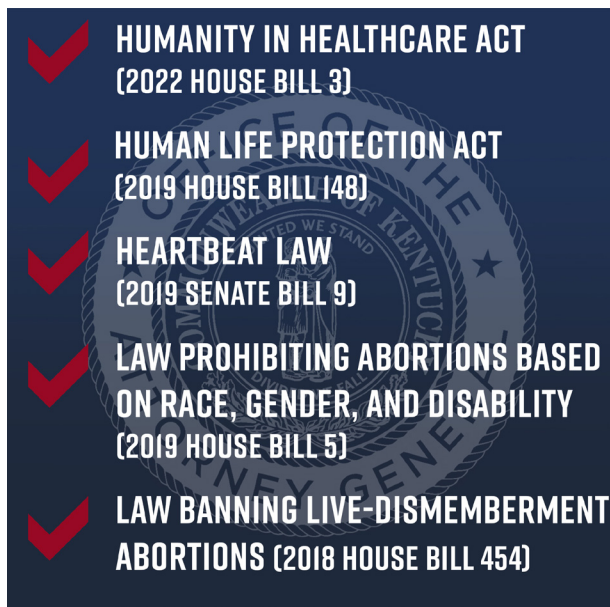
The Kentucky Supreme Court later denied the abortion facilities' request to stay open and allowed these laws to remain in effect while the case moved forward. The abortion facilities closed for the second time on August 1, 2022. They have not reopened since.



In the meantime, General Cameron secured a string of legal victories. A district court dismissed one abortion facility's challenge to Kentucky's law prohibiting abortions based on the gender, race, or disability. A federal challenge to the Heartbeat Law was also dismissed. And a district court ordered that Kentucky's law prohibiting live-dismemberment abortions should take effect, following an 8-1 ruling in Attorney General Cameron's favor by the Supreme Court of the United States.

In February 2023, the Kentucky Supreme Court issued its long-awaited ruling in the case involving the Human Life Protection Act and the Heartbeat Law. The state's highest court ruled in favor of Attorney General Cameron, agreeing that a lower court had wrongly halted the enforcement of both laws. And just recently, a federal court dismissed challenges to the Humanity in Healthcare Act, which is now fully in force and is the law of Kentucky.

The pro-life laws on which Attorney General Cameron has secured victories include:



Fighting the Anti-Fossil Fuel Agenda

Kentucky is an energy state. Attorney General Daniel Cameron has made clear throughout his tenure that we benefit from the competitive advantage that comes with having abundant fossil fuels, chiefly coal and natural gas, and using them to produce low-cost electricity to power our homes and businesses.

Defending Kentucky Coal: Kentucky is the seventh-largest coal-producing state in America. We possess about one-sixth of the country's operating coal mines, and as a result Kentucky averages the twelfth-lowest electricity prices of any state and the second-lowest prices of states east of the Mississippi River. But Kentucky's advantage has shrunk since Joe Biden has been President. Why?

Because Joe Biden and his extreme Environmental Protection Agency (EPA) have been trying to destroy Kentucky coal. But General Cameron has delivered on his commitment to protect it. He fought federal attempts to force the Commonwealth to implement [radical environmental policies](#) that would devastate Kentucky's coal industry. And he opposed an [EPA proposal](#) that would have forced many coal plants to either adopt untested and costly technologies or shut down.

Fighting Biden's Overreach: President Trump's energy policies took advantage of our God-given resources. Joe Biden's have done the opposite, and General Cameron has fought those policies at every turn.

The climate cult is perpetually unsatisfied—they want more and more green energy nonsense. But I won't let these radicals destroy the Commonwealth's competitive advantage and increase our utility bills and gas prices in the process.

D. Cameron

When Joe Biden tried to cancel the Keystone XL Pipeline, General Cameron [took him to court](#). And earlier this year, General Cameron led 25 states in fighting against the Administration's [attack on gas-powered vehicles](#) and opposed the EPA's [excessive regulation](#) of American waterways and [greenhouse gas emissions](#).



Fighting Fringe Environmentalism:

Climate radicals don't care if their extreme climate-focused agenda hurts the pensions of teachers, firefighters, and police officers. They aren't content just to destroy the energy economy and increase our utility bills; they want to control every aspect of our lives.

First the Biden Administration came for incandescent lightbulbs. Then it came for [gas stoves and ovens](#). And most recently it came for the [boilers that help heat our homes](#) and businesses. General Cameron has been a bulwark against this radicalism, opposing the Biden Administration's radical green agenda at every turn and stopping him when it counts.

General Cameron has also advocated for Kentucky families before the Public Service Commission. Since taking office, he has secured nearly [\\$350 million](#) in utility rate savings for Kentucky consumers.

ADVOCACY

Policy Letters & Regulatory Comments

Far-left activists in Frankfort and Washington have worked for years to attack our Kentucky values. Attorney General Daniel Cameron has been the tip of the spear, pushing back against their out of touch policies by authoring or joining policy letters and regulatory comments on actions taken by extremists. Many of the letters and comments are in conjunction with like-minded attorneys general in sister states. Since February 2021, we have reviewed 100+ comment or multi-state letters and drafted, circulated, and submitted nearly 20 such letters on topics important to Kentuckians.

The assault on our values is multi-faceted, and General Cameron's response has been equal to the task. For example, Americans love bacon. But liberal states like California wanted to impose their unrealistic and unreasonable policies nationwide. They would run farmers and pork producers out of business with lawless out-of-state regulations. General Cameron stood up for Kentucky's agriculture community, urging Congress to stop this war on farmers and families.



One of the worst initiatives undertaken in recent years by radical activists was the effort to defund the police. General Cameron stood up for law enforcement at every turn. Then the radicals wanted to defund our schools simply for having hunting and archery programs. After the Biden Administration announced plans to hold hostage nearly \$1 billion in federal funding from schools with shooting sports, General Cameron refused to let Kentucky kids pay the price for this [Administration's poor policy preferences](#). As a result, federal funding was released for school hunting and archery programs.

APPELLATE

The Attorney General defends challenges against Kentucky law in federal and state courts and directs the litigation of all civil actions in which the Commonwealth has an interest. When General Cameron first took office in December 2019, the Attorney General's Office was involved in only a handful of cases defending Kentucky's laws against constitutional challenges.

For the first time in the history of the Commonwealth, the Office now has an appointed Solicitor General tasked with ensuring that Kentucky's voice is heard in appellate courts nationwide, including in the Supreme Court of the United States.

The Civil Appeals Division has actively challenged federal overreach by the Biden Administration while defending Kentucky's laws.

The Division has been involved in the following notable decisions during this biennial:

- Secured a ruling that the Biden Administration's attempt to limit the Kentucky General Assembly's ability to lower Kentuckians' taxes was unlawful. *Kentucky v. Yellen*, 54 F.4th 325 (6th Cir. 2022). The Biden Administration declined to seek Supreme Court review from this loss.
- Secured a victory against the Biden Administration's attempt to impose a vaccine mandate on federal contractors. *Commonwealth v. Biden*, 57 F.4th 545 (6th Cir. 2023); *Kentucky v. Biden*, 23 F.4th 585 (6th Cir. 2022). The Biden Administration declined to seek Supreme Court review from this defeat.
- Prevailed before the Sixth Circuit in the challenge to Kentucky's Senate Bill 150, which protects children from experimental gender-alteration procedures. *L.W. v. Skrametti*, 83 F.4th 460 (6th Cir. 2023). The Division is now defending this law before the Supreme Court of the United States.



Amicus Briefs

The Civil Appeals Division regularly drafts amicus briefs that are filed in courts across the country and allow Kentucky's voice to be heard on a host of issues. Since Attorney General Cameron took office, the Division has authored more than 40 amicus briefs.

This is an innovation of the Cameron Administration. Prior administrations rarely, if ever, authored amicus briefs. Amicus briefs filed by the Civil Appeals Division have played a role in several important victories.

Criminal Appeals

The Criminal Appeals Division represents the Commonwealth in appeals of criminal convictions and in post-conviction proceedings. While local prosecutors handle criminal trials, Kentucky law gives the Division jurisdiction over those cases once they are appealed.

To this end, the Division works to uphold lawfully-imposed convictions and to ensure that lawfully-imposed sentences are carried out. Since January 2022, the Criminal Appeals Division has filed 661 briefs (addressing 1,802 issues) in state and federal courts and presented nearly two dozen oral arguments. In addition to litigating appeals, the Division serves as a resource for local prosecutors by researching various legal issues, providing legal advice, and presenting at prosecutor conferences. The Division received approximately 203 requests for assistance from local prosecutors over this period and made presentations at several trainings for prosecutors.



The Criminal Appeals Division has been involved in the following notable judicial decisions since January 2022:

- ***Fields v. Jordan***, 86 F.4th 218 (6th Cir. 2023) (en banc). The Division successfully secured an en banc decision from the Sixth Circuit denying a habeas petition in a capital case involving the 1993 murder of an 84-year-old victim.
- ***Burdette v. Commonwealth***, 664 S.W.3d 605 (Ky. 2023). The Division successfully convinced the Supreme Court of Kentucky to uphold the murder conviction of an intoxicated semi-truck driver who was watching pornography on his cell phone when he collided with a police officer in her cruiser, killing her.
- ***Goforth v. White***, CV 5:09-352-KKC, 2023 WL 2656746 (E.D. Ky. Mar. 27, 2023). The Division successfully secured a decision from the Eastern District of Kentucky denying a habeas petition in a capital case involving the 1998 murder of a 73-year-old victim.
- ***Haight v. Jordan***, 59 F.4th 817 (6th Cir. 2023). The Division successfully secured a decision from the Sixth Circuit denying a habeas petition in a capital case involving the 1985 robberies and murders of two victims.

CIVIL

Civil & Environmental Law

The Office of Civil and Environmental Law protects the interests of the Commonwealth and its citizens. The Office also has a special role in the defense of the Constitution and is empowered to bring or defend civil actions that challenge the constitutionality of Kentucky statutes, executive orders, administrative regulations, and agency orders. The Office of Civil and Environmental Law also represents the Commonwealth's interests in multi-state actions in federal courts outside Kentucky.

During the biennium, the Office has received and reviewed 359 notices of constitutional challenges to statutes in trial and appellate courts. The Office has intervened as a party in 18 of those cases and has sought to be heard as an amicus curiae in 10 others.

Among others, the Office is defending the constitutionality of the following statutes:

- **2023 House Bill 594 (*Gray Machines/Skill Games*):** The Office is defending two civil actions that challenge this legislation, which includes so-call “gray machines” or “skill games” in the definition of “gambling device” in KRS Chapter 528.
- **2023 Senate Bill 7 (*State Payroll System and Labor Organization Dues*):** Two civil actions have challenged the

constitutionality of the general prohibition on the state payroll system being used to deduct most labor organization dues from state employees’ wages.

- **2023 Senate Bill 150 (*Surgical and Drug treatment of Children*):** Three separate civil actions have challenged the constitutionality of the new legislation prohibiting surgical and drug treatment of children for which the Office has vigorously defended.

In addition to defending the constitutionality of state statutes, the Office also prosecutes and defends actions involving state agencies, officers, and employees. A few examples of such actions include:

- **Parole Board Litigation:** The Office is involved in four civil actions involving the Kentucky Parole Board and its use of a unilateral directive by its Chair to alter its orders requiring prisoners to serve-out their life sentences. In the first of these actions, the Office sued the Kentucky Parole Board to challenge the lawfulness of that directive, which would have given new parole hearings to over 40 prisoners who had been ordered to serve out their life sentences. After the trial court agreed and issued a restraining order, the Parole Board rescinded its unlawful directive. Three civil actions have been filed by the prisoners who would have benefited from the directive, and the Office intervened in each action to assert the unlawfulness of the directive as a bar to the prisoners’ claims.



- ***Circuit Court Clerk Removal Proceedings:*** At the request and invitation of the Supreme Court of Kentucky, the Office is serving as Special Advocate in two actions to remove a Circuit Court Clerk from office under Section 114(3) of the Kentucky Constitution. Before the Supreme Court initiated these two removal proceedings, the only other such proceeding since the adoption of the Judicial Article in 1976 occurred in 1991.

In addition to its active litigation caseload, under KRS 65.260(2), the Office exercises the responsibility of the Attorney General to review and approve most interlocal agreements. Since January 2022, the Office has reviewed 42 interlocal agreements, approving 38.

Consumer Protection

The Attorney General's Office of Consumer Protection safeguards the Commonwealth's consumers and combats illegal business practices by enforcing the Kentucky Consumer Protection Act ("KCPA"). The KCPA protects Kentuckians from unfair, false, misleading, or deceptive acts or practices in trade or commerce.

The Office of Consumer Protection is actively involved in litigating cases against various entities that have engaged in wrongful practices. As a result of its efforts during the biennium, the Office recovered over \$464 million through litigation and settlements for the Commonwealth from July 1, 2021 through June 30, 2023.

During the biennium, the Office:

- Finalized a multi-state settlement with JUUL Labs, Inc., an e-cigarette and vaping product manufacturer, that will provide over \$14 million to the Commonwealth. Prior to the settlement, a two-year, bipartisan investigation by the attorneys general revealed JUUL advertised its products to youth, knowing the underage purchase of e-cigarettes is both illegal and unhealthy.
- Secured a historic multistate settlement with Google over its location tracking practices and account settings. This is the largest multistate privacy settlement reached by a coalition of attorneys general in the history of the United States. Kentucky received more than \$7 million from the settlement.
- Reached a multistate settlement with the makers of Suboxone, an at-home opioid addiction treatment. The matter involved allegations that the drug maker engaged in an illegal "product hop" that tried to monopolize the market and limit consumers' access to generic versions of treatment. Kentucky received \$2.3 million as well as injunctive relief from the settlement.

- Emerged as one of the leaders in the bipartisan effort to reign in unlawful business practices in the residential solar industry and worked to obtain redress for consumers harmed by violations of state and federal law committed by residential solar installers and related entities.
- Took the lead in three separate multi-state investigations in the environmental, social, and governance (or “ESG”) space to ensure that firms using or touting ESG policies do not violate state and federal consumer protection or antitrust laws.



Office of Rate Intervention

The Office of Rate Intervention (“ORI”) works to ensure that utility rates are fair and reasonable. The office serves as a watchdog for consumers in matters relating to natural gas, electric, solar, water, sewer, basic landline telephone, and health insurance rates.

The Office concentrates on utility matters—electric, water, sewer, landline telephone, and natural gas—before the Public Service Commission. Through its intervention in rate cases before the Public Service Commission, The Office of Rate Intervention has achieved nearly \$340 million in avoided costs for Kentucky ratepayers from January 2020 through June 2023. These savings are significant, but we know that there is more to be done.

During this biennium, ORI actively intervened in over forty cases. Notable efforts include:

The Attorney General intervened along with Kentucky Industrial Utility Customers



After the natural disasters in Eastern and Western Kentucky, the Office partnered with local officials in Graves County and surrounding counties to launch an emergency contractor registration program in the region. The program registered contractors looking to assist Kentuckians affected by the disasters and sought to prevent “fly-by-night” contractors from taking advantage of Kentuckians in their time of need.

(“KIUC”) in the case brought by American Electric Power to transfer ownership of its Kentucky Power subsidiary to Liberty Utilities. ORI and KIUC opposed the transfer to Liberty Utilities whose stated business model of “greening the fleet” would have transformed Kentucky Power from a utility that predominately utilized fossil fuels to generate electricity to one that primarily relied on a non-dispatchable intermittent resources. Even though the PSC approved the transfer, the PSC, KIUC, and ORI joined in opposing the transfer application filed with FERC, which was preliminarily denied. Kentucky Power and Liberty Utilities subsequently withdrew the proposed transfer.

Saving Central and Western Kentuckians over \$13.7 million in proposed natural gas rate increases in a rate case filed by Atmos Energy Corporation. Attorney General Cameron intervened in the case and successfully reduced the overall proposed rate increase by 80%.

Saving Southern Kentuckians over \$2.9 million in proposed electric utility rate increases filed by South Kentucky Rural Electric Cooperative. Attorney General Cameron intervened in the case and, through the efforts of his Office, was able to reduce the proposed rate increases by 33.9 percent.

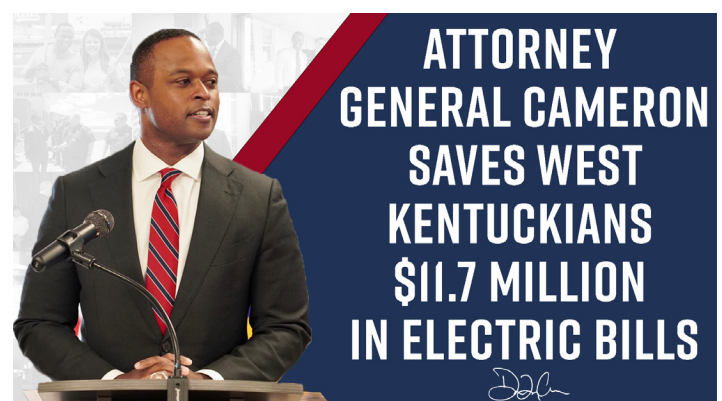
Lowering utility bills for West Kentuckians with a \$11.7 million rebate. This rebate will be credited toward the utility bills of West Kentucky ratepayers, lowering their energy costs as they head into winter. The credit comes as part of a 2020 settlement between Attorney General Cameron, Big Rivers Electric Corporation, and Kentucky

Industrial Utility Customers.

The agreement has resulted in electric bill refunds for three consecutive years.

In one of the largest rate cases of the biennium, brought by Duke Energy Kentucky, the Attorney General presented evidence and arguments that help reduced the utility’s proposed revenue increase by over \$27 million, which equates to a 36% percent reduction in the requested electrical rates. In addition, the Attorney General was successful in his arguments that the retirement of Duke’s East Bend Coal Plant, scheduled for 2041, not be advanced to 2035.

The Attorney General intervened along with other parties in one of the most important PSC cases in the last decade. The LG&E/KU CPCN case sought to retire four coal plants and replace them with two natural gas plants and a combination of solar and battery storage. The case was the first brought since the passage of Senate Bill 4, enacted by the General Assembly in 2023, which gives PSC the authority to deny a request to retire a fossil fuel generation plant. The Attorney General was successful in keeping two of the four coal plants operating.



Senior Protection and Mediation

The Office of Senior Protection protects Kentuckians against fraud, scams, and financial exploitation through education and awareness campaigns, as well as provides next steps to victims who have suffered financial losses.

According to the FBI's Internet Crime Complaint Center, Americans lost \$10.3 billion to scams during 2022. In the Bluegrass State, scams are on the rise, with reports to the Office of Senior Protection increasing from losses of \$12.7 million in 2021 to nearly \$32 million in 2022.

These figures represent an increase in financial losses of 1,881% compared to financial losses reported during 2019. The impact of the surge in scams and identity theft has been especially harmful for senior citizens. Kentucky seniors suffered a disproportionate financial loss to fraud, with seniors losing over \$19 million in 2022, an increase of 30% over 2021.



Most of the vulnerable senior victims will be unable to recoup the losses from fraud and identity theft due to the sophistication of the scams, and the difficulty identifying the perpetrators, thus compromising their financial security and independence due to their age.

In response to the rise in scams, Attorney General Cameron's Office has taken a number of steps to educate and assist Kentuckians to prevent fraud. The Office of Senior Protection operates both an online scam reporting system for victims, which can be accessed by visiting ag.ky.gov/scams, as well as a Consumer Protection Hotline for reporting, 1-888-432-9257. The online system allows consumers to quickly and easily report suspected fraud and scams, and it allows staff to more quickly respond to help minimize financial loss.

The Office of Senior Protection has also outreach to seniors across the state through a combination of outreach, training, services, and community partnerships to protect consumers.

Likewise, the Office of Senior Protection has made significant efforts to resolve consumer complaints with businesses and identify unfair business practices. In 2022-2023, the Office's efforts resulted in over \$2,330,825.42 in restitution being returned to consumers, increasing restitution by 120% from 2020 to 2022 while the caseload increased 30%.



The Office of Senior Protection is also comprised of the Mediation Branch,

which mediates disputes between consumers of all ages and businesses regarding goods, products, and services in the marketplace. The branch engages in mediation efforts to reach a mutually agreeable resolution.

The branch also identifies businesses for which additional investigation by the Office of Consumer Protection may be warranted.

CRIMINAL

Department of Criminal Investigation

The mission of the Department of Criminal Investigation is to protect the public trust and Kentucky's most vulnerable citizens. Accomplished through innovative strategies that recognize trending crimes and public vulnerabilities, the Department's response leads investigations while also supporting the work of local, state, and federal criminal justice agencies.

The Department's personnel have taken leadership roles in investigation development, the creation of statewide and regional task forces, development of advisory councils, creation of law enforcement and prosecutorial education programs, grant acquisition, and policy and procedure development. Department personnel teach for the Department of Criminal Justice Training, serve on the Board of Directors for the Kentucky Law Enforcement Council, provide training at state and national conferences, engage in public awareness campaigns on the issues of sex and labor trafficking, and provide comprehensive training to state

and federal criminal investigators.

The following represents a brief synopsis of some of the significant cases prosecuted by DCI:

Commonwealth vs. Joseph Saulnerond

Jean Joseph Saulnerond was sentenced in December 2021, to 30 months in prison, a \$10,000 fine, and an order of restitution in the amount of \$71,407 for his solicitation and receipt of bribes and kickbacks obtained in his role as a public official. DCI investigated Saulnerond and its case was adopted by the FBI and the U.S. Attorney's Office and thereafter successfully prosecuted in the Western District of Kentucky.

Jean-Joseph Saulnerond, engaged in a long-running scheme to defraud the Kentucky Administrative Office of the Courts (AOC) through his position as a Languages Other than Spanish (LOTS) Program Coordinator. In his role, Saulnerond was responsible for scheduling foreign language interpreters for court hearings within the Commonwealth and had the authority to award contracts and assign jobs for interpretation services. Saulnerond solicited bribes and kickbacks in exchange for awarding interpretation contracts and assigning jobs to individual interpreters and a language services company. The investigation revealed that he sometimes refused language interpretation contracts and jobs to individuals and companies who refused to pay him. As part of the scheme, interpreters inflated their working hours on contracts with AOC in order to fund kickbacks to Saulnerond. In total, Saulnerond solicited and received over \$70,000 in bribes and kickbacks from contractors.

Commonwealth vs. Nathaniel Johnson

In December 2021, DCI conducted a joint investigation with multiple law enforcement agencies to detect and locate online predators. Nathaniel Johnson was apprehended when he traveled to a Shelbyville Park in the belief that he was meeting to engage in sex with a minor he had met online. Once there, Johnson was arrested as he had been chatting online with an undercover detective posing as a minor. After his apprehension, officers learned that Johnson had left his two minor children, both under the age of four, at home alone in order to meet the supposed minor and engage in sexual activity. On June 2, 2022, Johnson was sentenced in state court to a felony count of using an electronic communication system to procure a minor for Sex Offense (KRS 510.155). The Court handed down a three year prison sentence, which was suspended, and Johnson was subject to probation supervision and registration as a sexual offender.

Just a few days later on June 7, 2022, the same DCI Detective was operating on the Internet in an undercover capacity when he again came in contact with a predator who was later identified as Nathaniel Johnson. The Detective told Johnson that he was a minor child who lived in Ashland, Kentucky, with Johnson identifying himself as Nate, a 29-year-old from Ashland. The conversation over the Internet eventually moved to texting wherein Johnson sent several images of his face and discussed engaging in sexual conduct with the officer.

Thereafter, DCI collaborated with local, state, and federal agencies to obtain and execute a search warrant at Johnson's residence in Boyd County. Officers recovered several electronic items and located Nathaniel Johnson nearby where he was arrested by DCI, and federal charges were lodged.

Johnson pled guilty to the federal charge as part of a plea agreement with the United States. The terms of his sentence include 240 months in a federal correctional facility followed by an additional 240 months of supervised release. Johnson must serve at least 85% of his prison term.

Medicaid Fraud and Abuse Control

The Office of Medicaid Fraud and Abuse ("OMFA") worked diligently during the biennium to investigate and prosecute allegations of Medicaid provider fraud as well as patient abuse, neglect, and exploitation, both criminally and civilly. OMFA is funded by a federal grant which covers 75 percent of its operational costs. State general funds cover 25 percent of the office's costs.

For every one dollar of state spending on OMFA, twelve dollars were recovered for taxpayers.

The Medicaid program is a healthcare safety net intended for the most vulnerable members of Kentucky's population. But as the Medicaid budget continues to increase, so too will instances of Medicaid provider fraud. The investigative efforts of OMFA contributed to 32 criminal indictments and 21 criminal convictions over the course of the biennium. During the biennium, the Unit executed 16 search warrants and issued over 600 subpoenas and demand letters. During this same time period, OMFA's work contributed to nearly \$40,000,000 in civil and criminal obligations for state and federal healthcare programs.

There were 209 calls to the Abuse Tip Line, and OMFA opened over 100 new investigations. OMFA currently has more than 200 open, active cases which are a mixture of provider fraud and credibly alleged adult abuse, neglect, and exploitation.

Prosecutors Advisory Council

The Prosecutors Advisory Council (PAC) administers the budget of the Unified Prosecutorial System and oversees the training of the Commonwealth's prosecutors. The nine-member council is appointed by the Governor and includes the Attorney General, three Commonwealth's Attorneys, three County Attorneys, and two citizen members. Attorney General Cameron serves as chairman of the Council.

The administrative staff of the Office of the Prosecutors Advisory Council, pursuant to KRS 15.770, and at the direction of PAC, prepares the budget for and administers

the Unified Prosecutorial System (UPS), which includes operating budgets for 177 locally elected prosecutors' offices. In addition, the staff develops and coordinates statutorily-mandated training regarding elder abuse, child sexual abuse, human trafficking, and domestic violence. The staff also administers personnel, payroll, and fringe benefit services for over 1,200 UPS employees. The PAC staff administers federal, state, and local grants as well as asset forfeiture accounts for Commonwealth's and County Attorneys.

The PAC staff also provides legal research and guidance to the state's elected prosecutors and their staffs on administrative issues and monitors criminal justice legislation that affects UPS.



During the biennium, PAC approved funding for the Kentucky Prosecutors Institute ("KPI") in both fiscal year 2020 and 2021. KPI is a week-long PAC-hosted trial advocacy training program focused on both new and seasoned prosecutors. PAC also hosted the annual Kentucky Prosecutors Conference in August 2019 and 2020. This conference offered the opportunity for prosecutors to receive the required continuing legal education credits each year.

Special Prosecutions

The Office of Special Prosecutions (SPU) leads and assists with prosecutions in criminal cases throughout the Commonwealth. Attorneys within SPU serve as lead prosecutors in cases where the office has primary jurisdiction such as election law violations, environmental crimes, and ethics law violations. SPU may also assist local prosecutors, when requested, in complex or sensitive cases or when there is a conflict. SPU handles the coordination and appointment of all special prosecutors within Kentucky's Unified Prosecutorial System. During the biennium, SPU processed 1,178 special prosecutor appointments across the Commonwealth. In an effort to assist Kentucky's prosecutors, SPU handled 157 of those prosecutions.



SPU coordinates election monitoring and maintains the Attorney General's Election Fraud Hotline (1- 800-328-VOTE) year-round with an expanded presence on Primary and General Election days. In 2022, the Office addressed, and when appropriate, investigated, 595 election inquiries and complaints.

KRS 15.243 mandates that the Office of the Attorney General conduct an independent

inquiry of twelve Kentucky counties after each election to ensure the integrity of the election process. The counties selected for inquiry are randomly drawn in a public setting. SPU works with DCI to conduct the audits and to present the results to the grand jury of each of the 12 counties.

Fair elections are essential to the strength of our Democracy, and we stand ready to do our part to ensure the integrity of our election process. During the 2022 primary election, the Election Fraud Hotline received a tip regarding a vote-buying scheme. Our team quickly investigated the alleged violations and prosecuted the case on behalf of the Commonwealth, resulting in a 40-count indictment charging seven individuals with election crimes.

Below are significant investigations which exemplify the work of the Office:

- ***Commonwealth v. Jose Sanchez.*** The defendant, stepfather had raped his minor daughter for years under the threat that he would not care for her disabled little brother and her ill mother. The case went to a jury trial where the victim was able to tell her story resulting in the defendant's conviction and a maximum sentence of 70 years.



- ***Commonwealth v. Scott Stokes.*** A Pike County conviction of 20 years on Strangulation and Persistent Felony offender when a defendant attacked the victim by strangulation which caused loss of consciousness.
- ***Commonwealth v. Brent Kelty.*** In early 2023, Brent Kelty pled guilty to one count of Manslaughter in the First Degree for the death of a 4-month-old infant left in his care. Brent Kelty caused the abusive head trauma which led to the child's demise. He was sentenced to 17 years in prison to be served consecutively to another conviction he received in Fayette county for a total of 25 years to serve.

Trafficking and Abuse Prevention and Prosecution (TAPP)

Attorney General Cameron is committed to ending child abuse in the Commonwealth by investigating and prosecuting child abuse in all its forms. The Office of Trafficking and Abuse Prevention and Prosecution (TAPP) addresses this by offering resources to assist and support the entire Commonwealth.



Through its work, TAPP seeks to raise awareness and understanding of these significant problems.

Attorney General Cameron also works closely with Kentucky's community leaders and non-profit organizations to provide child abuse awareness trainings and grant opportunities.



Child Maltreatment Prevention Efforts:

The Office of the Attorney General is statutorily mandated to provide administrative support to the Child Abuse and Neglect Prevention Board. TAPP staff also serves as a bridge between the Board and the grant recipients. In total, \$227,903.98 was awarded by the Board to support organizations and entities offering services for child abuse, exploitation, and neglect.

HOPE Initiative: This Initiative targets the illicit massage industry, which is often associated with human trafficking. Over the last four years, Kentucky has experienced a seventy-one percent growth rate in illicit massage businesses. The initiative mobilizes communities and landlords to recognize, report, or evict illicit businesses enabling this crime.



Victims Advocacy

The Office of Victims Advocacy (“OVA”) serves Kentuckians in two meaningful ways: by providing direct service and support to survivors of crime and through specialized training and technical assistance for criminal justice professionals. Both endeavors strive to create a Commonwealth which supports crime victims’ pursuit of truth, justice, and offender accountability.

Missing Children’s Initiative: Designed to raise awareness of children missing in the Commonwealth, the initiative distributed informational materials focused on specific children reported as missing. The Missing Children Public Awareness Campaign launched in May of 2023. The campaign utilized a variety of strategies to raise awareness of the campaign. During the 2022-2023 fiscal year, TAPP provided training throughout the Commonwealth to a vast array of audiences. TAPP has also traveled throughout the state to provide free fingerprinting services for more than 1,000 children. This preventive measure helps families provide information quickly to law enforcement in the result of their child going missing or being abducted.

Throughout the biennium, the Office made great strides in strengthening the response to victims and the systems that serve them. OVA provided direct victim service at the trial and appellate level to 1,195 victims and responded to 1,287 calls from crime victims utilizing the Resource and Referral Line service.

Informing crime victims of their rights and improving the systems that serve victims are top priorities for the Office. OVA provided specialized training to over 500 criminal justice professionals, including law enforcement officers, prosecutors, victim advocates, forensic nurses, child advocates, and allied professionals.

OVA also hosted National Crime Victims’ Rights Week resource fairs on the steps of the Kentucky State Capitol. These events raised awareness of victims’ rights and united the community, survivors, and multi-disciplinary service providers throughout the Commonwealth.

In addition to professional training, Attorney General Cameron and OVA are dedicated to assisting law enforcement agencies with investigations.

HELP US GO TO BAT
FOR VICTIMS OF HUMAN TRAFFICKING



During the biennial, the Office proudly provided technical assistance on sexually motivated crimes to 42 different law enforcement agencies throughout the Commonwealth. An exemplary example of OVA's work is the collaboration with Kentucky State Police and Lexington Division of Police, which resulted in the long-awaited indictment of a cold case serial rape perpetrator that is now actively being prosecuted.

Sexual Assault Kit Initiative: OVA continues to address the issue of previously unsubmitted sexual assault forensic exam kits ("SAFE" kits) and secure justice for victims, regardless of the years that have passed since the assault. During the previous biennium, the Office instituted a comprehensive approach to the Sexual Assault Kit Initiative ("SAKI"). To date, 4,597 previously un-submitted SAFE kits have been tested and reviewed. This work has led to over 1,850 DNA profiles entered into databases to help with solving crimes. Additionally, the Attorney General's Office has provided funding to assist with advanced DNA testing for cold case sexual assaults and cold case homicides that do not have a known suspect identified. Through partnerships with the Kentucky State Police Forensic Lab and the University of Louisville's Department of Criminal Justice, OVA continues to address current cold case sexual assault kits while working to prevent a backlog from recurring in the future.

Attorney General Cameron is dedicated to assisting law enforcement agencies with investigations. During the biennial, OVA supported Lexington Police Department in achieving a significant breakthrough in a series of cold case sexual assault cases.



OVA provided funding to perform Forensic Genetic Genealogy that led to the identification of an individual who was subsequently indicted for multiple sexual assaults.

OPEN RECORDS & OPEN MEETINGS

Kentuckians right to access their government is a foundational principle of our democracy. To ensure transparency in government operations, Attorney General Cameron works diligently to oversee state agencies' compliance with the Open Records and Open Meetings Acts.

Attorney General Cameron's approach to Open Records and Open Meetings is guided by the rule of law, meaning that when interpreting the Acts and adjudicating disputes, the Office follows both the statutory text as enacted by the General Assembly and controlling precedent from Kentucky courts.

While this is not always easy—because, for example, portions of the Acts predate the prevalence of electronic communications—the office does its best to give effect to the intent of the General Assembly as expressed in the statutes’ text. Since January 2022, the Division has issued 600 Open Records Decisions and 23 Open Meetings Decisions (623 in total).

The Division is also committed to improving its customer service and efficiency. In addition to issuing decisions, the Division’s attorneys also provide training to state and local agencies throughout the Commonwealth to assist them in understanding their duties under the Open Records and Open Meetings Acts.

ADMINISTRATIVE HEARINGS DIVISION

Under KRS Chapter 13B and KRS 15.111, the Administrative Hearings Division provides hearing officers to conduct administrative hearings on behalf of many state agencies. In calendar year 2022, the Division opened 202 administrative cases on behalf of 21 state agencies and closed 188 administrative cases. In 2023, the Division has opened 242 cases on behalf of 18 agencies and has closed 260 cases.

Since mid-2021, the Division has also provided mediation services to state agencies, in addition to hearing officer services. Participation in the mediation program by the parties to an administrative case is strictly voluntary.

In the 2022–23 biennium, the Division’s mediation program has been used in 27 administrative cases.

FIELD OFFICES

For years, the work of the Attorney General’s Office has been concentrated primarily in Frankfort, which is not accessible for every Kentuckian.

General Cameron is committed to expanding the footprint of the Office throughout the Commonwealth. During this biennium he established physical offices in London and Bowling Green. General Cameron also became the only statewide elected official with a physical presence in West Kentucky with the opening of the Benton office.

The Attorney General’s Office now has locations in Benton, Bowling Green, Covington, London, Louisville, and Prestonsburg, as well as Frankfort.

