

2017 ANNUAL REPORT





About Our Office

MISSION

The Office of the Attorney General will provide excellent, independent and ethical legal services to the State of Washington and protect the rights of its people.

VISION

The Office of the Attorney General will be the best public law office in the United States.

VALUES

All staff in the Office of the Attorney General are guided by the following core values:

1. We will deliver high quality legal services and remember that we serve the people of Washington.
2. We will conduct ourselves with integrity, professionalism, civility and transparency.
3. We will promote a collegial, inclusive and diverse workplace that values, respects and supports our employees.



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Attorney General Ferguson speaks about the value of public service and benefits of working at the Attorney General's Office at Seattle University. Ferguson spoke at every law school in Washington state in 2017.

MESSAGE FROM THE ATTORNEY GENERAL



It has been a remarkable year at the Attorney General's Office, and I continue to be inspired by the dedication of the office's more than 1,200 public servants who work hard every day to represent all Washingtonians.

Beginning with our successful challenge of President Trump's first travel ban, the office was repeatedly called upon in 2017. We held the federal government accountable to the rule of law and protected Washingtonians, with 19 lawsuits spanning multiple units and divisions.

These efforts showcased the team spirit of our office, involving attorneys and staff ranging from Ecology to Social & Health Services, Consumer Protection to the Wing Luke Civil Rights Unit challenging illegal and unconstitutional actions by the administration.

The cases are as varied as the attorneys and professional staff across the agency who have tackled them, from defending energy efficiency standards, to protecting Dreamers, to fighting for protections for student borrowers.

Every court to rule on one of these lawsuits in 2017 ruled in favor of Washington state. We were successful in five lawsuits without losing a single case. Including cases in which we filed amicus briefs challenging unlawful actions by the Trump Administration, Washington was 7-0 in federal lawsuits in 2017.

While these 19 important cases garnered a lot of attention, they are just a tiny fraction of the important work the Attorney General's Office does every day.

At any given time, the more than 600 attorneys and 600 professional staff at the Attorney General's Office are working on around 20,000 legal matters. We continue to work diligently to improve public safety, protect the vulnerable, preserve the environment, support consumers and businesses, improve open government and provide legal counsel to state agencies.

This Annual Report features these efforts and much more. It highlights not just our high-profile work that makes news, but the critical behind-the-scenes public service we do every day on behalf of our clients and the people of Washington state. It presents the broad range of matters we handle, highlights the major legal issues facing the state and showcases notable office achievements throughout 2017 as we proudly served the people of Washington.

These accomplishments are a testament to the employees of the Attorney General's Office, who are dedicated to continuing the office's tradition of excellence and independence.

As a fourth-generation Washingtonian, I am honored to lead this team of devoted, talented public servants.

A handwritten signature in blue ink that reads "Bob Ferguson". The signature is written in a cursive style. Above the signature is a horizontal blue line.

Bob Ferguson, Attorney General

FROM THE HEADLINES

"Washington state sues Trump over plan to end 'Dreamer' protections for young immigrants"

- The Bellingham Herald, 09/06/2017

"AG Bob Ferguson files lawsuit — first by any state — to invalidate Trump's order"

- Seattle Times, 01/30/2017

"The state and Seattle file opioid lawsuits, joining Everett"

- The Herald (Everett) 09/28/2017

"Connelly: Wash. seeks to join legal defense of transgender soldiers"

- Seattle PI, 09/25/2017

"Washington AG files lawsuit against Grant County agricultural company accused of sexually harassing female workers"

- Pacific Northwest Inlander, 04/26/2017

"State sues Tacoma's Northwest Detention Center for paying immigrant detainees \$1 a day"

- Tacoma News Tribune, 09/20/2017

"Mattawa landlord dinged for 'sham' agreements"

- Columbia Basin Herald, 11/02/2017

"State sues Capital Medical Center, alleging it denied charity care"

- The Olympian, 09/22/2017

"Drug fraud settlement nets Washington state \$368,000"

- The Spokesman Review, 07/26/2017

"Travel plans disrupted from Tehran to Oysterville"

- The Chinook Observer, 02/07/2017

"State Supreme Court rules Richland flower shop discriminated against gay couple by refusing wedding service"

- Tri City Herald, 02/16/2017

"Ferguson champions consumer protection"

- The Columbian, 07/18/2017

"Attorney General Bob Ferguson to challenge Trump administration on national monuments"

- Tri-City Herald, 05/11/2017



Attorney General Ferguson speaks during a press conference at Sea-Tac International Airport. Ferguson met with Isah who had previously been denied entry into the United States due to President Trump's first executive order on immigration. Ferguson's family in Seattle after the Attorney General's Office successfully obtained a temporary restraining order, blocking the



*Shaq Ahmed Rabi - a Somali national
nation. Rabi was reunited with his
travel ban nationwide.*

SERVING THE PEOPLE OF WASHINGTON STATE

The employees of the Attorney General's Office serve the people of Washington by ensuring powerful interests are held accountable and play by the rules. The office enforces state laws that promote fair market competition and protect consumers. The office also works with law enforcement to improve public safety, protect children and keep dangerous predators out of our communities.

In 2017, our office provided high quality legal services to state agencies, boards and commissions. We also continued our focus on consumer protection, open government, public safety, civil rights and campaign finance.

We were the first state to challenge the President's executive order on immigration. In total, our office filed 19 significant cases against the federal government to protect Washingtonians from a variety of unlawful and unconstitutional actions brought about by the Trump Administration.

Our office also took big steps toward combating the opioid epidemic in Washington state. This work includes a lawsuit against a major pharmaceutical company and policy proposals that would reduce the supply of opioids in the state.

We continue to protect the civil rights of all Washingtonians and scored many major civil rights victories.

Standing up for Civil Rights

Launched in 2015, the Wing Luke Civil Rights Unit continued its work investigating discrimination in employment, housing, credit, insurance and public accommodation. The unit also led multiple high-profile lawsuits against the federal government.



Wing Luke Civil Rights Unit Chief Colleen Melody - joined by AG Ferguson, Governor Inslee and a group of Dreamers - outlines a lawsuit the office filed against the Trump Administration regarding its decision to end DACA.

9-0 Arlene's Flowers Decision

In a case that Attorney General Ferguson personally argued, the Washington State Supreme Court unanimously agreed with the Attorney General's Office that a Richland florist discriminated against a same-sex couple. The Supreme Court upheld a Benton County Superior Court ruling that the florist violated the state Consumer Protection Act in February 2015.

In 2013, Attorney General Ferguson filed suit against Arlene's Flowers and its owner, Barronelle Stutzman, for refusing to provide flowers to a customer for his same-sex wedding, despite providing this service to heterosexual couples. Before filing the lawsuit, Ferguson sent a letter to Stutzman asking her to comply with Washington law prohibiting businesses from discriminating on the basis of sexual orientation. When she refused to comply, he filed the lawsuit.

After the ruling in Washington State Supreme Court in February, Stutzman appealed to the United States Supreme Court.

The case was handled by the Consumer Protection Division and the Solicitor General's Office.

The decision "upholds a core value of American law. That core value is the essential human dignity of every person," Michael Scott [plaintiffs' attorney] said in a news conference. "The opinion affirms over a century, an unbroken century of precedent, prohibiting discrimination in places of public accommodation."

- Tri-City Herald, 02/16/2017

Defending Washington's Dreamers

A day after President Trump's decision to end the Deferred Action for Childhood Arrivals (DACA) program, the Attorney General's Office challenged the move.

Nearly 18,000 "Dreamers" live, work and go to school in Washington state, joining about 800,000 nationwide. The DACA program allows these Dreamers, who were brought to the United States illegally as children, to remain in the country if they meet certain criteria, including not having a criminal record or otherwise posing a threat to national security.

The lawsuit, filed in the Eastern District of New York with 16 other attorneys general, alleges that the President's decision to end DACA also directly injures colleges and universities, employers and state economies by removing the protections that allowed Dreamers to remain in the U.S. without fear of deportation.

Without intervention from the courts or congress, the President will end the program after six months, exposing Dreamers to deportation in the spring of 2018. AAG Marsha Chien drafted the state's complaint.

Enforcing State Minimum Wage Laws in For-Profit Detention Centers.

In September, the Civil Rights Unit filed a lawsuit against the second-largest private prison operator in the country, The GEO Group Inc., for violating state minimum wage laws at its Northwest Detention Center in Tacoma. Detainees completed virtually all non-security functions at the detention center in return for only \$1 per day or snacks for their work.

The lawsuit alleges that for more than a decade, GEO netted millions in ill-gotten profits with this practice.

While some state-run facilities are exempt from the state's minimum wage laws, private, for-profit companies are not. The lawsuit alleges that GEO both violated state minimum wage laws by paying less than the minimum wage, and profited from its illegal activity.

Combating Farm Worker Sexual Harassment

In April, the Attorney General's Office filed a federal civil rights lawsuit against Quincy agricultural company Horning Brothers LLC and one of its managers.

The suit, filed in U.S. District Court for the Eastern District of Washington, alleges that the Grant County company allowed one of its foremen, Hermilo Cruz, to sexually harass and discriminate against female employees for several years, retaliating against employees who rejected Cruz's advances or complained about his conduct.

Multiple sorters at the company were allegedly subjected to unwelcome, and sometimes severe and pervasive sexual advances from Cruz, including requests for sex, comments about their appearance, overt sexual gestures, groping and unwanted touching. The complaint also alleges that Cruz required or attempted to require some women to have sex with him to ensure they would continue to be employed.

The case was referred to the AGO by the Northwest Justice Project.

Combating Anti-Muslim Discriminatory Employment Practices

In March, the Civil Rights Unit obtained what it believes is the largest civil rights resolution in Washington history. Mukilteo-based aerospace company Electroimpact paid \$485,000 after an investigation alleging discrimination by the company, retaliation against employees and unfair or deceptive advertising.

Despite describing itself as an equal opportunity employer, Electroimpact and its president, Peter Zieve, refused to hire Muslim applicants; discriminated against employees based on religion, national origin and marital status and retaliated against employees who opposed these practices. All of these practices violated the Washington Law Against Discrimination (WLAD) and the Consumer Protection Act.

In addition to the restitution and damages, Zieve is prohibited from participating in evaluating individual candidates or employee complaints. The company will update the employee handbook to reflect a non-discrimination policy, provide

trainings on its obligations under WLAD and make reasonable efforts to increase its hiring of minorities in the future.

Enforcing Disability Rights

In January, a Yakima judge sided with the Attorney General's Office in ruling that Yakima-based heavy haul trucking company Haney Truck Line violated the Washington Law Against Discrimination by refusing to allow an employee with a disability to bring a trained service dog to work.

Haney, which operates in seven states and Canada, was ordered to pay nearly \$23,000 in damages and costs for discriminating against an employee with hypoglycemia. The company prohibited her from using her trained service animal, Lucky, who alerts her to dangerous blood sugar drops.

Haney was ordered to pay the victim \$20,000 in damages — the maximum amount allowed by law — “for the humiliation and mental suffering caused by (Haney's) arbitrary denial of Lucky.” The judge also ordered Haney to pay \$2,730 in expenses to the victim.

The Washington State Human Rights Commission investigated the complaint, and the Attorney General's Wing Luke Civil Rights Unit handled the case.

Protecting Transgender Individuals

In 2017, the Attorney General's Office continued to take the lead on defending transgender individuals' rights in the classroom and in the military.

The Attorney General's Office led a coalition of states in two amici defending a transgender high school student's right to use the bathroom corresponding with his gender identity. The U.S. Supreme Court remanded the case, *Gloucester County School Board v. G.G.*, back to a lower court after the Trump Administration rescinded Obama-era guidelines protecting transgender students from discrimination in public schools. The lower court had relied upon these guidelines in its ruling.

The office also led a coalition of nine states and the District of Columbia urging the U.S. Department of Veterans Affairs to provide transgender veterans access to medically necessary health care, such as sex reassignment surgery.

In July, President Donald Trump tweeted that transgender individuals could no longer serve in the military. A month later, the President turned his tweet into policy. Washington became the first state to join a case defending transgender individuals' right to serve. In December, a federal judge granted the office's preliminary injunction, which blocks the ban while the case moves forward. The Department of Justice decided not to appeal the injunction.

BLOCKING THE PRESIDENT'S UNCONSTITUTIONAL



Attorney General Ferguson speaks to reporters after U.S. District Judge James Robart granted the state's motion for a temporary restraining order that blocked President Trump's first travel ban nationwide.

After calling repeatedly during his campaign for “a total and complete shutdown of Muslims entering the United States,” Donald Trump’s presidency was just seven days old when he signed Executive Order 13769, which shut down travel from seven majority-Muslim countries into the U.S.

Trump’s order, issued the evening of Friday, Jan. 27, immediately caused chaos and confusion. It stranded tens of thousands of students, employees and family members at airports around the world, and left refugees and immigrants in limbo. The executive order also jeopardized the status of green card-and visa-holders from the seven countries.

Many attorneys and professional staff across multiple divisions of the Attorney General’s Office worked over the weekend, organizing a legal challenge to the ban and gathering declarations from businesses like Amazon and Expedia, as well as colleges and universities across the state.

On Monday, just three days after the order was issued, Washington became the first state to file a lawsuit challenging the legality and constitutionality of the President’s order. The Attorney General’s Office also sought a temporary restraining order (TRO) blocking implementation of the ban. A hearing was scheduled for the end of the week, on Friday, Feb. 3, before U.S. District Court Judge James Robart.



1/27/17

President Trump signs an Executive Order banning travelers from seven Muslim-majority countries.

2/3/17

U.S. District Judge James Robart grants a temporary restraining order blocking implementation of the ban nationwide. The Trump administration appeals the ruling to the Supreme Court.

Jan

Feb



1/30/17

Washington files a lawsuit challenging the Executive Order and seeks a temporary restraining order.

2/9/17

A three-judge panel of the Ninth Circuit Court of Appeals grants a temporary restraining order against the Trump administration and pays the state's legal fees.

Washington has achieved continued success in protecting Washingtonians from harmful actions taken by the federal government. By the end of 2017, Washington filed 19 lawsuits — at negligible cost to taxpayers — against the Trump Administration, and every court to rule on these lawsuits has ruled in favor of Washington state. Some of the cases summarized below are mentioned elsewhere in this report. Follow the page numbers listed to learn more.

Successful Outcomes - No Further Appeals



Attorney General Ferguson speaks to a reporter following a Ninth Circuit ruling against the Trump Administration in the Washington v. Trump travel ban case.

Washington v. Trump: (First Travel Ban)

Washington was the first state to challenge President Trump's first executive order barring travel from seven Muslim-majority countries and has continued to challenge subsequent iterations of the ban. See page 8 for more info.

New York v. Perry: (Energy Efficiency)

Washington and a multistate coalition of attorneys general successfully challenged the Trump Administration's unlawful delay in implementing new energy efficiency rules for ceiling fans. See page 17 for more info.

New York v. EPA: (Ground-Level Ozone)

Washington and a multistate coalition of attorneys general successfully challenged the EPA after Administrator Scott Pruitt announced his decision to delay designating which areas of the country met the new ground-level ozone standards. The next day, Pruitt reversed course and withdrew the decision to delay. Ground-level ozone causes asthma and other respiratory problems. The EPA determined a new standard, adopted in 2015, would have public health benefits worth an estimated \$2.9 billion to \$5.9 billion.

Clean Air Council, et al. v. EPA: (New Oil & Gas Facilities)

Washington and a multistate coalition of attorneys general intervened in a lawsuit against the Environmental Protection Agency challenging delays in implementing a rule regulating emissions from new oil and gas facilities. The rule provides important protections for Washington's residents against the release of methane, a powerful greenhouse gas that has more than 80 times the global warming potential of carbon dioxide. On July 3, the court ruled in favor of Washington state, finding that the EPA had violated the Clean Air Act. See page 17 for more info.

California, et al. v. U.S. Department of Transportation: (Greenhouse Gases)

Washington and a multistate coalition of attorneys general filed a lawsuit after the Federal Highway Administration unlawfully suspended a rule aimed at reducing greenhouse gases. The rule requires states to measure the amount of greenhouse gases emitted by on-road vehicles on the national highway system and to set targets for reducing emissions. The Federal Highway Administration has since conceded and announced the rules would immediately go into effect.

Ongoing Cases against the Trump Administration Led by Washington:

The following ongoing lawsuits were led by Washington. These cases have not yet been resolved.

New York, et al. v. Trump: (DACA)

Washington led a multistate coalition of attorneys general in a lawsuit seeking to halt President Trump's decision to end the Deferred Action for Childhood Arrivals program. See page 6 for more info.

Karnoski, et al. v. Trump, et al.: (Transgender Military Ban)

Washington joined nine individual plaintiffs and three organizations in filing suit defending transgender individuals' right to serve. A judge granted the state's preliminary injunction, which blocks the ban while the case moves forward. See page 7 for more info.

Washington v. Trump, et al.: (Access to Contraceptives)

Washington and a multistate coalition of attorneys general filed suit challenging President Trump's rules restricting contraception access. If allowed to go forward, President Trump's rules could impact more than 1.5 million Washington workers and their dependents who receive insurance through their employer's self-funded plan. One study found that contraception can exceed \$1,000 a year without insurance coverage. The lawsuit alleges that the new rules violate the U.S. Constitution, the Affordable Care Act (ACA) and the Civil Rights Act.

Other Lawsuits against the Trump Administration:

The following legal actions are part of multistate lawsuits with another state serving as the lead.

League of United Latin American Citizens v. Pruitt: (Pesticide Review)

Washington and a multistate coalition of attorneys general filed a motion to intervene in a case to ensure that the EPA completes its safety review of the neurotoxic pesticide chlorpyrifos to protect farmworkers and those living in agricultural communities. See page 16 for more info.

Massachusetts, et al. v. DeVos, et al.: (Student Borrower Defense Rules)

Washington and a multistate coalition of attorneys general filed a lawsuit against the Department of Education for delaying the borrower defense regulations, which provide important consumer protections for students of for-profit colleges. See page 15 for more info.

California, et al. v. Trump: (Health Care)

Washington and a multistate coalition of attorneys general filed a lawsuit challenging the Trump Administration's decision to terminate out-of-pocket health care cost-sharing reduction subsidies for low-income Americans. This will increase the premiums of 100,000 Washingtonians by as much as 28 percent.

New York v. Pruitt: (Chemical Disaster Rule)

Washington and a multistate coalition of attorneys general challenged the Trump Administration's unlawful delay of the Chemical Disaster Rule. See page 16 for more info.

California, et al. v. Perry: (Energy Efficiency)

Washington and a multistate coalition of attorneys general filed a lawsuit over the Trump Administration's unlawful delay of new energy efficiency standards for appliances. See page 17 for more info.

California, et al. v. Zinke, et al.: (Coal Mining Leases)

Washington and a multistate coalition of attorneys general filed a lawsuit challenging the Department of the Interior's decision to restart a program to lease coal-mining rights on public land without supplementing or replacing its nearly 40-year-old environmental study. See page 17 for more info.

Maryland, et al. v. Dept. of Education: (Gainful Employment Rule)

Washington and a multistate coalition of attorneys general filed a lawsuit against the Department of Education for unlawfully delaying the gainful employment rule. The rule keeps colleges from offering worthless degrees and leaving their graduates with high levels of debt.

California v. Pruitt: (Ground-Level Ozone)

Washington and a multistate coalition of attorneys general filed a lawsuit accusing the Environmental Protection Agency of violating the Clean Air Act by delaying air quality standards for ground-level ozone pollution. After the states filed a lawsuit in July, the EPA withdrew its decision to delay the deadline for adopting the designations. However, the EPA failed to meet the Oct. 1 deadline for the designations.

Massachusetts, et al. v. DHS et al.: (Freedom of Information Act)

Washington and a multistate coalition of attorneys general filed a lawsuit accusing the Trump Administration of failing to comply with a Freedom of Information Act request regarding information on federal immigration enforcement. The AGs requested the information from a number of agencies within the Department of Homeland Security.

Protecting Consumers

Every Washington consumer and business benefits from the vital role our office plays in ensuring fair market competition by enforcing consumer protection and antitrust laws. The office also provides a range of complaint mediation, and delivers education and outreach services designed to inform Washingtonians about their legal rights.



Consumer Protection Division AAG Audrey Udashen, joined by Rep. Laurie Jinkins and AAG Bob Hyde, speaks at a press conference on alleged charity care violations committed by St. Joseph Medical Center.

Enforcing Charity Care Laws

The Attorney General's Office filed Consumer Protection Act lawsuits in September against two Western Washington hospitals for violating the state's charity care laws.

All hospitals — for-profit and non-profit, public and private — are required to follow Washington state charity care laws. The laws require hospitals to inform patients of their charity care rights and screen patients' for eligibility, among other requirements.

The actions of the two hospitals, St. Joseph Medical Center in Tacoma and Capital Medical Center in Olympia, likely deprived tens of thousands of low-income patients access to charity care.

For example, former workers told AGO investigators that St. Joseph directed employees to “never volunteer information” about charity care to patients, and to only provide charity care applications when a patient specifically requested one, often after aggressively seeking payment. Similarly, the AGO accuses Capital of creating a culture that elevated aggressive collection over access to charity care.

The hospitals' practices allowed them to provide charity care at well below the regional average, providing potential benefits to their financial position.

CHI Antitrust

In August, the Attorney General's Office challenged health care company CHI Franciscan for two unlawful agreements that raised prices and decreased competition for healthcare on the Kitsap Peninsula.

In 2016, CHI Franciscan acquired WestSound Orthopaedics and partnered with The Doctors Clinic, a multi-specialty practice with more than 50 physicians in seven locations throughout Kitsap County. The three companies are the largest providers of orthopedic physician services in the Kitsap region.

These anti-competitive transactions led thousands of Kitsap Peninsula patients to face higher prices, increased wait times, difficulty in scheduling procedures, and a reduction in their choice of services and locations, the lawsuit alleges. Meanwhile, CHI Franciscan has gained over \$1 million from the acquisitions.

Both transactions also enabled CHI Franciscan to capture more patient referrals and shift services to its wholly owned hospital, Harrison Medical Center, the only civilian acute-care hospital in Kitsap County. The transactions allow the company to reap the benefit of more expensive, hospital-based rates.

The lawsuit, filed in federal court, alleges the company violated both state and federal antitrust laws and should pay back the ill-gotten gains of its price-fixing agreement.

Holding Purdue Pharma Accountable

In late September, the Attorney General's Office sued OxyContin maker Purdue Pharma, one of the nation's largest manufacturers of opioids. The suit accuses Purdue of fueling Washington state's opioid epidemic while embarking on a massive deceptive marketing campaign to convince doctors and the public that their drugs are effective for treating chronic pain and have a low risk of addiction, contrary to overwhelming evidence.

The lawsuit contends that Purdue conducted an uncontrolled experiment on the American public without any reliable clinical evidence that opioids are effective at treating chronic pain.

Purdue's deception yielded the company billions of dollars in profit nationwide from its opioid drugs. The AGO's lawsuit seeks to force Purdue to forfeit the Washington portion of those profits.

In addition to false claims about the safety and effectiveness of long-term opioid use, the lawsuit alleges that Purdue made false claims about the addiction risk of the drugs. Purdue persuaded doctors that signs of addiction were likely symptoms of undertreated pain, an unproven concept known as "pseudoaddiction."

The company also underplayed the risk of addiction to doctors and likely violated a 2007 court order by not reporting suspicious prescribers to state authorities, the lawsuit alleges.



Washington State Patrol Chief John Batiste speaks at a two day opioid summit hosted by the office.

Clamping down on the opioid crisis, which now claims the lives of about 700 Washingtonians annually, shouldn't cause cancer patients or others with chronic pain to suffer needlessly. But it must involve cutting down on the number of excess pills cluttering the medicine cabinets of American homes — prescriptions that can easily be shared, stolen or misused.

- The Seattle Times, 11/27/2017

Opioid Summit & Report

In June, the Attorney General's Office held a two-day summit on Washington state's opioid epidemic, convening law enforcement, medical professionals, prosecutors and public health experts.

Speakers at the summit shared local innovations and best practices from around the country, from drug monitoring to health care fraud investigations. The Attorney General's Office planned the summit in partnership with the Washington State Patrol and the Washington Association of Prosecuting Attorneys.

Based on information shared at the summit, the Attorney General's Office released a report recommending specific policies to reduce the supply of opioids in Washington state. The report recommends a comprehensive approach to the problem, addressing prevention, treatment and enforcement.

The many recommendations from the report include requiring doctors to check a prescription-monitoring database, limiting initial prescriptions of opioids, expanding drug take-back programs, enhancing penalties for fentanyl trafficking and increased funding for drug task forces.



Attorney General Ferguson - joined by Seattle City Attorney Pete Holmes, health professionals, first responders & victims of the opioid epidemic - announces a major lawsuit against Purdue Pharma.

LCD Settlement Payout

More than 24,000 Washington consumers received payouts after the Attorney General's Office successfully recovered \$63 million in a price-fixing case involving LCD panels. The world's major LCD manufacturers met in secret for years to artificially inflate their prices. As a result, consumers overpaid for common devices like televisions, computers, iPods and cellphones.

Enforcing the state Data Breach Law

In November, Attorney General Ferguson filed a multi-million dollar consumer protection lawsuit against ride sharing company Uber, alleging thousands of violations of the state's data breach notification law. Uber discovered a data breach potentially affecting 57 million passengers and drivers around the world, including the names and driver's license numbers of at least 10,888 Uber drivers in Washington. Uber did not notify the Attorney General's Office of the breach for more than a year. State law requires notification within 45 days of the breach.

Amended Complaint Against Comcast

In December, the office amended its 2016 lawsuit against Comcast to include new evidence revealing even more deceptive conduct than previously alleged.

The initial complaint, filed in August of 2016, asserts Comcast misrepresented the scope of its Service Protection Plan (SPP) to hundreds of thousands of Washington customers.

In May 2017, King County Superior Court Judge Timothy Bradshaw ordered Comcast to provide the Attorney General's Office with "telephone calls that exist in which [Comcast] sold the SPP to Washington consumers." In response to the court order, Comcast turned over to the Attorney General's Office recordings of calls between Comcast and 1,500 Washington consumers whom Comcast signed up for the SPP.

A randomly selected sample of recorded calls between SPP subscribers and Comcast representatives reveal that Comcast may have signed up more than half of all SPP subscribers without their consent. Comcast deceived many consumers even when mentioning the SPP, telling some that the plan was "free" when they signed up, when in fact, Comcast would automatically charge them every month after the first month.

The Attorney General's Office alleges this pattern of deception is a systemic issue throughout Comcast's marketing and "sale" of the SPP, and represents potentially tens of thousands of new violations of the Washington state Consumer Protection Act.

Navient

The Attorney General's Office filed a lawsuit early in the year against student-loan servicer Navient, the largest student-loan servicer in the nation and an offshoot of education-finance giant Sallie Mae. The lawsuit accuses Navient of deceptive practices including improperly steering students toward short-term forbearances, rather than assisting borrowers in applying for income-driven repayment programs.

Borrowers who did choose income-driven repayment did not receive adequate notice from Navient of their yearly obligation to re-certify their income and family size. They were often penalized with significant monthly payment hikes.

While operating as Sallie Mae, Navient made subprime, predatory loans to students attending for-profit colleges with low graduation rates, despite clear expectations that a high percentage of students would not be able to repay them.

Navient also deceptively promoted a "co-signer release" feature to entice family and friends to co-sign loans. Once the borrower has demonstrated an ability to pay, according to Navient, the co-signer may apply to be released. In practice, Navient put up arbitrary barriers and failed to disclose that very few borrowers ever achieve co-signer release.

The lawsuit is the result of a multi-year investigation by Washington, Illinois and the federal Consumer Financial Protection Bureau (CFPB).

Aequitas

In August, the Attorney General's Office garnered more than \$7 million in student loan debt relief for nearly 2,000 former Everest College students in Washington. The relief came as part of an Assurance of Discontinuance forcing Lake Oswego, Ore.-based Aequitas Capital Management to reduce, and in some cases eliminate, private student loan debt it manages for former students of for-profit Corinthian Colleges.

Corinthian owned and operated seven Western Washington Everest College campuses until it folded in 2015. A year earlier, Corinthian was sued by the CFPB over its "illegal predatory lending scheme." Corinthian had come under fire along with other large for-profit colleges for aggressive recruitment practices and misrepresenting job placement rates.

Aequitas, which had purchased Corinthian private student debt, collapsed after the demise of Corinthian. As a result of the AGO's agreement with Aequitas, more than 1,200 Washington student borrowers had



Attorney General Ferguson discusses the office's lawsuit against Navient with a Q13 reporter.

more than \$5 million in student loans forgiven, and another 700 saw their loan balances reduced by 55 percent.

The Washington borrowers' debt relief was part of a more than \$192 million agreement with Aequitas involving 13 states, in conjunction with the CFPB.

Standing up for former Corinthian Students

Washington joined a 46-state effort in April to reach out to tens of thousands of former Corinthian Colleges students who attended certain campuses and programs about their eligibility for "streamlined" cancellation of their federal student loans.

Corinthian owned and operated Everest College campuses in Everett, Fife, Tacoma, Bremerton, Renton, Seattle and Vancouver until February of 2015, when they were sold. About 5,700 Washington student borrowers were contacted as part of the outreach.

The "streamlined" discharge program is driven by a Department of Education determination that Corinthian made widespread misrepresentations about post-graduation employment rates for certain programs across the nation.

In the months after the outreach, AGs around the country heard of extended delays in the program. In June, Ferguson co-wrote a letter with Illinois Attorney General Lisa Madigan and Massachusetts Attorney General Maura Healey, signed by 15 other attorneys general, urging U.S. Secretary of Education Betsy DeVos to act.

"Relieving these hard-working Americans of their fraud-induced student debt will free them to participate more

fully in their local economies, or even continue their educations with reputable schools," the Attorneys General wrote.

Student Loan Protections

During the summer, the Attorney General's Office joined two lawsuits to defend federal rules that protect student loan borrowers from predatory and deceptive practices by higher education institutions.

In the first, *CAPPS v. DeVos*, a group of private schools filed a lawsuit against the Department of Education challenging the Obama-era rules. Lacking faith in the federal government to adequately defend the state's interests, the Attorney General's Office intervened to defend the so-called borrower defense regulations.

The Attorney General's Office filed a second lawsuit against Secretary Betsy DeVos for delaying implementation of the critical protections for student loan borrowers.

Under the rules, a state attorney general's successful litigation against a school can make its students eligible for student loan forgiveness. In addition, the Department of Education will automatically discharge the loans of borrowers whose school closed and who have not re-enrolled in another school within three years. This rule allows for the discharge of an estimated \$381 million in federal student loans.

During the 2009-2010 school year, for-profit colleges took in \$32 billion in taxpayer-backed student aid, nearly 86 percent of their revenues. The rules will protect taxpayers by shifting the risks of for-profit school loan defaults toward the schools themselves and away from students with federal loans.

Protecting The Environment

Protecting Washington's environment continued to be a top priority of the office. The office also engaged in a range of actions to protect the environment and hold accountable those who commit environmental crimes. Much of the office's environmental work in 2017 focused on defending federal environmental rules and standards that the Trump Administration has vowed to roll back.



Members of the AGO Counsel for Environmental Protection Unit (CEP) pose for a photo during a group retreat. CEP and the office's Ecology Division handled the following cases.

Defending our National Monuments

In response to President Trump's unprecedented review and potential rollback of national monuments, Attorney General Bob Ferguson sent a letter to U.S. Secretary of the Interior Ryan Zinke asserting that neither he nor President Trump have the legal authority to revoke national monuments.

Zinke's review, prompted by a Trump executive order signed in April, included Hanford Reach National Monument in Central Washington and, based on the broad language of the order, could include monuments like the San Juan Islands National Monument.

In the letter, Ferguson expressed grave concerns about the broadly worded order, explaining that the Antiquities Act of 1906 gives the President the narrow authority to establish monuments.

"No President, however, has ever claimed the authority to revoke National Monument status," Ferguson wrote. "The reason is simple: the Act does not contemplate any such revocation, and to do so would be contrary to the language of the statute and the structure in which the law delegates Congress' constitutional authority."

Upholding the Chemical Disaster Rule

The Attorney General's Office joined a coalition of 10 other attorneys general in July to sue the Trump Administration over its nearly two-year delay of the Chemical Disaster Rule, which updates important safety requirements for large industrial facilities that handle hazardous chemicals.

The Chemical Disaster Rule was prompted by a number of high-profile accidents around the nation, including the 2010 Tesoro refinery explosion in Anacortes. That explosion — specifically cited by the Environmental Protection Agency (EPA) in its development of the new rule — claimed the lives of seven workers.

The Chemical Disaster Rule was finalized in early January. After President Trump took office later that month, the EPA delayed its effective date — along with 29 other environmental rules. The Trump Administration postponed the 30 rules without providing an opportunity for public comment.

The Administration further delayed the rule until 2019 as the agency reconsiders it, a violation of the Clean Air Act, the states' allege.

Ensuring Hazardous Pesticides are Thoroughly Reviewed

In March, Environmental Protection Agency head Scott Pruitt halted a safety review of a potentially harmful pesticide, chlorpyrifos. In response, the Attorney General's Office joined four other states and the District of Columbia in filing a motion to intervene in a lawsuit demanding the EPA determine the pesticide's safety before allowing its use on food.

The Federal Food, Drug and Cosmetic Act requires the government to determine a safe level for a pesticide before it allows the use of it. By halting the review, the attorneys general argue that Pruitt is allowing the use of chlorpyrifos to continue even though it has not found that any level of the pesticide is safe for use on food.

Chlorpyrifos is used on more than 80 food crops nationwide, despite scientific evidence documenting the harmful effects the pesticide has on human health, including lower IQ and attention deficit disorder.

Challenging Energy Efficiency Delays

The Attorney General's Office fought the Trump Administration on its delay of energy efficiency standards with two separate actions. First, Washington joined a coalition of states to challenge the Department of Energy's delay of new ceiling fan standards, forcing the agency to reverse its decision and allow the standards to take effect.

The states also filed suit over the Department's delay of new energy efficiency standards for walk-in coolers and freezers, power supplies, portable air conditioners, commercial boilers and compressors.

According to the Department's own estimates, the standards would combine to eliminate emissions of 292 million tons of the greenhouse gas carbon dioxide, 734 thousand tons of the pollution that creates soot and smog, 1.2 million tons of the potent climate change pollutant methane, and over 1,000 pounds of highly toxic mercury, over a 30-year period.

The Administration's inaction is a violation of the Energy Policy Conservation Act, Administrative Procedure Act and Federal Register Act, the states allege.

Demanding Environmental Impact Review for Coal Leases

The Attorney General's Office joined California, New Mexico and New York to file a federal lawsuit challenging Interior Secretary Ryan Zinke's decision to restart a federal program that leases coal mining rights on public lands. Zinke made the decision without supplementing or replacing a nearly 40-year-old environmental impact study of the program.

The lawsuit alleges that Zinke's decision violates the National Environmental Policy Act, which requires government agencies to supplement past Environmental Impact Statements if circumstances or environmental concerns change. The states argue that climate change, national priorities and market conditions, among other things, were dramatically different 38 years ago, when the initial study was completed.

The Attorney General's Office argues that the program would contribute to significant coal-train traffic through Washington. Additionally, the lawsuit argues that increased coal production and consumption could affect Washington's efforts to reduce greenhouse gas emissions and to slow the pace of climate change.

Enforcing the Clean Air Act

A federal panel forced the Environmental Protection Agency to implement a rule regulating emissions from new oil and gas facilities after the Attorney General's Office intervened. The rule provided measures for detecting and fixing leaks of harmful air pollutants at new, modified or restructured oil and gas facilities. The AGO argued that the delays violated the Clean Air Act.

The Attorney General's Office continued to defend the Clean Air Act by sending a letter to EPA head Scott Pruitt pledging legal action if the EPA did not adopt a rule limiting emissions from existing oil and gas facilities. The EPA is required to establish guidelines for limiting emissions from existing facilities in an industrial sector once it has adopted a rule for new and modified ones. Pruitt had halted the process to establish guidelines for existing facilities in March without notice or opportunity for public comment, all violations of the Clean Air Act.

The letter emphasized the effects of greenhouse gases on public health and welfare, and the low cost of implementing the guidelines.

Campaign Finance Unit

The Attorney General's Office enforces the state's campaign finance disclosure laws to ensure free, open and fair elections in Washington. Since taking office, Attorney General Ferguson has devoted more resources to campaign finance enforcement, and in late 2016, he formed the Campaign Finance Unit.



Attorney General Ferguson announces a lawsuit against initiative promoter Tim Eyman. The lawsuit alleges improper personal use of contributions made to political committees, concealment of contributions and misleading reporting.

Former Grant County judge, business owner accused of concealing identities

In May, the office filed a campaign finance lawsuit against a former Grant County Superior Court judge and a Moses Lake business owner.

Jerry Moberg and Ken Greene are accused of concealing the fact that they were behind a political mailer attacking a candidate in the 2014 Grant County Prosecutor election. Specifically, the lawsuit alleges Moberg and Greene violated the law by concealing their roles in sponsoring the political mailer, failing to register and report as a political committee, and using an assumed name to identify the sponsor of an electioneering communication.

If all the violations are found to be intentional, the pair could face as much as \$453,852.60 in penalties, plus the costs and fees involved in bringing the case.

In 2014, incumbent Angus Lee ran against challenger Garth Dano for Grant County Prosecutor. Dano eventually won the election.

Around Oct. 11, 2014, a mailer arrived at local voters' homes containing controversial information about Dano. The flyer identified "Grant County Concerned Voters" as the sponsor. This group did not register with the Public Disclosure Commission as required by law. Additionally, the group did not disclose expenditures on the PDC website as required by law. Consequently, no public information was available to determine who was behind the mailing and how much they spent.

The PDC received two complaints about the mailer. Staff determined a South Dakota company called the Borns Group produced and sent the mailer. After receiving a subpoena from the PDC, the company identified Greene as the source of the \$3,872 payment for the mailer. The company also identified Moberg as the person they worked with to produce and distribute the mailer.

In interviews under oath with PDC staff, both Greene and Moberg testified that Greene alone was the source of funding for the mailer.

However, the PDC obtained bank records showing Moberg obtained a check from his law firm for \$4,000 payable to himself on Sept. 30, 2014. That same day, Greene wrote a check to the Borns Group for \$3,872. The next day, on Oct. 1, Moberg gave Greene the \$4,000. Two days later, on Oct. 3, the Borns Group cashed Greene's check. The mailer arrived at voters' homes around October 11.

An attorney for Moberg and Greene eventually told the PDC that Moberg loaned the money to Greene, contrary to their earlier sworn testimony. Moberg and Greene provided no documentation to the PDC related to the alleged loan.

In July, Moberg and Greene sought to move the case from Thurston County to Grant County, where Moberg was once a judge. The court rejected that request. Moberg sought appellate court review of the rejection; a Court of Appeals commissioner denied his request. Discovery in the case is ongoing.

Combating improper personal use of funds, misleading reporting



In March, the Attorney General's Office filed a lawsuit against initiative promoter Tim Eyman, alleging improper personal use of \$308,000 in contributions made to political committees, concealment of contributions totaling \$490,185 and misleading reporting. The lawsuit also accuses for-profit signature gathering firm Citizen Solutions LLC and its principal, William Agazarm, of participating in a scheme to conceal campaign money the company funneled to Eyman.

A 2002 agreement permanently barred Eyman from serving as treasurer for political committees. Yet, the lawsuit alleges Eyman still managed to weave an elaborate web of financial transactions to hide his receipt of campaign funds, enriching himself while keeping initiative committee contributors and the public at large in the dark.

This scheme duped contributors who thought they were donating to one initiative, but instead were supporting Eyman's personal expenses and a completely different initiative.

In July, the court rejected Citizen Solutions and Agazarm's request to dismiss the case against them.

In November, the court appointed a special master to oversee the discovery process. Problems date back to before the agency filed the case, when Eyman and Citizen Solutions failed to comply with multiple civil orders to turn over information in the course of the agency's investigation. Ultimately, courts ordered Eyman and Citizen Solutions to pay \$33,000 to cover the cost of enforcing these orders.

In addition to penalties, Ferguson will ask the court to bar Eyman from participating in or directing financial transactions for any political committee. Trial is set for November 26, 2018.

Eyman's Involvement

“Voters Want More Choices”
 Eyman listed as officer & media contact

“Watchdog for Taxpayers”
 Eyman listed as the registered agent and sole governing person

“Protect Your Right to Vote”
 Eyman listed as officer & media contact

“This was one of the more egregious matters that we’ve seen,” [Public Disclosure Commission] chairwoman Anne Levinson said. “This was intentional. It was a pattern and it was done in a way that did a disservice to the public.”

- The Seattle Times, 05/31/2017

Legislative Priorities

Attorney General Ferguson's 2017 legislative priorities included protecting vulnerable adults and victims of human trafficking, standing up for students and advocating for stricter firearm laws.



Protecting Vulnerable Adults

The Attorney General's requested legislation (House Bill 1153 / Senate Bill 5099) protects vulnerable persons, especially the elderly, from two of the most common forms of crimes against those populations: financial theft and criminal neglect.

The bill establishes the specific crime of Theft from a Vulnerable Adult in the first and second degree, which carries higher penalties and provides a longer statute of limitations than general felony theft. The bill also changes the standard of culpability for felonious criminal mistreatment, by changing the mens rea from "recklessness" to criminal negligence."



Human Trafficking No-Contact Order

The Attorney General requested legislation (House Bill 1079 / Senate Bill 5029) creates a specific no-contact order for offenses relating to human trafficking and promoting prostitution.

Previously Washington state law did not characterize human trafficking and promoting prostitution as sex offenses, and the only criminal no-contact order available to the court to protect victims of these crimes was domestic violence no-contact order. This protection order was limited because it only applied when the victim lived with the trafficker.



Human Trafficking Statute of Limitations

The Attorney General requested legislation (Senate Bill 5030 / House Bill 1078) increases the statute of limitations for human trafficking crimes to up to ten years after commission of the crime, and for minors, up to the victim's 30th birthday, or 10 years after commission of the crime, whichever is later. This bill also modifies the definition of promoting prostitution and commercial sexual abuse of a minor to specify that these crimes are committed in exchange for "anything of value" as opposed to a "fee" or any other "property." This modification reflects the reality of prostitution and commercial sexual abuse, which often involves an exchange of nonmonetary valuables (shelter, protection, drugs, etc.).



Student Loan Transparency Act

The Attorney General's requested legislation (Senate Bill 5022 / House Bill 1057) requires that higher education institutions provide student loan information to borrowers via email every time the institution certifies a new financial aid package that includes loans. The information must include the following information: the total dollar amount of education loans, potential total payoff, estimated repayment amounts, and percentage of federal direct loan borrowing limit the student has reached.



Pro Bono Military & Veteran Legal Assistance

The Attorney General's requested legislation (House Bill 1055 / Senate Bill 5021) creates an Office of Military and Veteran Legal Assistance in the Attorney General's Office to connect service members, veterans, and their families seeking pro bono legal services to attorneys willing to provide those services on a voluntary basis.



Keep Washington from doing Business with Wage Theft Violators

The Attorney General's requested legislation (Senate Bill 5301 / House Bill 1936) prohibits willful violators of state wage theft laws from competing for state and local government contracts.



Governor Jay Inslee signs the Student Loan Transparency Act into law.

Legislation to Be Reintroduced in 2018

Ban the Sale of Assault Weapons & High-Capacity Magazines

The Attorney General's requested legislation (House Bill 1134 / Senate Bill 5050) would ban the sale, manufacture, transfer, transport and import of assault weapons and high-capacity magazines in Washington State and defines an "assault weapon" as a semiautomatic with at least one military-style feature. This bill would require the safe and secure storage of assault weapons and large-capacity magazines possessed prior to the effective date of the legislation. This bill was not scheduled for public hearing.

Assault Weapons Enhanced Background Checks

The Attorney General's requested legislation (House Bill 1387 / Senate Bill 5444) would require an enhanced background check and license for people seeking to purchase assault weapons and large-capacity magazines. This bill died in House Judiciary.

Improved Consumer Protection for Military and Veterans

The Attorney General's requested legislation (House Bill 1056 / Senate Bill 5041) expands the Washington Service Members' Civil Relief Act to allow military service members to cancel or suspend certain service contracts that may be interrupted when called into active duty, and to resume the services upon return from active duty without incurring penalties. This bill died on the Senate floor.

Establish a Cooling Off Period for Post-Employment State Lobbying

The Attorney General's requested legislation (House Bill 1159 / Senate Bill 5120) would require a one-year "cooling-off" period for high-ranking state officials and employees by prohibiting lobbying activity directly following public service. This legislation also requires disclosure from these individuals when leaving state service if he or she receives compensation from an employer or entity that does business with, or tries to influence, action by the state. This bill died in House Rules/Senate Ways and Means.

Repeal the Death Penalty in Washington State

The Attorney General's requested legislation (House Bill 1935 / Senate Bill 5354) would eliminate the death penalty in favor of life imprisonment without possibility of release or parole as the sentence for aggravated first degree murder. This bill died in House Judiciary.

Attorney General Bob Ferguson did the state a favor this week announcing a plan to push a ban of semi-automatic, military-style weapons like the AR-15 rifle through the state Legislature. His advocacy should help lawmakers have a robust conversation about the trade offs of banning assault rifles and high-capacity magazines.

- The Seattle Times, 09/09/2016



Attorney General Ferguson announces a bill that would ban the sale of Assault Weapons and High-Capacity Magazines in Washington state.

Increase the Tobacco Purchase Age to 21

For the third time, the Attorney General requested legislation aimed at reducing youth smoking by raising the legal smoking age for tobacco and vapor products to 21 (House Bill 1054 / Senate Bill 5025). The bipartisan bill died in House Rules.

Establish a Student Loan Bill of Rights

The Attorney General's requested legislation (House Bill 1440 / Senate Bill 5210) would implement and define minimum servicing standards for third-party student loan servicers and require servicers to obtain a license from the Director of the Department of Financial Institutions. This legislation would also create a student loan Ombuds in the Washington Student Achievement Council tasked with receiving, reviewing and referring complaints from student loan borrowers. This bill died in Senate Higher Education.



Members of the AGO Leadership Team pose for a photo at the 2017 summer picnic.



SERVING THE STATE KEY DIVISIONS

The Attorney General's Office is organized into a number of key divisions that collectively represent more than 230 state agencies, boards and commissions.

Under state law, the specific duties of the Office of the Attorney General include:

- Representing the State of Washington before the Supreme Court, the Court of Appeals and trial courts in all cases that involve the state's interest.
- Advising the Governor, members of the Legislature and other state officers on legal issues, and, when requested, giving written opinions on constitutional or legal questions.
- Protecting the public by upholding the Consumer Protection Act, enforcing laws against anti-competitive business practices, representing the public interest in utility matters, and serving as Counsel for the Environment in the siting of energy facilities.
- Investigating and prosecuting persons accused of crimes if requested to do so by the Governor or a county prosecutor.



Members of the Fish, Wildlife and Parks Division pose for a photo at a group retreat in Port Townsend.

Fish, Wildlife and Parks

Division Chief: Joseph Shorin, Senior AAG

Overview: The division represents the Department of Fish & Wildlife (WDFW) and the Parks & Recreation Commission (State Parks). It also represents the state in certain complex natural resource litigation and assists local prosecutors in the criminal enforcement of fish and wildlife laws. Legal services include advice and litigation related to fish and wildlife resource management, endangered species, habitat protection, tribal issues, hydropower licensing, law enforcement, civil forfeiture, land acquisition and management, land use, contracts, regulatory permitting, and administrative procedure.

Legal Highlights: Litigation matters included continued implementation of the federal court injunction, and litigation of an appeal in *United States v. Washington*, Subproceeding 01-01 (fish passage and state culverts), and in Subproceeding 09-01 (location of certain Tribes' usual and accustomed fishing grounds in the Pacific Ocean). The division helped secure a state/tribal agreement on Puget Sound fisheries, following an unprecedented impasse in the North of Falcon season setting process. The division provided assistance to WDFW related to its WILD hunting and fishing licensing system, including soliciting proposals, awarding a contract for a new vendor and responding to a significant data breach. The division is defending a challenge to WDFW's authority to issue Hydraulic Project Approvals above the ordinary high water line. The division also provided extensive advice to State Parks in relation to development proposals for Saint Edwards State Park.

Agriculture and Health

Division Chief: Eric Sonju, Senior AAG

Overview: The division represents the departments of Agriculture, Archaeology and Historic Preservation, Commerce, and Health, as well as several independent boards including the Northwest Interstate Compact on Low-Level Radioactive Waste, the Freight Mobility Strategic Investment Board and 22 agricultural commodity commissions. The division assists its client agencies with the oversight of health care practitioners and facilities, certification of medical marijuana consultants, the regulation of agricultural activities and food processing, and pest eradication. The legal work helps clients address threats to human health, shellfish sanitation, drinking water and septic systems, clean energy technology, historic and archaeological artifact preservation and low-level radioactive waste disposal. The division also assists with legal issues related to renewable energy and improvement of the state's infrastructure, communities and the economy.

Legal Highlights: The division advised the Department of Agriculture on proposed rules establishing an industrial hemp research program and represented the Department in enforcement action to shut down a raw milk producer whose product tested positive for salmonella. The division successfully defended the Pharmacy Quality Assurance Commission against a petition for rulemaking to make fluoridating substances added to drinking water a prescription drug. Division attorneys participated in the AGO's opioid workgroup and the Department of Health's opioid prescribing rules workgroup. The division advised the Department of Health on rulemaking to allow an additional gender option—"x"—on birth certificates.

Natural Resources

Division Chief: Patricia O'Brien, Senior AAG

Overview: The Natural Resources Division represents the Commissioner of Public Lands, Department of Natural Resources (DNR), Board of Natural Resources, Forest Practices Board and other related boards and commissions. The division provides a broad spectrum of client advice, dispute resolution and litigation services to DNR, which manages more than 5.6 million acres of forest, range, commercial, agricultural, conservation and aquatic lands, including 3 million acres of state trust land. The division supports DNR's role in regulating surface mine reclamation, suppressing fires on forestland and removing derelict vessels from state-owned aquatic lands. The division also provides legal services to the Forest Practices Board, which adopts rules and standards for forest practices such as timber harvest.

Legal Highlights: The division had several significant cases this past year. *North Quinault Properties, et al. v. State of Washington and Peter Goldmark*: North Quinault Properties and the Landreths (Landreths) brought this action regarding the State's alleged ownership of Lake Quinault, and the State's alleged failure to ensure public access to the lake against the Quinault Indian Nation. In January, Division I of the Court of Appeals affirmed the trial court's grant of summary judgment to the State. The Court concluded that the U.S. and the Quinault Nation were indispensable parties and that the case could not proceed without them. The Court also rejected plaintiffs' writ of mandate and public trust doctrine theories. The Supreme Court denied the Landreths' petition for review. As the Landreths were also unsuccessful in a previous federal lawsuit against the State in this same matter, the Supreme Court's denial finally concludes this case. *DNR v. Klickitat County PUD (KPUD)*: On August 26, 2010, a wildfire ignited near Lyle, Washington when a tree fell into a KPUD distribution line and power pole. DNR incurred nearly \$1.6 million to suppress the resulting 2,100-acre fire. DNR sued to recover these costs. KPUD sought to dismiss the case and then filed an interlocutory appeal over whether KPUD was a "person, firm or corporation" under RCW 76.04.495. DNR prevailed on that issue at the Court of Appeals in 2015. At mediation in April 2017, KPUD agreed to pay \$1.3 million of DNR's fire suppression costs rather than proceed to a two-week jury trial.

Counsel for Environmental Protection

Division Chief: Bill Sherman, AAG

Overview: The Counsel for Environmental Protection Unit brings affirmative civil and criminal environmental actions to protect Washington's

environment, natural resources, and human health, using the Attorney General's independent authority under state and federal law.

Legal Highlights: The unit was created in October 2016. Since that time, the unit has brought a wide range of civil and criminal cases. Working with outside counsel, CEP filed the nation's first statewide case against the Monsanto Corporation for PCB contamination. It brought three cases against the U.S. EPA and the U.S. Department of Interior to defend environmental protections, and served as the lead drafter of two multistate amicus briefs in support of other similar state actions. CEP also contributed significantly to the State of Washington's civil lawsuit related to worker exposure to harmful tank vapors at the Hanford nuclear site. In addition, CEP prosecuted six environmental cases through sentencing, bringing the total number of convictions since the Attorney General's establishment of the environmental crimes program in 2013 to 25, and bringing the total funds ordered in restitution, fines, and costs to over \$1,000,000.

Ecology

Division Chief: Laura Watson, Senior AAG

Overview: The Ecology Division represents the Department of Ecology, the Energy Facility Site Evaluation Council, the Puget Sound Partnership, the Pollution Liability Insurance Agency and the State Conservation Commission. The division resolves disputes, provides advice and represents the state before courts and administrative tribunals on permitting, legislation, rule-making and enforcement matters. The largest areas of practice are water resource management and cleanup of contaminated sites. The division also assists the Department of Ecology in oversight of the U.S. Department of Energy's cleanup of radioactive and hazardous waste at the Hanford Nuclear Reservation.

Legal Highlights: The division advised and represented the Department of Ecology on hundreds of matters, including civil enforcement actions for violations of environmental standards, continued representation in the long-standing Yakima River Basin water rights adjudication, defense of instream flow rules to protect water habitat and defense of Ecology's decision to deny environmental permits to a proposed coal-export facility. Division attorneys argued numerous appellate cases in federal and state courts, litigated to protect workers from harmful toxic vapors at the Hanford nuclear site, and joined several lawsuits challenging the federal administration's rollback of environmental protection standards. They also presented at a variety of environmental trainings across the state.



AAGs from the office's Consumer Protection Division discuss the state's lawsuit against Purdue Pharma.

Consumer Protection

Division Chief: Shannon Smith, Senior AAG

Overview: The Consumer Protection Division enforces consumer protection laws to keep the Washington marketplace free from unfair and deceptive practices. The division investigates and files enforcement actions to stop illegal practices, recovers refunds for consumers and seeks penalties against offending businesses. The division also supports consumers through its Consumer Resource Center, the Automobile Lemon Law Unit and the Manufactured Housing Dispute Resolution Program.

Legal Highlights: The division addressed a wide range of consumer protection cases in 2017 to protect consumers and businesses. The division filed a significant lawsuit against the nation's largest student loan servicer, Navient Corp. and two of its subsidiaries for unfair and deceptive loan origination, servicing, and collection practices. The division sued St. Joseph's Medical Center and Capital Medical Center for withholding charity care from low-income patients. The division also sued Purdue Pharma, a large manufacturer of opioids, for unfairly and deceptively marketing opioids as safe and effective for the treatment of long-term chronic pain and for understating the risk of addiction associated with opioid use. In addition to these new lawsuits, the division continued to work on the cases it filed last year against Johnson & Johnson for failing to disclose risks associated with its surgical mesh device, and against Comcast for misrepresenting the terms and conditions of its service protection plan and customer guarantee.

Public Counsel Unit

Unit Chief: Lisa W. Gafken, AAG

Overview: The Public Counsel Unit represents the residential and small business customers of Washington's investor-owned electric, natural gas and telecommunications utilities and transportation companies regulated by the state Utilities and Transportation Commission (UTC). Public Counsel advocates for consumers by presenting evidence, legal arguments and policy recommendations to the UTC when utility companies request rate changes, propose mergers, propose changes in services, and present policy issues.

Legal Highlights: In 2017, Public Counsel represented consumers in major rate cases before the UTC involving Avista, Puget Sound Energy and Cascade Natural Gas. The unit also addressed a telecommunications acquisition (CenturyLink acquisition of Level3), a corporate reorganization (Northwest Natural Gas), and a utility merger (Hydro One's acquisition of Avista). The unit argued its appeal of the UTC's order in Avista's 2015 general rate case in Division II of the Court of Appeals. Public Counsel also represented customers in cases involving Microsoft leaving Puget Sound Energy's service to procure its own energy from the open market and permanent disconnection of Pacific Power customers to take service from another utility. Both of these cases involved questions of how to allocate the stranded costs caused by large customer departures.

Medicaid Fraud Control

Division Chief: Larissa Payne, Senior AAG

Overview: The Medicaid Fraud Control Unit (MFCU) criminally and civilly prosecutes the theft and fraudulent use of Medicaid funds by health care providers. The MFCU recovers losses to the Medicaid program and assesses civil penalties against the perpetrators of fraud. The unit also works with local prosecutors to investigate and prosecute abuse and neglect of vulnerable residents of Medicaid-funded facilities. During the 2012 session, the Washington Legislature enacted the Medicaid Fraud False Claims Act, Chapter 74.66 RCW (FCA). The Act expands on the MFCU's criminal authority by authorizing the unit to prosecute fraud civilly. Based on a favorable recommendation by the Joint Legislative Audit & Review Committee, the 2016 Legislature reauthorized the FCA. The five whistleblower sections of the FCA have had sunset review extended to 2023.

Legal Highlights: In 2017, the MFCU secured 4 criminal convictions and 17 civil FCA resolutions. The law enforcement work included a \$10,860,978 Washington recovery in the Mylan (Epi-Pen) Pharmaceuticals global (multistate) case.

Criminal Justice

Division Chief: Lana Weinmann, Senior AAG

Overview: Upon request from the Governor and local prosecutors, the Criminal Justice Division investigates and prosecutes criminal cases and provides support to the law enforcement community handling homicides, sexual assaults, white-collar crime and crimes involving official misconduct or public corruption. The division civilly prosecutes convicted sexually violent predators and defends the state in wrongful conviction claims. The division also provides investigative expertise and assistance to law enforcement agencies through the Homicide Investigation and Tracking System Unit, and provides legal representation to the Washington State Patrol and the Criminal Justice Training Commission.

Legal Highlights: The division handled a wide range of criminal cases across the state, resolving 47 cases, obtaining 21 new convictions and favorable appellate rulings, and opening 30 new criminal referrals. The Sexually Violent Predator Unit obtained the civil commitment of four new high profile sex offenders, opened five new referrals, filed six new cases, conducted 47 annual review hearings of previously committed sexually violent offenders and handled 148 active appeals.

Antitrust

Division Chief: Jonathan Mark, Senior AAG

Overview: The Antitrust Division enforces state and federal laws that protect consumers and businesses from price fixing, bid rigging, monopolization, anticompetitive mergers and other conduct that interferes with fair competition. The division's work focuses on representing consumers and state agencies in litigation seeking redress for violations of these laws. The division also responds to consumer complaints and inquiries and conducts outreach and education programs.

Legal Highlights: The Antitrust Division filed a federal lawsuit to undo two separate transactions between CHI Franciscan Health and two physician practice groups on the Kitsap Peninsula. The lawsuit alleges that the first transaction resulted in CHI Franciscan substantially lessening competition for orthopedic services. The lawsuit further alleges that the second transaction, an affiliation between CHI Franciscan and a multi-specialty practice group under which they jointly set reimbursement rates, constitutes an illegal price-fixing agreement. The state has asked the court to unwind both transactions and to order the defendants to pay back their ill-gotten gains from the price-fixing agreement.

Additionally the Antitrust Division:

- Filed a multistate federal lawsuit against 18 generic pharmaceutical manufacturers alleging a wide-ranging conspiracy to fix the price of over a dozen generic drugs
- Reached a \$100 million settlement with Mallinckrodt ARD over its conduct that extinguished a nascent competitor and enabled it to raise the price of its sole revenue drug by 85,000%.
- Reached a \$220 million multi-state settlement with Deutsche Bank, regarding anticompetitive manipulation of the London Interbank Offered Rate, bringing the total settlement amount to \$320 million.
- Distributed over \$47 million to consumers, businesses and state agencies that were harmed as a result of the LCD price-fixing conspiracy.



Attorney General Ferguson gives his "State of the AGO" address at the 2017 Attorney Conference.



AAGs Ingrid Golosman and Kenneth Hong kick off the 2017 Attorney Conference with a skit.

Social and Health Services: Seattle

Division Chief: Mary Li, Senior AAG

Overview: The Social and Health Services, Seattle Division represents the Department of Social & Health Services (DSHS) in King County. The work primarily involves abused, neglected, and at-risk children, vulnerable adults and licensed facilities including child care, foster homes, adult family homes and assisted living facilities.

The division represents the state in dependency cases where it has been determined that a child is in dangerous circumstances and/or has no parent capable of providing care. The goal of dependency cases is to safely and timely return children home, by addressing issues involving drug and alcohol abuse, domestic violence, mental illness and poverty. If a child cannot safely be reunified with the parents, the division represents the state in permanency litigation, including termination of parental rights and guardianship cases. In 2017 the division opened new dependency matters on approximately 750 children and filed permanency petitions on over 300 children. The division also represent Children's Administration on 11 calendars per week.

The division represents Adult Protective Services (APS) in cases involving vulnerable adults alleged to be abused, neglected and/or financially exploited. This work involves more than 100 cases per year, including guardianships, protection orders and guardianship fee disputes. The division's work involving licensed facilities includes administrative litigation that usually arises from allegations of abuse, neglect, maltreatment or other issues concerning the care of children and adults in licensed facilities.

Social and Health Services: Olympia

Division Chief: Paige Dietrich, Senior AAG

Overview: The Social and Health Services (SHO), Olympia Division provides legal services in support of health and human services. The division's clients include the Department of Social & Health Services (DSHS), the Health Care Authority, the newly created Department of Children, Youth & Families, the Department of Veterans Affairs and the Department of Services for the Blind. These clients administer the state's programs to provide social services and medical benefits to Washington residents. The division provides legal support to programs including children's services, mental health services, income assistance, public employee benefits, Medicaid, developmental disabilities, adult protective services, home and community services for elderly and disabled individuals, nursing home licensing and regulation, long-term care and counseling services for veterans, services for the blind, Special Commitment Center, juvenile rehabilitation, child support, alcohol and drug rehabilitation and vocational rehabilitation.

Five divisions, including the SHO Division, handle child welfare cases on behalf of the Department of Social and Health Services statewide. The SHO Division advises and represents the DSHS administration that operates Washington's child welfare system and coordinates statewide child welfare litigation and appeals. The SHO division also litigates these cases in Thurston, Mason and Lewis Counties. Statewide, as of June 30, 2017, there were over 6,700 open dependency cases, protecting over 10,700 children from abuse or neglect in their home environments, and over 1,080 open termination of parental rights cases, protecting over 1,700 children.

Legal Highlights: The division represented DSHS in numerous class action challenges to the adequacy of services provided in various program areas including mental health, foster care and developmental disabilities. The division also represents the Health Care Authority in numerous class action challenges to the coverage provided under Medicaid and under the Public Employees Benefits programs for certain medical procedures and prescription medications.

University of Washington

Division Chief: Karin Nyrop, Senior AAG

Overview: The University of Washington Division provides a broad array of legal services to the University of Washington officers and administrators, and to its Board of Regents. The University has three campuses (Seattle, Bothell and Tacoma), more than 45,000 faculty, staff and student employees and approximately 48,000 undergraduate and graduate students. (An additional 50,000+ students are served through the University's Continuum College programs.) The University also operates the UW Medical Center and Harborview Hospital and has clinical affiliations with other health care facilities, including Valley Medical Center, Northwest Hospital and a number of UW Medicine Neighborhood Clinics.

The division has three practice teams (Employment, Healthcare and General Practice) which provide legal advice and representation across a wide variety of subject matter areas, including employment and labor relations, student conduct, real estate, public records and open public meetings, business transactions, construction, land use, intercollegiate athletics, public finance, intellectual property, taxes, benefits, constitutional law, gifts and trusts, international operations, health care law and regulatory compliance.

Legal Highlights: The division provided legal support to the University in connection with the planned re-development of part of the Metro Tract in downtown Seattle, which will transform the core Financial District with the construction of a 58-story office tower and a hotel. The division also represented the University in several third party litigation matters involving public record requests; provided guidance regarding First Amendment rights on campus; and advised on adjudications involving alleged sexual misconduct by students, the conveyance and protection of intellectual property rights, and the operation of the region's largest public radio station (KUOW.) Additionally,

the division provided advice on a number of complex employment and labor matters, as well as support and advice to UW Medicine as it navigates a changing health care landscape with its many partnerships in the community.

Washington State University

Division Chief: Danielle Hess, Senior AAG

Overview: The Washington State University Division provides a full range of legal services to the state's land grant university, including its multiple campuses, offices and research facilities statewide. The division provides advice on a wide variety of legal issues, many of which are unique to higher education. Areas of practice include: risk management, research, intellectual property, health care, health and veterinary sciences, public records, open meetings, student affairs, athletics, employment, fundraising and development, public works, contracting, constitutional rights, civil rights, Title IX, real estate, construction, and international programs.

Education Division

Division Chief: Dave Stolier, Senior AAG

Overview: The Education Division provides a full range of legal services to the state's education agencies, boards, commissions, community and technical colleges and regional universities. Division attorneys advise on a broad array of issues, including conflict resolution, business transactions and compliance with state and federal laws. Education attorneys also prosecute professional misconduct cases related to teacher licensing, help enforce consumer protection regulations for private vocational schools, and represent client agencies in a variety of administrative and court proceedings.

Legal Highlights: Education attorneys helped shepherd colleges and universities through a wide variety of legal issues associated with business, labor relations and student services in 2017. Attorneys worked with the Office of the Superintendent of Public Instruction in exercising its general supervisory authority over the K-12 school system and appeared in defense of a constitutional challenge to the reenacted charter school law. Education attorneys also continued to work on behalf of the state in the McCleary education finance litigation. Education attorneys also advised the Department of Early Learning on a variety of issues pertaining to its regulation of early learning and childcare programs throughout the state.

Complex Litigation

Division Chief: Jeff Rupert, Senior AAG

Overview: The Complex Litigation Division was formerly a unit in the Torts Division and became its own Division in October 2017. The division pursues complex affirmative cases for the state on a variety of subject matters and defends agencies against class actions, multi-party lawsuits, multi-claim lawsuits and lawsuits against elected officials. The division often works in conjunction with other divisions.

Legal Highlights: The division successfully represented the state in the tobacco diligent enforcement arbitration hearing thus entitling the state to the holdback amount and also ensuring that no offset was made for the following year pursuant to the Master Settlement agreement.

Bankruptcy and Collections

Unit Chief: Susan Edison, Senior AAG

Overview: The Bankruptcy and Collections Unit (BCU) of the Revenue and Finance Division encourages compliance with the state's tax laws by supporting the efforts of state agencies to aggressively pursue money owed to the state. The unit litigates bankruptcy cases under Chapter 11 and Chapter 13 of the Federal Bankruptcy Code and fights to ensure the state's priority in any recovered claims. The unit also handles a significant number of collection actions against the bonds of contractors who are delinquent in tax payments. Client advice is provided on a daily basis to revenue agents as they work to collect unpaid taxes.

Legal Highlights: The BCU collected a total of \$6,221,471.13 for its clients in 2017. Contributions of \$2,250,718.03 came from the contractor bond program in which 503 cases were opened, primarily to collect delinquent taxes owed to the departments of Revenue, Labor & Industries and Employment Security. The unit also opened 197 bankruptcy files, primarily for cases under Chapters 11 and 13, recovering \$2,898,877.05 for client agencies. The unit's participation in 98 other legal cases resulted in recoveries totaling \$1,071,876.05.

Awards and Honors: The ABI Journal published an article co-authored by AAG Zachary Mosner that discusses moving to convert or dismiss a Chapter 11 bankruptcy prior to confirmation when a proposed plan is futile.

Torts

Division Chief: Pamela Anderson, Senior AAG

Overview: The Torts Division defends tort claims and lawsuits against all state agencies, officers and employees. These claims and cases can be based on highway design, natural disasters, supervision of inmates and parolees, injuries on state property, medical malpractice, employment, childcare and custody, auto accidents and maritime injuries. The division has an annual caseload of more than 300 claims and 450 lawsuits. The division resolves over 50 percent of its cases with a zero payout and uses early evaluation and resolution processes and mediation to resolve appropriate claims and cases. Torts attorneys also provide legal and risk management advice on torts matters to the state Office of Risk Management and other state agencies.

Legal Highlights: The Torts Division defended and resolved a class action lawsuit alleging that the Washington State Patrol systemically failed to provide statutory veterans' preferences to applicants and troopers who applied for promotional opportunities. The division resolved, by early resolution, wrongful death claims by victims of offenders who were released early from Department of Corrections custody due to a sentence calculation error. The division also resolved Torts claims brought by former professors at Evergreen State College alleging that they were discriminated against after they made statements critical of the "Day of Absence & Day of Presence."

Utilities and Transportation

Division Chief: Sally Brown, Senior AAG

Overview: The division provides legal services to the Washington Utilities & Transportation Commission (UTC). The UTC regulates the rates, services and practices of a wide range of industries, including: telecommunications (excluding wireless, Internet and cable companies), electricity and natural gas, solid waste collection, water, pipelines, railroad carriers and facilities, in-state household goods movers, private ferries and bus companies. Changing market conditions, technology, federal and state laws and consumer expectations create a dynamic policy and legal landscape.

The division's work focuses primarily on regulatory litigation, including rate cases, merger proceedings and conservation and energy efficiency proceedings.

Legal Highlights: In 2017, the division advised and represented the UTC in energy rate cases brought by Puget Sound Energy, PacifiCorp, Avista Corporation and Cascade Natural Gas. It also handled several high profile cases.

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Revenue and Finance Division Section Chief Dave Hankins gives a presentation on litigation between the state and the Tulalip Tribes.

Transportation and Public Construction

Division Chief: Bryce Brown, Senior AAG

Overview: The division represents and advises the Department of Transportation, Transportation Commission, County Road Administration Board, Transportation Improvement Board, Traffic Safety Commission, Department of Enterprise Services, Military Department, WaTech, Recreation & Conservation Office, State Building Code Council, Public Employment Relations Commission and Personnel Resources Board. The division's workload includes a mix of litigation and client advice on a wide range of issues, including contract development and enforcement, real property acquisition and leasing, condemnation, bid protests, construction claims, environmental litigation, regulatory compliance, hazardous waste claims, land use issues that arise from state construction projects and the operation of state facilities, state purchasing of goods and services, complex IT acquisitions, constitutional issues related to activities on the Capitol Campus, and emergency management preparation and response activities. Division attorneys also handle tort cases seeking recoveries for property damage allegedly caused by floods, erosion and landslides.

Legal Highlights: In 2017, the division provided legal support for the multi-billion dollar Alaskan Way Viaduct replacement project; SR 520 floating bridge replacement project; the state's highway tolling program; implementation of WSDOT's \$17 billion "Connecting Washington" program; state building transactions, including construction of the 1063 Building and transfer of the North Cascades Gateway Center property, the state contracting disparity study; the FirstNet project for a national emergency responder radio access network (RAN), and the implementation of the new ESI-net for statewide NG911 services.

Revenue and Finance

Division Chief: Cam Comfort, Senior AAG

Overview: The Revenue and Finance Division provides legal services to the Department of Revenue, Department of Retirement Systems, State Investment Board, Office of the State Treasurer, Office of the State Actuary and Office of Administrative Hearings, as well as other boards and commissions. The division's range of legal work is broad, challenging and complex, encompassing most aspects of state government operations involving financial issues. For example, the division provides legal advice and litigation services on matters involving excise and property taxes, public pensions and deferred compensation, investment of state trust funds, and financing, budgeting and accounting. The division's Revenue Unit also plays an important role in implementing the historic 1997 tobacco litigation master settlement agreement.

Legal Highlights: The division continues to handle a significant lawsuit filed in federal district court by the Tulalip Tribes and the Consolidated Borough of Quil Ceda Village challenging the state's authority to impose and collect various taxes with respect to sales of goods and services at Quil Ceda Village, a federal enclave located on the Tulalip reservation. The U.S. Department of Justice has intervened in the lawsuit on behalf of the Tulalip Tribes. The Revenue Unit successfully represented the Department of Revenue in three matters before the United States Supreme Court in which taxpayers filed petitions for a writ of certiorari. The division's Pension Benefits Team successfully represented the Department of Retirement Systems in an appeal involving the denial of catastrophic disability retirement benefits.

Government Compliance and Enforcement

Division Chief: Stacia Hollar, Senior AAG

Overview: The division provides legal services to 30 state agencies, boards and commissions including three elected officials. Its clients protect Washingtonians by regulating health care providers, insurers, liquor and marijuana establishments, gambling, ethics, campaign finance and financial institutions. The division advises on issues related to anti-discrimination laws, audit and whistleblower programs, the insurance industry and numerous Secretary of State programs including Archives, the Washington State Library and registration of corporations and charities. The division also provides Attorney General representation on state and local records committees.

Legal Highlights: In 2017, the division's 26 attorneys and 20 professional staff litigated over 1,000 matters before state and federal trial and appellate courts as well as administrative tribunals. Additionally, the division provided client advice regarding a wide variety of issues, including the effects of federal changes on health insurance, legality of bonus payments to local government employees, significant changes to the Public Records Act and the impact on the Address Confidentiality Program of newly-enacted laws regarding Transportation Benefit District fees and Seattle's Democracy Voucher Program. Significant litigation involved Liquor & Cannabis Board administrative licensing and enforcement actions including improper sales to minors, licensees' failure to disclose true financial interests and to properly track marijuana from seed to sale. Staff also prosecuted administrative actions that resulted in monetary penalties by the Public Disclosure Commission and the Executive Ethics Board. Representation of the Department of Financial Institutions in administrative actions relating to securities and consumer loans resulted in the protection of Washington consumers from harmful business practices and imposition of appropriate restitution. Division staff also protected the public by successfully prosecuting health care providers for sexual misconduct, moral turpitude, practice below the standard of care and over-prescribing of opioids and other pain medications. Division attorneys assisted clients in negotiating modifications to six tribal gaming compacts over the past year. In the role of the Counsel for the Environment, GCE staff represented the public in an extensive proceeding which led to a recommendation to the governor to reject a Vancouver oil terminal project.

Corrections

Division Chief: Tim Lang, Senior AAG

Overview: The Corrections Division advises and represents the Department of Corrections (DOC), the Indeterminate Sentence Review Board and the Governor's Clemency & Pardon Board. The work of the division includes defending the lawfulness of criminal convictions and sentences, including death sentences, in habeas corpus, personal restraint and post-sentence review proceedings. The division also provides legal advice and defends the state in litigation concerning prison operations and other aspects of the state corrections system.

Legal Highlights: The division litigated approximately 500 matters in 2017. Highlights included a federal appeals court ruling reinstating lengthy prison sentences for crimes involving firearms (*Hewson v. Key*); successful opposition to class certification in a lawsuit alleging constitutional deficiencies in DOC's healthcare system (*Haldane v. Hammond*); a state Court of Appeals ruling that juveniles whose life sentences for aggravated murder were reduced to 25 years with the possibility of parole pursuant to a 2013 statute, must serve the full 25-year minimum term before being considered for release (*In re Bourgeois*); a Court of Appeals ruling that inmates who submit public records requests for financial gain may be enjoined under the Public Records Act (*DOC v. McKee*); and favorable resolution of an L&I workplace safety citation involving a near-fatal inmate attack on a correctional officer. Two Corrections attorneys also argued cases before the Washington State Supreme Court (*Doe v. DOC; In re Petterson*).

Licensing and Administrative Law

Division Chief: Eric Peterson, Senior AAG

Overview: The division prosecutes administrative actions against individuals and businesses under the state's licensing and regulatory laws governing drivers and approximately 45 professions, businesses and occupations, and handles unemployment benefit and tax and recreational marijuana issues. It provides legal advice and representation to clients including the Departments of Licensing and Employment Security and the Boards of Accountancy, Liquor & Cannabis, Executive Ethics, Industrial Insurance Appeals, Pollution Control Hearings, Shorelines Hearings and Growth Management Hearings. Other clients include the Lottery, Judicial Conduct and Columbia River Gorge Commissions, and the Public Records Exemption Accountability (Sunshine) Committee.

Legal Highlights: In *Washington Trucking Ass'ns, et al. v. Emp't Sec. Dep't, et al.*, the Washington Supreme Court upheld the dismissal of civil rights and torts claims against state tax officials when there are available administrative appeal remedies. The ruling prevents a floodgate of taxpayer lawsuits. The U.S. Supreme Court denied review. In *Swanson Hay Co., et al. v. Emp't Sec. Dep't*, the Court of Appeals upheld unemployment tax assessments issued to motor carriers that were a basis for the tort claims. Multiple division members worked on these cases over several years. Overall, the division prevailed in 24 of 28 appellate cases decided this year, with mixed results in four cases, and no losses. Division members are also advising the Employment Security Department on its implementation of the paid family and medical leave law passed by the Legislature this June. Washington is the fifth state to offer a paid leave provision, and its law is touted as the country's most generous. Last, division members advised the Liquor & Cannabis Board on regulation of the production and sale of marijuana and assisted with negotiating state-tribal marijuana agreements, to protect health and safety while providing economic benefits.

Labor and Personnel

Division Chief: Valerie Petrie, Senior AAG

Overview: The division provides advice and representation in the specialized area of labor and employment law to nearly every Washington state agency, elected official, board, commission and institution of higher education. Attorneys have expertise in a variety of employment issues, including labor relations, public disclosure, wage and hour laws, immigration, disability and reasonable accommodation, employee misconduct and discipline, and prevention of discrimination and sexual harassment. The division provides legal representation in a variety of settings, including hearings before independent arbitrators, administrative personnel boards, labor commissions, and state superior, federal and appellate courts.

Legal Highlights: The division has been involved in defending the state in several lawsuits, both in state and federal court, relating to union security provisions for dues collection from individual providers who provide personal care services to elderly and disabled Department of Social & Health Services clients receiving Medicaid services and are state employees only for the purpose of collective bargaining. These cases include *Thorpe v. DSHS, et al.*, *Centeno (Hoffman) v. DSHS, et al.*, and *Fisk v. DSHS, et al.* Division attorneys have also provided significant advice and representation to the state in public records litigation involving requests for records relating to state employees, individual providers and childcare providers.



Members of the Attorney General's Office Labor & Industries Division pose for a group photo at the division's annual meeting.

Labor and Industries

Division Chief: Lionel Greaves IV, Senior AAG

Overview: The Labor and Industries Division represents and advises the Department of Labor & Industries regarding Washington's state-funded and self-insured workers' compensation programs; wage and hour requirements; industrial safety and health enforcement; contractor and building trades issues; and crime victim claims. The division has a high-volume litigation practice with a three-year average, counting the current year's projected numbers, of over 7,000 cases assigned statewide per year.

The division is responsible for a wide range of legal work that protects Washington workers, promotes public safety and supports the economy, including:

- Managing the \$16.3 billion industrial insurance trust account that provides workers' compensation benefits for 2.8 million eligible Washington workers and 177,000 Washington employers.
- Ensuring worker safety at 300,000 worksites under the Washington Industrial Safety & Health Act.
- Implementing Washington's Wage Payment Act, Industrial Welfare Act and Prevailing Wage Laws.
- Enforcing public safety laws in the areas of electricity, contractor registration, plumbing, boilers, factory-assembled structures, elevators and amusement rides.

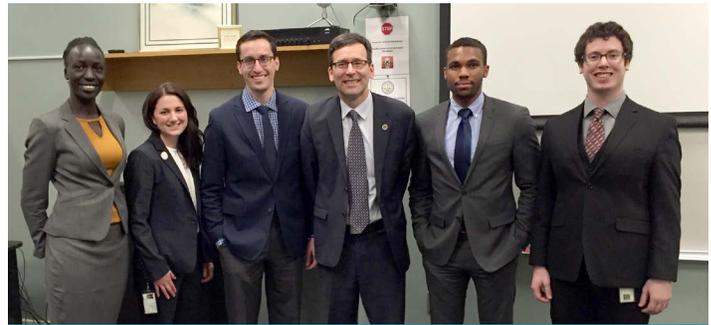
Spokane

Division Chief: Antoinette (“Toni”) Ursich, Senior AAG

Overview: The Christine O. Gregoire Spokane Division provides a wide range of legal services in Eastern Washington to many agencies and institutions of state government. Clients served include the departments of Social & Health Services, Labor & Industries, Transportation, Licensing, Employment Security, Corrections, the Eastern Washington State Historical Society (known locally as the Museum of Arts and Culture, the “MAC”), and various institutions of higher education, including Eastern Washington University, Big Bend Community College and the Community Colleges of Spokane. The division also handles Medicaid fraud criminal cases, provides consumer protection investigation services and consumer protection education, provides state agencies with advice and representation on labor and personnel matters, and defends lawsuits filed against the state.

Legal Highlights: In 2017 the division filed 2,070 child welfare cases protecting children from abuse or neglect and freeing them to move into permanent homes. It also filed 65 matters on behalf of Adult Protective Services, seeking to protect vulnerable adults alleged to have been abused, neglected or financially exploited. During this same time period, the paralegals in the Labor and Industries Section, who mediate claims before the Board of Industrial Insurance Appeals, received 714 new cases for mediation; and the Labor and Industries Section Attorneys received 377 new cases for litigation.

One of the division’s Labor & Industries cases demonstrates the commitment of its client and the legal team that supports it to protect workers. In this case, the trial team sought to hold two employers liable following the death of an arborist employee. The Department of Labor & Industries, Division of Occupational Safety (DOSH), fined both the direct employer, Arborists of Washington Inc., and the contracting employer, Ever-Green Tree Care Inc., after an arborist fell 85 feet from a tree to his death. Both employers denied liability. Arborists argued that it could not have foreseen the employee’s errant behavior and Ever-Green claimed that it was not the responsible employer. The attorney and trial team handling the cases gathered a host of documents, which showed that since 2006, there was a pattern of Ever-Green opening and closing corporations after it had received DOSH citations. As a result of this work, the Board found that Arborists and Ever-green were joint employers and affirmed the citation of serious violations.



Attorney General Ferguson with a group of law clerks from the Spokane office.

The Board also upheld repeat violations by Arborists based on one of its prior companies that had been closed. The issuance of citations and fines helps protect workers by deterring employers from violating the laws and regulations created to keep workers safe. The trial team is now fighting the appeal of this case filed by Ever-Green in Spokane County Superior Court. Arborists did not file an appeal.

Regional Services

Division Chief: Michael Shinn, Senior AAG

Overview: The Regional Services Division has offices in Yakima, Wenatchee, Vancouver, Port Angeles, Kennewick, Everett and Bellingham that serve state agencies and institutions in surrounding communities. By having attorneys and professional staff in the communities where these state agencies operate, the office is able to conserve costs and deliver excellent legal services with expertise and knowledge about the local communities and court systems. Attorneys in these offices represent multiple agencies and attorneys and professional staff are adept in a wide variety of practice areas. The division’s clients include the Departments of Early Learning, Employment Security, Labor & Industries, Licensing and Social & Health Services, as well as 15 state educational institutions.

Legal Highlights: Along with a significant amount of client advice, division attorneys and professional staff handled a great number of litigation matters both in court and in administrative settings. Over the year, the division opened more than 3,000 matters in superior court, and over 1,500 matters in administrative tribunals. In addition, the division opened 67 matters in the state appellate courts during the year. Among the cases handled were cases in family drug treatment courts in several counties, where parents engaged in intensive court teams to address and remedy drug and alcohol addictions that interfered with their ability to safely parent their children, which allow for safe reunifications of families.



Attorney General Ferguson and Chief Deputy Shane Esquibel join members of the Tacoma Division at the Pierce County Pro Bono Night. The Tacoma Division was recognized with the Law Firm Pro Bono Award for creating and staffing their own regularly scheduled family law clinic and their enthusiastic participation in fundraising and program leadership.

Tacoma

Division Chief: Julian Bray, Senior AAG

Overview: The Tacoma Division provides a wide range of legal services in matters arising primarily out of Pierce and Kitsap counties. The division represents several state agencies, including the Departments of Labor & Industries (L&I), Licensing, Employment Security and Social & Health Services (DSHS). L&I cases include appeals of workers' compensation claims and occupational safety and health citations. Paralegals in the Tacoma Division's L&I section handled nearly 1,000 cases before the Board of Industrial Insurance Appeals in 2016 and resolved nearly 50 percent of them successfully. DSHS cases involve child abuse and neglect, licensing of care providers and protection of vulnerable adults. The Tacoma Social & Health Services section handled over 1,000 new juvenile dependency cases and over 500 new termination of parental rights cases in 2016. Tacoma's Torts attorneys defend lawsuits filed against the state in Pierce, Thurston, King, and Kitsap counties. Tacoma Division members are widely recognized for their community service work including pro bono legal services and service on non-profit or government boards and commissions.

Legal Highlights: Division attorneys continued to provide high-level client advice and handle significant appellate cases in the areas of termination of parental rights, workers' compensation, employment standards, occupational safety and health, and tort law. The Social and Health Services section continues to be a leader in the Family Recovery Court in Pierce County where the county recently received a \$2.2 million Substance Abuse and Mental Health Services Administration grant to help address the current opiate crisis in Washington. The division also supports the first "Baby Court" in the Pacific Northwest and Division members are active on several countywide efforts to address the high volume of juvenile dependency cases. The L&I section consists of a number of experienced AAGs who provide high-level legal advice in the areas of employment standards, workers' compensation fraud, and employer audit appeals. Senior Counsel James Mills with the Tacoma L&I section argued in the Washington Supreme Court in 2017 in the *Brady v. Autozone Stores Inc.* case.



Solicitor General Noah Purcell speaks to reporters after U.S. District Judge James Robart granted the state's motion for a temporary restraining order that blocked President Trump's first travel ban nationwide. Purcell argued the case for the state.

Solicitor General: Noah Purcell

Overview: The Solicitor General's Division oversees the state's participation in appellate cases before the U.S. and State Supreme Courts and other federal and state courts. Attorneys in this division also prepare and issue Attorney General Opinions in response to inquiries from state officials, coordinate legal advice on issues of statewide significance, and manage the state's involvement with amicus curiae, or "Friend of the Court," briefs in all courts. The division carries out the Attorney General's duties in preparing ballot measure materials, and represents the state in litigation involving voter initiatives and referendums. The division also serves as legal counsel to the Secretary of State, Lieutenant Governor, Administrative Office of the Courts and Office of Public Defense.

Legal Highlights: In 2017, the division worked with other divisions across the office to help the state secure important victories in many cases, including successfully challenging the first travel ban executive order, successfully defending Initiative 594 (the firearm background check initiative), successfully defending Initiative 1433 (increasing the state minimum wage and guaranteeing paid sick leave), and several cases involving environmental issues. The division also filed a number of amicus briefs in the U.S. Supreme Court, drafted dozens of ballot titles, coordinated roughly 125 moot courts and issued a number of Attorney General Opinions.

Representative Opinions

The Attorney General's Office issued five formal Attorney General Opinions in 2017. Some of these opinions addressed legal questions involving:

- Eligibility of counties to receive fuel tax revenues for rural roads
- Use of race- or sex-conscious measures to remedy discrimination in contracting
- Whether information learned in an executive session is confidential

Amicus Briefs

The Attorney General's Office weighs in on important cases where Washington is not a party by filing amicus curiae, or "Friend of the Court" briefs, to advise the court of the state's views on the issues in the case. The following briefs are a few highlights from 2017:

- **Watson v. City of Seattle:**
The Attorney General's Office argued that Seattle's firearm tax was consistent with state law and within the City's powers, and the Washington Supreme Court agreed.
- **G.G. v. Gloucester County School Board:**
Washington joined with New York to lead a multi-state amicus brief in the Fourth Circuit Court of Appeals arguing that discrimination against transgender students violates Title IX and harms states.
- **Carranze v. Dovex:**
The Attorney General's Office argued that agricultural workers who are paid on a "piece-rate" basis must be compensated for all hours they work under the State Minimum Wage Act.



Solicitor General Noah Purcell speaks to reporters about the state Supreme Court ruling in the Arlene's Flowers Case.



Deputy Solicitor General Anne Egeler receives a Washington State Bar Association Local Hero Award.



Attorney General Bob Ferguson reignited a decades-old softball rivalry with the Governor's Office. The two teams faced off in



September and team AGO won 27-8.

INVESTING IN OUR EMPLOYEES

The Attorney General’s Office is committed to being an outstanding employer. Recognizing employees as its most valuable asset, the office promotes diversity, supports employee training, fosters wellness, ensures workplace safety and cultivates a culture of integrity, professionalism, civility, and transparency.

The office vision is to be the best public law firm in the country. We support that ambition by providing ample training and professional development opportunities for both legal and nonlegal staff.

Employees have access to a wide variety of agency groups and committees with goals ranging from making the AGO a better place to work to supporting veterans and service members.

In keeping with the office’s tradition of excellence, it became the first and only agency in the state to receive Choice Performance Confirmation in 2017 and be recognized at the platinum level—the highest tier granted by the Office of Financial Management.



Historical Research Committee

Attorney General Ferguson formed the Historical Research Committee to explore and document the rich history of the office. The committee is conducting comprehensive research and documentation related to the history of the office.

Staff Mentoring Program

The office's Staff Mentoring Program matches mentor/mentee partners from different divisions and job classifications across the agency based on each participant's interests and skills. The goal of the program is to develop and retain quality attorneys and professional staff through growth and leadership opportunities, career guidance and advancement within the AGO workforce.

Pro Bono Committee

The AGO Pro Bono Committee facilitates and encourages AGO employees in their provision of pro bono legal services, consistent with Rules of Professional Conduct and the AGO Pro Bono Policy. The committee focuses on organizing and promoting events and trainings regarding pro bono topics.

AGO Academy

The AGO Academy is a comprehensive attorney training and orientation program designed to acquaint newly-hired attorneys with the practice of law in our office. The three-day course immerses attorneys in the Attorney General's Office culture and covers the office's Mission Vision & Values. It also highlights the agency organization, case and witness preparation, client interaction, depositions, media relations, public records, professionalism, ethics and more.

Performance Management Committee

The AGO Performance Management Program was revitalized in 2017 with a number of initiatives that led to the office being recognized as a *platinum level* Choice Employer by the Office of Financial Management. The office is the first and only agency to earn this, allowing it to award performance-based leave to staff who exceed the requirements of their position.

Revitalization efforts included a formalized process for supervisors and staff to meet regularly to discuss performance, a simplified Professional Development Plan and Feedback form, a web dashboard dedicated to program information and resources, and training.

Better Workplace Committee

The Better Workplace Committee is staffed by employees from a variety of positions and office locations. This group works to gather staff input and identify, research and develop ideas to improve the culture and environment of the AGO.

Training and CLE

AGO staff have access to a range of training and development opportunities. The office's Training and Development Unit supports and assists employees with individual training needs and interests, and assists in maintaining compliance with required trainings for all agency staff.

The Attorney Training Committee provides in-house CLE programs to enhance the knowledge and development of attorneys at all experience levels. Experts from both within and outside the agency present interesting, varied, and practical programs focused on government law and topics of interest to public employees.

AGO Affinity Groups

In 2017, the office expanded its affinity group program, initially launched in 2015. These groups allow employees to share ideas about matters that affect their professional development and work. The groups support the office's commitment to diversity and inclusion, strengthen networking and cohesiveness across the agency and promote career development. Affinity groups are an important resource to the office in other ways, as well. They provide important feedback to management and assist with efforts to attract and retain highly qualified job candidates.

Diversity Committee

Promoting diversity is a core value and a priority of the Attorney General's Office. As the largest public law office in the state, we recognize that the people of Washington are best served by public servants who reflect the great diversity of the state's population.

The office's Diversity Advisory Committee is dedicated to educating and training employees and managers on diversity issues and supporting the office's diversity recruitment and retention efforts.

AWARDS



2017 William V. Tanner Award winners.

William V. Tanner Award

The William V. Tanner Award recognizes attorneys with exceptional achievements early in their careers. Attorney General Ferguson established the award in honor of the youngest Attorney General in state history. In 2017, he selected nine attorneys to receive the award.

2017 Tanner Awards: Brian Ward, Kelly Owings, Tim Feulner, Greg Ziser, Karen Zehnder-Wood, Albert Wang, July Simpson, Thomas Vogliano.

Senior Counsel & Senior Professional Staff Designations

Thirteen employees received senior staff designations from Attorney General Ferguson in 2017. Recipients of the special designation have at least 10 years of service to the agency, outstanding job performance and a demonstrated commitment to the mission and values of the Attorney General's Office.

Senior Counsel: Charlotte Clark-Mahoney, Allison Croft, Diane L. Dorsey, Dan Galvin, Nels Johnson, James Mills, Renee Morioka, Sarah Reyes, Karen Small, Adrienne Smith

Senior Professional Staff: Kathy Jerez, Kristin Jensen, Kim Wilcox, Cynthia Lockridge, Beverly Cox, Kim Boyd, John Caputo, Marci Phillips.

Marian Graham Award

The Marian Graham Award is named after Marian Graham who started her AGO career in 1968 as one of two receptionists in the Administration Division. She has worked for six Attorneys General. After 12 years in Administration, she moved to the Fiscal Division to serve as Payroll Manager. In 1996, she became the Fiscal Division's Office Services Manager.

Marian retired in 2000 but returned when she was offered a position in 2004. Today she works in the Fish, Wildlife and Parks Division.

2017 Marian Graham Awards: Andrea Jackson, Melanie Wimmer, Nicole Beck-Thorne, Scott Kappes, Lori Sandlin, Amy Phipps.

EXTERNAL RECOGNITION

Excellence in Diversity

Senior AAG Lionel Greaves IV was awarded the Excellence in Diversity Award from the Washington State Bar Association.

Angelo Petrucci Award

Social and Health Services Senior Counsel Renee Morioka was awarded the Angelo Petrucci Award for Lawyers in Government Service from the Washington State Bar Association.

U.S. District Court

Former AAG Theresa Fricke was appointed as a federal magistrate judge in the Tacoma U.S. District Court for the Western District of Washington.

Thurston County Superior Court

- Former Torts team leader Chris Lanese was elected as a Thurston County Superior Court Judge.
- Former Torts AAG Nate Kortokrax was appointed as a Thurston County Superior Court Commissioner.

Joint Asian Judicial Evaluation Committee

AAG Gauri Locker was elected to co-chair the Joint Asian Judicial Evaluation Committee.

Judicial Recommendation Committee

The Washington State Bar Association named Senior Counsel Anne Hall as Chair of its Judicial Recommendation Committee.

Jim Jones Public Service Award

The Conference of Western Attorneys General selected Senior Counsel Fronda Woods for its 2017 Jim Jones Public Service Award.

American Bankruptcy Institute Journal

The ABI Journal published an article on Chapter 11 bankruptcy co-authored by AAG Zachary Mosner.

NAMFCU Global Case Committee

Senior Counsel Carrie Bashaw was appointed to the National Association of Medicaid Fraud Control Units Global Case Committee.

Municipal League & KCBA Award

Solicitor General Noah Purcell won the Municipal League's Warren Magnuson Award for distinguished public service. He also won the King County Bar Association's Friend of the Legal Profession Award



Social & Health Services Olympia AAG Carrie Hoon-Wayno, joined by family members, accepts a Steward of Justice Award.



Attorney General Ferguson and Chief Deputy Shane Esquibel present Glen Anderson's Steward of Justice award to Glen's wife and son.

Steward of Justice Awards

The Steward of Justice Award recognizes office attorneys and professional staff who further the cause of justice through exceptional legal work and extraordinary contributions to the people of Washington state.

Carrie Hoon Wayno: Attorney General Ferguson honored Carrie Hoon Wayno, a section chief for the Olympia Social & Health Services Division, with a Steward of Justice Award for a career dedicated to protecting children from abuse and neglect.

That dedication was first solidified in her work as a juvenile litigation attorney in Vancouver and Tacoma, and later as the lead counsel for the Department of Social & Health Services Children's Administration. She has also served as the office's statewide juvenile litigation coordinator.

Glen Anderson: Attorney General Ferguson recognized AAG Glen Anderson with a posthumous Steward of Justice Award. Glen began his more than 30-year career at the AGO as a law clerk during his third year of law school at the University of Puget Sound. In his role as a senior Torts litigator, Anderson handled some of the most complex and high-risk cases for the State of Washington.

Glen was also a valued mentor to dozens of attorneys over his nearly two decades as the team leader of the Tacoma Torts section, which is affectionately known by the nickname "Fort Courage."



IT Specialist Martin Singleton, joined by family members, accepts a Steward of Justice Award.

Martin Singleton: Attorney General Ferguson honored Information Services IT Specialist Martin Singleton with a Steward of Justice Award for his expertise, professionalism, commitment and integrity.

During his tenure at the Attorney General's Office, Martin has worked on projects to develop and provide litigation encryption training, fix email vault attachment issues, establish internal websites or office committees, and create a process for electronic document transfers.



Members of the Office's Leadership Team and Administration Division at the Star Awards

AGO STAR Awards

The AGO Special Thanks and Recognition (STAR) Awards is a peer-driven program where employees nominate their colleagues and award recipients are selected by a panel of award recipients from prior years.

Outstanding Employee Award

Laura McPhee, Sherry Ross, Chad Standifer, Karen Zehnder-Wood

Outstanding Leader Award

Kahren McCrow, Aileen Huang

Outstanding Team Award

Developmental Disabilities AdminTeam
Cindy Burke, Joshua Campbell, Tamara Griffey, Kathryn Krieger, Inwoo Lee, Dawn Walker, Connie Wall

Outstanding Team Award

Pierce County Termination Response Team
Karen Calhoun, Laura Graham, Susan Waldherr

Better Workplace

CRJ Honor Bar Team
Katharine Hemann, Mary Robnett, LeeAnne Zwinkel

Innovation Award

Amy McCloud

Mentor Award

Rebecca Glasgow

Pro Bono Award

Emily Nelson

Better Communities Award

Cathy Lamoureux

Diversity Award

Aryna Anderson

AGO Excellence Awards

Each year, employees throughout the Attorney General's Office are honored for their outstanding job performance, extraordinary contributions to the office and ethical excellence. The following staff were recognized in 2017.

Attorneys

Garth Ahearn, Arlene Anderson, Aryna Anderson, Ivy Anderson, Valerie Balch, Phyllis Barney, Haley Beach, April Benson, Kristin Brewer, Zachary Brown, Jack Bucknell, Edward Callow, Christopher Casey, Marsha Chien, Cody Costello, Caroline Cress, Melody Crick Peters, Christina K. Dallen, Susan DanPullo, Daniel Davies, Nathan Deen, Anne E. Egeler, Betsy Ensign, Robert Fallis, Caitlin Fleming, Patti Foster, Ingrid Golosman, Peter B. Gonick, Randy Head, Brett Jette, Chris Jordan, Kerri Jorgensen, Erica Koscher, David La Raus, Lisa M. LaGuardia, Michael Lynch, Jennifer L. Mankowski Dixon, Kristin Martinez, Bruce H. Marvin, Rose McGillis, Jennifer Meyer, Aileen Miller, Anne Miller, John Nelson, Patricia Nightingale, Grace O'Connor, Kelly Owings, Jared Rayborn, Clark Shores, Amy Soth, Kelly Taylor, Melanie Tratnik, Audrey Udashen, Steve Vinyard, Brian Ward, Shelley Williams, Kimberly M. Witherspoon, Kelly Wood, Laura Wulf, Annie Yu

Professional Staff

Liz Alvarado, Sandra Araiza, Nicole Beck-Thorne, Marcie Bergman, Julie Billett, Ina Bonsen, Jason Brewer, Robin Brown, Ruthann Bryant, Cindy Burke, Tina Bushaw, Shaunna Carter, Karen Casselman, Sara Cearley, Cheryl Chafin, Ian Couch, Janet Day, Christine Dobbins, Melisa Dolby, Oleta Ferry, Erlyn Gamad, Judy Gaul, Mistie Gillihan, Debora A. Gross, Bonnie Heitman, Kaya Imamura, Roxanne Immel, Dan Jackson, Kathy Jerenz, Susan Judge, Bethany Kenstowicz, Paul Kessler, Jennifer Kleven, Jasmine Malan, Amy McCloud, Danielle McFadden, Melanie Nevares, Carrie Newbury, Hang Nguyen-Le, Barb E. Oliver, Mykaila Ostrom, Jennifer Ostwald, Shana Pacarro-Muller, Apryl Parker, Carrie A. Parker, Tony Perkins, Rose Priest, Kelly Richburg, Lisa Roe, Darice Russaw, Neilisha San Agustin, Amanda Saxton, Jessica Spotswood, Tina Sroor, Lissa Treadway, Debi Truitt, Valerie Tucker, Brendan VanderVelde, Candace Vervair, Saphron Weatherly, Stephen Weeks, Marilyn Whitfeldt, Kim Wilcox, Michelle Williams, Patty Willoughby, Lee Ann Wilson



Members of the AGO Public Records & Constituent Services team

Public Records & Constituent Services

Director: LaDona Jensen

Overview: The Public Records and Constituent Services Unit (PRCS) handles many programs for the AGO. Three Public Records Officers process and respond to all records requests made to the Office. The Constituent Correspondence Liaison assists with reviewing, distributing and responding to AG Bob Ferguson's mail and e-mail. Garnishments, served by statute on the office, are reviewed by the Garnishment Liaison who also guides state agency payroll staff through wage withholding procedures. PRCS also manages records retention for the AGO and is leading the Office's work on the legislatively mandated public records data reporting project.

Financial Services

Chief Financial Officer: Mark Melroy

Overview: The Financial Services Division provides accountability for the office's financial and budgetary accounting practices. The division ensures that the integrity and transmission of financial data are complete, accurate and timely for state and federal compliance.

Facilities and Office Services

Facilities and Records Director: Erick Carlson

Overview: Facilities Services oversees the management of the office's facility needs that include 16 leased buildings statewide as well as managing its surplus and reuse center. The division develops and implements the agency's six-year facility plan, manages agency leases, facilities-driven contracts, space allocations, and provides support for office design. They are also responsible for providing ergonomics assessments and adjustments, office moves and rearrangements, and managing the ACE Reuse Center.

Office Locations

BELLINGHAM

103 E Holly St, #310
Bellingham, WA 98225
(360) 676-2037

SEATTLE

800 Fifth Ave, #2000
Seattle, WA 98104
(206) 464-7744

EVERETT

3501 Colby Ave, #200
Everett, WA 98201
(425) 257-2170

SPOKANE

1116 W Riverside Ave
Spokane, WA 99201
(509) 456-3123

PORT ANGELES

115 E Railroad, #306
Pt. Angeles, WA 98362
(360) 457-2711

TACOMA

1250 Pacific Ave, #105
Tacoma, WA 98401
(253) 593-5243

PULLMAN

332 French Admin Bldg
Pullman, WA 99164
(509) 335-2636

TUMWATER

7141 Cleanwater Ln SW
Tumwater, WA 98504
(360) 586-7777

Information Services

Chief Information Officer: Rick Griffith

Overview: The Information Services Division provides support and consulting for legal technologies including litigation software, eDiscovery and legal research. Additionally, the division manages the delivery of all AGO computer and telephone network infrastructure and the operation of all network hardware and software platforms to provide AGO staff access to their work products and communications. The division provides IT business analysis, IT project management, custom software development, business intelligence and data management services. Data security and disaster recovery are key to the maintenance and operations of the AGO's voice and data systems. The division ensures compliance with state governance policies and standards, and ensures that all electronic services function properly and securely.

Human Resources

Human Resources Director: Rochelle LaRose

Overview: The Human Resources Division provides comprehensive human resources-related programs and services to managers, employees and candidates for employment. The division's goal is to promote effective and efficient human resource management throughout the office by assisting managers in recruiting, developing and retaining a well-qualified and highly competent workforce.

OLYMPIA

1125 Washington St SE
Olympia, WA 98504
(360) 753-6200

KENNEWICK

8127 W Klamath Ct
Kennewick, WA 99336
(509) 734-7285

VANCOUVER

1220 Main St, #510
Vancouver, WA 98660
(360) 759-2100

WENATCHEE

139 S. Worthen
Wenatchee, WA 98801
(509) 664-6385

YAKIMA

1433 Lakeside Ct, #102
Yakima, WA 98902
(509) 575-2468



Public Affairs

Director of Communications: Brionna Aho

Overview: The Public Affairs Unit is responsible for the office's internal and external communications. The unit communicates the work of the AGO through press conferences, news releases, guest columns, audio and video, the external website, social media, presentations, newsletters and the annual report. The unit also provides AGO media training, staffs internal and external committees and task forces, and drafts and designs AGO publications for the public, internal audiences and the Legislature.

Policy

Policy Director: Kate Kelly

Overview: The Policy Team supports the development and implementation of the Attorney General's policy priorities and initiatives. The policy work of the AGO is accomplished through the issuance of reports, guidance, white papers, and other key deliverables, the convening of stakeholders and participation in events and meetings, and the drafting and support of legislation. Policy initiatives in 2017 included such issues as student loans, the opioid epidemic, data breaches, and immigration.

Legislative Affairs

Legislative Director: Yasmin Trudeau

Overview: The Legislative team leads the effort to define and advance the Attorney General's legislative priorities by cultivating relationships with legislative members, stakeholders, state agencies and internal division staff to pass them into law. The team also collaborates with the policy staff, public affairs, and other appropriate office contacts to ensure external messaging is informed by policy and legislative development.

General Services

General Services Director: Karen Cowan

Overview: The General Services Division supports the Olympia, Seattle and Tumwater office staff by providing facility and office support, including copying, scanning, digital file conversion, audio/video conversion and editing, booklet making and binding, and preparation of trial exhibits; reception and centralized mail services; law library maintenance and upkeep; and security access system maintenance. The Division also manages the agency's fleet of 105 vehicles and the Commute Trip Reduction Program.

ATTORNEY GENERAL'S OFFICE CORE LEADERSHIP TEAM

Bob Ferguson
Attorney General

Mike Webb
Chief of Staff

Brionna Aho
Communications
Director

Kate Kelly
Policy Director

Yasmin Trudeau
Legislative Affairs
Director

Judy Gaul
Executive Assistant

Karen Sushak
Executive Scheduler

Shane Esquibel
Chief Deputy

Kim Warren
Executive Assistant

Mark Melroy
Chief Financial
Officer

Noah Purcell
Solicitor General

Todd Bowers
Deputy Attorney
General

Kristen Mitchell
Deputy Attorney
General

Aileen Huang
Deputy Attorney
General

Erika Uhl
Deputy Attorney
General

Christina Beusch
Deputy Attorney
General

