

# First Term Report

### OFFICE OF ATTORNEY GENERAL

# JOSH SHAPIRO



# Message from Attorney General Shapiro

Four years ago, we set out to make the Office of Attorney General the strongest, smartest, and most diverse law enforcement agency in the Commonwealth.We set out to restore trust in the Office and use our power to stand up for people who needed help: our seniors, our veterans, our Black and brown communities. our workers – any Pennsylvanian whose rights were under threat.

This report tells the story of how my office took on those fights, big and small, to protect the Commonwealth and the people who call Pennsylvania home.

Over the past four years, we held some of the largest organizations in the world and in our Commonwealth, including the Catholic Church and UPMC, accountable for their actions. We protected consumers and residents in the onset of the COVID-19 pandemic. We stood up to an outof-control President and fought to uphold the rule of law. When so many in government refused to make decisions to keep people safe, we provide the support people need and deliver results. We will continue to enforce the law without fear or favor and infuse integrity into all that we do.

I am especially thankful to the attorneys, law enforcement officers, and many others who make up the Office of Attorney General. They are the ones who file the briefs, make the motions, do the research, and are in court every day to fight for you. They do the difficult and sometimes dangerous work of investigating and prosecuting those who break the law and harm the people of this Commonwealth. The success of this Office over the past four years is owed to their courage and hard work.

Living up to our potential in the Office of Attorney General required the agency to be more representative of the people we serve. Today, there are more women and more people from Black and brown communities in positions of leadership in the Office than ever before. The diversity of voices in my Office has helped us to better hear and support communities across the Commonwealth.

Our goal is to build a more just, more fair society, and that work will never be complete. Justice is not an end goal – it is a commitment. The Office's successes are due to that commitment, and we will continue to keep up that fight for the people of Pennsylvania in the months and years to come.

### **Table of Contents**

#### Introduction to the Attorney General 4

#### OAG By the Numbers 5

#### Living Out Our Core Values 8

**Restoring Trust in Office** 

Building an Office that Looks Like the People it Serves

Increasing Accessibility and Responsiveness Through the Office of Public Engagement

Securing Pennsylvania's Elections

#### The Big Fights 10

**Taking Down Child Predators** 

Maintaining Access to Health Care in Western Pennsylvania

**Protecting Borrowers** 

Holding Fracking Companies Accountable

#### Protecting Pennsylvanians 14

The Opioid Epidemic Cracking Down on Illegal Firearms and Crime Guns Reforming the Criminal Justice System

#### Fulfilling OAG's Responsibilities 20

Restoring Trust in the Office Civil Rights Environmental Crimes Fair Labor Section Public Corruption Pandemic Response

### **Introduction to the Attorney General**

Josh Shapiro serves as Pennsylvania's Attorney General to represent victims of crime and abuse; defend individual rights; and hold the most powerful interests accountable to the law when they rip off or harm Pennsylvanians.

The son of a public school teacher and a pediatrician, Josh grew up seeing how compassion and serving others can change lives and strengthen an entire community. After earning his law degree at night from Georgetown, Josh and his high school sweetheart Lori returned to their hometown where they are raising their four children.

Throughout his career in public service, Josh has been unafraid to challenge the status quo and win big fights that improve the lives of Pennsylvanians.

As Attorney General, he preserved patients' access to healthcare by taking on the largest healthcare companies in Pennsylvania; exposed a decades-long cover up of child sexual abuse in the Catholic Church; and has returned over \$200 million dollars in financial and non-monetary relief to student loan borrowers, seniors, small business and consumers.



Josh knows that we must enforce the rules, even on the most powerful and well-connected, for our economy to deliver for everyday Pennsylvanians, and that inequality hurts us all by denying too many people their shot at success.

Currently in his second term, Josh fulfilled a mandate to modernize the Attorney General's office and meet its promise to be the people's law firm. His leadership forced action to take on the climate crisis and held polluters accountable; defended voting rights; and protected women's access to contraception.

As Attorney General Josh is directing an urgent, across-the-board fight against the big drug companies and trafficking rings that fuel the heroin and opioid epidemic, including more treatment for those suffering from addiction. He is tackling the scourge of gun violence across Pennsylvania and is committed to improving trust in the justice system with a comprehensive integrity agenda, a more diverse workforce, and smart-on-crime criminal justice reforms.

As Chairman of the Montgomery County Board of Commissioners Josh led an historic fiscal turnaround, helped the first LGBT couples in Pennsylvania marry and fired Wall Street money managers to protect pensions and save retirees millions. As State Representative for Pennsylvania's 153rd House District he passed some of the toughest ethics laws in state history.

# **OAG By the Numbers**

#### Community Engagement

Total Number of Public Information Presentations - 4,897 Total given during COVID - 322 Counties Served - 67 Attendee totals - 755,824



Number of Federal Lawsuits - 54

Number Won - 24

Number Ongoing/Resolved - 29



Delivering for the Commonwealth's Bottom Line Total money returned to the Commonwealth - \$2.147 billion

Tax Litigation - **\$531 million** Financial Enforcement - **\$137 million** Commonwealth's Return on Investment (FY 17/18, 18/19, 19/20) - **\$6.2 to \$1** For every dollar appropriated to OAG, \$6.20 was returned to the Commonwealth



Criminal Referrals from District Attorneys - 1,417 Nearly ten times the 150 referrals in 2016

- Public Corruption Arrests 87
- Total Crime Guns Off the Streets 2,279
- GVTF Crime Guns Off the Streets 732
- 15% rate increase over available data from previous administration GVTF Crime gun investigations - 2.110
- 60% rate increase over available data from previous administration GVTF Crime gun arrests - 541
- 25% rate increase over available data from previous administration

Child Predator Arrests - 360

Average Drug Dealers Arrested Per Day - 4.5 11% increase over 2016 Diversion arrests - 757 51% rate increase over 2016 Heroin Doses Seized - 2.5 million Fentanyl Doses Seized - 1.7 million

Medicaid fraud: Returned \$100M to Commonwealth 536 arrests 47% rate increase over 2016

> Office Integrity Number of Ethics Training Hours - 204 Number of New Ethics Policies Enacted - 27



#### **Diversifying the Office**

Women and people of color hired: 290 out of 477 - 60% of all hires Women and people of color hired in 2016 - 45% of all hires



Pardons - 1191 recommended to Governor (596 were recommended from 2013-2016) Commutations - 34 recommended to Governor (only had 14 total from 1995-2016)





Money Returned to Consumers (Restitution, Loan Cancellation and Other Relief) \$116 million 238% rate increase over available date from 2016

Value of non-monetary relief for consumers \$91.6 million

Money Returned to Student borrowers: \$62.7 million

**Consumer Complaints** 99,932 total; 37,568 from seniors 27% total increase over prior administration; 40% increase for seniors

> Number of COVID-19 Price Gouging Citations 27; \$45,000 returned to consumers

> Number of COVID-19 Consumer Complaints 21,500 Investigations opened 1.206 Legal actions filed 463

Antitrust, charities. healthcare



Antitrust - 57 cases opened, 35 legal actions filed

Charities - 6,697 cases opened

Healthcare -10,468 cases opened (34% rate increase over 2016) 6,295 cases mediated (7% rate increase over 2016)

# **Living Out Our Core Values**

Since day one, Attorney General Shapiro's focus in leading the Office has been to live up to its values of integrity, diversity and accessibility.

#### **Restoring Trust in the Office**



AG Shapiro's first priority upon taking office was to restore trust in the Office of Attorney General and prove to Pennsylvanians that the hardworking, dedicated professionals throughout the office could be trusted to uphold the Commonwealth's justice system.

AG Shapiro <u>appointed</u> the first Chief Integrity Officer in the history of the Office of Pennsylvania Attorney General. Since 2017, the OAG has provided employees with over 204 hours of Ethics training on a wide range of topics, and implemented new policies to continue to ensure that OAG

employees are conducting business ethically and applying justice without fear or favor.

During the AG's first term, he also worked closely with the operations team to implement 27 new policies to streamline the agency's understanding of agency procedures including teleworking and a gift ban while also addressing dated policies such as providing OAG's parental leave policy.



#### Building an Office that Looks Like the People It Serves

Upon taking office, one of Attorney General Shapiro's key priorities was ensuring that the Office of Attorney General was made up of individuals who represented all of the people it serves.

Since taking office, AG Shapiro has hired 477 new employees including 290 women, Black, Hispanic and Asian individuals to serve our Commonwealth—60 percent of all hires. That compares to 45 percent of all hires in 2016.

Additionally, under Shapiro's leadership, the Office hired its first ever diversity and inclusion officer to improve our recruitment and hiring practices, lead diversity education efforts and ensure that OAG is open and welcoming to people from all backgrounds.



# Increasing Accessibility and Responsiveness through the Office of Public Engagement

In March 2017, AG Shapiro <u>announced</u> that he would restructure the office's education and outreach section into the OAG's Office of Public Engagement, making it more available and accessible to the public and to every Pennsylvanian.

The Office of Public Engagement offers a variety of programming for seniors, adults, educators, students, and children. These presentations empower the public by equipping them with knowledge and information to prevent harm. Common topics include: protecting yourself from scams and identity theft, preventing and responding to drug abuse, anti-vaping initiatives, and preventing and stopping senior bullying.

Since its inception, the Office of Public Engagement has provided **4,897** training sessions to more than **755,000** attendees, and has been active in all **67** counties of the Commonwealth.

#### Securing Pennsylvania's Elections

The Office of Attorney General protected the voting rights of Pennsylvanians during an unprecedented set of circumstances; a global pandemic that increased the need for vote-by-mail; a slowdown in mail delivery; and baseless attacks on the integrity of the election.

In *Pennsylvania Democratic Party v.* Boockvar, 238 A.3d 345 (Pa. 2020), the Office successfully fought to ensure voters would not be disenfranchised due to the pandemic and consequent slowdown in mail delivery by: allowing county boards of election to designate drop-off locations for mail-in ballots; and extending the deadline for county boards of elections to receive mail-in ballots by three days.

9

# The Big Fights

#### **Taking Down Child Predators**

#### **Exposing Predator Priests in the Catholic Church**

AG Shapiro <u>revealed</u> the results of an extensive, two-year grand jury investigation that exposed the identities of 301 Catholic priests who sexually abused more than 1,000 children while serving in active ministry in the Church, and also described the Church's extensive cover up of this abuse. This disclosure continues to bring national and international attention to the Church's abuse scandals and the extensive efforts by bishops and Vatican officials to hide this abuse.

AG Shapiro supported four reforms recommended by the Grand Jury to prevent widespread child sexual abuse and cover up from happening again. Three of those reforms, <u>signed into law</u> in December 2019, strengthen mandatory reporting laws, clarify the law on confidentiality agreements to ensure victims know they can speak with law enforcement, and eliminate the criminal statute of limitations for sexual abuse.

In addition to the work in Pennsylvania, AG Shapiro and his team assisted 18 other states with their own clergy abuse reports, 14 attorneys general have announced investigations into abuse in their states, and 20 states have adopted the grand jury reforms set forward by Pennsylvania's report. "The Church listened, but they didn't hear... when I talk to AG Shapiro, I know he hears. I trust him." - Juliann Bortz, Clergy Abuse Survivor

The Office of Attorney General encourages victims or anyone with information about clergy child sexual abuse to share their truth. The number for the Office's Clergy Abuse Hotline is **1-888-538-8541**.

#### Aggressively Pursuing Child Predators and Supporting Victims

The Office of Attorney General has arrested more than **360** individuals on charges associated with child abuse, including possession of child pornography and sexual abuse, since 2017. In October 2018, AG Shapiro <u>announced</u> a partnership with the Pennsylvania Office of Victim Advocate, including funding a full time victim assistance coordinator within the Office of Attorney General, to better serve and support victims of abuse in cases that come before the Office.



#### Maintaining Access to Health Care in Western Pennsylvania

In <u>June 2019</u>, Attorney General Shapiro announced a landmark deal with the two largest healthcare providers in Western Pennsylvania that will protect healthcare access for people who live across the region.

The terms of the 10-year contract between these two organizations ends their longstanding dispute and ensures Highmark patients will have access to UPMC doctors and facilities and that UPMC patients will have access to Highmark resources as well.

Without this agreement, nearly 1.9 million Pennsylvanians could have lost access to care from their doctors. AG Shapiro believed that this was unacceptable, and worked in court and with both healthcare giants directly to secure this new agreement. "That agreement literally saved my husband's life, if this agreement hadn't happened, he wouldn't be here. In the year since, our experience has been fantastic.
My husband is seeing the doctors who know him and know his history. Alleviating this has been tremendous, and this consent
decree has enabled me to access the resources and staff my husband needs for his care."
Lara Larson, Warren, PA Resident



11

#### **Protecting Borrowers**

#### Navient

In October 2017, Attorney General Shapiro <u>sued</u> Navient, the nation's largest private student loan servicer, for making misleading and unfair loans to students and engaging in bad business practices that routinely led to defaults or otherwise harmed borrowers. These alleged practices included making loans to borrowers attending schools with low graduation rates with the expectation that a high percentage of borrowers would be unable to repay them and would default. The Office also alleges that Navient would actively steer borrowers toward more profitable forbearances when they had trouble paying their loans, instead of recommending income-driven repayment plans that may be more advantageous to the borrower.

The AG's Office has asked the court for restitution for borrowers, disgorgement of the company's profits, and for the company to repair its illegally made loans and remove negative credit information on borrowers' credit reports. This case continues in court, despite Navient's <u>failed attempts</u> to skirt responsibility and have the case thrown out.

#### **Student Debt Forgiveness**

Pennsylvania has the second-highest student debt load in the United States—averaging <u>\$36,854</u> in debt per student. Attorney General Shapiro has prioritized holding accountable predatory student loan companies and for-profit colleges that take advantage of students and compound this debt load. In addition to his ongoing suit against Navient, he has also secured relief for students harmed by the practices of for-profit schools and companies such as <u>American Beauty Academy, Career Education</u> <u>Corporation</u>, and <u>Aequitas Capital Management</u>. In total, AG Shapiro has secured more than \$62.7 million in restitution and student debt forgiveness for Pennsylvania consumers.

#### Pennsylvania accuses NAVIENT. of:

- predatory loans to students
- misleading subprime lending
- \$4 billion in abusive interest charges



## One student's experience with NAVIENT:







#### ThinkFinance

In July 2019, AG Shapiro settled with national online payday lender ThinkFinance for allegedly engineering a \$133 million illegal online payday loan scheme that targeted as many as 80,000 Pennsylvania consumers The settlement has voided all remaining balances on the illegal loans, which were contained interest rates as high as 448%.

#### Equifax

AG Shapiro led a coalition of 48 states that secured a \$600 million settlement from Equifax, a prominent credit reporting agency, for a data breach that exposed personal information for more than half of all adults in the United States. This settlement provided restitution, credit monitoring services, improvements in their security, and payments to states.

#### Holding Unconventional Oil and Gas Companies Accountable

#### **Criminal Charges**

In June 2020, AG Shapiro <u>announced</u> criminal charges against two unconventional oil and gas companies, Range Resources and Cabot Oil & Gas – for their repeated and systematic violations of Pennsylvania environmental law in relation to their fracking activities. Range Resources has pleaded no contest to these charges, and the case against Cabot Oil & Gas is ongoing.

#### **Grand Jury Report**

AG Shapiro also announced the <u>findings and recommendations</u> of the Statewide Investigating Grand Jury on the issue of fracking as a whole. The report details the initial failure of the Department of Environmental Protection to adequately respond to the unconventional oil and gas industry and also points out that missteps continue to this day that put Pennsylvanians' health at risk. Especially harmed were Pennsylvanians living in close proximity to this industry; the Grand Jury heard from residents who reported significant health issues allegedly caused by living near fracking sites, including contaminated water and air pollution.

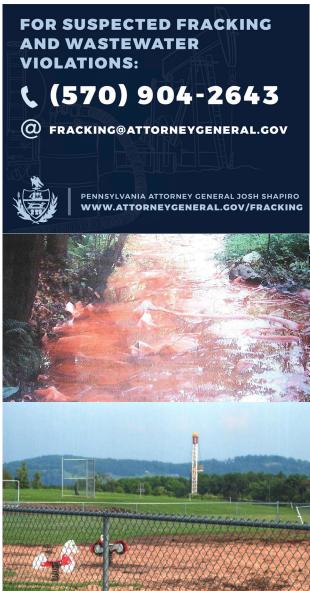
#### Recommendations

In addition to exposing failures on the part of Pennsylvania's Department of Environmental Protection and the Department of Health, the Grand Jury made eight recommendations to create a more comprehensive legal framework that would better protect Pennsylvanians from the realities of industry operations.

# Pittsburgh Post-Gazette



State AG Shapiro: Grand jury report reveals Pa.'s systemic failure to regulate shale gas industry



# **Protecting Pennsylvanians**

#### **Combating the Opioid Epidemic**

Attorney General Shapiro believes that fighting the opioid crisis requires a multifaceted approach that goes beyond arrests and holds those who perpetuated this crisis accountable. The Office is committed to finding data-informed solutions to the epidemic, and has taken action to foster collaboration between law enforcement, the medical community, and social services to best serve those in need.

#### Taking Opioids off the Streets

While the OAG believes that those suffering from addiction need compassion and assistance, the Office will continue to take an aggressive stance in prosecuting the high-level dealers who pump poison into our communities. Since 2017, the OAG has taken more than 2.5 million doses of heroin and 1.7 million doses of fentanyl off the streets and have arrested an average of 4.5 dealers per day – a rate that is 11 percent higher than 2016. AG Shapiro has focused resources on combatting the diversion of legal opioids, resulting in the arrest of 750 individuals for the illegal diversion of prescription opioids in Pennsylvania communities. The OAG will continue to aggressively prosecute and disrupt supply lines for opioids in the coming years.



"The opioid crisis is something that affects almost every family here in Pennsylvania. I've been very open about my own son's heroin addiction many years ago and I
commend the decision by Attorney General Josh Shapiro to investigate the marketing and sale of opioid drugs.
He's bringing the fight against addiction to board rooms, just like he said he would."
Former State Representative and Current County Commissioner Gene DiGirolamo (R-Bucks)



#### Holding Big Pharma Accountable for Poisoning Our Communities

A cornerstone of OAG's strategy to combat the opioid crisis is to hold pharmaceutical companies accountable for their role in promoting and distributing these powerful drugs across the Commonwealth.

In 2019, Attorney General Shapiro sued Purdue Pharma, the manufacturers of Oxycontin, a popular and highly addictive painkiller. The AG alleged that the company pursued a hugely misleading advertising campaign that resulted in hundreds of thousands of unnecessary prescriptions that led many in the Commonwealth to develop a substance use disorder. The lawsuit seeks to end the practices that contributed to Pennsylvania's opioids crisis and recover resources to support treatment efforts throughout the Commonwealth. AG Shapiro followed that lawsuit with separate litigation alleging that members of the Sackler family, who own Purdue Pharma, are personally liable for the opioid crisis because of their direct involvement in their company's advertising campaign.

AG Shapiro is also one of the leaders in the national negotiations with AmerisourceBergen, Cardinal Health, McKesson, and Johnson & Johnson to reach a global settlement of thousands of lawsuits related to their role in the crisis. Shapiro and three other Attorneys General announced a framework for the settlement in October 2019 and work continues to finalize the agreements. AG Shapiro is committed to delivering resources to Pennsylvania for use to expand treatment options and invest in education and prevention in our communities.

#### **Expanding Access to Treatment**

In May 2018, the OAG launched the Pennsylvania Law Enforcement Treatment Initiative (LETI), in Somerset County. The program is a collaboration with law enforcement that helps Pennsylvanians suffering from substance use disorders get enrolled in a treatment program. The program allows those struggling with substance use disorder to walk into any police station and seek treatment without fear of being arrested.

In the past two years, LETI has expanded and now is implemented in <u>Carbon</u>, <u>Schuylkill</u>, <u>Dauphin</u>, and <u>Northumberland</u> counties. This program will continue to expand throughout the Commonwealth, and will also provide data to inform the community of medical professionals and law enforcement on how to best help individuals suffering from substance use disorder.



#### **Cracking Down on Illegal Firearms and Crime Guns**

Understanding that illegally obtained guns and guns used for criminal activity pose a threat to everyday Pennsylvanians, the AG's Office has launched several initiatives designed to partner with local law enforcement and work within existing laws to get criminal and unregistered guns off the street.

#### Track + Trace

In July 2019, AG Shapiro <u>announced</u> a new "Track + Trace" Initiative, a collaborative, data-driven approach to decreasing gun trafficking and illegal transfers and ensuring illegal and crime guns are taken out of neighborhoods across Pennsylvania. This initiative focuses on enforcing established Pennsylvania state laws and increasing awareness surrounding gun trafficking and its implications.



The core areas of Track + Trace include law enforcement logging and sharing information on gun recoveries, moving gun retailers to use an electronic record of sale instead of paper records, and educating people on the dangers of engaging in straw purchases.

Since Track + Trace Launched:

The <u>number</u> of gun purchases being run through eRecord of sale has **increased 600%**;

The number of law enforcement agencies sharing crime gun data has **increased 99%**;

The number of gun trace reports shared in law enforcement has **increased 1203%**.



#### **Closing Loopholes on Ghost Guns**

In December 2019, AG Shapiro published a legal opinion clarifying that partiallymanufactured receivers, which can easily be made into weapons, are considered firearms under Pennsylvania law.

The Office of Attorney General and Pennsylvania State Police continue to work together to ensure that these weapons do not end up in the hands of criminals, convicted felons or other people prohibited by law from possessing a firearm. The AG has called for immediate action by regulatory agencies and lawmakers to stop the increase of untraceable ghost guns involved in crime.

#### **Kensington Initiative**

First announced in 2018, The Kensington Initiative is a unique partnership with local, state, and federal law enforcement to precisely target major criminal drug organizations in the Kensington neighborhood of Philadelphia.

The initiative has taken an active role in protecting residents in the Kensington Neighborhood. In total, law enforcement has currently recovered:



- **416,667** doses of heroin and fentanyl
- Roughly 2 kilos (1.9) of cocaine and crack cocaine
- Roughly 14 ounces of marijuana (380g)
- Hundreds of pills including oxycodone and morphine
- Thousands of doses of Xylazine
- **\$649,364** in cash
- 31 guns
- More than 1,000 rounds of ammunition, magazines
- Miscellaneous gun parts

#### **Outreach and Education to Curb Straw Purchases**

Straw purchasing is when one individual buys a gun on behalf of another, who is unable to purchase their own gun legally. Data suggests that firearms purchased by <u>young women</u> are more likely to be straw purchases, which carries serious criminal penalties.

OAG has partnered with community organizations and national leaders in straw purchase education to provide community workshops, school presentations, leadership training, media campaigns, public service announcements, and other effective outreach methods aimed at curbing straw purchases by women in the Philadelphia area.

"I remember sitting in the courtroom at my son's murder trial listening to the testimony of the girlfriend, she described how she and her boyfriend went to a gun store right outside of Philadelphia where she purchased the gun that took my son Khaaliq's life. Khaaliq's life ended with a gun purchased by a straw purchaser, so many ladies are purchasing these guns and putting them in the hands of those that should not own a gun! This must stop!" - Dr. Dorothy Johnson-Speight, Founder and National Executive Director of Mothers in Charge.

#### **Reforming the Criminal Justice System**

The OAG has a duty and responsibility to make sure communities that have historically been underserved, targeted, and marginalized have a powerful voice in government and the support all Pennsylvanians deserve. This commitment to justice and to antiracism has led the office to implement internal and external reforms.

Structural racism and economic inequality have been with us for centuries, and AG Shapiro knows it will take repeated action, again and again, between leaders in our cities and towns, across government, activists, and in the legal community, to break down systemic racism and injustice so that every Pennsylvanian can achieve their full potential.

#### Eliminating cash bail for low-level charges

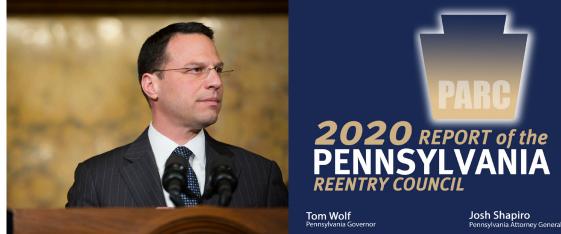
During his term, AG Shapiro implemented a new policy that formally stopped automatic cash bail for non-violent and low-level offenses for cases handled by the OAG. Cash bail requirements for such offenses disproportionately harm Black and brown communities and individuals who cannot afford to pay.

#### Implemented new diversion and anti-recidivism programs.

National studies have shown that more than two-thirds of all people incarcerated will be incarcerated again at a later date. Additionally, previously incarcerated individuals experience significantly higher rates of unemployment and homelessness and are much less likely to have a high school diploma or GED. Recognizing the need for reform in this area, AG Shapiro and Governor Wolf <u>announced the results</u> of the Pennsylvania Reentry Council's (PARC) report and recommendations to better support individuals reentering society.

PARC's report includes 37 recommendations across a wide range of service needs, including: treating substance use disorder upon release, advocating for continuity of care for physical, mental health, and

substance use disorder upon substance use disorder treatment needs for returning citizens; making it easier for returning citizens to find stable housing; and establishing a statewide internet platform to provide reentering citizens, judges, corrections officials, probation and parole officers and others with access to available services for reentering citizens across the Commonwealth.



#### Updated our agent training programs to focus on de-escalation and implicit bias.

Since taking Office, AG Shapiro has instituted and updated two agent training programs: the Office of Attorney General Agent Field Training and Evaluation Program and the Commonwealth Investigator Training Academy. The academy collaborates with MPOETC on curricula and any agent certified under Act 120 now keeps their training up to date each year. 121 new trainees have participated in these new programs.

#### Established the First Statewide Conviction Integrity Unit

In February 2020, AG Shapiro <u>launched</u> Pennsylvania's first statewide Conviction Integrity Unit. The Unit is designed to partner with district attorneys to provide a mechanism for old cases to make sure justice is served.

#### **Police Misconduct Database**

In October 2019, AG Shapiro convened a meeting with legislators in the police reform group and law enforcement across the Commonwealth. They agreed that officers who engage in misconduct or use excessive force erode trust in law enforcement and make it harder for our communities to be and feel safe. When officers leave an agency, or retire in lieu of termination, that record needs to go with them — so departments know who they're hiring.

In the wake of the murder of George Floyd, AG Shapiro formed a breakthrough coalition of support for making a police records database law. He brought together labor leaders, legislators, community advocates, law enforcement, and federal partners to push this legislation to the Governor's desk.

In June 2020, with the support of the AG and his coalition, the police record database was signed into law by Governor Wolf. AG Shapiro believes it is another step toward reducing bias and holding bad actors accountable across the Commonwealth. "I join the many law enforcement agencies who support this legislation recognizing that transparency and law enforcement are not mutually exclusive, I commend Attorney General Shapiro for leading this effort and bringing together many voices to call for this necessary change in hiring practices." - Heather Adams, Lancaster County District Attorney



#### Helping to Improve the Board of Pardons Process and Providing Second Chances

The Attorney General of the Commonwealth is constitutionally appointed to serve on the Board of Pardons, which considers applications for pardons and commutation by those convicted of crimes across the Commonwealth. AG Shapiro, in partnership with Lieutenant Governor Fetterman, eliminated all application fees as part of the pardons process to ensure that no one is barred from the process for financial reasons. AG Shapiro also worked with his fellow board members to move the application process online, reduce paperwork, and expedite pardons for lower-level convictions, including for marijuana possession. As a result, the rate of applications for pardons has doubled over the past four years.

AG Shapiro carefully considers each application that comes before the board and the Board of Pardons has been more active than at any time in the modern era. Since 2017, the Board has recommended 1,191 pardons compared to 596 in the previous 4 years. It has also recommended 34 commutations of life sentences to Governor Wolf, more than double the number that had recommended in the previous two decades.

# **Fulfilling OAG's Responsibilities**

Attorney General Shapiro came into office with the belief that there were key areas in which OAG had the responsibility to do more for Pennsylvanians. He has focused on rebuilding the office's complement in key areas, rejuvenating parts of the office that were under-resourced and developing new approaches to the problems Pennsylvanians face each and every day.

#### **Restoring OAG's Complement**

In January 2017, the Office's complement was at 769, down from a high of 895 in 2008. Since then, AG Shapiro has worked with the Legislature and Governor to restore the agency's complement up to 906 currently filled positions.

One key area of renewal has been narcotics agents. When Attorney General Corbett took office in 2005, there were 173 narcotics agents at OAG. The complement was down to just 121 agents when AG Shapiro begin his tenure. Today, that number has returned to 144 narcotics agents across the Commonwealth, with 23 agents specifically focused on diversion of prescription drugs.

#### **Reinvigorating the Civil Rights Section**

In 2017, AG Shapiro entered Office with a Civil Rights Section that was understaffed and underutilized. Since then, the OAG has re-staffed this Section with experts, in order to protect all people, no matter what they look like, or where they come from, or who they love or who they pray to.

The Civil Rights section has been critical in standing up for Pennsylvanians against the Trump Administration. The section has also recently worked with the NAACP and New Hanover Township, following reports of racist attitudes and practices, to advise on recommendations to update their training, personnel, and policy procedures. This section is currently leading an ongoing investigation against discriminatory housing practices in Philadelphia.

#### Protecting Clean Air and Pure Water

AG Shapiro also reinvigorated the Office's Environmental Crimes Section, focusing on protecting Pennsylvanians' Constitutional Right to clean air and pure water.

The section has been critical in the ongoing effort to protect the environment from dangerous administration rules, and has primarily focused its efforts on stopping polluters and placing a check on dangerous behavior from fracking operations (as detailed by the Grand Jury report). This section will continue to play an important role in protecting Pennsylvanians in the coming months and years.

Over the past few years, the Environmental Crimes section has charged 22 companies for infringing on Pennsylvanians' constitutional rights.





#### A New Focus on Protecting Workers' Rights

Hard-working Pennsylvanians deserve honest wages and fair treatment. Violating workers' rights has an adverse effect on communities, particularly those most vulnerable and underpaid. In 2017, AG Shapiro created the Office of Attorney General's first Fair Labor Section, dedicated to defending the rights of Pennsylvania workers and ensuring that employers do not steal wages, misclassify workers, and discriminate against employees.

The Fair Labor Section partners with federal, state, local agencies, as well as with labor organizations and workers' rights groups, to protect and support workers including some of the only joint investigations and prosecutions of workers misclassification under Act 72.

The Fair Labor Section's work was critical to protecting Pennsylvania workers against many of the unfair and illegal administrative rules promulgated by the Trump Administration, and took action in leading against federal rules regarding <u>tipped workers</u>, critical rules regarding <u>worker</u> <u>classification</u> and overtime <u>protection</u>.

#### Taking a Stand Against Public Corruption

AG Shapiro holds public officials across the state to the same high standard that he holds his staff in his Office. This includes zero tolerance for corrupt behavior and breaking the law. Since 2017, the OAG has charged 87 public officials with actions related to corrupt behavior, including embezzlement, sexual assault, and other abuses of power.

#### Limiting the Use of Outside Counsel

Attorney General Shapiro believes that OAG's lawyers are the best of the best, and they should be the attorneys representing the Commonwealth in the Office's toughest cases, rather than relying on outside counsel. While his Administration inherited a number of outside counsel relationships, particularly to handle employment-related matters dating to the previous administration, AG Shapiro's team has used outside counsel sparingly. While the previous Administration spent more than \$4 million on outside counsel, Shapiro's Administration has spent just \$364,000 on outside counsel to provide specialized and geographically-specific representation and labor and employment issues from his term.

#### **Responding to the Pandemic**

#### **Price Gouging**

In the initial panic during the first wave of the COVID-19 pandemic, the Office received more than 21,500 complaints related to COVID-19, many of which were specifically regarding concerns over price gouging for in demand items – such as cleaning supplies, paper products, and medical equipment. The AG's Office <u>partnered</u> with federal law enforcement to combat fraud and <u>created</u> specific resources to help respond to price gouging.

As a result of the OAC's ongoing efforts, the Office has returned **\$45,000** in restitution to consumers as a result of alleged price gouging.

#### PA CARE Package

As the economic toll of the pandemic began to escalate, many Pennsylvanians lost their jobs and were unable to pay their bills. It was clear that swift action was needed to help Pennsylvanians who might face eviction, foreclosure, or other serious financial consequences — through no fault of their own — from losing their homes and being needlessly exposed to the virus.

To help, OAG launched the PA CARE Package, partnering with 16 banks and financial institutions across the Commonwealth to have millions of dollars in loan payments deferred and fees waived or refunded for hundreds of thousands of Pennsylvanians.

#### **Protecting Workers**

At the start of the COVID-19 pandemic, OAG's Fair Labor Section partnered with large national companies, including Home Depot, Amazon, Walmart, and Whole Foods, as well as small businesses like Mom's Foods grocery in Philadelphia, to secure safe working conditions for employees and to keep facilities safe for the public. Dozens of companies in a variety of industries complied with the OAG's recommendations. OAG also developed innovative partnerships with DoorDash and InstaCart to help ensure that workers who were sick or quarantined were able to safely stay home without worrying about their next paycheck. In total, the Fair Labor Section also worked to resolve over 1,200 COVID-related complaints since March.



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