

2015-2017 Biennial Report



Office of Attorney General

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OFFICE OF ATTORNEY GENERAL

THE ELECTED OFFICE

The Office of Attorney General was established in the 1889 state Constitution. The agency is headed by the Attorney General, an independently elected constitutional officer.

The Attorney General serves on numerous boards and commissions, including the Board of University and School Lands, Industrial Commission (which oversees all state-owned industries), PERS Board of Trustees, Judicial Council, and the Pardon Advisory Board.

Attorney General Wayne Stenehjem also chairs the state's Human Trafficking Commission and the Domestic Violence Fatality Review Commission.

DUTIES AND FUNCTIONS

The Attorney General represents the state in all legal matters, civil and criminal, where the state is named as a party or the state may have an interest in the outcome of the litigation. The office also provides legal services to state entities and officials.

The Attorney General issues opinions on questions of law related to matters involving state statutes, the state Constitution, and matters having statewide significance.

The office also enforces the open records and meetings laws and issues opinions in response to complaints of alleged violations by a public entity.

In addition to its legal duties, the Office of Attorney General has several divisions with regulatory or investigative functions:

- The **Bureau of Criminal Investigation** assists local law enforcement agencies with criminal and drug enforcement investigations, maintains the criminal history and sex offender registration systems, and provides training for law enforcement officials.
- The **Consumer Protection and Antitrust** division enforces the state's consumer fraud and Do Not Call laws, investigates and prosecutes consumer fraud cases, and enforces the state's anti-trust statutes.

- The **State Fire Marshal** division conducts arson investigations and fire safety inspections, regulates the sale, use, and storage of explosives including fireworks, and conducts fire code compliance inspections of public buildings, day care facilities, and schools.
- The **Gaming** division regulates charitable gaming and audits compliance with tribal-state casino gaming compacts.
- The **Licensing** section issues gaming and transient merchant licenses, and certain wholesale, retail, and distributor licenses.
- The **North Dakota Lottery** is responsible for the day-to-day operation of the lottery and its games.

Defects in the Law

North Dakota Century Code Section 54-12-05 requires the Attorney General to “direct attention to any defect in the practical operations of the law relating to revenue and criminal offenses and shall suggest amendments and changes as in the attorney general’s judgment are necessary to subserve the public interest.”

Informing the Public

During the biennium, the agency continued its efforts to provide information to the public and local law enforcement.

The office issued **62** news releases on a variety of topics, from warning about a

current scam to announcing the latest victory over federal overreach.

Office of Attorney General Website

In January 2017, the Office of Attorney General rolled out its new website, **attorneygeneral.nd.gov**.

The website is responsive, making it easy to access the agency’s consumer information, forms, news, data and more, from a variety of devices ranging from a desktop to a smart phone.



Finances

- The agency’s 2015-2017 budget, after general fund allotments, was **\$90.8 million**.
- The 2015-2017 **revenues collected** totaled **\$93.9 million**.
- The costs associated with defending and prosecuting actions on behalf of the state by attorneys within the Office of Attorney General totaled \$3.7 million. This total includes the costs of the former North Dakota University System legal staff the Legislature consolidated with the Office of Attorney General in 2015. ■



REPRESENTING THE STATE

GENERAL COUNSEL

The **State & Local Government** division provides general counsel legal services to more than 70 state agencies, boards and commissions. The division drafts Attorney General opinions, reviews all administrative rules adopted by state agencies, and assists client agencies and members of the Legislative Assembly by drafting bills and amendments, explaining the ramifications of proposed legislation, and testifying before legislative committees.

LEGAL OPINIONS

The **State & Local Government** division drafted **13** opinions on questions of law related to matters involving state statutes, the state Constitution, and issues having statewide significance, including:

- **2015-L-07: AUTHORITY OF PUBLIC ENTITY TO HIRE LOBBYIST.** Generally, a state agency or political subdivision may not use public funds to hire a lobbyist unless such authority is specifically provided for by statute.
- **2016-L-04: ACCIDENT REPORT INFORMATION.** If an accident report involves a crime and a victim has affirmatively asserted their rights under Marsy's law, certain contact information may be protected.

Medical Marijuana (Measure 5)

On November 9, 2016, North Dakota voters approved Measure 5, authorizing medical marijuana. As passed, Measure 5 had several deficiencies, from conflicting regulatory provisions to failing to decriminalize possession of [medical] marijuana.

The State & Local Government division provided assistance to the 65th Legislative Assembly regarding the federal stance on state medical marijuana programs and offered legislative amendments to correct the measure's deficiencies.

Senate Bill 2344 ("Compassionate Care Act") took effect on April 18, 2017.

The division also advised its client agency, the Department of Health, throughout the legislative session and after the bill took effect on implementation of Measure 5. ◀

OPEN RECORDS & MEETINGS

The division handled a large number of telephone calls from public entities and citizens regarding open records and meetings requirements. The agency issued **34** opinions addressing alleged violations of the open records or open meetings law, including:

- **2015-O-14: OBLIGATIONS OF A PUBLIC ENTITY.** A public entity has an obligation to provide public records, including any records that may be in the possession of its agents. A board may not use email to conduct public business.
- **2017-O-03: PERSONNEL ISSUES AND JOB PERFORMANCE ARE PUBLIC MATTERS.** Personnel issues and job performance are not protected under the open meetings law. The Devils Lake City Commission violated the law when it held a closed executive session to discuss personnel issues and job performance and duties of the city's police department and staff.

Open Records & Meetings Task Force

In August 2015, Attorney General Stenehjem formed a task force to analyze the open record and meeting laws. The task force included representatives from government entities, the Legislature, law enforcement, information technology, and the media.

The task force met several times during the interim and submitted a consensus bill to the 2017 Legislature to close loopholes and address technological concerns. House Bill 1345 took effect on April 12, 2017. ■

Special Assistant Attorneys General

Several state agencies either have their own legal departments or statutory authority to use private attorneys. These attorneys are appointed as Special Assistant Attorneys General (SAAG) but are paid by the hiring state agency.

During the biennium, state agencies paid \$16.85 million to these SAAGs, including:

- Workforce Safety & Insurance — \$4.07 million (up from \$3.34 million last biennium);
- Department of Transportation — \$1.2 million.

University System Legal Services

As directed by the Legislature, the Attorney General reviewed the use of private attorneys (SAAGs) by the University System. As a result, many of the legal services were taken over by attorneys in this Office, including the attorneys who were formerly with the University System.

However, during the biennium, the University System paid numerous private attorneys (almost all of whom were located outside ND):

- **\$299,428** for patent enforcement; and
- **\$133,918** for completion of federal immigration requirements relating to the employment of foreign nationals at the state's universities and colleges. ♦

LITIGATION

The **Civil Litigation** division represents state agencies, officials, and employees in legal actions, including administrative hearings, state court lawsuits, federal court lawsuits, and appeals. The attorneys handle cases ranging from challenges to the constitutionality of state laws to collection actions for various state agencies.

The division recovered **\$12.23 million** for state entities during the biennium.

Division attorneys represent the Bank of North Dakota, the Department of Labor, Department of Human Services, Department of Transportation, Job Service North Dakota, the State's Risk Management fund, and the Department of Corrections & Rehabilitation.

The division recovered **\$9.52 million** for the Bank of North Dakota from delinquent property and student loans, **\$2.62 million** in unpaid employer tax contributions for Job Service North Dakota, and over **\$97,000** of unpaid wages from employers on behalf of the Department of Labor.



Inmate Lawsuits

The division successfully defended the state in a number of lawsuits filed by inmates at the State Penitentiary against the Department of Corrections & Rehabilitation (DOCR), alleging that DOCR or its employees violated the inmates' constitutional rights.

Those cases included allegations that the DOCR was "deliberately indifferent" to serious medical needs, in violation of the Eighth Amendment, that DOCR employees retaliated against prisoners for filing prison grievances, and that the penitentiary's ban on sexually explicit material was unconstitutional, among others.

Section 2254 Habeas Petitions

The Criminal & Regulatory division defended the state against 23 habeas cases filed in federal district courts by prisoners seeking to overturn state district convictions and be released from prison, and by individuals who were committed to the State Hospital as sexually dangerous individuals.

In each of the 23 cases, the United States District Court granted the state's motion to dismiss, denying the habeas petitions.

Two of these cases were appealed to the 8th Circuit Court of Appeals, which upheld those dismissals.

Sexually Dangerous Individuals

The state is currently defending a challenge to civil commitment laws for individuals who have been assessed as “sexually dangerous” and involuntarily committed to the State Hospital for treatment.

As of the end of the reporting period it was unclear if the district court would certify the case as a class action suit.

Abortion Control Act

The state's almost five-year defense of a law passed by the 2011 Legislature restricting abortions ended in April 2016. The 8th Circuit Court of Appeals upheld the lower court's decision that the law was unconstitutional.

The state of North Dakota was required to pay the Red River Women's Clinic's costs for the litigation. The parties reached a settlement on the amount and the **state paid \$245,000 to the clinic**. The state incurred an **additional \$325,948** in legal costs for defending the law.

Tobacco Enforcement

The state is currently defending tobacco companies' allegations that North Dakota did not “diligently enforce” its qualifying statute during 2004 (a requirement of the 1998 Master Settlement Agreement).

The potential loss to North Dakota is \$20 million. A hearing is scheduled in March 2018.

Through the end of the biennium, the state had received a total of

\$463,976,235 in tobacco settlement payments.

- Of that amount **\$64,618,710** was received during the 2015-2017 biennium.



Minnesota's Next Generation Energy Act

In 2011, North Dakota and others sued Minnesota over its Next Generation Energy Act (NGEA), alleging that the NGEA violated the Commerce Clause and the Supremacy Clause of the United States Constitution.

In April 2014, a Minnesota federal district court ruled the Minnesota law unconstitutional. Minnesota appealed, and in June 2016, the 8th Circuit Court of Appeals **affirmed** the federal district court's decision.

- North Dakota was **awarded \$1.3 million** in attorneys' fees but Minnesota appealed the award.

The hearing on the award of attorneys' fees is scheduled in October 2017. ■



SAFEGUARDING RESOURCES

ENVIRONMENTAL LITIGATION & ENFORCEMENT

North Dakota's natural resources are vital to the state's economy and to its citizens' lifestyle and well-being. The Attorney General, as a member of boards that oversee natural resources, plays an important role in the wise use of these resources.

The **Natural Resources** division assists

- the Department of Trust Lands in managing state-owned lands and minerals;
- the State Engineer in regulating dams, dikes, drains, and the appropriation of water;
- the Industrial Commission in regulating the exploration and development of mineral resources;
- the Health Department in protecting our environment;
- the Game & Fish Department in managing wildlife and wildlife habitat;
- the Water Commission in developing water resources; and
- the Parks & Recreation Department in managing public recreation areas.

The division also administers the state's anti-corporate farming law.

STATE LANDS & MINERALS

The Attorney General is one of five members of the Board of University and School Lands, which manages approximately 712,000 acres of state-owned land and 1.8 million acres of state-owned minerals. The income supports the state's schools.

Oil & Gas Hearings

The division's assigned attorney presided over almost **2,400** oil & gas administrative hearings and helped the Industrial Commission's Department of Mineral Resources pursue **16** civil administrative cases for violations of the Commission's rules, orders, and regulations.

Through those actions, **\$269,150** has been collected in penalties. As of the end of the biennium, **six** cases are still pending and in another **three** cases, the division is obtaining judgments for unpaid penalties.

Environmental Protection

The division assisted the Health Department with its regulatory work involving air pollution control, asbestos removal, water pollution control, and solid waste and hazardous waste management.

During the biennium, the division initiated **79** enforcement actions, collecting more than **\$2.67 million** in penalties for violations, including:

- Negotiating a settlement with Tesoro High Plains Pipeline Company requiring remediation and payment of **\$454,000** in penalties for a 2013 pipeline spill of approximately 840,000 gallons of crude oil near Tioga, ND.

FEDERAL LITIGATION

Clean Power Plan Rule

In October 2015, the Attorney General filed a lawsuit against the US Environmental Protection Agency, challenging its new Clean Power Plan rule.

The rule would have required North Dakota to reduce CO2 emissions by almost 45% - more than almost every other state and four times more than the EPA had originally proposed.

When the federal court refused to issue a stay preventing the rule from taking effect while the lawsuit was ongoing, the Attorney General's office appealed to the Supreme Court of the United States.

The Supreme Court issued a **stay** in February 2016, which remains in effect.

The case is currently being held in abeyance while the Trump administration reviews the rule.

Hydraulic Fracturing (Fracking)

North Dakota and other states challenged the Department of the Interior and Bureau of Land Management's March 2015 "Fracking Rule" which sought to undermine the state's regulation and management of fracking.



In June 2016, a federal judge **struck down the BLM's fracking rule** on the ground that the BLM's effort to regulate fracking through the rule exceeded its statutory authority.

The BLM appealed to the 10th Circuit Court of Appeals and a decision was still **pending** as of the end of the reporting period.

Stream Protection Rule

In December 2016, North Dakota filed a federal lawsuit against the US Department of the Interior over its "Stream Protection Rule."

The state alleged the rule infringed on the state's authority to regulate surface mining and reclamation activities,

and unlawfully expanded the federal government's authority.

“This is the epitome of a midnight regulation.”

*Attorney General
Wayne Stenehjem
December 20, 2016*

Attorney General Stenehjem sought to have the rule vacated and the DOI enjoined from enforcing it. In February 2017, the rule was **repealed** by Congress under the Congressional Review Act.

Venting and Flaring Rule

North Dakota, with Wyoming and Montana, filed suit against the Department of the Interior and the Bureau of Land Management, seeking to vacate the federal government's “venting and flaring” rule.



The rule imposes detailed air quality regulations on venting and flaring of natural gas and applies to both federal lands and non-federal lands pooled with federal lands.

In June 2017, the BLM postponed the effective date for certain compliance obligations, pending further review of the final rule to determine its consistency with President Trump's Executive Order

No. 13873 (Review of all Agency Actions that Potentially Burden the Safe, Efficient Development of Domestic Energy Resources).

The BLM's postponement has been challenged in two separate actions. As of the end of the reporting date, the state's case is pending and the briefing schedule had been extended.

Waters of the United States (WOTUS)

North Dakota challenged the Environmental Protection Agency and Army Corps of Engineers' proposed rule known as the WOTUS Rule.



The rule sought to redefine “waters of the United States” for purposes of the Clean Water Act and would have greatly expanded federal regulations across the state. Federal regulation of waters such as prairie potholes would restrict the use of broad swaths of land from North Dakota's farmers and ranchers.

North Dakota **successfully prevented** the rule from taking effect by obtaining an injunction against the rule.

In February 2017, President Trump directed the EPA and Corps to review WOTUS, and in June 2017, the EPA took the first step toward **withdrawing the rule**.

Jurisdictional questions regarding the Obama-era WOTUS rule are still pending before the United States Supreme Court. ■

CORPORATE FARMING

The Office of Attorney General enforces the state's corporate farming law, which prohibits a corporation or limited liability company from owning or leasing farm and ranch land unless it meets one of the exceptions in law.

Dakota Access, LLC

In September 2016, the Natural Resources division reviewed a land purchase by Dakota Access, LLC, which had asserted that civil disturbances at and near its pipeline construction areas made the purchase of land in Morton County temporarily necessary to provide a safer environment for its workers and contractors.

- Numerous out-of-state “eco-groups” launched online petitions that generated thousands of emails a day, temporarily clogging the agency’s general email inbox.

In November 2016, the office approved a temporary exception and allowed Dakota Access, LLC one year within which to divest the property.

By April 2017, the public safety situation had resolved.



As of the end of this reporting period, Dakota Access, LLC was leasing the land and planned to sell it in October 2017.

Corporate Farming Challenge

The division is again defending the state's corporate farming law in federal court from a constitutional challenge made by eight plaintiffs, including two out-of-state LLCs and a non-profit corporation. Trial is scheduled in 2019.

This is the fifth constitutional challenge against this law in the past decade. ■



SUPPORTING CRIMINAL JUSTICE

PIPELINE PROTESTS

At the height of the protests against the completion of the Dakota Access, LLC pipeline, more than 10,000 people were estimated to have set up makeshift campsites in Morton County at or near the site of the pipeline construction.



As the months wore on, many of the activities initiated by individual protesters placed law enforcement officers and civilians in danger.

Law enforcement agencies across the state and the nation sent officers to assist Morton County, which was overwhelmed by the additional public safety and enforcement responsibilities.

The **Bureau of Criminal Investigation** assigned agents as needed to assist state and local law enforcement agencies.

- The 65th Legislative Assembly passed Senate Bill 2302, authorizing the Attorney General to appoint “ad hoc” special agents and providing arrest authority for federal agents.

STENEHJEM URGES PROTESTORS TO COMPLY WITH THE GOVERNOR’S EMERGENCY EVACUATION ORDER

February 17, 2017

BISMARCK, ND - Attorney General Wayne Stenehjem today urged immediate compliance with Governor Burgum’s emergency evacuation order of protestors residing on federal land managed by the US Army Corps of Engineers in Morton County, for purposes of environmental cleanup to protect public health and prevent harm to the Missouri River.

“I urge all remaining individuals to immediately vacate the area known as the ‘Oceti Sakowin camp site’ so that cleanup work can be completed before the area is inundated with floodwater. The threat to the environment is very real and the situation is urgent. This is about protecting the land and the waters of the Missouri River from pollution from tons of garbage, human waste and other hazardous items,” said Stenehjem. ◀



INVESTIGATIONS

The **Bureau of Criminal Investigation** (BCI) has agents located in Bismarck and 13 field offices across the state.

These agents provided assistance to federal, state, and local law enforcement agencies on **990** drug investigations and **1,072** other criminal investigations during the biennium, including:

- In late 2015 and early 2016, several rural bars in 13 counties in central and eastern North Dakota were **burglarized**. BCI agents assisted local law enforcement agencies, both on scene and by coordinating and disseminating investigative information across the various jurisdictions. Multiple people were **charged** with 18 burglary-related offenses.

Drug Trafficking

Although the downturn in oil production has significantly reduced the transient population in western and northwestern North Dakota, the state's drug task forces have not seen a similar decrease in organized drug activity in those areas.

- In October 2015, drug agents identified Boyd Padgett of Beach, ND, as the source of **methamphetamine** for a drug trafficking organization. Working with the DEA, BCI agents used confidential informants to conduct controlled deliveries, resulting in Padgett and three others being federally indicted. Padgett was convicted and **sentenced** to **15 years**.



Co-defendant Windy Panzo admitted to distributing more than 50 lbs of methamphetamine. Panzo was **sentenced** to **25 years**. Two other co-defendants were convicted and **sentenced**, to 10 and 20 years, respectively.

Use of Force

The BCI assists local law enforcement agencies in conducting independent investigations of an officer's use of force. Once the BCI's investigation is complete, it is referred to the county state's attorney who determines whether the officer's actions were justified.

- The BCI conducted **13** use of force investigations during the biennium, including two involving officer fatalities.

End of Watch

On February 11, 2016, Fargo Police Officer **Jason Moszer** was shot and killed during a standoff with a suicidal domestic violence suspect in a house near downtown Fargo.

On January 18, 2017, Deputy **Colt Allery**, Rolette County Sheriff's Office, was shot and killed while attempting to apprehend a suspect in a stolen vehicle. The suspect was shot and killed by law enforcement.

THIN BLUE LINE MEMORIAL

During North Dakota's Peace Officer Memorial week in May 2017, for the first time the State Capitol windows on two floors were lit to display a **"Thin Blue Line"** in a show of support and respect for law enforcement.



The **Thin Blue Line** blue light display was suggested by Bismarck Police Chief Dan Donlin, who asked Attorney General Wayne Stenehjem to seek approval for the display. Stenehjem asked legislative leaders to support the idea and it received enthusiastic support from the North Dakota Legislature, which authorized the annual display in Senate Concurrent Resolution 4015.

“That ‘Thin Blue Line’ represents the law enforcement officers, past and present, who stand strong between violence and anarchy, and peace and order.”

Chief Dan Donlin
Bismarck Police Department

OTHER DUTIES

Criminal History Record Checks

Forty-four agencies and professional licensing boards require or may request an applicant to complete a criminal history record check prior to licensure.

The BCI also conducts a criminal history record check on all applicants for a concealed weapon license.

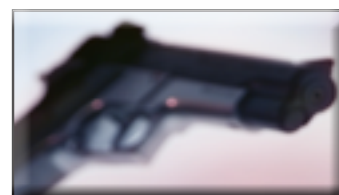
- During the biennium, the BCI conducted **110,252** state and federal record checks for licensees and applicants for a concealed weapon license, and an additional **16,467** record checks in response to requests from the public (landlords, private employers).

Concealed Weapon Licenses

North Dakota's efforts to secure reciprocity with Minnesota were finally successful in August 2015, when Minnesota agreed to reciprocity for our Class 1 license holders.

As soon as the decision was announced, applications began pouring into BCI. In 2015, the BCI issued 6,828 concealed weapon licenses. In 2016, that almost doubled, to **12,253**.

- Class 1** licenses now account for **21%** of the 48,356 active licenses.



Constitutional Carry

The 65th Legislative Assembly passed House Bill 1169, authorizing eligible North Dakota residents to carry a concealed weapon without the need for a concealed weapon license. The bill took effect on August 1, 2017, after the end of this reporting period.

Arson Investigations

The State Fire Marshal assists local criminal justice agencies with the investigation of suspected arson. There are six deputy fire marshals, stationed in Bismarck and four field offices across the state.

During the biennium, deputy state fire marshals conducted **221** fire origin and cause investigations.

- Forty fires (18%) were determined to be **arson**. There were **17 fire-related fatalities**. ▀



INFORMATION TECHNOLOGY

The **Information Technology and CJIS** division provides technology support services for the Office of Attorney General in 24 locations across the state.

It supports communications with law enforcement and other state and local criminal justice agencies through the Criminal Justice Information Sharing (CJIS) portal and the state radio teletype system, 24 hours a day, 7 days a week.

- The division responded to more than **8,200** internal and external service requests during the biennium.

Criminal Justice Information Sharing (CJIS)

The Office of Attorney General provides a secure Criminal Justice Information Sharing (**CJIS**) portal.

Law enforcement and other criminal justice agencies use this secure portal to access booking records, Central Warrant Information System (CWIS) entries, driver's license and motor vehicle records, protection orders, incident records from many local law enforcement agencies, and more.

HONORARY BCI AGENTS

Attorney General Stenehjem presented **Darrell and Delores Byrum** with the first ever "**Honorary ND BCI Agent Award**," in recognition of their five years of volunteer service at BCI. The Byrums have been assisting the criminal history records and concealed weapons license sections since May 2012.

The commemorative plaque hangs in a place of honor at BCI.

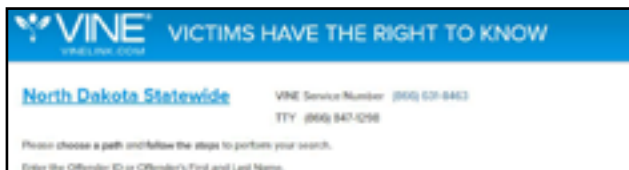


- ND CJIS provides a statewide system for county state's attorneys. **Twenty** of the state's 53 county state's attorneys already use the system and another **ten** will start using it in the upcoming biennium.

Statewide Automated Victim Information & Notification

The North Dakota Statewide Automated Victim Information and Notification (ND **SAVIN**) Program is managed by CJIS.

ND SAVIN is a free service that provides crime victims and others with certain types of notifications about offenders, protective orders, and criminal cases.



Marsy's Law (Measure 3)

Constitutional Measure 3 ("Marsy's Law") passed in the November 2016 election.

After requests from representatives of law enforcement, victim advocates, and prosecutors, Attorney General Stenehjem agreed to have the Office of Attorney General serve as the state's central clearing house for information on Marsy's Law.

Victim Notifications

Marsy's Law required an expanded list of victim notifications on more types of cases, something which the existing ND SAVIN program was not designed

for and **did not have the technological capacity to do.**

- The existing ND SAVIN program **does not** have the ability to generate victim notifications for municipal courts, juvenile courts, commitments, or Pardon Board hearings.
- ND SAVIN also **cannot** provide sentencing notifications to victims.

The ND Legislature authorized **\$815,000** to create the additional software for the ND SAVIN program to provide total automation of the required notifications.

- The updates will be completed in steps, and **the anticipated completion date** for all of the necessary program updates **is 2020.**

Marsy's Law Resources

The Attorney General's website has guidelines for criminal justice agencies on the requirements of Marsy's Law, the official Marsy's Card, and also has information about victim rights.

- The official **Marsy's Card** and other information for prosecutors and law enforcement is available under the **Criminal Justice Resources** pages at attorneygeneral.nd.gov.
- Detailed information about a **victim's rights** under Marsy's Law is available under the **Public Safety pages** of the Attorney General's website. ♦

CRIME STATISTICS

The Uniform Crime Report (UCR) section at BCI compiles criminal activity and arrest data from local law enforcement and produces an annual Crime Report, analyzing criminal activity and crime rates in North Dakota.

North Dakota's 2016 crime rate is just 6348.0 per 100,000 population. This is a **0.5% decrease** from 2015.

The report provides detailed information about the most serious offenses (Group A). Group A offenses are separated into three categories:

- **Crimes Against Persons** - murder, rape, **aggravated assault**, and simple assault.
- **Crimes Against Society** - promoting prostitution, drug offenses, weapons violations, pornography;
- **Crimes Against Property** - robbery, burglary, motor vehicle theft, shoplifting, stolen property offenses.

DUI and other offenses are reported separately in Group B.

The total number of arrests reported **increased** from 31,648 in 2015 to **32,345** in 2016.



DRUGS & ALCOHOL

There was a total of **4,866 drug arrests** reported in 2016, **an increase of 11%** from 4,382 drug arrests in 2015.

However, methamphetamine arrests increased by **19.5% from 1,633 to 1,952**, and **heroin** arrests skyrocketed from 177 to 299, a **69% increase**.

Alcohol and/or drug use by the offender was a factor in **over 42% of aggravated assaults** in 2016.

Reports of aggravated assaults had been increasing for several years, but in 2016 that trend appeared to plateau. There were 1,132 aggravated assaults in 2016, **down 4.5%** from 2015.

- However, **45%** of the reported **aggravated assaults** in 2016 were related to **domestic violence**, compared to the 40% of aggravated assaults reported in 2015.

*"It is disturbing to note that as the overall rate of aggravated assaults is declining, domestic violence related aggravated assaults are **increasing**."*

*Attorney General Wayne Stenehjem
July 21, 2017*

DRUNK DRIVING OFFENSES

According to the ND Department of Transportation, **drunk drivers** were responsible for **49 fatalities** in 2016. The average blood alcohol content (BAC) among DUI offenders is .17, **more than twice the legal limit** of .08.



In 2013, changes to the state's DUI laws took effect, including increased penalties for repeat DUI offenders and those whose BAC was found to be twice the legal limit or higher, and a new criminal offense for **refusing** to submit to testing to determine breath or blood alcohol levels.

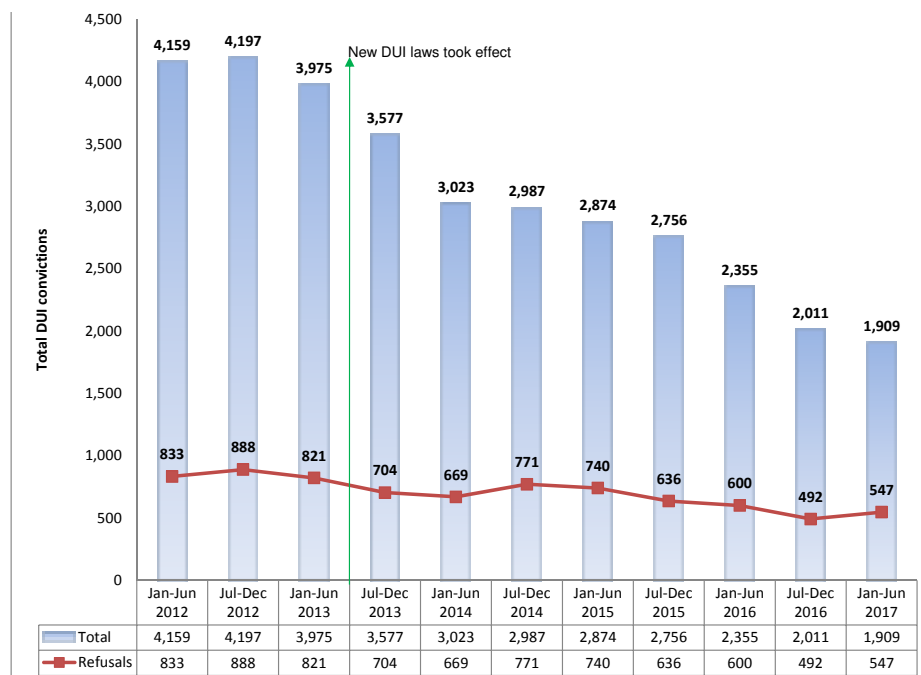
Arrests for alcohol-related offenses have declined significantly since the 2013 law took effect.

In 2012, there were 7,382 DUI arrests, which was **22.7%** of the 32,547 total arrests.

- The number of reported arrests in **2016 for DUI** was **5,406**. **This is the lowest number of DUIs in fourteen years.**

In 2016, **16.7%** of total arrests were for DUI, **the lowest rate in a decade.**

DUI Offenses though June 30, 2107



Crime Laboratory Toxicology Samples

The Crime Laboratory's Toxicology Section processed over **4,000 blood alcohol** samples and over **2,000 drug** screen samples obtained as a result of suspected **impaired driving**-related offenses.



Administrative Hearings

Attorneys from the Civil Litigation division represented the ND Department of Transportation in 359 district court cases and 35 ND Supreme Court cases relating to implied consent and driver's licenses (DUI cases).

Breath/Blood Alcohol Court Decision

Two DUI cases from North Dakota made it to the Supreme Court of the United States. Both cases involved state laws criminalizing the refusal of blood and breath alcohol tests.

In June 2016, the Supreme Court ruled that the Fourth Amendment allowed warrantless breath tests but not warrantless blood tests. As a result of the decision, authorities must choose either to administer a breath test or to obtain a warrant if the jurisdiction elects to proceed with a blood test.

OTHER CRIMES

Crime Laboratory

Unlike on popular television shows where the crime lab staff spend much of their time chasing the suspect (usually with guns drawn), our forensic analysts spend their days analyzing and identifying samples, developing DNA profiles, and comparing evidence, in support of the state's criminal justice agencies.

- The state Crime Laboratory processed a total of 18,926 criminal cases, including 7,938 drug cases.

Drug cases increased by just 2% from last biennium. However, those cases involved 23,215 items, of which **2,711** were **opioid-related**, a **46% increase** from the 1,854 opioid-related items last biennium.

Offender DNA Samples

During the biennium, **8,181 DNA profiles** were uploaded into the FBI's national DNA database, the Combined DNA Index System (CODIS), resulting in **248 hits** and possible investigative leads, including:

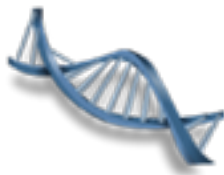
- An offender sample in the DNA database matched two burglary cases in North Dakota, along with four burglary cases in Washington and Oregon, resulting in the **capture of a serial burglar**.
- An offender sample from Alaska matched one of the very first DNA profiles ever entered into the North Dakota DNA database, a **2001 arson** case from Bismarck.

Sexual Assault (Rape) Kits

Beginning in late 2015, the Crime Lab worked with local law enforcement agencies to collect all previously unsubmitted sexual assault kits for testing.

The Lab collected and processed **210 kits** and was able to develop DNA profiles from 91 of them.

These profiles were uploaded into CODIS, resulting in **42 “hits”** and potential investigative leads, which were reported back to the submitting law enforcement agency.



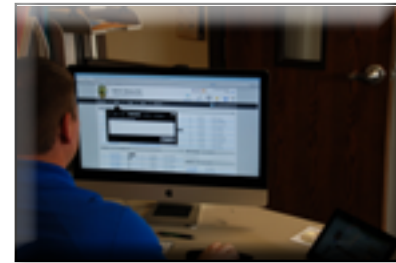
Internet Crimes Against Children (ICAC)

The BCI has specially trained computer forensic agents who provide forensic support to state and federal law enforcement agencies on a variety of criminal investigations, from homicides and financial crimes to child sexual abuse and internet child pornography.

During the biennium, the state's ICAC Task Force assisted with **475 child exploitation and sexual abuse investigations**, including:

- An investigation and subsequent arrest of **Michael Rivera**, then a Deputy US Marshal in Bismarck, for surreptitiously recording women while they were undressing in store fitting rooms led to more serious federal charges when ICAC investigators

searched a computer seized from his home.



Rivera's computer contained downloaded pictures and videos of **child pornography**. In June 2016, Rivera was **convicted** for receiving images depicting the sexual exploitation of minors and sentenced to seven years in federal prison.

- **Calvin Bernhardt** of Tuttle, ND, was investigated following a tip from the National Center for Missing & Exploited Children. Bernhardt paid a woman in the Philippines for sexually explicit images of her 14-year-old and then made arrangements to travel to the Philippines to engage in sexual contact with the child. While on pretrial release, Bernhardt contacted the woman and instructed her to destroy evidence related to the investigation.

In October 2016, Bernhardt was **convicted** of several federal charges, including sexual exploitation of minors, attempted witness tampering, and attempted travel with intent to engage in illicit sexual contact. ♦

PROSECUTIONS

The attorneys in the Criminal & Regulatory division provide prosecutorial assistance to the 53 county state's attorneys upon request. In addition, the division handles prosecutions of child sexual abuse offenses. Division attorneys prosecuted dozens of cases in state and federal courts, including:

Criminal Cases

- The prosecution of **Shadwick Walker** from Stanley, ND, for having sex with a girl who was 14 to 16 years old. On March 1, 2017, Shadwick, 38, was **convicted** on one count of **gross sexual imposition**, acquitted on one count, and the jury was unable to reach a decision on the remaining count. The trial was scheduled to resume in August 2017.

Walker's trial was the first held in Mountrail County's new courthouse. Assistant Attorneys General Jon Byers and Paul Emerson prosecuted the case.



Assistant Attorneys General Jon Byers (3rd from right) and Paul Emerson (far right) in court at the new Mountrail County courthouse.

- **Clyde Pickens** of Williston, ND was charged with three counts of engaging in sexual acts with a girl who was 10 to 11 years old. After a three-day trial, the jury returned **guilty** verdicts on all **three AA felony counts of gross sexual imposition**. Sentencing was scheduled for September 2017. Pickens, 59, could face life in prison.

Drug Cases

Attorneys prosecuted 176 individuals for **drug offenses**, including:

- A drug task force operation resulted in federal indictments in 2017 against three individuals for conspiracy to distribute and possessing with intent to distribute **methamphetamine**. More than 8 lbs of meth and 29 firearms were seized at the time the defendants were arrested.
- A federal indictment against several individuals for conspiracy to distribute and possessing with intent to distribute **heroin**, as well as a second count of money laundering. The defendant and his co-conspirators allegedly transported more than 1 kilo of heroin, with a street value of up to **\$500,000**. ■

PROTECTING COMMUNITIES

Stenehjem joins Attorneys General Nationwide in Investigating Opioid Marketing Practices

June 16, 2017

Attorney General Wayne Stenehjem is working with a bipartisan coalition of Attorneys General across the country in an ongoing investigation to evaluate whether manufacturers have engaged in unlawful practices in the marketing and sale of opioids.

"Widespread opioid abuse has resulted in a crisis all across the nation and it is appropriate to assess and address any potentially unlawful practices that may have contributed to the epidemic," said Stenehjem.

Nationwide and in North Dakota, opioids – prescription and illicit – are a major cause of drug overdose deaths. The coalition of Attorneys General is investigating what role the opioid manufacturers may have played in creating or prolonging the national opioid epidemic. ■



DRUGS IN THE COMMUNITY

This office continues its efforts to reduce drug-related criminal activity through proactive law enforcement operations including the narcotics task forces, supporting community awareness, and prevention initiatives.

Prescription Drug Monitoring Program

The state's Prescription Drug Monitoring Program (PDMP) was established in 2005 to help prevent the abuse or diversion of narcotic pain medications and other controlled substances.

Representatives from this office serve on the program's Advisory Council, which establishes policies and initiatives to help prescribers and pharmacists improve patient care and law enforcement to identify illegal activities relating to controlled substances.

Prescription Drug Take Back Program

From its launch in December 2009 through May 2017, the Attorney General's Take Back Program has collected and destroyed more than 17,875 pounds (**over 8.9 TONS**) of unused and dangerous controlled drugs and other prescription medications.

The Attorney General partnered with the Pharmacists Association and the ND Board of Pharmacy to expand the Take Back Program by adding the Yellow Jug Program, in which participating pharmacies provide a secure container at the pharmacy counter. The Yellow Jug Program launched in 2016. In 2017, the Yellow Jug Program became the "MedSafe" Program.



- Take Back and MedSafe sites are available at **over 120 locations** across the state, with more sites added every month.

SEX OFFENDER WEBSITE

The state's Sex Offender website, **sexoffender.nd.gov**, provides information to the public about registered offenders who live and work in North Dakota.

Offenders must register in North Dakota if they have pled guilty to or been convicted of certain criminal offenses in ND or an offense in another court which is equivalent to the ND offenses.

The Criminal and Regulatory division **successfully defended** a challenge of the state law requiring individuals convicted of sex offenses in other states or federal courts to register in North Dakota.

During the 2015-2017 biennium, the number of registered sex offenders increased from 1,858 to **2,004**.

The BCI processed **38,827 updates** to offender information on the sex offender website during the biennium.

- As of June 30, 2017, only **forty** offenders were **delinquent** in their registration, which equates to a **98.1% compliance rate**.

The Native American tribes maintain their own registries of offenders who live on the reservations.

HUMAN TRAFFICKING

The **Attorney General's Human Trafficking Commission** was established in August 2015. It is tasked with collecting and evaluating data on human trafficking activities in the state and promoting public awareness and training efforts.

The Commission created four committees: Victim Services, Training, Grants, and **Community Awareness/Demand Reduction**.

These committees met regularly during the biennium.

Demand Reduction Program

The Community Awareness/Demand Reduction committee worked in conjunction with the Council of Abused Women's Services (CAWS North Dakota) and the University of Mary to develop the curriculum for a **Demand Reduction Program** as a sentencing option for the district courts.

The one-day program educates buyers of commercial sex ("Johns") on the link between prostitution and human trafficking, and the consequences their decisions have on their communities, their health and on the survivors.

- The inaugural program is scheduled to launch in late 2017, after this reporting period.

Joint State-Federal Efforts

The Human Trafficking Commission has worked closely with the ND Human Trafficking Task Force to build a coordinated response to human trafficking in the state.

The NDHTTF was founded in late 2015 through a grant from the United States Department of Justice.



The NDHTTF functions as a supportive network to dozens of organizations and agencies across North Dakota, providing funding support, training and technical assistance, community coordination and data collection.

Human Trafficking Statistics

In 2016 (its first full year), the NDHTTF had 63 active human trafficking investigations, resulting in the identification of **92** potential victims and in the **arrest of 16** individuals for human trafficking-related incidents.

- Of those individuals, 15 were criminally charged in federal court, and 10 ultimately pled or were found guilty.

Source: ND Human Trafficking Task Force.

CONSUMER FRAUD

The Consumer Protection and Antitrust division enforces the state's consumer fraud and Do Not Call laws, investigates and prosecutes consumer fraud cases, and enforces the state's anti-trust statutes.

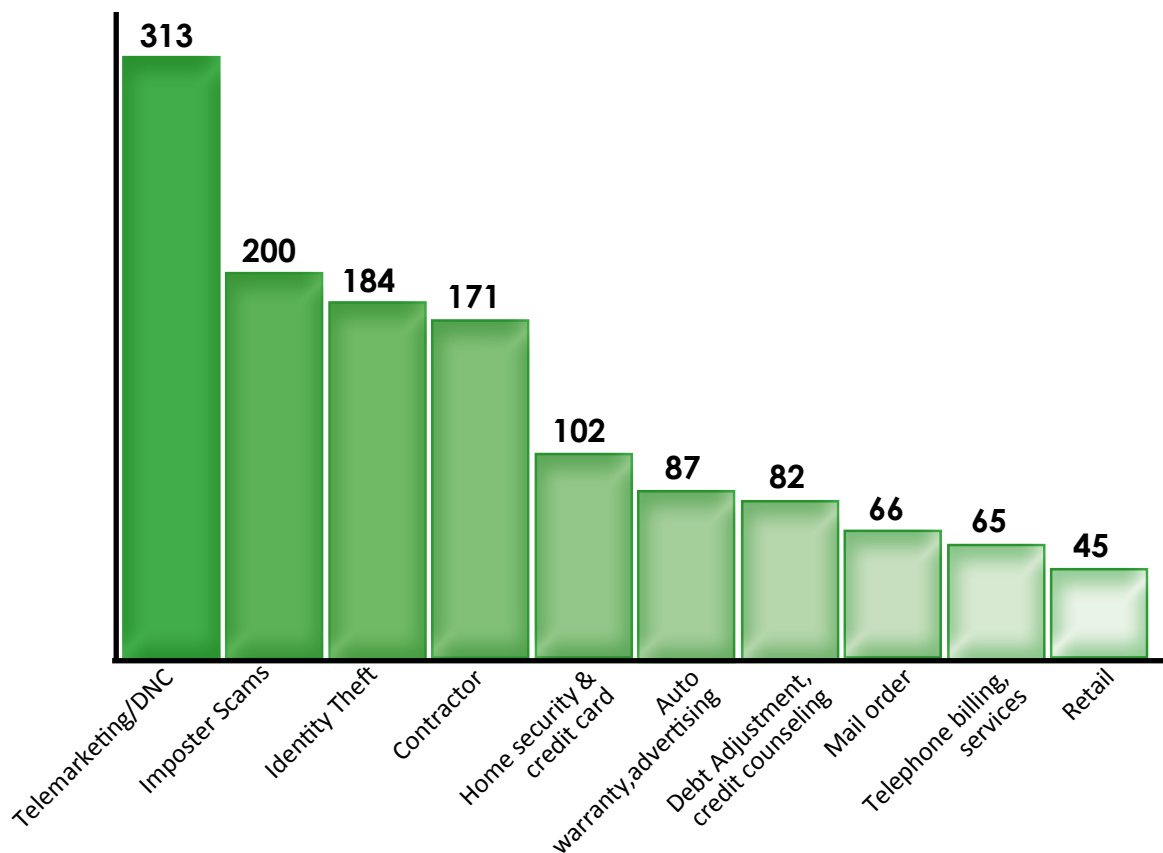
- The division filed **225 civil actions** against individuals and businesses for violating the consumer fraud laws, resulting in **\$1.32 million** refunded to consumers.
- The division collected an additional **\$2.31 million** in civil penalties, and to recoup attorney fees and investigative costs, for a total of **\$3.63 million**.

CONSUMER COMPLAINTS

The Consumer Protection division opened **2,380** complaints and closed **2,347**.

Seventy-two percent of complaints closed (**1,709**) were satisfactorily resolved either through informal mediation or legal action. Another **14** complaints were referred to other state or federal agencies. The remaining complaints were determined to be unfounded, or were closed because the business could not be located/was no longer in existence, or because the consumer chose to end mediation.

2016 Top Ten Consumer Complaint Categories



Do Not Call Violations

The division received **205** complaints for solicitations to consumers registered on the Do Not Call registry, of which **73** were **illegal prerecorded messages**.

- The division initiated 32 investigations, resulting in 36 settlements for which the division collected **\$18,500** in civil penalties.

The remaining investigations were either settled informally or were still pending at the end of this reporting period.

Unlicensed Contractors

“Before you sign a contract or hand over any money, make sure the company and its crew have all licenses required by state law.”

Attorney General Wayne Stenehjem



Working in conjunction with the Secretary of State's Office, the division continued its **contractor compliance** efforts, taking action against **46** contractors.

- The division issued **four** cease & desist orders against unlicensed contractors and pursued legal action against another **sixteen**, obtaining judgments totaling **\$319,653**, including **\$261,413** in **consumer restitution** ordered by the court.
- In another 22 cases, the division was able to resolve the complaint without taking legal action, entering into an Assurance of Voluntary Compliance. ♦

Stenehjem Shuts Down Another Credit Card Interest Rate Reduction Scam Operation

June 9, 2016

BISMARCK, ND – Attorney General Wayne Stenehjem has banned Clarence “Harry” Wahl, of Orlando, Florida, doing business as Life Management Services of Orange County and LPS of Fla. Wahl, and his wife Karen, were running a sham operation **leaving illegal pre-recorded messages** with phony offers to lower the interest rate on consumers' credit cards.

The Attorney General's Consumer Protection division received several complaints from individuals who are on the Do Not Call list and had received these illegal pre-recorded messages.

“Con artists like the Wahls don't care that these pre-recorded calls are illegal, because they are **just interested in making some fast money**. They target residents outside their own state in the hope that they can stay ahead of enforcement authorities long enough to cash in,” said Stenehjem. ■

Cease & Desist Orders

The division issued an additional eleven cease and desist orders for violations of the state's consumer fraud laws, banning the businesses and business owners from doing business in the state, including:

- Jeremy Silvers of Mesa, AZ, doing business as Premium Business Solutions, LLC, was banned for violations of the consumer fraud laws relating to **fraudulent grant assistance solicitations**. Silvers' company charged consumers \$2,450 for his company's phony "grant assistance services," which consisted only of a mailed booklet about grants.
- Crystal Clark and her business, Young People Working LLC, were banned for violations of the **home solicitation sales laws**. Clark, who listed addresses in three states, used groups of unwitting young people to sell magazines door-to-door. Neither the business nor any of the individuals who conducted the sales were licensed.

"People who thought they were helping to support some charitable enterprise for youth were, in fact, lining Ms. Clark's own pockets."

*Attorney General
Wayne Stenehjem
September 4, 2015*

DATA SECURITY BREACHES

A security data breach means a consumer's personal information has been "exposed" in some way, possibly including credit card and financial accounts. The thief can use this stolen information to compromise the consumer's accounts.

Beginning in 2015, any company that experiences a data breach involving data of more than 250 North Dakota residents is required to submit a detailed report to the Consumer Protection division.

- For the two years ending June 30, 2017, there were **27 data breaches involving more than 250** ND residents reported.
- Another **36** reported breaches affected an as-yet unknown number of ND residents.

An individual who receives a "data breach" notification from a company should take advantage of any free credit monitoring service the company is offering.

Security Credit Freeze

The Consumer Protection division processed **184 identity theft** affidavits this biennium.

One of the best ways to protect against identity theft is to place a **Security Credit Freeze** on your credit file. A security credit freeze prevents the thief from using the stolen information to create new financial accounts.

- Information about security credit freezes, identity theft, and

instructions for obtaining the free credit reports are available on the Attorney General's website, attorneygeneral.nd.gov.

IMPOSTER SCAMS

The Consumer Protection division issued numerous news releases, alerts, consumer advisories, and public service announcements warning about the various "imposter" scams.

These scams have been particularly pervasive for many years and frequently claim new victims despite all of the public awareness efforts and countless warnings, including: the **Fake IRS Calls**, the **Grandparent/Family Emergency** scam, the phony **Sweepstakes/Foreign Lottery Win** scam, and the **Romance/Online Dating** scam.

Start A Conversation

Don't assume that elderly family members will recognize a scam call or know what to do when they get one.

- Get the conversation started by asking your elderly friends and family members if they have heard about these scams.

Scam Losses

North Dakota victims reported losses of more than **\$3.51 million** to scam artists, including \$1.76 million to romance scams and \$1 million to sweepstakes and [foreign] lottery scams.

Unfortunately, scam victims are often too embarrassed to report that they have fallen for a scam, even when they have lost a significant amount of money. ♦

Warn Elderly Relatives About Scams Before They Get a Call

February 16, 2017

BISMARCK, ND - In just the past month, several elderly North Dakotans have fallen victim to the "grandparent" scam, each losing thousands of dollars to scam artists who pretended to be a grandchild supposedly in a dire situation and in desperate need of money.

The **Grandparent** scam is one of the common "imposter" scams that have been circulating in the state for several years, along with the **Fake IRS call** and the **phony Sweepstakes/Lottery Win**.

Attorney General Wayne Stenehjem has issued numerous warnings about these scams. Unfortunately, the Consumer Protection division of his office receives reports of new victims every week.

Stenehjem urged all North Dakota residents to talk to elderly parents and relatives about these scams.

"The only way to beat the scammers is to make sure our elderly relatives know what to do before they get a call," said Stenehjem. "These scam artists are ruthless professionals who will do whatever they can to convince their victims to part with their life savings," he continued. ♦

Victim Stories

Sweepstakes Scams

One 80-year-old victim was told she had won \$2.5 million. The scam artist gave her a phone number to call to “verify” the prize. Over the course of the next several weeks the victim mailed cash, deposited money into a third person’s bank account, and mailed a check to pay various assorted “fees,” all in the belief that she would soon receive her prize money.

Only when the victim’s son discovered what was going on and reported it to the Attorney General’s Consumer Protection division did the victim realize she had been conned, but by then she had already **sent over \$50,000 to the scam artists. None of the money was recovered.**

Another elderly victim only realized he had been lied to for months after he went to meet the prize notification team at the airport to claim his long-awaited prize but no one showed up.

By that time, he had **sent more than \$200,000** to the phony prize notification officials to pay supposed fees and taxes.

He reported that the “prize officials” would sometimes send him a money order with instructions to cash it and then wire it onto another person, telling him that they did not want him to be out of pocket. The money orders were counterfeit, and the bank later reversed the deposits, leaving him out the money. **None of the money was recovered.**

Grandparent/Family Emergency Scams

A **Bismarck couple in their 80s** received a call from someone claiming to be their grandson. He said he was in trouble and had been arrested in [another ND city] for drugs. He claimed to need bond money urgently, and, later, money for fines and fees.

Over the course of several days, the scam artists convinced the elderly couple to **purchase \$14,000 in Best Buy gift cards.** The couple provided the numbers on the back of the gift cards, and the scam artists wiped the money off the cards. **None of the money was recovered.**

*“Elderly individuals who live alone are **favorite targets** of scam artists and are particularly vulnerable.”*

*Attorney General
Wayne Stenehjem
June 14, 2017*

Romance Scams

An older North Dakota woman “met” a man on a well-known dating website. The man claimed to be a United States resident who was currently working overseas. Over the course of their online romantic “relationship” the man convinced her to make numerous bank transfers, promising to repay her later.

The woman **sent the scam artist more than \$110,000. None of the money was recovered.** ■



REGULATORY ENFORCEMENT

ANTI-TRUST ACTIONS

The Consumer Protection and Antitrust division also enforces the state and federal antitrust laws, which prohibit illegal anticompetitive practices.

Proposed Merger of Sanford Health & Mid Dakota Clinic

After a months-long analysis, in June 2017, the Attorney General joined the Federal Trade Commission (FTC) in asking the federal district court in Bismarck to pause the merger of Sanford Health and Mid Dakota Clinic until the FTC has completed an administrative hearing that will determine the legality of the transaction and any appropriate remedies.

In the court filings, the state expressed concern that the proposed merger between the two largest medical providers in the area may eliminate competition, resulting in a lack of choice and higher prices for consumers.

As of the end of the reporting period, the case was pending before the court.

DSU Foundation

After learning from the North Dakota University System of concerns regarding the solvency of Dickinson State University Foundation, in November 2014, Attorney

General Stenehjem asked the district court to appoint a receiver.

The receiver did not discover any evidence of wrong-doing or fraud, but the Foundation had made some poor investment decisions.

Unfortunately, negotiations with the Foundation's creditors were unsuccessful and in September 2015, Attorney General Stenehjem asked the court to dissolve the Foundation and determine the status of restricted assets and creditor claims.

As of the end of the reporting period, the dissolution was pending final recommendations by the receiver.

- The Attorney General promoted and the Legislature enacted legislation to ensure better protection and priority for Foundation donors in the future. Senate Bill 2276 took effect on August 1, 2017, after the reporting period ended.

REGULATORY DUTIES

Fire Safety Inspections

The State Fire Marshal inspects public schools, child care facilities, state buildings, licensed liquor establishments, and fuel tank storage sites for compliance with state building and fire safety codes.



- Fire inspections are **required** as a condition of licensing for bars, restaurants, and child care facilities.

The six deputy fire marshals inspected **269** public schools, **276** fuel tank storage sites, **382** state buildings, **158** licensed child care facilities and **118** bars and restaurants.

Licensing

The licensing section issues licenses to **bars, restaurants**, liquor stores, transient merchants, gaming sites and operators, fair boards, and wholesale fireworks distributors, among others.

- Almost **\$900,000** was transferred to the state's general fund in licensing fees.



Gaming

Veterans, charitable, educational, religious, fraternal, civic and service, public safety, or public-spirited organizations in North Dakota can apply for a state gaming license to raise money for charitable purposes.

Only licensed organizations may conduct "games of chance," such as Bingo, Pull Tabs, Twenty-One, and Poker.



There are more than 300 licensed organizations operating **926** gaming sites across the state.

- During the 2015-2017 biennium, licensed gaming organizations grossed over **\$547 million**, raising over **\$42 million** for charitable uses (such as student scholarships and community crime prevention projects) and generating **\$6.5 million** in gaming taxes for the state's general fund.

Electronic Pull Tab Devices

The 2017 Legislative Assembly authorized the use of electronic pull tab devices.

Electronic pull tabs are an electronic version of the traditional paper pull tab games, and require the use of a specialized electronic device. HB 1216 took effect August 1, 2017, but because the bill required this office to promulgate

rules, the devices will not be available for use in the state until after July 2018.

Gaming Compliance

The Gaming division provides training to charitable organizations and enforces the charitable gaming laws.

The division conducted group training sessions in five major cities as well as several individual training sessions, reaching **309** individuals representing **154 organizations**.

The division conducted seven unannounced field audits, 24 in-office audits, and 75 limited compliance audits, resulting in **72 administrative complaints**.

The division collected **\$61,650** in fines and referred 32 incidents of suspected criminal activity to local law enforcement, including **15 cases of theft of funds by gaming employees and 10 incidents of counterfeit money**.

Tribal Gaming

The Gaming division also enforces the tribal-state gaming compacts, which authorize the state's Native American tribes to conduct gaming at casinos on tribal land. Gaming staff regularly conduct random compliance inspections at the state's five Indian casinos. ♠

NORTH DAKOTA LOTTERY

The **North Dakota Lottery** conducts five multi-state games: Powerball®, Hot Lotto®, 2by2®, Mega Millions® and Lucky for Life®. The mix of games provides jackpots starting from \$22,000 to \$40 million.



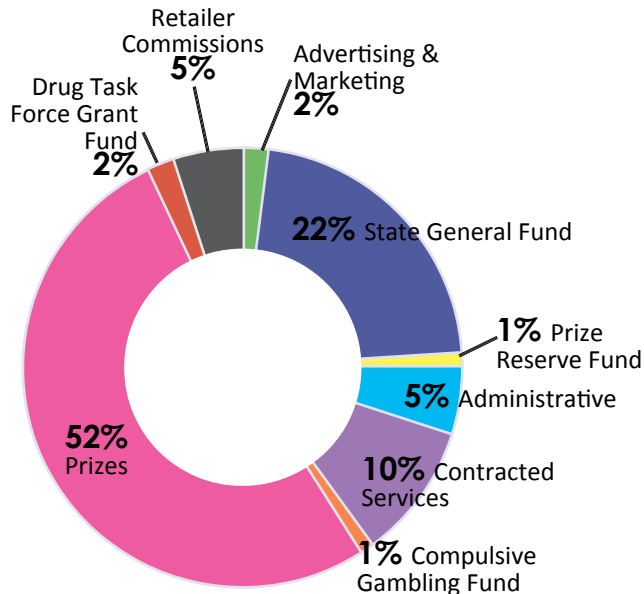
This biennium, the Lottery generated total operating revenues of **\$63.4 million** and net proceeds of **\$16.7 million**.

Across the state, **449** gas stations, convenience stores, grocery stores, and other locations are licensed to sell North Dakota lottery tickets.

- These businesses earned **\$3.20 million** in sales commissions and bonuses.

Lottery Ticket Sales

More than half of every \$1 ticket (52¢) is paid out in prize money. Only 5¢ goes to administration and operating expenses.



Record Prize Payout

The Lottery paid out a **record \$32.7 million in prizes** this biennium, including:

- **\$2,000,000** Powerball with Powerplay prize in September 2015 to a player from Williston;
- **\$1,000,000** Powerball prize in April 2016 to a group of players from Jamestown; and
- In May 2016, a **\$3,000,000** Mega Millions with the Megaplier prize to another player from Williston.

Since the Lottery began, North Dakota players have won more than **\$114 million**.

Lucky For Life

The Lottery's newest game, **Lucky for Life**, launched on January 31, 2016.



Lucky for Life features a top prize of \$1,000 a day for life, as well as a second prize of \$25,000 a year for life. Drawings are held twice a week, on Mondays and Thursdays. Tickets are \$2 per play.

Less than two months after the game launched, North Dakota had its **first FOR LIFE winners**.

The two lucky players, from Rolla and Belcourt, hit it big with a quick pick ticket. The winners opted for the one-time, lump sum cash payment of **\$390,000**, which was split between them.

- Lucky for Life replaced the Wild Card 2® game, which ended in February 2016 after eleven years.

Lottery Proceeds

The Lottery transferred **\$15.8 million to the state general fund**, **\$845,000** to the multi-jurisdictional drug task force grant fund, and **\$640,000** to the compulsive gambling prevention and treatment fund.

During the biennium, almost **\$716,000** was awarded to the drug task forces to offset rent, equipment, and other costs associated with the undercover operations. ■■

BIENNIUM IN REVIEW

PUBLISHED

47

Attorney General Opinions

PROSECUTED

53

Criminal cases

CONDUCTED

2,062

Investigations

ISSUED

12,253

Concealed Weapon Licenses

PROCESSED

18,926

Crime Lab cases

COMPLETED

126,719

Criminal History Record checks

OBTAINED

\$1.32 m

in consumer refunds

RECOVERED

\$12.23 m

for North Dakota
state agencies

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Licensing Section

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Fire Marshal

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