**ARTICLES FOR ROUNDUP 03-05-15**

**David Louie**

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Former Hawaii Attorney General David Louie, who served in that post from 2011 to late 2014 under former Gov. Neil Abercrombie's administration, has joined the Honolulu law firm Kobayashi Sugita & Goda as its newest partner, Louie confirmed to PBN on Wednesday.

Before becoming attorney general, he spent 32 years in private practice for the Honolulu firm he helped found, Roeca, Louie & Hiraoka, now known as Roeca Luria Hiraoka, focusing on civil litigation, insurance defense, construction defect litigation and commercial litigation.

In his new role at Kobayashi Sugita & Goda, Louie will focus on commercial and construction litigation.

"I've known the people at this firm for a long time," he told PBN. "My old firm is a good firm and very successful, but I thought the Kobayashi firm might be a good platform for me to sort of use my experience as attorney general and to concentrate on commercial litigation, while continuing to do construction litigation."

After Abercrombie lost the bid for a second four-year term last year, Louie decided to make the move back to private practice.

"I enjoyed my stint in public service," he said. "It was very gratifying, meaningful work."

Louie also served as president, vice president and director of the Hawaii State Bar Association, director and chair of the state's Aloha Tower Development Corp. and vice-chairman of a Hawaii Supreme Court special committee concerning judicial evaluations.

Louie joins other former top elected or appointed officials who have returned to work in the private sector at Honolulu law firms, including former Honolulu Mayor and Prosecutor Peter Carlisle, a partner at O'Connor Playdon & Guben; Mark Bennett, who preceded Louie as attorney general and is with Starn O'Toole Marcus & Fisher; and Blake Oshiro, former deputy chief of staff for Abercrombie and longtime state lawmaker, who is now with Alston Hunt Floyd & Ing.

**Catherine Cortez Masto**

By FRANCIS McCABE

LAS VEGAS REVIEW-JOURNAL

Outgoing state Attorney General Catherine Cortez Masto was named second in command of the Nevada System of Higher Education on Tuesday.

Cortez Masto will assume the role of executive vice chancellor beginning in January when her attorney general term expires. Her salary will be $215,000 a year.

“Catherine Cortez Masto brings a wealth of experience, knowledge and insight that will enhance our efforts to advance higher education in Nevada,” said Chancellor Dan Klaich in a statement. “She will be an outstanding addition to our leadership team.”

Cortez Masto will act as the chief operating officer for the system’s Las Vegas office, located on Maryland Parkway across the street from the University of Nevada, Las Vegas.

But the Board of Regents never voted on the hire and it was unclear Tuesday if any other candidates were considered. Klaich said he recruited Cortez Masto for the position. Klaich said the Board of Regents will be asked to approve the attorney general’s salary.

The hire caused concern for at least one regent who could be reached Tuesday.

Outgoing regent and controller-elect Ron Knecht said he was unaware that Cortez Masto was appointed to the position until he saw it in an email Tuesday.

“I’d have to be convinced there is a need for this. I haven’t seen any malfunction in NSHE that would call for this position to be filled,” Knecht said.

Knecht, a Republican, said he had no aversion to the individual hired. Cortez Masto is a Democrat. He said his concerns were with the ever growing bureaucracy of higher education.

The last executive vice chancellor was Klaich, who served under Chancellor Jim Rogers. Klaich became chancellor when Rogers left the post.

Klaich, through a spokesman, said he had no immediate plans to retire.

The Board of Regents will have a chance to question the hire and Klaich at its next meeting, set for Dec. 4 and Dec. 5.

Meanwhile, Cortez Masto, who graduated from the University of Nevada, Reno and Gonzaga University law school, said she looked forward to the opportunity.

“NSHE provides me with a thrilling opportunity to continue to work on behalf of Nevadans and advance the Board of Regents’ vision for educational improvement in order to ensure a brighter future for our state,” she said.

Cortez Masto was term limited as attorney general. She’ll be replaced in that job by Republican Adam Laxalt, who beat Democrat and Nevada Secretary of State Ross Miller in the Nov. 4 general election.

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**John Suthers**

By Lynn Bartels

The Denver Post

COLORADO SPRINGS — Republican John Suthers has provided legal advice to two Democratic governors and has overseen thousands of convicts, but his toughest job yet might be the next one he wants on his résumé: Suthers is running for mayor of Colorado Springs, a city as beautiful as it is dysfunctional.

"The fact is," Suthers said at his kickoff this month, "we have a local political environment that has not been conducive to community and economic development."

The City Council's fights with the current mayor, Steve Bach, over the budget and other issues have been legendary. Bach is not running for re-election.

"This has been the most difficult two years of my political career," said City Council president Keith King, a former state lawmaker. "I had more opportunity to collaborate with the Democrats at the General Assembly than with the mayor here in Colorado Springs — and we're all Republicans."

Colorado Springs is home to a legion of conservative voters who believe in limited government, especially when it comes to local taxes, but are ardent supporters of its five military installations. The recession that hit in 2008 hurt cities nationwide but was especially felt in tax-averse Colorado Springs. More than a third of its street lights went dark, and water cutbacks meant dead grass in parks.

"We've allowed our public infrastructure — our roads, bridges and storm drainage systems — to deteriorate," Suthers said to a couple hundred supporters and one die-hard enemy who gathered at Ivywild School for his kickoff.

"I hope you all came because you agree on one thing, that it's time to get Colorado Springs moving again."

No. 1 in fundraising

Others who have formally announced for the $96,000-a-year job are former Mayor Mary Lou Makepeace, El Paso County Commissioner Amy Lathen, and Joel Miller, who resigned his council seat to campaign for the post.

Two other hopefuls have filed paperwork with the city clerk or expressed an interest in running but have not formally announced. They are Lawrence Martinez of El Pomar's Emerging Leaders Development Program and Justine Herring, who has been arrested twice this month. Police said Herring waved an AR-15 rifle at a man and claimed to be a federal law enforcement officer during an incident at Memorial Park. A week later, she was arrested after police responded to a domestic incident.

The winner of the April 7 nonpartisan election takes office April 21 unless no candidate receives a majority of votes. In that case, there would be a runoff May 19, with the winner taking over June 2.

City election records show that Suthers so far has raised more than $117,000, easily outpacing his mayoral rivals; Lathen is second with more than $39,000.

With a population of almost 458,000, Colorado Springs is the second-largest city in the state. Community leaders are confounded that growth has lagged in a city that offers stunning views and tourists sites, including the Garden of the Gods.

Bach, a commercial real estate broker, was elected mayor in 2011, a year after voters approved a strong-mayor form of government. He said he hopes his successor has better luck dealing with the City Council and a vague city charter that has been open to interpretation.

"People ask me what I want my legacy to be," Bach said. "I say, 'Legacy? I hope I live through this.' This has been tumultuous. It has been very challenging. I don't want to have my personality or the perceived conflict to be in the way. It's time for someone to bring in fresh ideas and fresh energy and take the city forward."

Still, Bach said the city made many gains, much with the council's help. He just released an eight-page document touting those achievements.

Tom Neppl, the immediate past chairman of the Colorado Springs Regional Business Alliance, said the dysfunction between council members and the mayor has been a "sad situation."

"I'm a strong advocate for collaboration, and it is something that is sorely missing," Neppl said when he introduced Suthers at the campaign event. "It's time for someone to come in and hit the reset button."

That someone, he believes, is Suthers, 63, who was raised in Colorado Springs, met and married his wife, Janet, there and raised a family.

Suthers served as El Paso County district attorney, ran the state prison system under former Gov. Bill Owens and was appointed U.S. attorney by President George W. Bush. He most recently stepped down as Colorado's attorney general Jan. 13 because of term limits.

At a reception for the outgoing AG last month, former Govs. Owens, a Republican, and Bill Ritter, a Democrat, and the current governor, Democrat John Hickenlooper, heaped praise on Suthers. They talked about his character and his commitment to Colorado.

Suthers, who made only $80,000 a year as attorney general, said about 20 law firms initially reached out to him about his plans after he left the state. That dwindled to about six firms when Suthers said he wanted to work for a firm that had a regional office in Colorado Springs.

The talks ended after Suthers decided he wanted to do another stint in public service.

**Utah Attorney General’s Office Launches New ID Theft Central Website The Public is Invited to Report, Repair and Find Resources to Combat ID Theft**

SALT LAKE CITY (Feb 26, 2015) — The Utah Attorney General’s office today announced a comprehensive resource for citizens of all ages to combat identity theft. ID Theft Central found on the web at idtheft.utah.gov is a free portal to resources and registries. The site offers a free Child Identity Protection registry. Parents can enroll their children to receive years of identity theft protection. In addition, identity theft can be reported online through the Identity Theft Reporting Information System. ID Theft Central also leads citizens to Track My Case, Victim Assistance and Resources, and Identity Theft Crime Mapping. Over 100 Utah law enforcement agencies participate in the Utah ID Theft Central program.

Found on the ID Theft Central website, a recent study by Carnegie Mellon CyLab Distinguished Fellow Richard Power reports that over 10 percent of children had someone else using their Social Security number – 51 times higher than the 0.2 percent rate for adults in the same population. The Utah Attorney General’s Office is combating the problem in preventive ways at idtheft.utah.gov and by investigating and prosecuting felony cases against identity fraud mills in Utah through the Attorney General’s SECURE Strike Force. Information on both can be found at attorneygeneral.utah.gov.

The three R’s of ID Theft Central are:

•Report – Using smart technologies, Utah consumers can conveniently report identity theft online. Each report is automatically delivered to the victim’s local law enforcement agency. Citizens of Utah who report a crime at ID Theft Central receive an Identity Theft Incident Report, Affidavit, and law enforcement Case Number. All of which can be used to help clear up the damage caused by an identity theft.

•Repair – Each person who reports a crime at ID Theft Central receive Victim Assistance instructions that walk them step-by-step through the repair process. Instructions are customized for each type of identity theft, and include instructions to set up Fraud Alerts with the three credit reporting companies for protection against identity theft.

•Resource – ID Theft Central is the only website where parents can enroll their children in a Child Identity Protection program at no cost, receive continued protection from TransUnion until each child achieves the age of 17, and their kids are automatically removed from the program.

ID Theft Central provides free web-based services for Utah citizens to Report, Repair and Protect against identity theft. For more information about ID Theft Central, visit idtheft.utah.gov. For more information about the Utah Attorney General’s office, visit attorneygeneral.utah.gov. The Utah Attorney General’s office thanks the law enforcement agencies participating in the ID Theft Central program.

**Attorney General’s data breach notification bill approved in House**

Mar 4 2015

OLYMPIA — Today, Washington Attorney General Bob Ferguson’s legislation strengthening the state’s data breach notification law passed the House of Representatives, 97 to 0, with strong bipartisan support.

“Nearly every day, we hear of another troubling compromise of sensitive personal information,” Ferguson said. “Repairing the damage caused by identity theft costs consumers billions of dollars every year. Protecting consumers is one of my top priorities, and the sooner they know their data has been compromised, the more they can do to minimize that damage.”

The House version of the Attorney General’s agency-request legislation, House Bill 1078, is sponsored by Rep. Zack Hudgins, D—Tukwila.

“Cybercrime gets more sophisticated every day, but it’s been nearly a decade since our data breach notification law had any update,” Hudgins said. “I’m glad my colleagues joined me in taking the first step in giving consumers the tools they need to protect themselves when data breaches occur, and I hope this robust discussion of cybersecurity continues.”

The senate version, Senate Bill 5047, is sponsored by Sen. John Braun, R—Centralia.

"Identity theft is becoming more common and can have serious impacts on peoples' lives,” said Braun. “This legislation would empower consumers with access to timely information to understand what they can do if their sensitive data have been compromised. We need to improve awareness and education so that people can recover from data breaches."

Every year, data breaches imperil the personal and financial information of millions of consumers across the nation. Sophisticated hackers attack businesses, non-profits, and public agencies of all sizes, accessing vast troves of consumer information with each breach.

In 2012 alone, the most recent year that federal Bureau of Justice Statistics data are available, 16.6 million Americans — some 7 percent of those age 16 or older — were victims of identity theft. According to the Online Trust Alliance, in 2013 there were 2,164 data breaches in which over 830 million records were exposed, including credit card numbers, email addresses, login credentials, Social Security numbers and other personal information.

Current state law regarding data breaches does not adequately protect consumers in this new age of massive database theft. It does not require notifications concerning the release of “encrypted” data, even when the encryption is easy to break or there is reason to believe that the encryption “key” has been stolen. Current law does not specify a deadline by which consumers must be notified nor does it require entities to provide consumers with information on how to protect themselves in the wake of a breach.

Finally, unlike other states, Washington state law does not require any centralized reporting to the state when a data breach occurs, resulting in a lack of robust information for law enforcement and consumers.

The legislation passed by the House strengthens Washington’s data breach notification law by:

•Eliminating the blanket exemption for encrypted data;

•Requiring consumer notification as immediately as possible and no later than 45 days whenever personal information is likely compromised;

•Requiring that the Attorney General be notified within 45 days when a data breach occurs at a business, non-profit or public agency, enabling the Attorney General to compile centralized information about data breaches for law enforcement and consumers; and

•Requiring businesses, non-profits and agencies, when reporting a breach, to provide consumers with basic information they can use to help secure or recover their identities.

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**Attorney General Rosenblum Asks Oregon Legislature to Prevent Student Data from Being Sold**

February 26, 2015

Oregon Attorney General Ellen Rosenblum today testified before the Senate Education Committee in support of SB 187, or the Oregon Student Online Personal Information Protection Act (OSIPA). The legislation would prevent third-party vendors who contract with a school from selling student data, using the data for advertisements, or from creating a profile of a student for a non-educational purpose. The bill would still allow schools and educational technology providers to continue to use a student’s information for school-related purposes.

“At its core, OSIPA is very simple. This bill does not limit the legitimate use of students’ data by schools or teachers. It should be the policy of Oregon that the information you gather from students should be used for their educational benefit and for nothing else,” testified Attorney General Rosenblum.

Today, many schools and teachers use software and other online tools to help track student grades, preferences, homework and progress. These tools are extremely helpful to students, parents and teachers, but if the data is used inappropriately, the online records can follow a child throughout their life. Some of the collection of data is already protected by the Family Educations Rights and Privacy Act (FERPA) of 1974, which prohibits the disclosures of standardized test scores, disciplinary history and other official student records, but it does not protect other student online data.

“A student’s data is of tremendous value to educators, allowing them to better identify students who might be struggling in a particular subject. But all of this data also has real commercial value: It can be used to target ads to the students and their families, or to build profiles with the potential to follow students from K through 12 and beyond. Some tech companies can collect millions of data points a day on a child, and that information needs to be protected.” continued Attorney General Rosenblum.

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**Attorney General Kamala D. Harris Sponsors Legislation to Support Law Enforcement Efforts in Combatting Transnational Crime**

Monday, February 23, 2015

Contact: (415) 703-5837, [agpressoffice@doj.ca.gov](mailto:agpressoffice@doj.ca.gov)

SACRAMENTO – Attorney General Kamala D. Harris today announced her sponsorship of two bills that will help provide enhanced support to law enforcement agencies in their investigations of transnational criminal organizations.

Transnational criminal organizations have made California the single biggest point of entry for methamphetamine into the United States, with 70% entering through the San Diego Port of Entry. These organizations transfer billions of dollars out of the U.S. through California. As much as $40 billion in illicit funds were laundered in the state in 2012, according to Attorney General Harris’ 2014 report, Gangs Beyond Borders: California and the Fight Against Transnational Organized Crime.

“Transnational criminal organizations rely on a steady flow of billions of dollars in laundered money to support their operations,” Attorney General Harris said. “The legislation I am sponsoring will equip local and state law enforcement with more tools to target their illicit profits and dismantle these dangerous organizations.”

Senate Bill 298 (Block, D-San Diego) would add money laundering to the list of predicate offenses for wiretapping under Penal Code 629.52 if the money laundering is associated with a organized criminal group and the value of the transactions exceeds $50,000. Currently, the existing wiretap statute only applies to drug trafficking, human trafficking and street gang felonies – which all have a direct nexus to transnational criminal organizations. This bill would allow law enforcement to utilize wiretaps to investigate financial fraud, allowing them to target the financial pipeline that sustains the operations of transnational criminal organizations.

“If money is the root of all evil, then money laundering is the insidious offshoot,” said State Senator Marty Block. “Money laundering camouflages the profit from heinous crimes such as human and weapons trafficking and allows criminals to profit from and expand their operations. SB 298 hands law enforcement another tool to fight the most grievous crimes they face.”

Assembly Bill 443 (Alejo, D-Salinas) would allow for the preservation of criminal assets before charges are filed under the following circumstances:

at least $10,000 is at stake

the judge finds a substantial probability that charges will be filed and the government will prevail

the proceeds will otherwise be destroyed or made unavailable

the need to preserve outweighs any hardship of the party impacted.

AB 443 addresses the gap in law that prevents prosecutors from freezing criminal proceeds prior to an indictment being filed, leading to criminal organizations disposing of these assets once a charge has been brought against them. The bill will allow prosecutors to effectively disrupt and dismantle transnational criminal organizations and other sophisticated criminal profiteers.

“Gang violence and crime continue to be serious problems across the state, and we must take steps to diminish the grip they have on many of our most disadvantaged communities,” said Assemblyman Alejo. “Many of these organizations are operating in cities that I represent - Salinas, Watsonville, Soledad and King City. They use our kids as pawns, many of whom wind up in jail or dead, and they do this all to make a profit. By freezing the assets of criminal organizations, we hit them where it hurts most, and we can put a halt to their operations.”

In March 2014, Attorney General Harris issued “Gangs Beyond Borders: California and the Fight Against Transnational Organized Crime,” the first comprehensive report analyzing the current state of transnational criminal organizations in California. The report is the first comprehensive report analyzing the current state of transnational criminal organizations in California and the threats they pose to the state’s public safety and economy.

The report also outlined recommendations to address this problem, which include increased funding for state anti-narcotics trafficking task forces and additional coordination between federal, state, and local law enforcement agencies in combatting transnational criminal organizations. The report is available here: https://oag.ca.gov/transnational-organized-crime.

Following the release of this report, Attorney General Harris led a delegation of state attorneys general to Mexico to strengthen working relationships between the governments of both countries and enhance efforts to combat transnational crime. The delegation met with Mexican state attorneys general and federal officials to discuss the issues of drug, human and firearms trafficking, money laundering and high-tech crime.

Attorney General Kamala D. Harris and the four other state attorneys general also signed a letter of intent with the National Banking and Securities Commission of Mexico to establish a bi-national working group on money laundering enforcement.

In October 2014, Attorney General Harris announced the creation of a new anti-methamphetamine team of Special Agents based Los Angeles funded by a $1 million federal grant. The team will be comprised of six Special Agents assigned to investigate illicit activities related to the manufacture and distribution of methamphetamine in California and will work in a coordinated effort with the other 18 existing California Department of Justice task forces.

Over the past four years, California Department of Justice special agents have seized over $200 million in cash, 10,000 kilos of cocaine, 12,000 pounds of methamphetamine, and taken nearly 12,000 illegal guns off the streets in California.

**MHP Announces First Success in its “Warrant Wednesdays” Campaign**

Today, the Montana Highway Patrol announced its new Facebook outreach tool designed to use public assistance to help law enforcement officers locate wanted fugitives resulted in its first apprehension.

Andrew Jorge Douglas Heiser was arrested last night by the MHP with assistance from the Yellowstone County Sheriff’s Office near Billings after a citizen posted a Facebook tip as to Heiser’s whereabouts after reading about him in the Patrol’s “Warrant Wednesday” post yesterday.

Heiser, 26, had an outstanding $20,000 warrant for charges stemming from a November 2, 2014 wreck near Shepherd, as well as an outstanding warrant out of Meagher County District Court for failure to appear at a revocation hearing with a $10,000 bond. Heiser had recently been involved in a vehicle pursuit and has a history of incidents involving violence.

“This early success of our Warrant Wednesday campaign shows just how powerful a resource social media can be to law enforcement agencies,” said Colonel Tom Butler, chief of the Highway Patrol. “We thank the tipster who reached out to us with the information on Heiser’s whereabouts that ultimately resulted in his arrest, and we look forward to more successes with the help of the public.”

“Montanans care deeply about their communities and the well-being of their neighbors,” Attorney General Tim Fox said. “Warrant Wednesdays offers a convenient and timely way for the public to team up with law enforcement to help locate dangerous criminals and keep their neighborhoods safe.”

Each Wednesday on its official Facebook page, the Patrol posts the name and photo of a person with an outstanding arrest warrant who may pose a risk to public safety and/or whose warrant has been outstanding for an extended period of time. Members of the public who have information regarding the person in question are encouraged to contact the Patrol directly by calling 1-855-MHP-3777, by emailing MHPHQContact@mt.gov, or by private Facebook message only, and are asked not to approach the person in question.

The Montana Highway Patrol’s official Facebook page can be found here: <https://www.facebook.com/montanahighwaypatrol>.

**White Collar Crime Registry Legislation Introduced**

Utah Attorney General’s Office and Representative Mike McKell Introduce White Collar Crime Registry During National Consumer Protection Week

SALT LAKE CITY (March 3, 2015) — As a longtime advocate for consumer protection and a member of the Standing Committee on Consumer Protection of the National Association of Attorneys General, Utah Attorney General Sean Reyes highlighted National Consumer Protection Week (March 1-7) by promoting a legislative solution he has long championed to address white collar crimes and affinity fraud in particular. Today, in the House Law Enforcement and Criminal Justice Standing Committee, Rep. Mike McKell proposed H.B. 378, the White Collar Crime Registry, with Chief Deputy Brian Tarbet of the Attorney General’s Office testifying to the need of informing and protecting citizens from investing with those who have previously been convicted of second degree felonies for financial crimes. The bill passed the Judicial Committee unanimously today and will progress to the floor.

The proposed White Collar Crime Registry has been introduced to modify the Utah Code of Criminal Procedure to include a registry for persons who commit specified white collar crimes. While introducing the legislation, Rep. Mike McKell said, “Utah is a hot bed for financial fraud committed by repeat offenders. Many people in our state have trusting relationships with those who take their money in multi million dollar schemes and many times those particular people have already been convicted of financial crimes.” Rep. McKell pointed out that the information is already public in legal databases, but is not organized or easily accessible for consumers. Rep. McKell thanked the Attorney General for his foresight in bringing to the legislature such a simple but powerful educational tool and protection for Utah citizens.

Utah Attorney General Chief Civil Deputy Brian Tarbet testified to the need for the consumer protection resource by saying, “[Outside of budget], this is the Attorney General’s top priority for this legislative session because of the high level of affinity fraud we prosecute in our office and are aware of throughout the state. This registry is a tool to help empower and inform Utah citizens before investing with those who have illegal pasts and unsavory business practices that have led to second degree felony convictions.”

According to Utah Attorney General Sean Reyes, despite so many positive economic indicators and a tremendous environment overall for business in the state, Utah is sadly known for its high level of financial vulnerability to affinity fraud (exploiting relationships of trust). “Utah’s unique personal interweavings and close relationships offer a rich environment for predatory behavior and financial crimes in our state. We trust those in our neighborhoods, in our churches, in our social circles and in our professions. While in many ways trust is a healthy community trait that fosters social strength and business success, it also leaves our citizens quite susceptible to those who would exploit that trust.”

AG Reyes further stated: “I have long hoped we could bring a bill that will further equip citizens to protect themselves from financial fraud. This registry will make already public information much more accessible for the average citizen in this digital age. It will inform anyone performing a simple name search if they are investing with someone who has previously been convicted of financial crimes. People spend all sorts of time reading reviews and searching information before they buy a computer, T.V. or even blender. Often they will invest their entire nest egg with no due diligence at all. A simple search on this registry may save you your life savings. And this tool will hopefully curtail some of the billions of dollars lost in Utah to investment fraud and other financial crimes. This will be a tremendous outcome for citizens if passed.”

White Collar Registry H.B. 378 is currently in its first substitute. After passing in the House Law Enforcement and Criminal Justice Standing Committee, it will now move to the floor. The current state of the bill authorizes the Utah Attorney General’s Office to develop, operate, and maintain the Utah White Collar Crime Offender Registry website.