

# NAAG Gazette

A Newsletter of the National Association of Attorneys General

JANUARY 2011

## NAAG Welcomes New Attorneys General

NAAG is welcoming a class of 20 new Attorneys General in 2011. The number of new Attorneys General is the largest in recent memory. Of the 20, 14 were popularly elected, one was elected by the state legislature (Maine), and five were newly appointed (Alaska, District of Columbia, Hawaii, Pennsylvania, and Wyoming). The class includes individuals with a very broad range of distinguished service in other offices. The 2011 class includes those who have served as a U.S. senator, U.S. congressmen, U.S. Attorney, appellate judge, a state superintendent of public instruction, state senators and representatives including two as majority leaders, district attorneys, general counsel to the U.S. House of Representatives, military officers, assistant attorneys general, assistant district attorneys, and many other notable positions. Photos and bios of all the new Attorneys General begin on page 4.

### *Qualifications*

The Office of Attorney General is created in the state constitution in 44 states, and the method of Attorney General selection is specified by 42 state constitutions. The Attorney General is popularly elected in 43 states and Guam, and is appointed by the governor in five states (Alaska, Hawaii, New Hampshire, New Jersey and Wyoming) and in the jurisdictions of American Samoa, Northern Mariana Islands, Puerto Rico and the Virgin Islands. In Maine, the Attorney General is selected by secret ballot of the legislature, and in Tennessee, by the state supreme court. In the District of Columbia, the mayor appoints the Attorney General, although D.C. voters approved the ballot initiative to make the D.C. Attorney General an elected position starting with the 2014 election, pending congressional review.

Specific qualifications for office are included in state constitutions in only 23 states. The most common qualifications mentioned are minimum age and state residency. Most states prohibit the private practice of law by Attor-

neys General or their staff, and most states require that the Attorney General be an attorney and member of the bar.

### *Length of Term*

Forty-six states presently provide a four-year term for the Attorney General. Maine and Vermont have a two-year term. Tennessee sets the term at eight years, while in Alaska, the Attorney General serves at the pleasure of the governor.

### *Powers and Duties*

The specific functions of the Attorney General office vary greatly from state to state, as do the priorities. However, new or incumbent, the Attorneys General will work collectively and individually on a wide range of legal and law enforcement issues.

New state and federal legislation as well as new conceptions of the office have dramatically expanded the powers and duties of state Attorneys General. There is a wide variety among the states, commonwealths, and territories in the constitutional or statutory structures conferring powers and responsibilities upon the Attorney General. Each office of Attorney General has a relationship with the state legislature and governors, and unique power and restrictions have resulted from court decisions of each state.

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## **NATIONAL ASSOCIATION OF ATTORNEYS GENERAL**

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The national trend is toward the centralization and consolidation of state legal services within the office of Attorney General. That trend has been accompanied by an increased delegation of authority and new powers to the Attorney General by legislative assemblies in the states. As the legislatures have adopted new laws and programs in response to perceived needs identified by the legislatures, Attorneys General have become active to a degree never before envisioned. Current areas of interest include consumer protection, particularly fighting financial fraud, antitrust, cyberspace law, bankruptcy, child support enforcement, and energy and environment, among others.

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## **Join NAAG for its Spring Meeting**

The NAAG Annual Spring Meeting is scheduled for March 7-9 in Washington, D.C. and registration is now open. It is the first gathering of NAAG membership since 18 new Attorneys General took office following the November elections. Additionally, there is an Acting Attorney General in Pennsylvania and the Wyoming Attorney General designee will be sworn in early March.

The Spring Meeting is traditionally the largest public NAAG meeting and is always held in Washington, D.C. to allow for interaction with federal contacts. "State-Federal Cooperation in a Challenging Economy" is the theme. The Attorneys General will meet with U.S. Attorney General Eric Holder and Federal Trade Commission Chairman Jon Leibowitz during closed sessions. Inez Tenenbaum, U.S. Consumer Product Safety Commission chair, will speak about the Consumer Product Safety Act. Prominent U.S. Supreme Court attorneys Ted Olson and Walter Dellinger return for the annual luncheon to discuss this term's cases. Attendees can also look forward to a Tuesday night reception at the U.S. Supreme Court. Other open sessions will cover intellectual property, parallel proceedings, and Jobs for America. NAAG organizational partners, including the National Center for Missing and Exploited Children and Fight Crime Invest in Kids, will offer project updates.

Contact Jeffrey Hunter, [jhunter@naag.org](mailto:jhunter@naag.org) for more information. Those paying by credit card may register online at [www.naag.org](http://www.naag.org).



# NAAG Welcomes Supreme Court Fellows for Winter Term

The NAAG Supreme Court Fellows program gives assistant attorneys general (AAG) an opportunity for direct and rigorous exposure to the practices of the U.S. Supreme Court. This hands-on experience allows selected AAGs to come to Washington, D.C. for three to four months during the Court's argument session. During this time, they watch oral arguments, participate in moot courts, prepare an amicus brief in a Supreme Court case, and draft the biweekly *Supreme Court Report*. The following two fellows will be working with NAAG Supreme Court counsel from January to the end of March:



**BILL BILDERBACK**

**Bill Bilderback** is a supervising deputy attorney general in the criminal division of the California Office of the Attorney General. He supervises and reviews the work of deputy attorneys general, and represents the state at all levels in the state and federal courts, including preparing amicus curiae merits briefing for the U.S. Supreme Court on behalf of California and joining states. Bill has been with the California office since 1992. During his time there, he has received several honors including the 2006 Attorney General Award for Sustained Superior Accomplishment and the 2005 Attorney General Team Award. He received his bachelor's degree in sociology from the University

of California, Berkeley and his J.D. from the University of San Francisco School of Law.



**DAVID THOMPSON**

**David Thompson** is a senior assistant attorney general in the appellate division of the Oregon Office of the Attorney General. He drafts briefs, handles oral arguments for criminal and civil cases in state and federal appellate courts, and litigates post-conviction and habeas cases in state and federal trial courts. Previously, David was one of three judges on the Court of Appeals for the Confederated Tribes of the Grand Ronde. Throughout his career, he has worked at both law firms and public interest entities. He began his career at the Utah Office of Attorney General as an assistant attorney general. David obtained his

bachelor's degree in political science from Stanford University and his J.D. from the University of Utah College of Law.

## Employee Spotlight



**TAMARA SCHLINGER**

A few months ago, Tamara Schlinger became the newest counsel to join the NAAG Tobacco Project. Her public health background and general knowledge of the Master Settlement Agreement ("MSA") made her the optimal

candidate for this position.

"Through my previous employment, I was exposed to the MSA and I thought this would be a great opportunity to gain significant experience working with this landmark agreement," said Tamara.

In this role, she develops materials for and monitors the Tobacco Project's wiki portal, conducts legal and factual research, draft memos outlining issues or projects, communicates with state contacts regarding tobacco-related matters, and provides legal support and assistance on MSA matters.

Prior to joining NAAG, Tamara worked as the general counsel and special assistant for public policy at The National Center on Addiction and Substance Abuse at Columbia University in New York City. During her time there, she conducted research on various substance abuse and tobacco-related issues, and provided legal advice to the organization. Before that, she practiced law with a large New York City firm.

This North Dakota native received her bachelor's degree from University of North Dakota. She then relocated to New York to complete her master's in public administration and J.D. at Syracuse University. In her spare time, Tamara enjoys traveling, hiking, photography, and reading (current events, fiction, and non-fiction). She currently resides in Burke, Va. with her husband.



## SAVE THE DATE



## SPRING MEETING

MARCH 7-9, 2011 • WASHINGTON, DC

REGISTER ONLINE TODAY

[www.NAAG.org](http://www.NAAG.org)

# THE NEW ATTORNEYS GENERAL



**STRANGE**

## **ALABAMA**

### **Luther Strange (R)**

Prior to his election, Attorney General Strange was an attorney and founder of Strange LLC, a law firm based in Birmingham. Prior to founding Strange LLC, he was a partner with the law firm of Bradley Arant Boult Cummings LLP. Attorney General Strange received both his undergraduate and law degrees from Tulane University. Active in his church and community, He is an Eagle Scout and Rotarian and serves on the Advisory Board of the United States Merchant Marine Academy in Kings Point, New York.

Attorney General Strange appointed Richard Allen as chief deputy. Mr. Allen had previously served as chief deputy to Alabama Attorney General Bill Pryor.



**BURNS**

## **ALASKA**

### **John Burns**

Attorney General Burns was appointed by Gov. Sean Parnell in December 2010. He received a bachelor's degree in history from the University of Alaska Fairbanks (UAF) and a J.D. from the University of Puget Sound School of Law. He has served as an adjunct faculty member at UAF, teaching graduate and undergraduate business law courses. Prior to establishing the law firm of Borgeson & Burns in 1999, he worked for Birch Horton Bittner & Cherot. Attorney General Burns is a member of the board of directors of Hospice of the Tanana Valley and serves on the Chancellor's Advisory Committee for UAF. He is also a participant in the Big Brothers Big Sisters organization.

Attorney General Burns appointed Jim Cantor as his chief deputy.



**HORNE**

## **ARIZONA**

### **Tom Horne (R)**

Prior to being elected as the Arizona Attorney General in 2010, Tom Horne was elected Arizona State Superintendent of Public Instruction in 2002, and was re-elected to a second four-year term in 2006. He served in the Arizona legislature from 1996-2000, during which time he chaired the Academic Accountability Committee and

served as vice-chair of the Education Committee. Attorney General Horne brings 24 years of school board experience as a member of the board of the third largest district in the state. He received his undergraduate degree magna cum laude from Harvard College and his J.D. with honors from the Harvard Law School.

Attorney General Horne appointed Eric Bistrow as chief deputy and Margaret Garcia Dugan as chief of staff.



**HARRIS**

## **CALIFORNIA**

### **Kamala Harris (D)**

Attorney General Kamala Harris served two terms as district attorney in San Francisco. First elected in 2003, she was overwhelmingly re-elected to a second term in November 2007. She graduated from Howard University, and then went to the University of California, Hastings College of the Law. After graduating from law school, she took a position in the Alameda County District Attorney's Office, where she specialized in prosecuting child sexual assault cases. As a deputy district attorney she also prosecuted cases for homicide and robbery. She worked at that office from 1990 to 1998 before going on to serve in the San Francisco District Attorney's Office. During her tenure as a district attorney, she was elected to the Board of Directors of the California District Attorneys Association and as vice president of the National District Attorneys Association. Attorney General Harris is the author of the book, "Smart on Crime: A Career Prosecutor's Plan to Make Us Safer."

Attorney General Harris appointed Matt Rodriguez as chief deputy for legal affairs and Michael Troncoso as chief deputy for administration and policy.



**JEPSEN**

## **CONNECTICUT**

### **George Jepsen (D)**

Elected in November 2010, George Jepsen took office as Attorney General on January 4, 2011. He is a graduate of Dartmouth College, and Harvard Law School, where he graduated with honors and also earned a master's degree in public policy from the Kennedy School. To help pay for his education, he worked as a teaching fellow in Constitutional Law for former Watergate prosecutor Archibald Cox. Following graduation he went to work as staff counsel for the carpenters' union (UBC Local 210)

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for western Connecticut. Attorney General Jepsen served 16 years in the Connecticut General Assembly, first as a state representative, and then as a state senator – the last six as Majority Leader.

Attorney General Jepsen appointed Nora Dannehy as deputy attorney general.



**NATHAN**

## **DISTRICT OF COLUMBIA**

### **Irvin Nathan**

Irvin B. Nathan was nominated in December 2010 by the new mayor of Washington, D.C., Vincent Gray, as the new Attorney General for the District of Columbia. He is serving as the acting Attorney General pending confirmation by the City Council. Prior to his arrival at the Office of Attorney General, he was the general counsel of the U.S. House of Representatives, where he served from November 2007 until January 2, 2011. For more than 30 years, he practiced with the Washington, D.C. law firm of Arnold and Porter, where he was a senior litigating partner and head of the firm's white-collar criminal defense practice. He has served as a deputy assistant attorney general and principal associate deputy attorney general in the U.S. Department of Justice. He also served as the vice chair of the Board of Professional Responsibility of the District of Columbia and as an adjunct professor at the Georgetown University Law Center and the University of San Diego Law School. He is a graduate of the Johns Hopkins University and Columbia University Law School.

## **FLORIDA**

### **Pam Bondi (R)**

Elected in 2010, Attorney General Pam Bondi is a graduate of the University of Florida and Stetson Law School. She served as a front-line prosecutor for over 18 years. Her investigative and courtroom experience includes the successful prosecution of numerous first-degree murder cases and two capital cases. Attorney General Bondi served as Felony Bureau chief and a key member of internal homicide, vehicular homicide, and DUI manslaughter committees. She also served on the Executive Committee responsible for budget, personnel and legal strategies. Attorney General Bondi has served as the vice chair of the Florida Bar Grievance Committee, is active with the Tampa Bay United Way and the Children's



**BONDI**

Board, and is a member of the Junior League Board of Directors, and the University of Florida Gator Club Board of Directors.

Attorney General Bondi appointed Carlos Muniz as deputy attorney general.



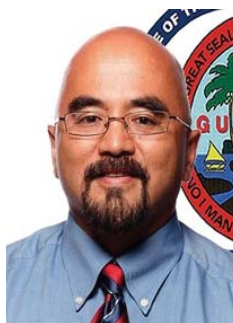
**OLENS**

## **GEORGIA**

### **Sam Olens (R)**

Before being elected Attorney General, Sam Olens previously served as the chairman of the Cobb County Board of Commissioners from August 2002 through March 2010. Previously he served as Cobb County District 3 commissioner from 1999 through June 2002. From December 2004 through 2009, he was chairman of the Atlanta Regional Commission. He was also vice chair of the Metropolitan North Georgia Water Planning District from 2005 through March 2010. Attorney General Olens was appointed by Gov. Sonny Perdue to represent the 6th Congressional District on Georgia's Department of Community Affairs Board in 2003 and served through 2010. He graduated from the Emory University School of Law in 1983 and was a member of Ezor & Olens, P.C. from 1983 through 2010. He is a registered mediator/arbitrator with the Georgia Office of Dispute Resolution.

Jeff Milstien continues to serve as chief deputy.



**RAPADAS**

## **GUAM**

### **Lenny Rapadas**

Attorney General Rapadas is a graduate of Willamette University School of Law. Upon graduation he served as an assistant attorney general in the Criminal Division of the Guam Attorney General's Office. He held the position of chief prosecutor for three years. In 2003, he was appointed and confirmed as U.S. Attorney for the Districts of Guam and the Northern Mariana Islands and served in that position for seven years. While U.S. Attorney, he was a member of the Attorney General's Advisory Committee (AGAC), serving on the Border and Immigration Security, Controlled Substances and Asset Forfeiture, Environment and Natural Resources, and Intellectual Property Sub-Committees, as well as the Military Issues Working Group. He was elected as Guam Attorney General in November 2010.

Phil Tydingco will serve as Attorney General Rapadas' chief deputy.

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**LOUIE**

## **HAWAII**

### **David Louie**

David Louie was appointed as Attorney General by Hawaii's new governor, Neil Abercrombie. He graduated from Occidental College, and received his law degree from Boalt Hall School of Law at the University of California, Berkeley.

Attorney General Louie has served as the director, vice president and president of the Hawaii Bar Association, and on the Board of Directors of the Hawaii Supreme Court Special Committee on Judicial Performance. He has also served as lawyer representative for the U.S. Court of Appeals Ninth Circuit and as the Northwest Regional governor for the National Asian Pacific American Bar Association. Immediately before becoming Attorney General he served as a partner in the Honolulu law firm Roeca, Louie and Hiraoka.

Russell Suzuki continues as first deputy attorney general.



**SCHMIDT**

## **KANSAS**

### **Derek Schmidt (R)**

Attorney General Schmidt earned his bachelor's degree in journalism from the University of Kansas, his master's degree in international politics from the University of Leicester in the United Kingdom, and his law degree from Georgetown University Law Center. Before being elected Attorney

General, he served 10 years as a Kansas state senator representing the 15th district in Southeast Kansas, the last six years of which he served as Majority Leader for the Senate Republican Caucus. During his service in the Senate, he served as chairman of the Agriculture Committee, the Confirmations Oversight Committee, the Legislative Post Audit Committee, and the Special Committee on Medicaid Reform. He served as vice chairman of the Judiciary Committee, the Assessment and Taxation Committee and the Committee on Organization Calendar and Rules. He also worked in the private practice of law with the Independence firm Scovel Emert Heasty & Chubb. Before being elected to the Senate, he served as special counsel and legislative liaison to Gov. Bill Graves. Prior to that he served as assistant Kansas attorney general for consumer protection, as legislative assistant to U.S. Sen. Nancy Landon Kassebaum, and as legislative director and general counsel to U.S. Sen. Chuck Hagel.

Attorney General Schmidt appointed John Campbell as chief deputy and Eric Montgomery as chief of staff.



**SCHNEIDER**

## **MAINE**

### **William Schneider**

Bill Schneider is a career prosecutor, a retired U.S. Army officer, and a former assistant Republican leader in the Maine House of Representatives. He graduated in 1981 from the United States Military Academy at West Point. He served with distinction in the U.S. Army, earning

his Special Forces Tab, Ranger Tab, and Senior Airborne Wings, and being awarded the Meritorious Service Medal. He retired due to a service-connected injury. After working for an engineering company as a project manager on Defense Department physical security programs for several years, he attended the University of Maine Law School, graduating with honors in 1993. He served for the next five years as an assistant Maine attorney general and prosecutor on the Maine Drug Task Force. In 1998, he was elected to Maine House of Representatives. He served on the Joint Standing Committee on Judiciary and several special committees. In his second term, he was elected assistant Republican leader, serving on the Legislative Council, House Elections Committee, and several task forces. After the September 11, 2001 terrorist attacks, He was recruited to serve as the federal anti-terrorism coordinator in the U.S. Attorney's Office for the District of Maine. He served as an assistant U.S. Attorney, conducting investigations and working with local, state, federal and international partners. In addition, he handled a wide variety of civil and criminal cases, including defending the U.S. against immigration appeals by illegal aliens and prosecuting criminals from violent offenders to illegal aliens. Most recently, he was selected to serve on the Guantanamo Review Task Force.

Linda Pistner will continue as chief deputy attorney general.



**SCHUETTE**

## **MICHIGAN**

### **Bill Schuette (R)**

Attorney General Schuette graduated cum laude from Georgetown University, receiving a Bachelor of Science in Foreign Service. He also studied at the University of Aberdeen in Scotland. He earned his law degree from the University of San Francisco. Attorney General Schuette

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has extensive experience in both federal and state government and has served Michigan in the executive, legislative and judicial branches of government for three decades. In 1984 he was elected to the U.S. House of Representatives and went on to serve three terms. In 1990, he was Michigan's Republican candidate for U.S. Senate. In January 1991, Attorney General Schuette was named director of the Michigan Department of Agriculture. In 1994, he was elected to the Michigan Senate, representing Michigan's 35th Senate District. In 2002, he was elected to the Michigan Court of Appeals and served for 6 years as one of 28 appellate judges in Michigan. He also served as senior counsel at the law firm of Warner, Norcross & Judd from 2009 to 2010.

Carol Isaacs will continue as chief deputy attorney general.



**SCHNEIDERMAN**

## NEW YORK

### **Eric Schneiderman (D)**

Attorney General Schneiderman graduated from Amherst College in 1977 and Harvard Law School in 1982. Before being elected Attorney General, he served in the New York State Senate. Earlier in his career, the Attorney General spent 15 years in private practice as an attorney,

and later as a partner at the firm of Kirkpatrick and Lockhart, where he handled complex litigation. He also served as a public interest lawyer for many years. Prior to his law career, Attorney General Schneiderman served as a deputy sheriff where he started the first comprehensive drug and alcohol treatment program at the local jail, and he clerked for two years in the U.S. District Court for the Southern District of New York.

Attorney General Schneiderman appointed Harlan Levy as chief deputy.

## OHIO



**DEWINE**

### **Mike DeWine (R)**

Mike DeWine earned his Bachelor of Science degree in education from Miami University in Oxford, Ohio and a Juris Doctor from Ohio Northern University, College of Law. After law school he served as an assistant prosecuting attorney for Greene County, Ohio, and in 1976 was elected county prosecutor. In

1980 he was elected to the Ohio State Senate and served one term. In 1982 he was elected to the U.S. House of

Representatives and served four terms. He gave up his seat in 1990 to run for lieutenant governor of Ohio as the running mate of George Voinovich. The Voinovich-DeWine ticket was elected in 1991. He was elected to the U.S. Senate in 1994, where he served two terms, and sat on both the Senate Judiciary and Select Intelligence committees.

Attorney General DeWine appointed Mary Mertz as first assistant attorney general.



**PRUITT**

## OKLAHOMA

### **Scott Pruitt (R)**

Scott Pruitt received his B.A. from Georgetown College and his law degree from the University of Tulsa. Pruitt ventured into private practice and specialized in Constitutional Law. In 1998, he was elected to the Oklahoma State Senate, serving until 2006. During his tenure he

served as assistant Republican floor leader for four years. Attorney General Pruitt was co-owner and managing general partner of the Oklahoma City Redhawks triple-A baseball team in Oklahoma City.

Attorney General Pruitt appointed Robert Hudson as first assistant attorney general and Crystal Drwenski as chief of staff.



**RYAN**

## PENNSYLVANIA

### **William H. Ryan, Jr.**

William H. Ryan Jr. was appointed acting Attorney General in January 2011 by Governor and former Attorney General Tom Corbett. Acting Attorney General Ryan is a career prosecutor, serving as a county district attorney, the head of the Attorney General's Criminal

Law Division and most recently as first deputy attorney general.

Since 1997 he has offered advice and guidance to three Attorneys General – Tom Corbett, Jerry Pappert and Mike Fisher – directing investigations involving public corruption, organized crime, narcotics trafficking and other public safety matters along with overseeing legal and administrative matters for the Office of Attorney General.

Prior to joining the Attorney General's Office in 1997, he was twice elected district attorney of Delaware County, Pennsylvania. He began his legal career with the Delaware County District Attorney's Office in 1972, working as a legal intern while in law school, and rose to the position

# THE NEW ATTORNEYS GENERAL

of first assistant district attorney in 1981, a post he held until being elected district attorney in 1987. Acting Attorney General Ryan was also president of the Pennsylvania District Attorneys Association in 1993-94. He graduated from St. Joseph's University and Villanova Law School.



**KILMARTIN**

## **RHODE ISLAND**

### **Peter Kilmartin (D)**

After graduating from high school Attorney General Kilmartin enrolled in the police academy and for 24 years served as a member of the Pawtucket Police Department, starting as an officer on patrol, working his way up to becoming the officer in charge of prosecutions and retiring as a captain. He earned his B.A and J.D. at Roger Williams University. He was elected as a state representative in the Rhode Island legislature and served there almost 20 years. He helped pass laws to protect children from predators, create a witness protection program, ban texting while driving, keep alcohol out of cars, put an end to pension abuses, strengthen domestic violence penalties, and forced health insurance companies to cover reconstructive surgery for women following breast cancer mastectomies. He and his wife, Kristine also founded the Pawtucket Arts Festival in 1999.

Gerald Coyne continues as deputy attorney general.



**WILSON**

## **SOUTH CAROLINA**

### **Alan Wilson (R)**

Attorney General Wilson graduated from Francis Marion University in 1996 and the University of South Carolina School of Law in 2002. He began his legal career working for the late Judge Marc H. Westbrook before prosecuting crimes across South Carolina including violent crimes, white collar crime, public corruption, DUI, domestic violence and child abuse as both an assistant solicitor and as an assistant attorney general. In 2009, he left the Attorney General's office and entered private practice as a civil litigator with the firm of Willoughby & Hoefler in Columbia, S.C. Today, in addition to serving as Attorney General, he serves as a Judge Advocate General in the National Guard where he provides legal support for soldiers and assists in the prosecution military crimes. He holds the rank of Major in the National Guard, and deployed to Iraq where he was awarded the Combat Action Badge.

This is his third stint in the Attorney General's Office. Previously, he served the office as a prosecution division intern under Charlie Condon and as an assistant attorney general under Henry McMaster.

John McIntosh continues as chief deputy attorney general.

## **WYOMING**

### **Greg Phillips**

Greg Phillips was appointed by new Gov. Matt Mead to serve as Wyoming's next Attorney General. He will take office in March 2011. Most recently he has served for the past eight years as a prosecutor in the U.S. Attorney's Office in Cheyenne. He graduated from the University of Wyoming Law School. After law school, he clerked for two years for U.S. District Judge Alan B. Johnson. He also worked as a lawyer for the state of Wyoming and in private practice in Cheyenne. Until his appointment takes effect in March, he will serve as Gov. Mead's special assistant for legislative affairs.

A photo of Greg Phillips was not available at press time.

## **Former Attorneys General Now in Higher Office**

A number of former Attorneys General have been elected or selected to serve in a higher office.

### **Obama administration**

- Secretary of Homeland Security Janet Napolitano (former Arizona Governor and Attorney General)
- Secretary of the Interior Kenneth Salazar (former Colorado U.S. Senator and Attorney General)

### **112th Congress**

The 112th Congress (2011-2012) has nine U.S. senators and three representatives who have served as Attorney General of their respective states or territory:

- Alabama Senator Jeff Sessions
- Arkansas Senator Mark Pryor
- Connecticut Senator Joseph Lieberman
- Connecticut Senator Richard Blumenthal
- New Hampshire Senator Kelly Ayotte
- New Mexico Senator Jeff Bingaman
- New Mexico Senator Tom Udall
- Rhode Island Senator Sheldon Whitehouse
- Texas Senator John Cornyn

# FORMER ATTORNEYS GENERAL

- California Representative Daniel Lungren
- Kentucky Representative Ben Chandler
- Puerto Rico Representative Pedro Pierluisi

## Governors

There are nine current governors who served as state Attorney General:

- Arkansas Governor Mike Beebe
- California Governor Jerry Brown
- Kentucky Governor Steve Beshear
- Missouri Governor Jeremiah “Jay” Nixon
- Nevada Governor Brian Sandoval
- New York Governor Andrew Cuomo
- Pennsylvania Governor Tom Corbett
- Virginia Governor Bob McDonnell
- Washington Governor Christine O. Gregoire

## U.S. Attorneys

- Alicia Limtiaco, Guam and Northern Mariana Islands
- Charles Oberly, Delaware

## Current federal judges who previously served as Attorney General\*

- Honorable James E. Barrett, Senior Judge, U.S. Circuit Court of Appeals for the 10th Circuit, Wyoming
- Honorable D. Michael Fisher, Judge, Third Circuit Court of Appeals, Pennsylvania
- Honorable Jeffrey R. Howard, Judge, First Circuit Court of Appeals, New Hampshire
- Honorable Alan G. Lance, Sr., Judge, US Court of Appeals for Veterans Claims, Washington, DC (former Idaho Attorney General)
- Honorable William H. Pryor, Judge, 11th U.S. Circuit Court of Appeals, Alabama
- Honorable James A. Redden, Senior Judge, U.S. District Court, Oregon

## Current state judges who previously served as Attorney General\*

- Honorable John P. Arnold, New Hampshire Superior Court Judge
- Honorable Mark Barnett, Circuit Court Judge, Hughes County Courthouse, South Dakota
- Honorable Elizabeth Barrett-Anderson, Judge, Superior Court of Guam
- Honorable M. Jane Brady, Judge, Delaware Superior Court

- Honorable Alexandro C. Castro, Associate Judge, Northern Mariana Islands Supreme Court
- Honorable Fred Cowan, Circuit Judge, Jefferson Circuit Court, Kentucky
- Honorable Charles A. Graddick, Circuit Judge, 13th Judicial Circuit, Alabama
- Honorable William U. Hill, Supreme Court Justice, Supreme Court of Wyoming
- Honorable Jim Jones, Justice, Idaho Supreme Court
- Honorable Larry Long, Judge, 2nd Judicial Circuit, South Dakota
- Honorable Mike McGrath, Chief Justice, Supreme Court of Montana
- Honorable Bill Mims, Justice, Virginia Supreme Court
- Honorable Linley E. Pearson, Circuit Judge, Indiana
- Honorable Stuart Rabner, Chief Justice, New Jersey Supreme Court
- Honorable Robert R. Rigsby, Judge, District of Columbia Superior Court, Washington, DC
- Honorable Vanessa Ruiz, Associate Judge, District of Columbia Court of Appeals, Washington, DC
- Honorable Ive A. Swan, Associate Justice, Supreme Court of the Virgin Islands
- Honorable Arabella W. Teal, Administrative Law Judge, District of Columbia Office of Administrative Hearings, Washington, DC

*\*Omissions? Please contact NAAG with any additions or updates, [bgreen@naag.org](mailto:bgreen@naag.org).*

## SAVE THE DATE

### NAAG PRESIDENTIAL INITIATIVE SUMMIT

**America's  
Financial  
Recovery:  
Protecting  
Consumers  
As We Rebuild**

**APRIL 11-12, 2011**  
CHARLOTTE, N.C.



# Humans for Sale: Bargain Prices



**JUDY MCKEE**

JUDY MCKEE, NAGTRI PROGRAM MANAGER

To most Americans, a discussion of slavery is for historians and academics. As a nation, we may still be dealing with the reverberations from our past acceptance of what is now universally condemned as an abhorrent practice, but the notion that slavery still exists in the “land of the free” would be laughable. Unfortunately, however, modern day slavery, in the form of human trafficking, brings an estimated 14,500 to 17,500 people into the United States each year for forced labor or sex.<sup>1</sup> These figures don’t include the unnumbered American citizens, primarily adolescents, who are themselves victims of human traffickers.<sup>2</sup>

In the 2010 annual report on human trafficking, the U.S. Department of State noted:

The United States is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically forced labor, debt bondage, and forced prostitution. Trafficking occurs primarily for labor and most commonly in domestic servitude, agriculture, manufacturing, janitorial services, hotel services, construction, health and elder care, hair and nail salons, and strip club dancing. . . . In some human trafficking cases, workers are victims of fraudulent recruitment practices and have incurred large debts for promised employment in the United States, which makes them susceptible to debt bondage and involuntary servitude. Trafficking also involves passport confiscation, nonpayment or limited payment of wages, restriction of movement, isolation from the community, and physical and sexual abuse as means of keeping victims in compelled service.<sup>3</sup>

Congress passed the “Victims of Trafficking and Violence Protection Act” in 2000. In enacting the statute, the federal government recognized the necessity of tackling trafficking globally as a human rights issue and the

requirement to tackle it domestically through prevention, prosecution, and protection. In the statute, Congress authorized the issuance of a T Visa that grants an international victim of trafficking temporary legal residence in the United States under certain specified conditions.<sup>4</sup> Although issuance of a T Visa has severe limitations, both in the numbers that are allowed to be issued each year and in the qualifications that a victim must meet in order to be eligible for the visa, it is an important tool in a prosecutor’s ability to ensure a witness’ availability to testify.

Most states have followed the federal government’s lead and passed their own state human trafficking laws. States such as Michigan and Ohio have recently strengthened their laws. Nonetheless, state prosecutions under their own human trafficking statutes have been sporadic. A lack of training and resources for investigators and state and local prosecutors and judges, as well as a perception that human trafficking is a federal issue, are cited among the primary reasons why states have not been in the forefront of prosecuting human traffickers.



<sup>1</sup> U.S. Dep’t of Justice, Assessment of U.S. Government Efforts to Combat Trafficking in Persons in Fiscal Year 2004 at 4 (2005), available at [http://www.justice.gov/archive/ag/annualreports/tr2004/us\\_assessment\\_2004.pdf](http://www.justice.gov/archive/ag/annualreports/tr2004/us_assessment_2004.pdf).

<sup>2</sup> Some non-governmental agencies specializing in identifying and rehabilitating human trafficking victims estimate the number of children in the sex trade in the United States to be as high as one million. See, e.g., Luz Laso, UR Panel Discussion Examines Human Trafficking, Richmond Times-Dispatch, Mar. 26, 2010, available at [http://www2.timesdispatch.com/news/2010/mar/26/traf26\\_20100325-222204-ar-7212/](http://www2.timesdispatch.com/news/2010/mar/26/traf26_20100325-222204-ar-7212/).

<sup>3</sup> U.S. Dep’t of State, 2010 Trafficking in Persons Report at 36, available at <http://www.state.gov/g/tip/rls/tiprpt/2010>.

<sup>4</sup> Human trafficking victims are also often eligible for a U visa.

A few years ago, a group of Attorneys General from the border states raised this issue at a Conference of Western Attorneys General meeting. This was followed up by a conference call in October 2009 that was co-hosted by Alicia Limtiaco, then Guam Attorney General and Anne Milgram, then New Jersey Attorney General. Participants on the call included representatives from other Attorneys General offices, personnel from the U.S. Department of Justice (DOJ), Immigration and Customs Enforcement (ICE), and stakeholders from non-governmental agencies. Most recently, at NAAG's Winter Meeting, a panel of experts, including New Mexico Attorney General Gary King and Washington Attorney General Rob McKenna, informed attendees of the gravity of the human trafficking problem in our country.

The DOJ's Bureau of Justice Assistance (BJA) has undertaken to address lack of training for states in investigating human trafficking by funding and training 38 human trafficking task forces throughout the country. NAAG, through its training and research arm, the National Attorneys General Training & Research Institute (NAGTRI), has received a sub-grant from the Upper Midwest Community Policing Institute (UMCPI)<sup>5</sup> to assist in developing curriculum to train state and local prosecutors and judges on human trafficking prevention, investigation, and prosecution. This grant is a reflection of our country's commitment to address human trafficking at every level. During 2011, NAGTRI will work with its partners, UMCPI and the National Judicial College, in holding a series of subject matter expert focus groups, developing the curriculum, and presenting one or two pilot trainings. Training state and local law enforcement, prosecutors, and judges in how to tackle the largely unseen but virulent epidemic of human trafficking will create the environment in which states will be able to become full partners with their federal counterparts in combating this crime.

## Save Money by Investing in Office "Greening"



**LINDA BRUGHELLI**

LINDA BRUGHELLI, AUTHOR,  
GREENWORKSGOV AND CHAIR,  
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I grew up hearing my parents say "Waste not, want not". It was an admonition to get me to turn off my bedroom light when I left the room, to eat the food I put on my plate, and to take care of my consumable

possessions, which in those days were pencils, pens, and binder paper. After three years of heading up the California Attorney General's Green Office-DOJ initiative, I have come to believe that is the fundamental concept that drives every effort to green an office. Our office channels the fight to counteract the effects of global warming by reducing our carbon footprint and being good stewards of the environment. In fiscally-strapped California, we have focused on those measures that save money and are environmentally-friendly business practices, a double meaning for "resource conservation." Boiled down to its core, sustainability means not wasting limited resources. And in the short-run or the long-run, an investment in office greening is going to save money, too. It just makes good sense.

How does an Attorney General's office establish a greening initiative? The most successful green office programs have top-level support, rely on a mix of dedicated staff and volunteer employees, adopt measurable objectives, involve the business and IT functions, and communicate frequently with employees to increase awareness, build interest, support, and momentum. Our Green Office has a charter that our chief deputy issued to all employees to announce the initiative and give it direction and support. His message invited all employees to support the effort and participate as their work permitted up to 5 percent of their time. Our charter sets out the roles of the chair and the volunteer committees to identify local and statewide opportunities and make recommendations to management to adopt greener business practices. As the designated chair, I organized nine committees of about 100 volunteers, and with just 2 percent of our employees and a few hours a month, we have attained a 90 percent awareness rating among our employees. I am chalking the gap up to new employees or the perpetually oblivious. We also garnered a lot of goodwill from both employees and external contacts who commend the Attorney General for "walking the walk".

<sup>5</sup> The UMCPI is one of eight regional institutes funded by the federal Community Oriented Policing Services (COPS).

But where should an Attorney General's office start? I suggest an office focus on the low-hanging fruit. We started our green program over the issue of paper. We shifted our purchasing habits in favor of paper with higher post-consumer content for purely environmental reasons. This is a good thing, but before long we realized that even the small added cost of higher recycled content paper, or any recycled content supplies and equipment for that matter, would not garner institutional support if it reduced resources for other mission-critical expenditures. We coupled paper with printing and demonstrated that if we could provide employees with easier access to two-sided printers and copiers, that the paper saved would not only pay for the additional cost of the paper, but also would add to the environmental benefits by lowering the overall consumption of paper. This is a good example of the need and opportunity to be equally mindful of cost efficiency and environmental benefits.

One step that has a short "return on investment" is desktop power management software. It puts the PC and monitor into sleep mode and we have seen a 23 percent reduction in energy consumption. That translates to a smaller electric bill. We were able to offset a large portion of the cost of the software by obtaining rebates from our state utilities. Savvy IT staff can point to server virtualization and cloud computing as other significant energy and equipment saving strategies.

In the first year, we had some early and easy successes in boosting recycling just by better placement of bins and signage explaining what could be recycled in them. We added some where employees would find it easier to recycle paper, bottles, and cans. No money for bins? Cardboard boxes and clear labeling work fine. If your office doesn't have a recycling service associated with trash collection, encourage employees to volunteer to take recyclables to a center for cash. The cash can serve as a good "kitty" builder for green endeavors when it is needed to buy promotional items, like re-useable bags or air-purifying plants to resell to employees as part of the awareness effort.

It is great if the office can establish a dedicated unit with staff support, but it doesn't require an investment of new resources to have an impact. I work half-time on our greening program with a student. We have over 4000 employees and 50 office locations, but most work in six large offices. We are a lean operation that respects the valuable time of our volunteers, so we know what it is to be cost-efficient and effective. What is essential, however, is having the support of executive management. In some cases, executive management will need to reach beyond the Attorney General's office to the state administrative office that has policy and oversight responsibility for con-

tracts for office supplies, building maintenance, recycling, and procurement. If the Attorney General's office doesn't control the decision-making in these areas, it can still find valuable allies in other state administrative agencies to advance green business practices.

An alternative to establishing any formal policies is to adopt an informational program. Employees value useful tips, resources and information in newsletters, the Intranet, and in "lunch and learn" sessions that they can use in their work or in their personal lives. That itself is a step in the direction of going green, and helps sustain a conversation that can evolve into more concrete actions. The important thing to do is to start.

GreenWorksGov.com is a website hosted by the Conference of Western Attorneys General. The website is dedicated to helping government offices green their operations. Visit the site and its weekly blog articles for more practical information, resources, and "how to" tips for success. There is an archive of more than 60 articles to help an office save some green and go green at the same time. GreenWorksGov would like to write about your efforts, what works and what doesn't. Email me your stories to share at [LBrughelli@cwagweb.org](mailto:LBrughelli@cwagweb.org). We have an international readership of 1500 who would appreciate and benefit from your experiences and lessons learned.

## NAGTRI Schedule



### **Computer Forensics**

February 7-9, 2011, Hyatt Regency; Savannah, GA

Contact: Hedda Litwin, [hlitwin@naag.org](mailto:hlitwin@naag.org)

### **Technology Trends: Doing More with Less**

February 8-10, 2011, Ft. Lauderdale, FL

Contact: Scott Messing, [smessing@naag.org](mailto:smessing@naag.org)

### **E-Discovery**

February 10-11, 2011, Boston, MA

Contact: Bill Malloy, [wmalloy@naag.org](mailto:wmalloy@naag.org)

### **Advanced Leadership and Management**

February 23-24, 2011, Providence, Rhode Island

Contact: Bill Malloy, [wmalloy@naag.org](mailto:wmalloy@naag.org)

### **Intellectual Property Rights Training**

March 1, 2011, Los Angeles, CA

Contact: Dennis Cuevas, [dcuevas@naag.org](mailto:dcuevas@naag.org)